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 John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

City of Fayetteville Arkansas
City Council Meeting
November 17, 2015

A meeting of the Fayetteville City Council was held on November 17, 2015 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent

1. Approval of the October 30 2015 City Council meeting minutes.

   APPROVED

2. **Office Depot, Inc.:** A resolution to approve a contract with Office Depot, Inc. for the purchase of office supplies pursuant to a Western Contracting Alliance-National Association State Procurement Officials cooperative purchasing agreement.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 205-15

3. **Contech Engineered Solutions, LLC:** A resolution to award Bid No. 15-58 and authorize the purchase of a prefabricated steel trail bridge from Contech Engineered Solutions, LLC in the amount of $87,126.00 plus applicable taxes for installation on the Town Branch Trail over Town Branch Creek, and to approve a project contingency in the amount of $19,124.16.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 206-15

4. **Community Access Television, Inc. d/b/a Your Media:** A resolution to approve a contract with Community Access Television, Inc. d/b/a Your Media in the amount of $153,570.00 for the provision of public access television services and the operation of the public access television channel through 2016, contingent on approval of the 2016 annual city budget.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 207-15

5. **2015 ADEQ Boston Mountain Recycling Grant:** A resolution to authorize acceptance of a 2015 Arkansas Department of Environmental Quality grant through the Boston Mountain Solid Waste District in the amount of $8,000.00 for the purchase of public space recycling containers, and to approve a budget adjustment.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 208-15

6. **Special Needs Assistance Programs Grants (SNAP):** A resolution to approve a budget adjustment in the amount of $414,161.00 recognizing Special Needs Assistance Program grant revenue, and to authorize the addition of 2.0 temporary full time equivalent positions to the Community Resources Division to hire case managers to provide housing services for homeless Fayetteville residents.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 209-15

7. **Vulnerable Road Users Protection:** A resolution to affirm the City's persistent efforts and lengthy commitment to alternative and active transportation infrastructure, road and trail safety and the protection of all vehicular and vulnerable road users.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 210-15

B. Unfinished Business

1. **Tree Preservation Area Vacation For Crain Automotive:** A resolution to reject the recommendation of the Urban Forester who determined that the tree preservation and mitigation areas in easements and dedications agreed to and signed by the owner/developer on June 25, 2014, should not be vacated or changed by a new development proposal for this acreage. *At the November 3, 2015 City Council meeting, this resolution was tabled to the November 17, 2015 City Council meeting.*

   THIS RESOLUTION WAS TABLED INDEFINITELY

C. New Business

1. **RZN 15-5196 (3422 N. College Ave./Scott Plaza):** An ordinance to rezone that property described in Rezoning Petition RZN 15-5196 for approximately 0.57 acres located at 3422 N. College Avenue from R-O, Residential-Office to C-1, Neighborhood Commercial.

   PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5821

2. **VAC 15-5204 (722 S. Locust Ave./Southside Townhomes):** An ordinance to approve VAC 15-5204 submitted by Infill Group, Inc. for property located at 722 S. Locust Avenue to vacate portions of alley and street rights-of-way.

   PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5822

3. **Amend § 150.02 Purpose:** An ordinance to amend § 150.02 purpose of the Unified Development Code by enacting further language.

   PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5823

4. **Amend Chapters 160, 161 and 167:** An ordinance to amend § 160.01 **Establishment of District**, § 161.10 **District RSF-18, Residential Single-Family, eighteen units per acre**, and Table 1 **Minimum Canopy Requirements** of § 167.04 **Tree Preservation and Protection During Development**, all within the Unified Development Code.

   PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5824

5. **Amend Chapter 97 Parks and Recreation:** An ordinance to amend Chapter 97 **Parks and Recreation** of the Fayetteville City Code to allow twenty four (24) hour access to shared use paved trails; to add leash requirements for animals in certain parks; to prohibit certain activities in parks including unauthorized vehicle operation, use of paddle boards on city lakes, and shooting of model rockets; to provide for certain activities in parks including camping, horseback riding, limited vending at park events, and posting of temporary signs; and to make other technical revisions.

   THIS ORDINANCE WAS LEFT ON THE FIRST READING

6. **Amend § 73.04 Riding On Roadways and Bicycle Paths and § 73.05 Riding on Sidewalks:** An ordinance to amend § 73.04 **Riding on Roadways and Bicycle Paths** to provide for the safe operation of bicycles on roadways and bicycle paths, and to amend § 73.05 **Riding on Sidewalks** to provide for the safe operation of bicycles on sidewalks.

   THIS ORDINANCE WAS LEFT ON THE FIRST READING

7. **Adopt the 2016 Annual Budget and Work Program:** A resolution to adopt the 2016 Annual Budget and Work Program.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 211-15

8. **Appeal of the Planning Commission's CUP 15-5217: Conditional Use (2648 N. Old Wire Road/Apple Seeds):** A resolution to grant the appeal of Aldermen Justin Tennant, Martin Schoppmeyer and John La Tour of Conditional Use Cup 15-5217 (2684 North Old Wire Road/Apple Seeds, Inc.) granted by the Planning Commission on October 26, 2015 and to deny the Conditional Use (or to return the Conditional Use to the Planning Commission for renewed consideration).

   THIS RESOLUTION WAS DENIED

Announcements

City Council Agenda Session Presentations

City Council Tour

Adjournment: 7:06 p.m.

City Council Meeting: **November 17, 2015** **Adjourn:** 7:06 p.m.

Subject:	**Roll**				
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan	✓			

9-0

Subject:	C. 8. 2015-0529 Appeal				
Motion To:		Move to before Consent			
Motion By:		Schoppmeyer			
Seconded:		La Tour			
C. 8. Did not move.	**Kinion**	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan				

8-0

City Council Meeting: **November 17, 2015**

Subject:	**Consent**				
Motion To:		Approve			
Motion By:		Marsh			
Seconded:		Tennant			
Minutes Approved	**Kinion**	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
Passed 205-15 210-15	**La Tour**	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan				

8-0

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

City Council Meeting: **November 17, 2015**

Subject:	**Tree Preservation Area Vacation For Crain Automotive**				
Motion To:		Table Indef.			
Motion By:		Marsh			
Seconded:		Long			
B. 1 Unfinished Business This was Tabled Indefinitely	**Kinion**	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan				

8-0

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

City Council Meeting: **November 17, 2015**

Subject:	**RZN 15-5196 (3422 N. College Ave./Scott Plaza)**				
Motion To:		2nd Read	3rd Read	Passed	
Motion By:		Long	Gray		
Seconded:		Gray	La Tour		
C. 1 New Business	**Kinion**	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
passed	**La Tour**	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
5821	**Marsh**	✓	✓	✓	
	Mayor Jordan				
		8-0	8-0	8-0	

Subject:	**VAC 15-5204 (722 S. Locust Ave./Southside Townhomes)**				
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Marsh	Gray		
Seconded:		Kinion	Marsh		
C. 2 New Business	**Kinion**	✓	✓	✓	
	Petty	Recuse	Recuse	Recuse	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
passed	**La Tour**	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
5822	**Marsh**	✓	✓	✓	
	Mayor Jordan				
		7-0	7-0	7-0	

City Council Meeting: **November 17, 2015**

Subject:	**Amend § 150.02 Purpose**				
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Marsh	Gray		
Seconded:		Gray	Marsh		
C. 3 New Business	**Kinion**	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
Passed	**La Tour**	N	N	N	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
5823	**Marsh**	✓	✓	✓	
	Mayor Jordan				
		7-1	7-1	7-1	

Subject:	**Amend Chapters 160, 161 and 167**				
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Marsh	Gray		
Seconded:		Gray	Marsh		
C. 4 New Business	**Kinion**	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
Passed	**La Tour**	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
5824	**Marsh**	✓	✓	✓	
	Mayor Jordan				
		8-0	8-0	8-0	

City Council Meeting: **November 17, 2015**

Subject:	**Amend Chapter 97 Parks and Recreation**				
Motion To:		97.038 Amend			
Motion By:		Long			
Seconded:		La Tour			
C. 5 New Business Left on the First Reading	**Kinion**	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan				

8-0

Subject:	**Amend § 73.04 Riding On Roadways and Bicycle Paths and § 73.05 Riding on Sidewalks**				
Motion To:					
Motion By:					
Seconded:					
C. 6 New Business Left on the First Reading	**Kinion**				
	Petty				
	Tennant				
	Schoppmeyer				
	La Tour				
	Long				
	Gray				
	Marsh				
	Mayor Jordan				

City Council Meeting: **November 17, 2015**

Subject:	**Adopt the 2016 Annual Budget and Work Program**				
Motion To:		Pass			
Motion By:		Gray			
Seconded:		Petty			
C. 7 New Business passed 211-15	**Kinion**	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan				

8-0

Subject:	**Appeal of the Planning Commission's CUP 15-5217: Conditional Use (2648 N. Old Wire Road/Apple Seeds)**				
Motion To:		Deny Appeal			
Motion By:		Petty			
Seconded:		Marsh			
C. 8 New Business This Appeal was denied	**Kinion**	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	N			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Mayor Jordan				

7-1

DEPARTMENTAL CORRESPONDENCE

OFFICE OF THE
CITY ATTORNEY

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: **November 18, 2015**

RE: **Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of November 17, 2015**

1. A resolution to approve a contract with Office Depot, Inc. for the purchase of office supplies pursuant to a Western States Contracting Alliance-National Association of State Procurement Officials Cooperative Purchasing Agreement.

2. A resolution to award bid no. 15-58 and authorize the purchase of a prefabricated steel trail bridge from Contech Engineered Solutions, LLC in the amount of $87,126.00 plus applicable taxes for installation on the Town Branch Trail over Town Branch Creek, and to approve a project contingency in the amount of $19,124.16.

3. A resolution to approve a contract with Community Access Television, Inc. D/B/A Your Media in the amount of $153,570.00 for the provision of public access television services and the operation of the public access television channel through 2016, contingent on approval of the 2016 annual city budget.

4. A resolution to authorize acceptance of a 2015 Arkansas Department of Environmental Quality Grant through the Boston Mountain Solid Waste District in the amount of $8,000.00 for the purchase of public space recycling containers, and to approve a budget adjustment.

5. A resolution to approve a budget adjustment in the amount of $414,161.00 recognizing Special Needs Assistance Program Grant revenue, and to authorize the addition of 2.0 temporary full time equivalent positions to the Community Resources Division to hire Case Managers to provide housing services for homeless Fayetteville residents.

6. A resolution to affirm the City's persistent efforts and lengthy commitment to alternative and active transportation infrastructure, road and trail safety and the protection of all vehicular and vulnerable road users.

7. An ordinance to rezone that property described in rezoning petition RZN 15-5196 for approximately 0.57 acres located at 3422 N. College Avenue from R-O, Residential-Office to C-1, Neighborhood Commercial.

8. An ordinance to approve VAC 15-5204 submitted by Infill Group, Inc. for property located at 722 S. Locust avenue to vacate portions of alley and street rights-of-way.

9. An ordinance to amend § 150.02 **Purpose** of the Unified Development Code by enacting further language.

10. An ordinance to amend § 160.01 **Establishment of District**, § 161.10 **District RSF-18, Residential Single-Family, Eighteen Units Per Acre**, And Table 1 **Minimum Canopy Requirements** of § 167.04 **Tree Preservation and Protection During Development**, all within the Unified Development Code.

11. A resolution to adopt the 2016 annual budget and work program.

City of Fayetteville, Arkansas

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

Meeting Agenda - Final Agenda

Tuesday, November 17, 2015

5:30 PM

City Hall Room 219

City Council Meeting

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

A. 1 2014-0515

APPROVAL OF THE OCTOBER 30, 2015 SPECIAL CITY COUNCIL MEETING MINUTES.

A. 2 2015-0514

OFFICE DEPOT, INC.:

A RESOLUTION TO APPROVE A CONTRACT WITH OFFICE DEPOT, INC. FOR THE PURCHASE OF OFFICE SUPPLIES PURSUANT TO A WESTERN STATES CONTRACTING ALLIANCE-NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS COOPERATIVE PURCHASING AGREEMENT

Attachments: 2015-0514, Office Depot, Inc.

A. 3 2015-0511

CONTECH ENGINEERED SOLUTIONS, LLC:

A RESOLUTION TO AWARD BID NO. 15-58 AND AUTHORIZE THE PURCHASE OF A PREFABRICATED STEEL TRAIL BRIDGE FROM CONTECH ENGINEERED SOLUTIONS, LLC IN THE AMOUNT OF $87,126.00 PLUS APPLICABLE TAXES FOR INSTALLATION ON THE TOWN BRANCH TRAIL OVER TOWN BRANCH CREEK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $19,124.16

Attachments: 2015-0511 Town Branch Trail Bridge Award

A. 3 Additional Contech Engineered Solutions, LLC

A. 4 2015-0512

COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA:

A RESOLUTION TO APPROVE A CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF $153,570.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2016, CONTINGENT ON APPROVAL OF THE 2016 ANNUAL CITY BUDGET

Attachments: Public Access Provider Contract 2016_Legistar3

A. 5 2015-0505

2015 ADEQ BOSTON MOUNTAIN RECYCLING GRANT:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2015 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF $8,000.00 FOR THE PURCHASE OF PUBLIC SPACE RECYCLING CONTAINERS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: SRP Public Space Recycling Containers Boston Mountain 2015

BA Public Space Recycling Containers Boston Mountain 2015

A. 6 2015-0509

SPECIAL NEEDS ASSISTANCE PROGRAMS GRANTS (SNAP):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $414,161.00 RECOGNIZING SPECIAL NEEDS ASSISTANCE PROGRAM GRANT REVENUE, AND TO AUTHORIZE THE ADDITION OF 2.0 TEMPORARY FULL TIME EQUIVALENT POSITIONS TO THE COMMUNITY RESOURCES DIVISION TO HIRE CASE MANAGERS TO PROVIDE HOUSING SERVICES FOR HOMELESS FAYETTEVILLE RESIDENTS

Attachments: Agenda Packet Legistar Item 2015-0509

SNAP Grants BA Form - Legistar

A. 7 2015-0462

VULNERABLE ROAD USERS PROTECTION:

A RESOLUTION TO AFFIRM THE CITY'S PERSISTENT EFFORTS AND LENGTHY COMMITMENT TO ALTERNATIVE AND ACTIVE TRANSPORTATION INFRASTRUCTURE, ROAD AND TRAIL SAFETY AND THE PROTECTION OF ALL VEHICULAR AND VULNERABLE ROAD USERS

Attachments: CC packet vulnerable road users

B. Unfinished Business:

B. 1 2015-0495

TREE PRESERVATION AREA VACATION FOR CRAIN AUTOMOTIVE:

A RESOLUTION TO REJECT THE RECOMMENDATION OF THE URBAN FORESTER WHO DETERMINED THAT THE TREE PRESERVATION AND MITIGATION AREAS IN EASEMENTS AND DEDICATIONS AGREED TO AND SIGNED BY THE OWNER/DEVELOPER ON JUNE 25, 2014, SHOULD NOT BE VACATED OR CHANGED BY A NEW DEVELOPMENT PROPOSAL FOR THIS ACREAGE

Attachments: 2015-0495 Crain Automotive Tree Preservation Vacation

B. 1 Additional Tree Preservaton Area Vacation for Crain Automotive

At the November 3, 2015 City Council meeting, this resolution was tabled to the November 17, 2015 City Council meeting.

C. New Business:

C. 1 2015-0485

RZN 15-5196 (3422 N. COLLEGE AVE./SCOTT PLAZA):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5196 FOR APPROXIMATELY 0.57 ACRES LOCATED AT 3422 N. COLLEGE AVENUE FROM R-O, RESIDENTIAL-OFFICE TO C-1, NEIGHBORHOOD COMMERCIAL

Attachments: 15-5196 CC EXHIBITS

15-5196 CC DOCUMENTS

C. 2 2015-0516

VAC 15-5204 (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES):

AN ORDINANCE TO APPROVE VAC 15-5204 SUBMITTED BY INFILL GROUP, INC. FOR PROPERTY LOCATED AT 722 S. LOCUST AVENUE TO VACATE PORTIONS OF ALLEY AND STREET RIGHTS-OF-WAY

Attachments: 15-5204 CC EXHIBITS

15-5204 CC DOCUMENTS

C. 3 2015-0515

AMEND § 150.02 PURPOSE:

AN ORDINANCE TO AMEND § 150.02 **PURPOSE** OF THE UNIFIED DEVELOPMENT CODE BY ENACTING FURTHER LANGUAGE

Attachments: 15-5195 EX A

15-5195 CC reports

C. 4 2015-0513

AMEND CHAPTERS 160, 161 AND 167:

AN ORDINANCE TO AMEND § 160.01 **ESTABLISHMENT OF DISTRICT**, § 161.10 **DISTRICT RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE**, AND TABLE 1 **MINIMUM CANOPY REQUIREMENTS** OF § 167.04 **TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT**, ALL WITHIN THE UNIFIED DEVELOPMENT CODE

Attachments: 15-5093 Amend CCreports

C. 5 2015-0469

AMEND CHAPTER 97 PARKS AND RECREATION:

AN ORDINANCE TO AMEND CHAPTER 97 **PARKS AND RECREATION** OF THE FAYETTEVILLE CITY CODE TO ALLOW TWENTY FOUR (24) HOUR ACCESS TO SHARED USE PAVED TRAILS; TO ADD LEASH REQUIREMENTS FOR ANIMALS IN CERTAIN PARKS; TO PROHIBIT CERTAIN ACTIVITIES IN PARKS INCLUDING UNAUTHORIZED VEHICLE OPERATION, USE OF PADDLE BOARDS ON CITY LAKES, AND SHOOTING OF MODEL ROCKETS; TO PROVIDE FOR CERTAIN ACTIVITIES IN PARKS INCLUDING CAMPING, HORSEBACK RIDING, LIMITED VENDING AT PARK EVENTS, AND POSTING OF TEMPORARY SIGNS; AND TO MAKE OTHER TECHNICAL REVISIONS

Attachments: Exhibit A - Proposed Chapter 97

Legistar Packet - Chapter 97

C. 6 2015-0463

AMEND § 73.04 RIDING ON ROADWAYS AND BICYCLE PATHS AND § 73.05 RIDING ON SIDEWALKS:

AN ORDINANCE TO AMEND § 73.04 **RIDING ON ROADWAYS AND BICYCLE PATHS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON ROADWAYS AND BICYCLE PATHS, AND TO AMEND § 73.05 **RIDING ON SIDEWALKS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS

Attachments: CC packet - Bicycle Ordinance Amendments

Bicycle Ordinance Package CC Memo - Amendment Package w out Map

C. 7 2015-0517

ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM:

A RESOLUTION TO ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM

Attachments: 2016 Proposed Budget_2015_0517.pdf

C. 8 2015-0529

APPEAL OF THE PLANNING COMMISSION'S CUP 15-5217: CONDITIONAL USE (2648 N. OLD WIRE ROAD/APPLE SEEDS):

A RESOLUTION TO GRANT THE APPEAL OF ALDERMEN JUSTIN TENNANT, MARTIN SCHOPPMEYER AND JOHN LATOUR OF CONDITIONAL USE CUP 15-5217 (2684 NORTH OLD WIRE ROAD/APPLE SEEDS, INC.) GRANTED BY THE PLANNING COMMISSION ON OCTOBER 26, 2015 AND TO DENY THE CONDITIONAL USE (OR TO RETURN THE CONDITIONAL USE TO THE PLANNING COMMISSION FOR RENEWED CONSIDERATION)

Attachments: Agenda Packet Apple Seeds Appeal

D. City Council Agenda Session Presentations:

E. City Council Tour:

F. Announcements:

G. 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 ARKANSAS

City of Fayetteville, Arkansas
Purchasing Division – Room 306
113 W. Mountain St.
Fayetteville, AR 72701
Phone: 479.575.8220
TDD (Telecommunication Device for the Deaf): 479.521.1316

INVITATION TO BID

INVITATION TO BID: Bid 15-58, Town Branch Trail Bridge
DEADLINE: Wednesday, October 28, 2015 before 2:00 PM, Local Time
DELIVERY LOCATION: Room 306 – 113 W. Mountain, Fayetteville, AR 72701
PURCHASING AGENT: Andrea Foren Rennie, CPPO, CPPB, aforen@fayetteville-ar.gov
DATE OF ISSUE AND ADVERTISEMENT: Friday, October 09, 2015

INVITATION TO BID
Bid 15-58, Town Branch Trail Bridge

No late bids will be accepted. Bids shall be submitted in sealed envelopes labeled with the name and address of the bidder.

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.

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

Name of Firm: CONTECH ENGINEERED SOLUTIONS, LLC

Contact Person: MIKE SATTERFIELD Title: SENIOR SALES ENGINEER

E-Mail: msatterfield@conteches.com Phone: 501.626.1385

Business Address: 10100 MAUMELLE BLVD.

City: NORTH LITTLE ROCK State: AR Zip: 72113

Signature: [signature] Date: 10.26.2015

Item #	DESCRIPTION	Estimated Quantity		PRICE PER UNIT		TOTAL
1	100 foot simple span bowstring arch truss with underhung floor beam bridge and 45 degree skewed ends	1	x	$ 87,126.00	=	$ 87,126.00

Manufacturer: CONTECH ENGINEERED SOLUTIONS Model: CONTINENTAL - KEYSTONE

Bids shall be submitted on this bid form *in its entirety* AND *accompanied by descriptive literature* on the products being bid. The City intends on awarding this bid to a single vendor.

BID FORM CONTINUES ON NEXT PAGE

EXECUTION OF BID -

Actual specification of any deficient item shall be noted on the bid sheet or separate attachment. If specifications of item bid differ from provided literature, deviation shall be documented and certified by the manufacturer as a regular production option.

Upon signing this Bid, the bidder certifies that:

1. He/she has read and agrees to the requirements set forth in this proposal, including specifications, terms, standard conditions, and any pertinent information regarding the articles being bid on.

2. Unless otherwise noted and explained, the unit bid and listed meets or exceeds all of these requirements as specified by The City of Fayetteville.

3. The Bidder can and will comply with all specifications and requirements for delivery, documentation and support as specified herein.

4. I, as an officer of this organization, or per the attached letter of authorization, am duly authorized to certify the information provided herein is accurate and true.

5. Bidder shall comply with all State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment in addition to all federal, state, and local laws.

6. Bidder shall disclose any possible conflict of interest with the City of Fayetteville, including, but not limited to, any relationship with any City of Fayetteville employee. Response shall disclose if a known relationship exists between any principal or employee of your firm and any City of Fayetteville employee or elected City of Fayetteville official. If no relationship exists, this should also be stated in your response. Failure to disclose such a relationship may result in cancellation of a purchase and/or contract as a result of your response.

   ___X___ 1.) NO KNOWN RELATIONSHIP EXISTS

   _____ 2.) RELATIONSHIP EXISTS (Please explain): _____

7. 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.

8. 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.

   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.

Unsigned bids will be rejected. Items marked * are mandatory for consideration.

*NAME OF FIRM: CONTECH ENGINEERED SOLUTIONS, LLC

Purchase Order/Payments shall be issued to this name

*D/B/A or Corporation Name SAME

*BUSINESS ADDRESS: 9025 CENTRE POINTE DRIVE SU 400

*CITY: WEST CHESTER *STATE: OH *ZIP: 45069-4987

*PHONE: 513.645.7000 FAX: 513.645.7993 (501.758.1997)

*E-MAIL: msatterfield@conteches.com

*BY: (PRINTED NAME) MIKE SATTERFIELD

*AUTHORIZED SIGNATURE: M. Satterfield

*TITLE: SENIOR SALES ENGINEER

*DUNS NUMBER: 15-529-4440 CAGE NUMBER: —

*TAX ID NUMBER: 37-1663656

Acknowledge Addendums:

Addendum No. _____ Dated: _____ Acknowledged by: _____

Addendum No. _____ Dated: _____ Acknowledged by: _____

1. **SUBMISSION OF BID & BID EVALUATION:**

   a. Bids shall 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 Andrea Foren Rennie, 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. **WITHDRAWL 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 insure 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 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.

10. **PROVISION FOR OTHER AGENCIES:**

Unless otherwise stipulated by the bidder, the bidder agrees to make available to all Government agencies, departments, municipalities, and counties, the proposal prices submitted in accordance with said proposal terms and conditions therein, should any said governmental entity desire to buy under this proposal. Eligible Users shall mean all state of Arkansas agencies, the legislative and judicial branches, political subdivisions (counties, local district school boards, community colleges, municipalities, counties, or other public agencies or authorities), which

may desire to purchase under the terms and conditions of the contract.

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 JURISDICITON:**

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 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. 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 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. ***Sales tax is not to be included in the bid price***. Applicable Arkansas sales tax laws will apply when necessary but will not be considered in award of this project.

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 Rennie 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 Rennie, 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 Contract shall be prevailed by Arkansas law. Proposer hereby expressly and irrevocably waives any claim or defense in any said action or proceeding based on any alleged lack of jurisdiction or improper venue or any similar basis.

l. 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 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.

m. 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 these Contract Documents or in the specifications herein referred to, in relation to any such law, ordinance, regulation, order or decree, s/he shall herewith report the same in writing to City of Fayetteville.

1. GENERAL:

1.1 All unit(s) bid shall meet or exceed the minimum requirements or they will be deemed incomplete and will not be considered for bid award.

1.2 All specifications written are to *minimums* unless otherwise noted.

1.3 The City intends to order the estimated quantity presented in the bid form in a single order.

1.4 Pricing bid shall be inclusive of all items, **shipping**, and warranty. Bid pricing shall **NOT** include sales tax. Applicable taxes will apply upon invoicing but will not be considered for bid evaluation.

1.5 Bridge shall be delivered to the City within **45 calendar days of City approved shop drawings**. All *orders shall be delivered to the address located in the City limits as further specified.*

2. GENERAL FEATURES OF DESIGN

2.1 The work shall consist of complete fabrication and transportation of a 100 foot simple span bowstring arch truss with underhung floor beam bridge with 45 degree skewed ends, as described herein. The intended usage is pedestrian, bicycle, occasional slow moving maintenance or emergency vehicles. These specifications shall be regarded as **minimum** standards for fabrication.

2.2 **BOWSTRING ARCH TRUSS:** The bridge shall be designed utilizing a bowstring truss with underhung floor beam design. Web diagonal truss members shall be Pratt style. The manufacturer shall keep the distance from top of deck to bearing seat to a **maximum of 13 inches**. The top of the top chord shall not be less than 54 inches above the deck and shall be a **continuous single member** smooth curve arch.

a. The Bridge span shall be **100' -0"** (straight line dimension) and shall be measured from out to out of truss span.

b. The bridge width shall be **12'-0"** clear and shall be as measured from the inside face of the safety railing elements.

c. The bridge shall be designed with a **45** degree skew on both ends to accommodate skewed abutments.

d. The bridge deck elevation **1218.50**, Low Chord elevation **1217.42**

2.3 **MEMBER COMPONENTS:** All members of the truss and deck system shall be fabricated from square and or rectangular hollow structural sections (HHS), with the exception that floor beams may be wide flange (W) shapes. Open ends of end posts and floor beams shall be capped. Open

shaped (non-tubular) stringers will be allowed only when the Bidder warranties the stringer design for 50% overload. Where water collection inside of structural tubing is possible, weep holes shall be provided. Unless the floor and fastenings are specifically designed to provide adequate lateral support to the flange of open shape stringers (w-shapes or channels), a minimum of one stiffener shall be provided in each stringer at every floor beam location.

a. Minimum thickness of all structural steel members, not including railings, shall be ¼ inch. For ASTM A500 and ASTM A847 tubing, the section properties used for design shall be per the Steel Tube Institute of North America's Hollow Structural Sections "Dimensions and Section Properties".

b. Expansion bearings shall include Teflon or stainless steel sliding surfaces per AASHTO or elastomeric pads provided by manufacturer. Expansion bearing plates shall be welded to the bridge prior to shipping so no on-site welding is necessary. Consideration of dead load rotation is required in all cases.

2.4 **CONCRETE DECK:** Bridge shall be furnished with a stay-in-place, non-composite, galvanized steel form deck suitable for pouring a reinforced concrete slab. The form deck shall have a 1.5% cross slope for proper drainage. The form deck shall be designed to carry the dead load of the wet concrete, weight of the form decking, plus a construction load of 20 PSF uniform load or a 200 pound concentrated load on a 1'-1" wide section of deck. When edge supports are used, deflection is limited to 1/180 of the span or ¾ inch, whichever is less. Without edge supports, deflection shall be limited to 1/180 of the span or 3/8 inch, whichever is less. The form deck material shall be supplied in accordance with ASTM A653 and galvanized to a minimum G90 coating weight. The side dams of the decking material shall be three sided with the top edge extending ½" beyond of the face of the railing toe plate to provide an accessible edge for screed of the concrete.

The deck slab shall be 6 inch constructed using Class S (AE) concrete with a minimum 28-day strength of 4000 psi (by others). Concrete deck design shall be performed by the bridge manufacturer for concentrated loads as specified above. Top of the side dam shall be smooth and consistent grade to provide a smooth edge to screed the concrete deck.

2.5 **SAFETY RAILS:** Vertical safety rails or pickets shall be placed on the structure to a minimum height of 4' – 6" above the deck surface. The pickets shall be spaced so as to prevent a 4" sphere from passing through the truss. Pickets shall be placed on the inside of the structure with 12 feet clear from face of pickets. The picket safety system shall be designed for an infill loading of 200 pounds, applied horizontally at right angles, to a one square foot area at any point in the system. Pickets shall be fabricated to be plumb in the finished condition. No handrail or rub rail is necessary.

2.6 **TOE PLATE:** The bridge shall be supplied with a steel toe plate mounted to the inside face of both trusses. The toe plate shall be a minimum of 4 inches high. Toe plating shall be welded to the truss members at a height adequate to provide a 3 inch gap between the bottom of the plate and the top of the deck or the top of the bottom chord, whichever is higher. The span of unstiffened flat toe plating (from center to center of supports) shall not exceed 5'-8".

2.7 **CAMBER:** Bridge shall have a vertical camber dimension at mid-span equal to 100% of the full dead load deflection.

2.8 **END TRANSITION:** Bridge shall be designed for an expansion gap on each end where the bridge meets the back wall. This joint will be caulked by The City instead of a steel cover plate being provided. Manufacturer shall provide the minimum width of the expansion joint.

3. **ENGINEERING AND DESIGN LOADING:** Structural design of the bridge structure(s) shall be performed by or under the direct supervision of a Licensed Professional Engineer and done in accordance with recognized engineering practices and principles. The design of the bridge shall conform to the requirements of the AASHTO LRFD Guide Specifications for Design of Pedestrian Bridges, latest edition.

3.1 **DESIGN LOADS:** The bridge structure design shall consider its own dead load (superstructure and original decking), as well as the additional loads listed below.

3.2 **PEDESTRIAN LIVE LOADS:** Pedestrian live load and wind load as specified by AASHTO, the bridge shall have a minimum uniform live load of 90 PSF shall be applied to the entire deck surface.

3.3 **TRUCK LOAD:** A 20,000 pound (AASHTO H-10) four wheeled vehicle shall be used for the truck loading. The wheel loads for this vehicle shall be 2,000 pounds and 8,000 pounds for the front and rear axles, respectively. The wheel loads shall be assumed to be spaced 6 feet apart transversely. The distance between the front and rear axles shall be assumed to be 14 feet. The truck shall be positioned 2 feet from the face of the truss to determine the distribution of loading carried by each truss.

All of the concentrated or wheel loads shall be placed so as to produce the maximum stress in each member being analyzed. Critical stresses need be calculated assuming there is only one vehicle on the bridge at any given time. Assumptions that vehicles only travel down the center of the bridge or that the vehicle load is a uniform line load will not be allowed. A vehicle impact allowance is not required.

3.4 **WIND LOAD:** Bridge shall be designed for a wind load of 35 pounds per square foot on the full vertical projected area of the bridge as if enclosed. The wind load shall be applied horizontally at right angles to the longitudinal axis of the structure. The wind loading shall be considered both in the design of the lateral load bracing system and in the design of the truss vertical members, floor beams and their connections.

The effect of forces tending to overturn structures shall be calculated assuming that the wind direction is at right angles to the longitudinal axis of the structure. In addition, an upward force shall be applied at the windward quarter point of the transverse superstructure width. This force shall be 20 pounds per square foot of deck.

3.5 **STREAM FORCE:** The bridge shall be designed for a lateral stream force as required by the AASHTO LRFD Bridge Design Specifications, latest edition. The stream velocity for the 100 year design storm is 10 fps. Calculation of the stream force shall assume that the bridge structure is completely blocked with debris.

3.6 **COMBINATION OF LOADS:** Combinations of loads and load factors for load and resistance factor

design shall conform to the AASHTO LRFD Guide Specifications for the Design of Pedestrian Bridges, latest edition.

4. DESIGN LIMITATIONS:

4.1 **VERTICLE DEFLECTION:** The vertical deflection of the main trusses due to service pedestrian live load shall not exceed 1/360 of the span. The vertical deflection of cantilever spans of the structure due to service pedestrian live load shall not exceed 1/220 of the cantilever arm length. The deflection of the floor system members (floor beams and stringers) due to service pedestrian live load shall not exceed 1/360 of their respective spans. Deflection limits due to occasional vehicular traffic shall not be considered

4.2 **VIBRATION:** The fundament frequency shall meet the requirements of the AASHTO LRFD Guide Specifications for the Design of Pedestrian Bridges (latest edition).

4.3 **HORIZONTAL DEFLECTION:** The horizontal deflection of the structure due to lateral wind loads not exceed 1/500 of the span under a PSF wind load.

5. MATERIALS:

5.1 **UNPAINTED WEATHERING STEEL:** Bridges shall be fabricated from high strength, low alloy, atmospheric corrosion resistant ASTM A847 cold-formed welded square and rectangular tubing and/or ASTM A588, or ASTM A242, ASTM A606 plate and structural steel shapes (Fy-50,000 psi). The minimum corrosion index of atmospheric corrosion resistant steel, as determined in accordance with ASTMG101, shall be 6.0. All visible members of the bridge shall be weathering steel including the side dams of the bridge pan.

5.2 **WELDING:** Welding and weld qualification tests shall confirm to the provisions of AWS D1.1. The flux core arc welding (FCAW) process, utilizing E80 electrodes with similar weathering characteristics as the base material, shall be used. Welding operators shall be properly accredited, experienced operators. Each shall have certification of satisfactorily passing AWS standard qualification test(s) for the 3G and/or 4F position(s), evidence of experience and skills in welding structural steel, and have demonstrated the ability to make acceptable welds of the type required.

All welded connections shall be fillet welds completely around of size equal to the thickness of the lightest gage member in the connection.

Nondestructive weld testing is required. Testing shall be performed by a qualified ASNT Level II Technician or greater and paid for by the Bidder. All welds shall be 100% visually inspected. Ten percent (10%) of all fillet and partial penetration welds shall be magnetic particle tested. For arch type bridges, 100% of end of top chord to bottom chord connections shall be tested. Full penetration shop welds shall be Ultrasonic tested in accordance with AWS D1.1 Section 6. Base material certifications are to be supplied by the material suppliers. Inspection test results shall be available on request.

6. SUBMITTALS:

6.1 **SUBMITTAL DRAWING:** The Bridge Manufacturer shall design the prefabricated bridges and provide submittal drawings in accordance with these minimum requirements. Schematic drawings and diagrams shall be submitted to the Engineer for their review after receipt of order. Submittal drawings shall be unique drawings for each bridge, prepared to illustrate the specific portion of the work to be done. All relative design information such as member sizes, bridge reactions, and general notes shall be clearly specified on the drawings. Drawings shall have cross referenced details and sheet numbers. All calculations and submittal drawings shall be sealed by a Professional Engineer licensed in the State of Arkansas and provided to the City.

Abutment dimensions for the back wall height along with technical support shall also be provided by manufacturer.

6.2 **STRUCTURAL CALCULATIONS:** Structural calculations for the bridge superstructure shall be submitted by the bridge manufacturer and reviewed by the approving engineer. All calculations shall be signed and sealed by a Professional Engineer who is licensed in Arkansas. The calculations shall include all design information necessary to determ e the structural adequacy of the bridge. The calculations shall include but are not limited to the following:

a. All AASHTO LRFD design checks for axial, bending and shear forces in the critical member of each truss member type (i.e. top chord, bottom chord, floor beam, vertical, etc.)

b. Checks for the critical connection failure modes for each truss member type (i.e. vertical, diagonal, floor beam, etc.). Special attention shall be given to all welded tube on tube connections.

c. All bolted splice connections.

d. Main truss deflection checks.

e. U-Frame stiffness checks (used to determine K factors for out-of-plane buckling of the top chord) for all half through or "pony" truss bridges.

f. Deck design.

The analysis and design of triangulated truss bridges shall account for moments induced in members due to joint fixity where applicable. Moments due to both truss deflection and joint eccentricity shall be considered.

Welder certifications in compliance with AWS standard qualification tests.

7. FABRICATION

7.1 **DRAIN HOLES:** When the collection of water inside a structural tube is a possibility, either during construction or during service, the tube shall be provided with a drain hole at its lowest point to let water out.

7.2 **WELDS:** Special attention shall be given to developing sufficient weld throats on tubular

members. Fillet weld details shall be in accordance with AWS D1.1. Unless determined otherwise by testing, the loss factor "Z" for heel welds shall be in accordance with AWS Table 2.8. Fillet welds which run onto the radius of a tube shall be built up to obtain the full throat thickness. The maximum root openings of fillet welds shall not exceed 3/16" in conformance with AWS D1.1 Section 5.22. Weld size or effective throat dimensions shall be increased in accordance with this same section where applicable (i.e. fit-up gaps > 1/16")

The fabricator shall have verified that the throat thickness of partial joint penetration groove welds (primarily matched edge welds or the flare-bevel-groove welds on underhung floor beams) shall be obtainable with their fit-up and weld procedures. Matched edge welds shall be "flushed" out when required to obtain the full throat or branch member wall thickness.

For full penetration butt welds of tubular members, the backing material shall be fabricated prior to installation in the tube so as to be continuous around the full tube perimeter, including corners. Backing may be of four tubes:

a. A "box" welded up from four (4) plates.

b. Two "channel" sections, bent to fit the inside radius of the tube, welded together with full penetration welds.

c. A smaller tube section which slides inside the spliced tube.

d. A solid plate cut to fit the inside radius of the tube.

Corners of the "box" backing, made from four plates, shall be welded and ground to match the inside corner radii of the chords. The solid plate option shall require a weep hole either in the chord wall above the "high side" of the plate or in the plate itself. In all types of backing, the minimum fit-up tolerances for backing must be maintained at the corners of the tubes as well as across the "flats".

8. BEARINGS:

8.1 **BEARING DEVICES:** The bridge manufacturer shall be responsible for the design of the bearing devices. The manufacturer shall have the option of using steel bearing, elastomeric bearings, or a combination thereof. The bearing devices shall be designed for the anticipated temperature differentials and for the actual rotations of the bearings due to dead and live load rotations.

8.2 **ANCHOR BOLTS:** The bridge manufacturer shall determine the number, diameter, minimum grade and finish of all anchor bolts. The anchor bolts shall be designed to resist all horizontal and uplift forces to be transferred by the superstructure to the supporting foundations including the stream force of 10 fps. The bridge manufacturer shall provide the anchor bolts for installation by the contractor in accordance with the manufacturer's anchor bolt spacing dimensions.

Information as to bridge support reactions and anchor bolt locations shall be furnished by the bridge manufacturer after receipt of order and after the bridge design is complete.

Anchors shall be of the drilled type, installed with a chemical adhesive system. Anchor systems shall be designed and supplied by the Bridge Manufacturer. Anchor bolts shall conform to ASTM A307, A193, or F1554.

9. FINISHING:

9.1 **BLAST CLEANING:** All blast cleaning shall be done in a dedicated OSHA approved indoor facility owned and operated by the bridge fabricator. Blast operations shall use Best Management Practices and exercise environmentally friendly blast media recovery systems.

To aid in providing a uniformly "weathered" appearance, all exposed surfaces of steel shall be blast cleaned in accordance with Steel Structures Painting Council Surface Preparations Specifications No. 7 Brush-Off Blast Cleaning, SSPC-SP7 latest edition.

Exposed surfaces of steel shall be defined as those surfaces seen from the deck and from outside of the structure. Stringers, floor beams, lower brace diagonals and the inside face of the truss below deck and bottom face of the bottom chord shall not be blasted.

10. **DELIVERY:** Cost shall include delivery of the bridge to the installation site on Town Branch Creek just west of South Garland, south of 15th Street (Hwy 16) in Fayetteville, AR. An all-weather road has been constructed for access to the bridge location.

10.1 Bidder shall provide the City with delivery notification and delivery date/time shall be coordinated with the City and and set. Once the delivery date and time is set it cannot be changed unless approved by the City AND Bidder. If Bidder modifies the delivery date without coordination and approval of the City, the Bidder shall be subject to damages related to but not exceeding the cost of project installation reschedules (such as rescheduling a crane, etc.). If the bridge is fabricated before the City is ready to receive it, Bidder shall agree to store the fabricated bridge at no cost to the City at Bidder's location until the City is ready for the bridge to be shipped. Additional fuel charges shall be factored into the bid and cannot be changed due to possible shipping delays.

a. The Bidder shall provide detailed, written instruction procedures for proper lifting and splicing of bridge components. The method and sequence of erection shall be the responsibility of the City or its designee.

b. The bridge manufacturer shall provide written inspection and maintenance procedures to be followed by the City.

11. **QUALIFIED SUPPLIERS:** The bridge manufacturer shall be currently certified by the American Institute of Steel Construction to have the personnel, organization, experience, capability, and commitment to produce fabricated structural steel for Simple Steel Bridges as set forth in the AISC Certification Program. **Manufacturer shall provide a certificate for Simple Bridge with bid submittal.**

Design procedure shall be in accordance with the "LRFD Bridge Design Specifications" most current edition and the "Guide Specifications for the Design of Pedestrian Bridges" by the American Association of State Highway and Transportation Officials (AASHTO), supplemented with the current edition of

American Institute of Steel Construction (AISC) including the Design Specification for Steel Hollow Structural Sections, further supplemented with the current edition of American Welding Society (AWS) D1.1 Structural Welding Code, as modified and further supplemented herein. Structural Welding Code as modified and further supplemented herein. Structural members shall be designed in accordance with recognized engineering practices and principles.

The City will evaluate and verify the accuracy of the submittal prior to bid. If the City determines the qualifying criteria have not been met, the proposed supplier shall be rejected. The City's ruling shall be final.

11.1 Pre-Approved Manufacturers:

a. CONTECH
b. Excel Bridge Manufacturing Co
c. Anderson Bridges
d. Big R Manufacturing LLC
e. Wheeler Lumber, LLC
f. Pioneer Bridges
g. Art Thureson Inc.
h. Echo Bridge Manufacturing Co
i. Roscoe Bridge

12. WARRANTY:

12.1 The bridge manufacturer shall warranty their steel structure to be free of design, material, and workmanship defects for a period of ten years from the date of acceptance. This warranty does not include decking, railing attachments, on any other items not part of the steel truss structure.

The warranty shall not cover defects in the bridge caused by abuse, misuse, overloading, accident, improper maintenance, alteration or any other cause not the result of defective materials or workmanship.

This warranty shall be void unless City's records can be supplied which shall indicate compliance with the minimum guidelines specified in the inspection and maintenance procedures.

Repair or replacements shall be the exclusive remedy for defects under this warranty. The bridge manufacturer shall not be liable for any consequential or incidental damages for breach of any express or implied warranty on their structures.

Bid pricing shall include expenses related to covered warranty items including but not limited to travel, labor, materials, etc.

Bidder shall be responsible for all warranty items.

13. OTHER PROVISIONS:

13.1 The City anticipates being prepared to accept delivery between the dates of December 1st, 2015

and December 31st, 2015.

13.2 The City of Fayetteville shall pay for bridge in full within thirty (30) calendar days of delivery, acceptance, and proper invoicing of bridge. However, in the event the City exceeds sixty (60) calendar days from date bidder has bridge 100% completed, the City will pay Bidder 30% of total bid in advance of delivery upon receipt of a 100% payment bond. In no event shall the City pay in advance for any item without previously receiving a 100% payment bond. The City expects to be ready for bridge delivery immediately upon completion. Cost of any bond shall be included with bid. The City will not pay additional fees for bonds.

13.3 The City or its third party designee shall be responsible for offloading the bridge.

13.4 Bidders shall have a minimum of three (3) years' experience supplying materials, products, and services requested in this bid.

13.5 Bidders shall not be required to provide drawings until an award has been issued.

13.6 Bridge shall comply with ADA guidelines.

13.7 Materials not specified shall conform to applicable ASTM or AASHTO.

13.8 Bidder and any sub-contractor shall have adequate insurance in effect at time of delivery and shall list the City of Fayetteville as an additional insured. Insurance shall include Worker's Compensation as required by Arkansas statutes, standard general liability, and automotive coverage.

13.9 Bidder shall be responsible for all requirements where bridge manufacturer is listed. All items listed in this bid shall be the responsibility of the Bidder, even if different manufacturer exists.

Truss

CONTINENTAL BRIDGE

Pedestrian Truss

- Over 11,000 installations since 1972
- Pedestrian spans up to 250 ft and more
- Certified for Conventional Steel Structures
- AISC Major Bridge Certified with fracture critical and sophisticated paint coating endorsements
- Aesthetic design
- Fast installation/Modular construction
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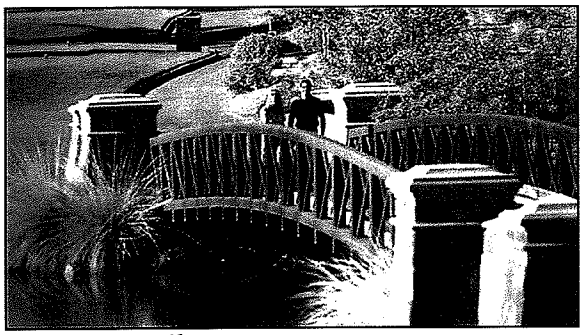
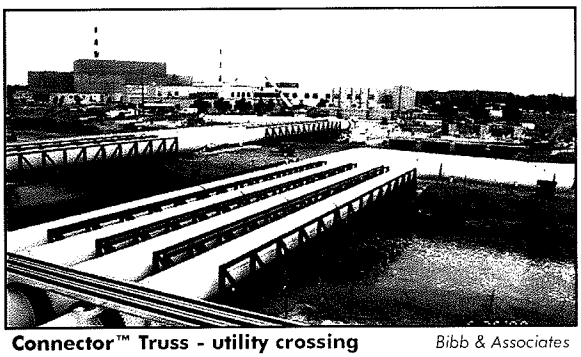


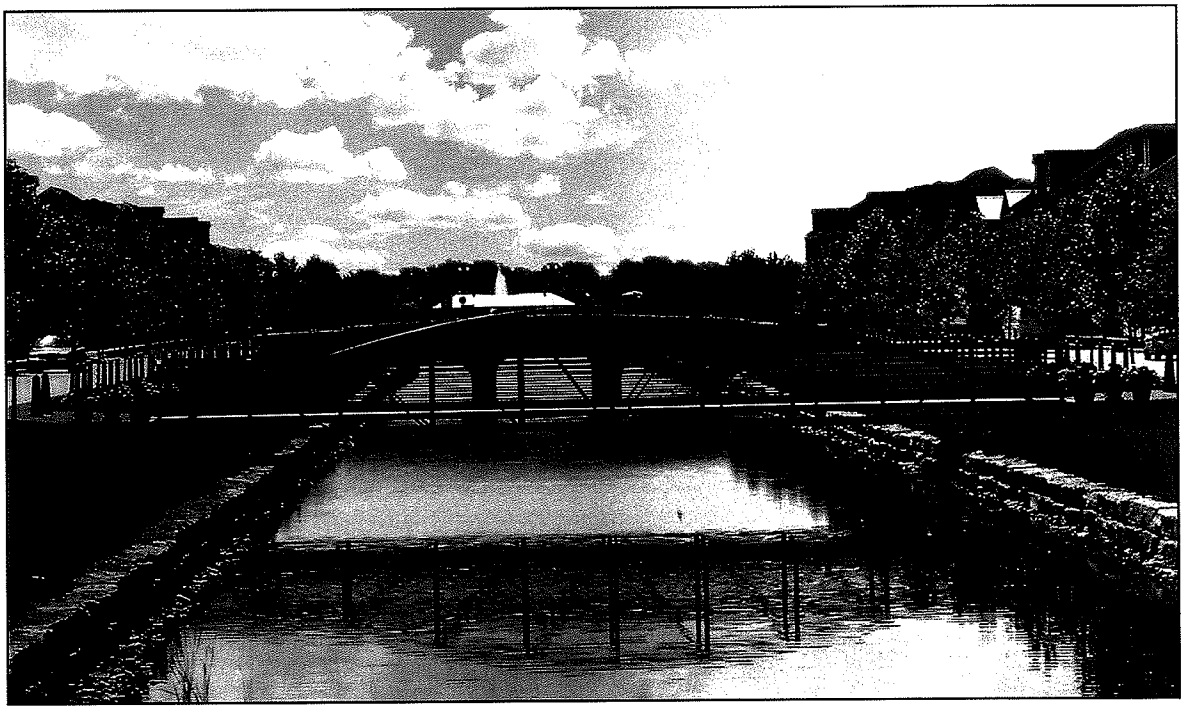
Pony Truss - golf course *Paridian Consulting*

Box Truss - skywalk *Shive-Hattery*

Capstone™ Truss - parks and trails



Connector™ Truss - utility crossing *Bibb & Associates*



Keystone™ Truss - residential development *Pickett Ray & Silver*

CONTECH ENGINEERED SOLUTIONS

9025 Centre Pointe Dr.
West Chester, OH 45069

800-338-1122
www.ContechES.com

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Handed out at Agenda Session 11-10-15 B.1 Tree Preservation Area Vacation

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	271.02'	174.98'	88°44'35"	N46° 23' 45"E	244.73'
C2	89.27'	227.88'	22°26'39"	N13° 24' 11"E	88.70'
C3	68.25'	171.80'	22°45'38"	N13° 40' 57"E	67.80'

LEGAL DESCRIPTION:

LOTS 16, 17 & 18 OF THE FINAL PLAT OF MEADOW FIELD COMMERCIAL SUBDIVISION, IN FAYETTEVILLE, ARKANSAS, AS SHOWN ON FINAL PLAT 0023-00000234.

PARKING:

REQUIRED PARKING: RETAIL SPACE: 1 SPACE/250 SQ. FT.
BUILDING AREA = 19,306/250 = 77 SPACES

SERVICE BAY PARKING: 4/BAY
12 BAYS X 4 SPACES = 48 SPACES

TOTAL REQURED: 128 SPACES
– 15% REDUCTION = 106 SPACES

REQUIRED ADA PARKING: HANDICAP REQUIRED: (101-150 SPACES) = 5 SPACES
HANDICAP PROVIDED: (106 TOTAL SPACES) = 5 SPACES

REQUIRED BICYCLE RACKS: BICYCLE RACKS REQUIRED = 1 RACK/20 SPACES
BICYCLE RACKS PROVIDED = (106 SPACES) = 6 RACKS

REQUIRED MOTORCYCLE/ SCOOTER PARKING: MOTORCYCLE/SCOOTER REQUIRED = 1 SPACE/25 SPACES
MOTORCYCLE/SCOOTER PROVIDED (106 SPACES) = 6 SPACES

SITE COVERAGE:

SITE AREA: 4.76± ACRES (207,470 SQ. FT.)
BUILDING AREA: 9.3% (19,306 SQ. FT.)
GREENSPACE AREA: 34% (70,670 SQ. FT.)

SITE NOTES

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
3. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
4. ALL DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
6. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
7. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
8. CONTRACTOR SHALL MATCH PROPOSED CURB AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
9. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
10. CONTACT CHUCK RUTHERFORD (ADA ADMINISTRATOR, 479-575-8291) TO SCHEDULE AN INSPECTION PRIOR TO POURING ADA ACCESSIBLE PARKING/LOADING STALL & ACCESS TO STRUCTURE AND POURING SIDEWALKS & DRIVEWAYS IN THE RIGHT-OF-WAY

LEGEND (CONSTRUCT)

SYMBOLS

- SET IRON PIN
- LIGHT POLE

LINEWORK

- CURB
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK
- FIRE LANE STRIPING

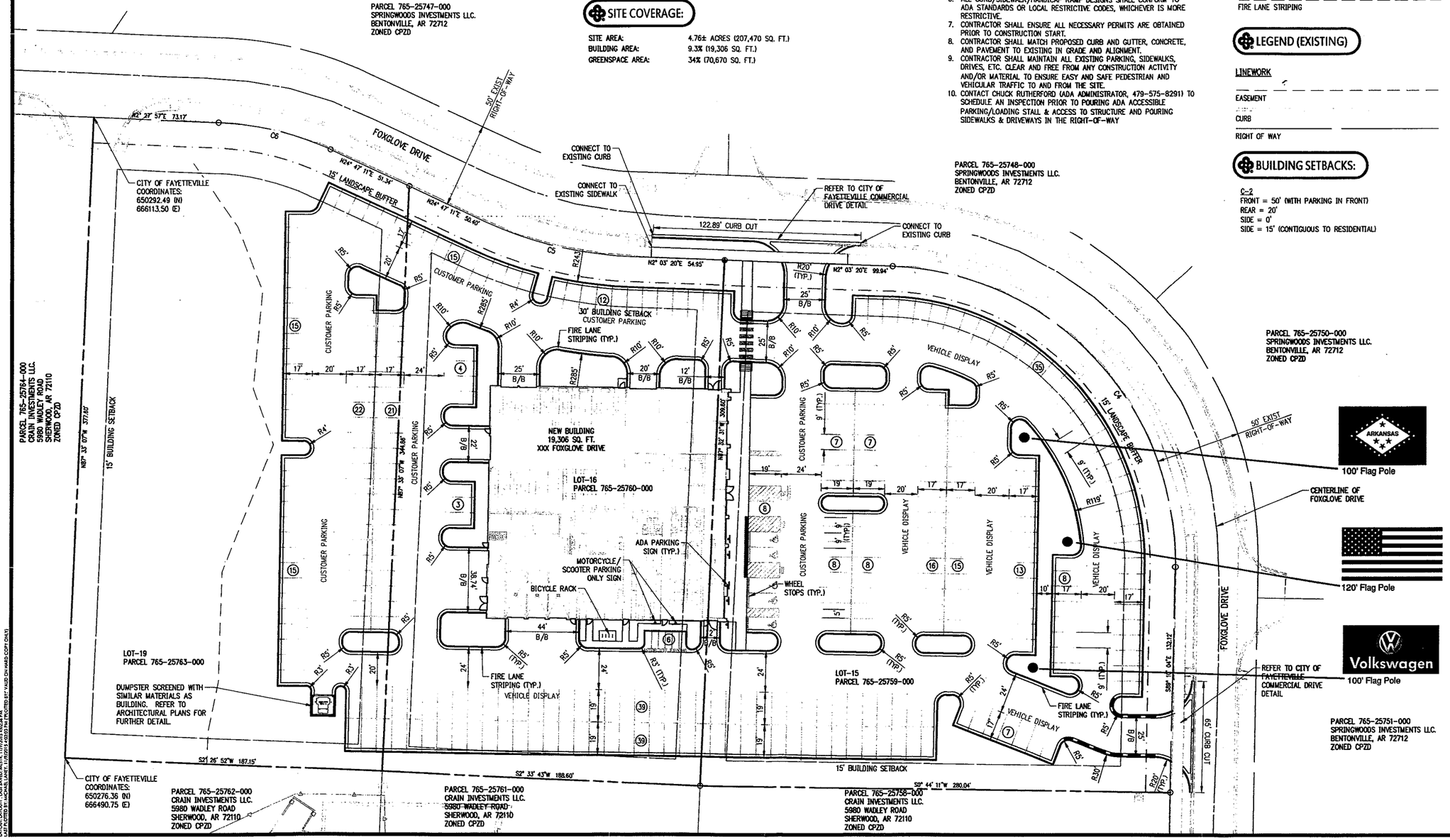
LEGEND (EXISTING)

LINEWORK

- EASEMENT
- CURB
- RIGHT OF WAY

BUILDING SETBACKS:

C-2
FRONT = 50' (WITH PARKING IN FRONT)
REAR = 20'
SIDE = 0'
SIDE = 15' (CONTIGUOUS TO RESIDENTIAL)



901 N. 47th St., Suite 200
Rogers, Arkansas 72756
Crafton Tull
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479.636.4838 t 479.631.6224 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION: CRAFTON, TULL & ASSOCIATES, INC. No. 109 ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
30' 0 30'

CRAIN VOLKSWAGEN
FAYETTEVILLE, ARKANSAS

Key Plan

No.	Description	Date

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO: 15105900
ISSUE DATE: 08-21-2015
CONTACT: T. HENNELLY
CHECKED BY:

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

NOT FOR CONSTRUCTION · REVIEW SET

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SITE PLAN

C-101

DRAWING G:\15105900 CRAIN VW\PROJ\SITE PLAN.DWG
LAST REVISED BY: MICHAEL LAKEY, 11/10/2015 4:03:03 PM PLOTTED BY: FIELD ON HARD COPY ONLY

Legistar ID No.: 2015-0529

AGENDA REQUEST FORM

FOR: Council Meeting of November 17, 2015

FROM:
City Council Members
Martin W. Schoppmeyer, Jr.
Justin Tennant
John LaTour

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO GRANT THE APPEAL OF ALDERMEN JUSTIN TENNANT, MARTIN SCHOPPMEYER AND JOHN LATOUR OF CONDITIONAL USE CUP 15-5217 (2684 NORTH OLD WIRE ROAD/APPLE SEEDS, INC.) GRANTED BY THE PLANNING COMMISSION ON OCTOBER 26, 2015 AND TO DENY THE CONDITIONAL USE (OR TO RETURN THE CONDITIONAL USE TO THE PLANNING COMMISSION FOR RENEWED CONSIDERATION)

APPROVED FOR AGENDA:

City Council Member Martin Schoppmeyer	11.10.15 Date
City Council Member Justin Tennant	Date
City Council Member John LaTour	Date
City Attorney Kit Williams (as to form)	Nov 10, 2015 Date

Smith, Sondra

From: Tennant, Justin
Sent: Monday, November 09, 2015 8:47 AM
To: Pate, Jeremy; Smith, Sondra
Cc: Schoppmeyer, Martin
Subject: Fwd: Help with 2650 Old Wire Rd.

Sondra,

I am writing this in support of Mr. Phillips being able to appeal the decision on the property near gulley park. I am not stating support for the appeal, but rather giving him his chance to state his case.

I am also signing, printing and scanning this email along with his original email which I believe he will bring to you today to get on a future agenda of the council.

Thanks!

Justin Tennant

Sent from my iPhone

Begin forwarded message:

> **From:** "Tennant, Justin" <ward3_pos1@fayar.onmicrosoft.com>
> **Date:** November 8, 2015 at 9:41:41 PM CST
> **To:** "Phillips, Kevin - Kevin D" <kevin.d.phillips@store.lowes.com>
> **Cc:** "Schoppmeyer, Martin" <ward3_pos2@fayar.onmicrosoft.com>, "La Tour, John" <ward4_pos1@fayetteville-ar.gov>, "Tennant, Justin" <ward3_pos1@fayar.onmicrosoft.com>
> **Subject: Re: Help with 2650 Old Wire Rd.**
>
> Mr. Phillips,
>
> I will print a copy of your email Monday morning. Then I will write a short letter which I will sign saying I support letting you appeal so you can be heard by the council.
>
> I will then scan and email these back to you so you can get them to the city clerk Monday.

Smith, Sondra

From: Schoppmeyer, Martin
Sent: Monday, November 09, 2015 8:47 AM
To: kevin.d.phillips@store.lowes.com; Tennant, Justin; Pate, Jeremy; Smith, Sondra; La Tour, John
Subject: Phillips Appeal
Attachments: PhillipsAppeal.pdf; ATT00001.htm

Dear Sondra:

Please allow my attached letter to serve as my support of appeal for Kevin Phillips.

Sincerely,

Marty

Dr. S. iPad

Begin forwarded message:

> **From:** Martin Schoppmeyer <martinschoppmeyer@haashall.org>
> **Date:** November 9, 2015 at 8:44:27 AM CST
> **To:** ward3_pos2@fayar.onmicrosoft.com

HAAS HALL ACADEMY
STARR SCHOLAR CENTER
3880 NORTH FRONT STREET
FAYETTEVILLE, AR 72703 5130
(479) 966 4930 | (479) 966.4932 - FAX | HAASHALL.ORG
EVERY SCHOLAR, EVERY DAY - COLLEGE BOUND

Monday, November 9, 2015

Sondra Smith
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701

RE: Appeal—2650 Old Wire Road

Dear Sondra:

Please allow this letter to serve as my support to allow Mr. Kevin Phillips to appeal the decision of the Fayetteville Planning Commission as it pertains to his property on 2650 Old Wire Road in Fayetteville. I am concerned whether or not Mr. Phillips was adequately notified of the plans or public hearing as it pertains to the property adjacent to his on 2650 Old Wire Road.

Sincerely,

Martin

Dr. Martin W. Schoppmeyer, Jr.
Founder and Superintendent
Alderman Ward 3, Position 2
MWS/hpt

Cc: File

HAAS HALL ACADEMY DOES NOT DISCRIMINATE ON THE BASIS OF SEX, NATIONAL ORIGIN, RACE, ETHNICITY, RELIGION, DISABILITY OR ATHLETIC ELIGIBILITY.

Thank you.

Justin

Sent from my iPhone

On Nov 4, 2015, at 2:39 PM, Phillips, Kevin - Kevin D <kevin.d.phillips@store.lowes.com> wrote:

> Dear Mr. Tennant
>
> My name is Kevin Phillips, I own the property at 2650 Old Wire Rd. I became sole owner of property
> after probate ended in August of this year. It has been owned by my family since 1965. I grew up playing
> in the fields and creeks that are now Gulley Park. I was very close to Floy Gulley and the Dunn family
> next door. In fact, I was by his side when Mr. Dunn past away from cancer.
>
> As I'm sure you know, there was a fire at the house in February which took the life of my only sister. She
> had been living there taking care of my mom until her passing in January. Its been a rough year.
> Due to the house not being repairable and too many memories, we chose to sell the property for land
> only. We decided to only ask $42,500 to make it quick. We had a buyer with closing set for last Thursday
> but they back out on Wednesday stating they didn't want to build there final house of their lives next to
> a business and teaching farm. They were looking forward to the neighborhood as it was. That was the
> main selling point and me and my wife really needed the money. There was no insurance on the property.
> My sister failed to pay the insurance.
>
> I have 2 major concerns:
>
> 1. I was never notified of the plans and public hearing about the Conditional Use Permit.
> I didn't receive a notice nor did I see the yard sign because I rarely went over to the property
> for personal reasons and I live on the west side of Fayetteville. The only reason I found out about
> the plans and hearing was the potential buyer was at the property caring for the trees on Tuesday
> of last week and saw the red sign laying in the grass next door.
>
> 2. If we are unable to stop this all together, then I need some assurances to help me salvage what I can
> in a future sale. I feel certain the value has now gone down plus reduced the number of

potential
buyers all together. I'm still shocked that the city would allow the lease of the 2 acers from what
I thought was going to be public park. That was the intent of both the Gulley's and the Dunn's.

With that being said, please do not allow the garden/farm to be placed behind (to the east) of my
property. That is one of the best selling points of the property.

I would also insist to have a nice partition/screening fence between the 2 properties, paid for and maintained by Apple Seeds. The property will be hard enough to sell with these assurances, much less
without.

I just feel I was left out of this decision and its costing me dearly in more ways than money
It is my hope and prayer we can work something out.

I was told by Andrew Garner that to apply for an appeal, I would need to be sponsored by both sitting
aldermen of ward 3 plus one other alderman. Time is short due to tomorrow, 11/5/2015 being 10 days
since the Planning Commision's vote.

I will attempt to call you soon. My # is 479-601-2111.
As you see I am working at Lowe's today and tomorrow.

Thank you in advance for you concern and help.

Sincerly,
Kevin Phillips

NOTICE: All information in and attached to the e-mails below may be proprietary, confidential, privileged and otherwise protected from improper or erroneous disclosure. If you are not the sender's intended recipient, you are not authorized to intercept, read, print, retain, copy, forward, or disseminate this message. If you have erroneously received this communication, please notify the sender immediately by phone (704-758-1000) or by e-mail and destroy all copies of this message electronic, paper, or otherwise.

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Smith, Sondra

From: Schoppmeyer, Martin
Sent: Monday, November 09, 2015 3:01 PM
To: La Tour, John; Tennant, Justin; Smith, Sondra; Pate, Jeremy
Subject: Fwd: Help with 2650 Old Wire Rd.

Dear John:

We would need an email from you to Sondra and Jeremy Pate in support of this gentleman's right to appeal by 4:00 p.m. Thank you for your consideration.

Marty

Dr. S. iPad

Begin forwarded message:

> **From:** "La Tour, John" <ward4_pos1@fayetteville-ar.gov>
> **Date:** November 9, 2015 at 2:51:55 PM CST
> **To:** "Schoppmeyer, Martin" <ward3_pos2@fayar.onmicrosoft.com>
> **Subject: Re: Help with 2650 Old Wire Rd.**
>
> Marty,
>
> I am willing to be the 3rd alderman. What do I need to do for help?
>
> Thank you,
>
> John S. La Tour
> Alderman, Ward 4
> Position 1
>
> On Nov 5, 2015, at 11:34 AM, Schoppmeyer, Martin <ward3_pos2@fayar.onmicrosoft.com> wrote:
>
> > Dear John:
> >
> > We need a third Alderman to assist one of our citizens with an appeal. We are not against the project but are bewildered why he is claiming lack of proper notification. Can you assist us?
> >
> > Sincerely,

Smith, Sondra

From: La Tour, John
Sent: Monday, November 09, 2015 4:02 PM
To: Smith, Sondra; Pate, Jeremy

Sondra and Jeremy,

I am in support of an appeal that Marty Shopmyer an dJustin Tennant are supporting.

Thank you,

John S. La Tour
Alderman, Ward 4
Position 1

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor, Fayetteville City Council

THRU: Jeremy Pate, Development Services Director

FROM: Jesse Fulcher, Senior Planner

DATE: November 10, 2015

SUBJECT: **CUP 15-5217: Conditional Use (2648 N. OLD WIRE ROAD/APPLE SEEDS, 292):** Submitted by MARY THOMPSON for property located at 2648 N. OLD WIRE ROAD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.86 acres. The request is to allow Use Unit 4 and Use Unit 12 to allow Apple Seeds to operate an office and teaching farm.

RECOMMENDATION:
The Planning Commission and staff recommend approval of a conditional use permit to allow Apple Seeds to operate an office and teaching farm.

BACKGROUND:
The subject property includes a single-family home and barn on 0.75 acres that backs up to approximately 11 acres of park land, adjacent to Gulley Park that was recently acquired by the City of Fayetteville.

The applicant is requesting approval of a conditional use to allow Apple Seeds Inc. to use the existing house and barn for their offices and teaching space, as well as two acres behind the home for educational gardens. The two acre property will be leased from the City of Fayetteville and the home and 0.75 acre property will be purchased if the conditional use is approved. A copy of Resolution No. 184-15 and background information is attached.

DISCUSSION:
On October 26, 2015 the Planning Commission approved the conditional use permit with a vote of 5-1-0 (Commissioner Hoskins voted 'no'). Staff has confirmed that the applicant complied with §157.05, public notification requirements for a Conditional Use Permit, including public hearing, notice by mail to all adjacent landowners at least 15 days in advance, and posting of a public notice sign, as shown in the attached materials.

BUDGET/STAFF IMPACT:
N/A

Attachments:
Planning Commission Staff Report
Proof of Public Notification

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

Resolution: 184-15

File Number: 2015-0454

APPLE SEEDS, INC.:

A RESOLUTION TO AUTHORIZE THE SALE OF APPROXIMATELY 0.75 ACRE OF CITY-OWNED REAL PROPERTY LOCATED AT 2648 OLD WIRE ROAD TO APPLE SEEDS, INC. FOR THE AMOUNT OF $200,000.00, AND TO APPROVE A TWENTY (20) YEAR LEASE AGREEMENT WITH APPLE SEEDS, INC. FOR APPROXIMATELY TWO (2) ACRES ON THE NORTH END OF GULLEY PARK FOR THE PURPOSE OF OPERATING A TEACHING FARM

WHEREAS, Resolution 165-15 approved a contract with Real Assets, Inc. to represent the City in selling two tracts of city-owned property near Gulley Park; and

WHEREAS, Apple Seeds, Inc. has made an offer to purchase the tract containing approximately 0.75 acres with a house and barn, contingent upon City Council approval of a lease agreement for two acres of property for the purpose of operating a teaching farm, its ability to obtain financing, and its ability to obtain a conditional use permit for the operation of the teaching farm.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby determines that the property located at 2648 Old Wire Road is no longer needed for municipal purposes.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sell approximately 0.75 acre of city-owned real property located at 2648 Old Wire Road to Apple Seeds, Inc. for the sum of $200,000.00, contingent upon Apple Seeds, Inc. obtaining financing and a conditional use permit for the operation of a teaching farm on the property.

Section 3. That the City Council of the City of Fayetteville, Arkansas hereby approves a twenty (20) year land lease agreement, a copy of which is attached to this Resolution, with Apple Seeds, Inc. for approximately two (2) acres of property on the north end of Gulley Park for the purpose of operating a teaching farm.

PASSED and APPROVED on 10/6/2015

Approved:

Lioneld Jordan, Mayor

Attest:

Sondra E. Smith, City Clerk Treasurer

CITY CLERK / TREASURER CITY OF FAYETTEVILLE ARKANSAS WASHINGTON COUNTY

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF OCTOBER 6, 2015

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Connie Edmonston, Parks and Recreation Director

DATE: September 25, 2015

SUBJECT: Approval of Real Estate Contract with Apple Seeds, Inc. to purchase house on 2648 Old Wire Road by Gulley Park in the amount of $200,000.00 and approval of two acres Land Lease Agreement in Gulley Park

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RECOMMENDATION:
Approval of a Real Estate Contract with Apple Seeds, Inc. to purchase a house on 2648 Old Wire Road by Gulley Park in the amount of $200,000 and approval of a two acres Land Lease Agreement in Gulley Park.

BACKGROUND:
On September 15, 2015, City Council approved Resolution 165-15 authorizing a contract with Real Assets, Inc. to represent the City in selling approximately 1.25 acres of city-owned real property on Old Wire Road near Gulley Park for a six percent (6%) commisssion. The houses were listed at the appraised values or best offer as follows: $111,500.00 for 2634 Old Wire Road and $218,500.000 for 2648 Old Wire Road. The City has followed the Sale of Municipal Owned Property as outlined in City Ordinance §34.27 Sale of Municipally Owned Real Property.

DISCUSSION:
The City has received two offers for the property on 2648 Old Wire Road that includes a house and shop building on a 0.75 acre lot. The first offer was received on September 16, 2015 for $136,000.00. The City rejected this offer. On September 17, 2015 an offer in the amount of $200,000.00 was received from Apple Seeds, Inc. This offer was contingent upon receiving suitable in-house financing; execution of a lease for two acres in Gulley Park adjacent to this property for a teaching farm; approval of a conditional use permit for the operation of a limited business on the property by the Planning Commission; and satisfactory inspection of the property by the buyer.

Apple Seeds, Inc. intentions are to purchase the house and shop building, as well as lease two acres adjacent in Gulley Park for the establishment of the Apple Seeds Teaching Farm. Their offer for the property is dependent upon City Council's approval of leasing the two acres. The teaching farm is an integral part of their mission and business in which school-age children will learn and experience how to garden. Their program will utilize the house and shop building as an extended teaching classroom and "healthy" cooking area.

Apple Seeds, Inc. is a 501(c)(3) non-profit corporation. Their mission statement is: "Apple Seeds inspires healthy living through garden-based education". Their mission reinforces our Parks and Recreation "Be Active" initiative by encouraging a healthy and active lifestyle, plus it promotes the City's mission to provide a diversified parks system.

A master plan for the additional ten acres of newly acquired land at Gulley Park has not been developed at this point in time. Park and Recreation Staff worked with Apple Seeds to identify land for the two acres teaching farm that would complement the remaining acres in the park. The City Attorney's office drafted a lease agreement similar in nature to the lease at Lake Fayetteville Park with the Botanical Gardens of the Ozarks. The agreement is for a 20 year lease in which Apple Seeds as part of this consideration would provide free access to the teaching farm for all Fayetteville residents on Saturdays from 9 am until noon during the garden's growing season of March through October. In addition, they will provide two free public Garden-Based Educational Workshops each year. The City believes leasing two acres of Gulley Park will be an excellent opportunity for a partnership with a local non-profit organization that is helping us to build a healthier community. If the offer for sale and land lease agreement are both approved by City Council, the conditional use permit will be presented at the October 26, 2015 Planning Commission meeting.

BUDGET/STAFF IMPACT:
Cost for the real estate broker's services will be taken out of the closing costs for the sale of the home. Staff will bring forward recognition of these revenues for a park project in the near future for City Council's consideration.

Attachments:

Staff Review Form
Property Location Map
City Attorney Memo
Real Estate Contract with Apple Seeds, Inc.
Apple Seeds Proposal to the City
Apple Seeds, Inc. Land Lease Agreement
Apple Seeds Board Minutes
Apple Seeds Land Lease Agreement Map
Resolution 165-15: Real Assets, Inc. Contract

Apple Seeds Request for Consideration

Apple Seeds would like to request that the city of Fayetteville consider our request to enhance the park system with teaching gardens.

1. Apple Seeds would like to purchase 2648 Old Wire property.
2. Apple Seeds would like to lease ($1/year) 2 acres of the new Gulley Park Acquisition for Teaching Gardens. Apple Seeds would be responsible for all upkeep and utilities.

Apple Seeds currently operates a Teaching Farm on land owned by a community supporter. We are in need of a sustainable location with adjacent property that the organization owns for infrastructure, offices, teaching kitchen, and storage.

Mission Statement:
Apple Seeds inspires healthy living through garden-based education.

Apple Seeds is a non-profit organization based in Fayetteville, AR that works to educate and excite children about healthy food while increasing access to healthy food in schools. Our mission is to inspire healthy living through garden-based education. Apple Seeds offers experiential learning activities through **school garden** programs, **farm to table** cooking classes, **student-run farmer's markets**, and **Farm Lab** (field trips) at our Teaching Farm. Apple Seeds also integrates a nutrition-based curriculum into all of its activities and materials. Our program increases exposure to healthy foods in a positive atmosphere, empowers students with knowledge about healthy foods, and inspires students to try new fruits and vegetables. By starting at the school level, students are equipped with tools and knowledge to make healthy decisions now, which lead to healthy decisions as adults. The overarching goal is to enable and empower students to actively choose life-long healthy eating habits.

The Need in Fayetteville:

Northwest Arkansas faces both hunger and obesity. Children in food insecure families are especially vulnerable to obesity due to the additional risk factors associated with poverty, including limited access to healthy and affordable foods.

49% of Arkansas adolescents report consuming fruits/vegetables less than one time a day. *(CDC-State indicator report on fruits and vegetables, 2013).*

There is a clear need to reconnect our young students and families with fresh fruits and vegetables. There is strong evidence that gardens increase participating children's vegetable consumption and willingness to try new vegetables *(Langellotto 2012, Scherr 2013, Ratcliffe 2011, Parmer 2009, McAleese 2007, Murphy 2003).*

Among students who participate in our programs, we have seen an increase in positive attitudes toward healthy food. **Recent data shows that 41% of Apple Seeds students replicated a healthy snack at home after attending our student-run market program.**

Goals:
Apple Seeds currently reaches around 4,000 students a year. We reach 1,000 students through Farm Lab and we host 25 student-run farmers markets a year at 3 sites. We provide fresh food to the Fayetteville Public School System. We assist 20 schools a year is supporting and sustaining their school gardens. Our goal is to reach all of the towns of Northwest Arkansas reaching 10,000 students a year. Our goal is for students to have access to healthy food as well as the skills to prepare their own healthy snacks and meals.

Benefits to the City of Fayetteville:
Apple Seeds' mission reinforces the City of Fayetteville's Be Active initiative by encouraging a healthy and active lifestyle. The Teaching Farm Project also supports

the Parks and Recreation's mission for a diversified park system – this project is the only if its kind in Northwest Arkansas. Our current Teaching Farm is a beautiful evidence of our visionary planning and our high degree of importance placed on aesthetics.

Additional benefits to the City of Fayetteville include:

- Increase the beauty of Gulley Park
- Open tours to residents during designated hours
- 2 Garden Workshops/year open to community
- Unique park feature that displays the values of Fayetteville.

Apple Seeds, Inc. Land Lease Area

0 50 100 200 300 400 Feet

N

CITY OF Fayetteville ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: October 26, 2015 *Updated with Planning Commission results*

SUBJECT: **CUP 15-5217: Conditional Use (2648 N. OLD WIRE ROAD/APPLE SEEDS, 292):** Submitted by MARY THOMPSON for property located at 2648 N. OLD WIRE ROAD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.86 acres. The request is to allow Use Unit 4 and Use Unit 12 to allow Apple Seeds to operate an office and teaching farm.

RECOMMENDATION:
Staff recommends approval of **CUP 15-5217** with conditions.

BACKGROUND:
The subject property includes a single-family home and barn on 0.75 acres that backs up to approximately 11 acres of park land, adjacent to Gulley Park that was recently acquired by the City of Fayetteville. Both properties and all surrounding properties are zoned RSF-4. Surrounding land uses are listed in *Table 1*.

Table 1
Surrounding Land Use/Zoning

Direction from Site	Land Use	Zoning
North	Single-family Residential	RSF-4, Residential Single-family
South	Single-family Residential	RSF-4, Residential Single-family
East	Park Land	RSF-4, Residential Single-family
West	Single-family Residential/Old Wire Road	RSF-4, Residential Single-family

FUTURE LAND USE PLAN DESIGNATION: *Residential Neighborhood Area*

DISCUSSION:

Request: The applicant is requesting approval of a conditional use to allow Apple Seeds Inc. to use the existing house and barn for their offices and teaching space, as well as two acres behind the home for educational gardens. The two acre property will be leased from the City of Fayetteville and the home and 0.75 acre property will be purchased if the conditional use is approved. A copy of Resolution No. 184-15 and background information is attached.

Public Comment: Staff has not received any public comment.

Recommendation: Staff recommends approval of **CUP 15-5217,** finding that a small office is compatible with surrounding homes and the adjacent park land, especially along Old Wire Road, which is a high volume roadway. Further, Apple Seeds, Inc. provides great learning opportunities and food partnerships with local schools.

1. Planning Commission determination of Use Unit 4, Cultural and Recreational Facilities to allow an educational garden on approximately 2 acres and Use Unit 12, Limited Business, to allow the existing home to be used as an office and teaching space for Apple Seeds Inc. *Staff recommends in favor of the request, finding that the proposed uses are compatible with surrounding land uses and appropriate location for expanded learning opportunities for area students. Gulley Park provides ample parking areas for buses and trail access directly to this learning facility.*
   Planning Commission determined in favor of this condition (10-26-15).
2. Planning Commission determination of a variance of Chapter 172.02, to allow parking of 5 vehicles on a gravel surface. A parking lot is defined as having 5 or more spaces and parking lots must be asphalt, semi-permeable soil pavers, or concrete. The existing driveway and parking pad are gravel and the applicant would expand the parking pad to allow 5 vehicles to park on a gravel surface. *Staff finds this to be an appropriate and compatible parking condition, given that the existing driveway is already gravel.*
   Planning Commission determined in favor of this condition (10-26-15).
3. Hours of operation shall be limited to 6:00 AM to 9:00 PM seven days a week and the business shall be limited to the size and operation as proposed by the applicant in their request letter.
4. A maximum of three fund raising events shall be allowed each year and shall end by 11:00 PM.
5. A dumpster shall not be permitted on this property. Trash collection shall be by residential cart and recycling containers.
6. Signs shall limited to a wall sign and bulletin board as permitted by Chapter 174.
7. The use of the building, including any renovations, are subject to applicable building and fire codes, including ADA compliance requirements.
8. The applicant shall obtain a business license at this location within 60 days of opening.
9. The applicant/property owner shall dedicate right-of-way and utility easement as needed by the City to complete the upcoming improvements of Old Wire Road along the site's property frontage.

Planning Commission Action: x| **Approved** ☐ **Forwarded** ☐ **Denied**

Meeting Date: **October 26, 2015**

Motion: Chesser
Second: Selby
Vote: 5-1-0 (Commissioner Hoskins voted 'no')

FINDINGS OF THE STAFF

Section 163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.

2. Decide such questions as are involved in determining whether a conditional use should be granted; and,

3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or

4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting a conditional use for UU 4, Cultural and Recreational Facilities and UU 12, Limited Business in the RSF zoning district.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application:

Finding: **The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: **The Planning Commission is empowered under UDC Section 161.08 to grant a conditional use permit to allow UU 4 and UU 12 within the RSF zoning district.**

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: **In staff's opinion, the proposed land use is compatible with adjoining land uses, particular along a busy roadway such as Old Wire Road. Further, the land use provides an important community use that serves teachers and students in local schools.**

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: **There are specific rules governing Use Unit 12, Limited Business in Chapter 164.21.**

(1) The proposed use shall not adversely affect local traffic conditions on the adjoining streets.

The proposed property has direct access to Old Wire Road, which is a higher volume roadway serving multiple neighborhoods. The proposed office will only have a few employees and only five parking spaces, so local traffic conditions should not be adversely affected. Students visiting the site will be bused to the property and will use existing parking lots serving Gulley Park. These areas already have higher traffic volumes with residents using these lots to access the amenities in Gulley Park.

(2) New structures located within a residential zoning district shall incorporate design elements similar to and compatible with those found within the neighborhood, including materials, roof pitch, scale, etc.

No new structures are being proposed. Apple Seeds will utilize the existing home and barn as well as leased property on City owned property for the teaching gardens.

(3) New parking areas or lots, utility equipment and trash enclosures shall be designed to have minimal visual impact to adjacent property owners and to the street. Screening of these elements shall be accomplished with plantings, walls, architectural elements, and/or fencing.

Employees of the office will utilize the existing gravel driveway and parking pad, and the applicant is proposing to widen the existing pad to allow for parking five vehicles. The parking area will still be relatively small and should not adversely impact adjacent properties. Trash services is limited to a standard residential cart and recycle bins.

(4) Hours of operation shall be limited to Sunday through Thursday, 6am to 9pm, and Friday and Saturday, 6am to 11pm, unless otherwise further determined by the Planning Commission.

Hours of operation are from 6:00 AM to 9:00 PM and will comply with these requirements.

(5) All new or enlarged structures shall comply with the zoning requirements of the underlying district.

There are no building additions proposed with this application.

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: **The subject property has direct access to Old Wire Road, which is a busy collector street serving several subdivisions and is a regional collector to/from downtown Fayetteville. The proposed low-volume office use of the property should not generate traffic volumes that detract from the safety of the roadway. Property to the south of this development is currently used for overflow parking for Gulley Park concerts and this high-volume traffic generator does not disrupt traffic on Old Wire in staff's opinion. Old Wire Road is an unimproved two-lane asphalt street with open ditches. It is not safe for pedestrians and the proposed use will increase pedestrian traffic in the area. The City is in the process of improving Old Wire Road which will include adding storm drainage and sidewalk along the site's property frontage at some time in the near future. Pedestrian improvements associated with this conditional use permit are not recommended given the City's pending project. However, staff has recommended the dedication of right-of-way to allow for these improvements to occur along this property.**

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: **Adequate parking is being provided on site for the employees of Apple Seeds. Larger volumes of students that will visit the property will be bused to existing parking lots serving Gulley Park. Overall, the traffic generated by this land use should not create economic, noise, glare or odor effects of the special exception on adjoining properties.**

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: **The conditions of approval listed herein limit trash collection to a standard residential cart and recycle bins.**

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: **All necessary utilities are existing.**

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: **No additional screening is being proposed or recommended based on the low intensity land use proposed.**

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: **Signage will be permitted in accordance Chapter 174. The applicant is permitted an 8 square foot wall sign and a 16 square foot bulletin board, which is permitted to announce events.**

(g.) Required setbacks and other open space; and

Finding: **There are no changes planned for the existing building.**

(h.) General compatibility with adjacent properties and other property in the district.

Finding: **The subject property is located along a busy collector street and adjoins City owned park land. The operation proposed is for a small non-profit office space and teaching kitchen for school children. In staff's opinion, the low volume of traffic and availability for parking on adjacent parking lots for Gulley Park make this use generally compatible with surrounding homes along Old Wire Road.**

BUDGET/STAFF IMPACT:
None

Attachments:

- UDC Sections 161.08 and 164.21
- Applicant's letter
- Site and Floor Plan
- Resolution 184.15
- Aerial
- Land Use map
- Close up map
- One mile 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)

164.21 Limited Business

(A) *Purpose.* These regulations are intended to mitigate the potential adverse impacts associated with commercial uses adjacent to or within residential areas by allowing limited neighborhood commercial uses that are compatible in size, scale, massing and residential appearance with adjoining and surrounding residential uses. The following standards shall apply:

(1) Enhance and regulate the appearance of neighborhood commercial uses.

(2) Protect adjoining properties from the potential adverse impacts associated with commercial uses adjacent to residences such as traffic, noise, appearance, lighting, drainage, and effect on property values.

(3) Provide areas for off-street parking that will be appropriate in size, location and scale within residential areas.

(4) Provide commercial uses that are accessible for the convenience of individuals living in residential districts.

(5) Reduce the length and number of vehicle trips generated by residential development.

(B) *Applicability.* These standards shall apply to all conditional use requests for Use Unit 12, Limited Business, in any zoning district.

(C) *Similar Uses Allowed.* When a use is not specifically listed as a permitted use in Use Unit 12 (Limited Business), the use may be permitted if it is determined by the Zoning and Development Administrator that the use is similar to other uses listed. In determining "similarity," the Zoning and Development Administrator shall make all of the following findings:

(1) The proposed use meets the purpose of this section and the goals and policies of the Comprehensive Land Use Plan.

(2) The proposed use shall not adversely impact the public health, safety and general welfare of the neighboring residents;

(3) The proposed use shall be similar to the uses listed above considering use intensity and characteristics.

(D) *Conditions for Approval.* The uses listed may be allowed as a permitted use and shall meet the following conditions:

(1) The proposed use shall not adversely affect local traffic conditions on the adjoining streets.

(2) New structures located within a residential zoning district shall incorporate design elements similar to and compatible with those found within the neighborhood, including materials, roof pitch, scale, etc.

(3) New parking areas or lots, utility equipment and trash enclosures shall be designed to have minimal visual impact to adjacent property owners and to the street. Screening of these elements shall be accomplished with plantings, walls, architectural elements, and/or fencing.

(4) Hours of operation shall be limited to Sunday through Thursday, 6am to 9pm, and Friday and Saturday, 6am to 11pm, unless otherwise further determined by the Planning Commission.

(5) All new or enlarged structures shall comply with the zoning requirements of the underlying district.

(E) *Design Review.* The applicant shall submit the following information to the Planning Division for review, where applicable:

(1) A site plan drawn to scale showing location of parking, building footprint, and all other improvements.

(2) Color elevation drawings of all sides of the structure, indicating the type of materials to be used on the exterior of the building, and proposed sign.

(3) Landscape plan showing the location of all proposed landscaping, size and species of plant material.

(4) Abbreviated tree preservation plan.

(Ord. 5312, 4-20-10; Ord. 5375, 12-21-10)

Board of Directors
Travis Brooks
Brittany Corn
Carolyn Dux
Deborah Keazer
Emily Collins Kell
Reed Luhtanen
Mandy Warren

Advisory Board
Jeanette Balleza
Scribe Marketing
Mark Cain
Dripping Springs Garden
Allison Curtis
Parent
Jerrmy Gawthrop
Greenhouse Grille
Christine Haller
Parent, Leverett Elementary
Michele Halsell
Walton College of Business
Dr. Tara Hickmann
NWA Natural Health
Rachel Huff
Parent
Alysen Land
Ozark Natural Foods Coop
Betony Maringer
LaLeche League
Rachel Martin
Parent, Shaw Elementary
Martha Melendez
Parent, Butterfield School
Aimee Papazian
Fayetteville City Schools
Keaton Smith
Iberia Bank

Sarah Bunch
Chair, Fayetteville Planning Commission

August 18, 2014

Madam Chair,

Apple Seeds Inc. would like to request your consideration for a conditional use permit for 2648 Old Wire Rd as well as for 2 acres adjacent to this property in Gulley Park. With the intent to purchase the residential lot, Apple Seeds would use this site for office space and classes. With the intent to lease from the city of Fayetteville, the 2 acres adjacent to this property would be used for educational gardens for hosting field trips and for growing produce for educational programs.

Apple Seeds is a non-profit organization based in Fayetteville, AR that is ambitiously reconnecting our students with healthy food. Our mission is to inspire healthy living through garden-based education. We achieve this by connecting standards-based education to gardening and healthy food. Through partnerships and collaborations with the schools in Northwest Arkansas, we engage students with innovative, hands-on programs that increase access to food, improve nutrition, and build gardening skills.

For more information about Apple Seeds, please visit our website:
www.appleseedsnwa.org

Thank you for your consideration,

Mary Thompson
Co-Director, Apple Seeds, Inc

P.O. Box 4151 | Fayetteville, AR 72702 | www.appleseedsnwa.org
| contact@appleseedsnwa.org

Operations would be limited as follows:

- 1,551 Sq Ft. of office space in the existing home at 2648 Old Wire Rd.
- 2 acres of Educational Gardens
- Currently, there are 3 parking spaces. We would increase to 5 parking spaces
- Hours of operation: 6am-9pm, seven days
- Number of Employees: 5-9
- Anticipated number of children on site: 50-100 at peak hour
- Outdoor Lighting – none
- Noise – excited children, operations consistent with small scale farming (tractor use twice a year)
- Screening from Adjacent properties –none proposed
- Trash and Refuse – according to Recycling & Solid waste requirements.
- Ingress and Egress –staff traffic. Children/schools will drop off at Gulley park and walk to site.
- Up to 3 annual events per year, event and cleanup ending by 11PM.

Day-to-Day Operations and Functions:

Apple Seeds is a non-profit organization based in Fayetteville, AR that is ambitiously reconnecting our students with healthy food. Our mission is to inspire healthy living through garden-based education. We achieve this by connecting standards-based education to gardening and healthy food. Through partnerships and collaborations with the schools in Northwest Arkansas, we engage students with innovative, hands-on programs that increase access to food, improve nutrition, and build gardening skills.

Apple Seeds has been serving Northwest Arkansas since 2007 —developing programs, such as gardening clubs, school garden markets, Farm Lab, and healthy cooking classes, that educate and excite children about healthy food while increasing access to healthy foods in schools.

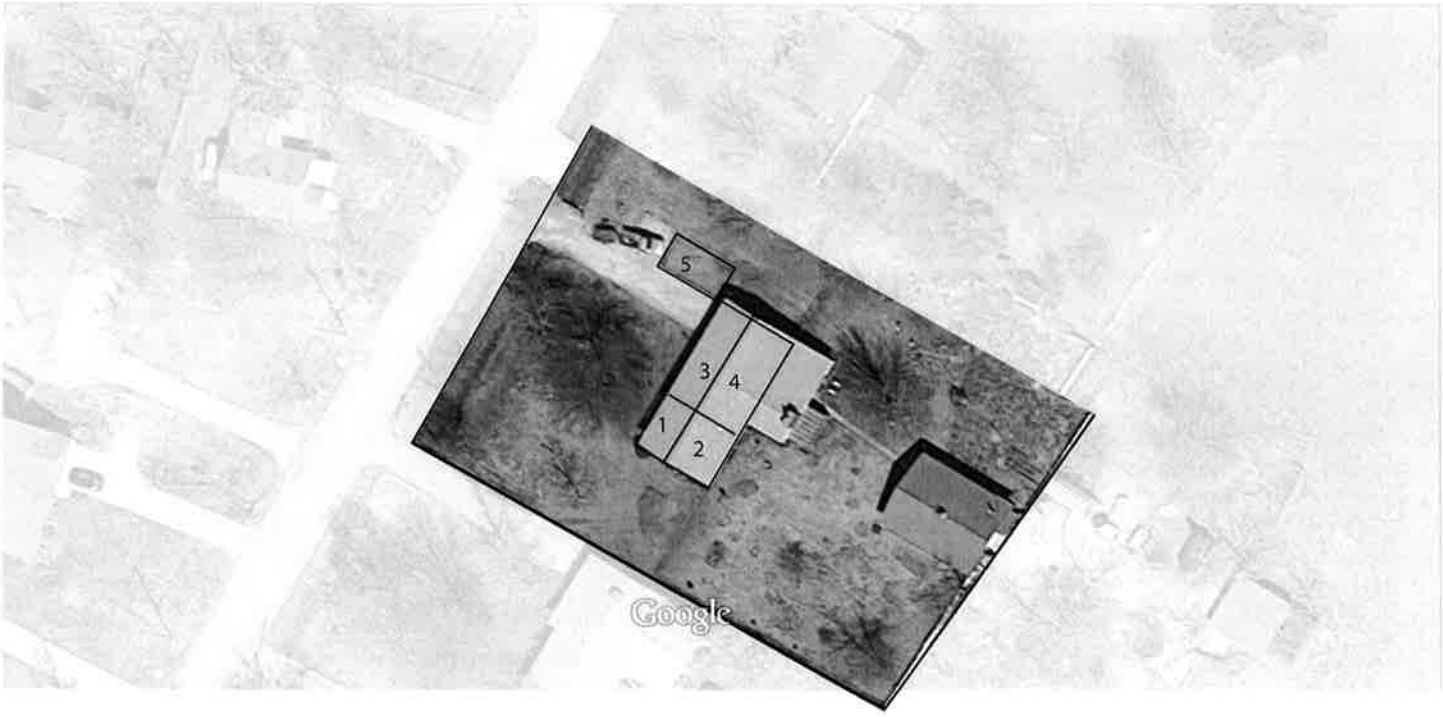
Apple Seeds plans to use this space to hold classes that teach gardening and cooking. This Facility would be adjacent to 2 acres of gardens in Gulley Park leased to Apple Seeds for the Teaching Gardens. There would be flow between the two space of employees and student visitors. The residential property will be used for offices, meeting spaces, a teaching kitchen, and classroom space. The 2 acre gardens will be used for field trip groups, volunteers, and community activities.

As a non profit, we rely on 2 annual fundraisers per year. These 2 annual events would occur on 2648 Old Wire Rd and the adjacent 2 acres of gardens. The Events are an established summer picnic and fall farm dinner hosting around 100-200 people. We would like to request conditional use for up to 3 special events per year.

A link to a publication in Edible Ozarkansas about our Farm Dinner event can be viewed here: http://digitaleditions.sheridan.com/publication/?i=250939&p=40

We currently operate a Teaching Farm on College Ave. where we host field trips and cooking classes. Attached are photos of this space.

2648 Old Wire Rd. Site Plan / Floor Plan



1: Office
2: Office
3: Teaching Kitchen
4. Meeting Room
5. Extended Parking Slab

CUP15-5217

Current Land Use

APPLE SEEDS

Overview

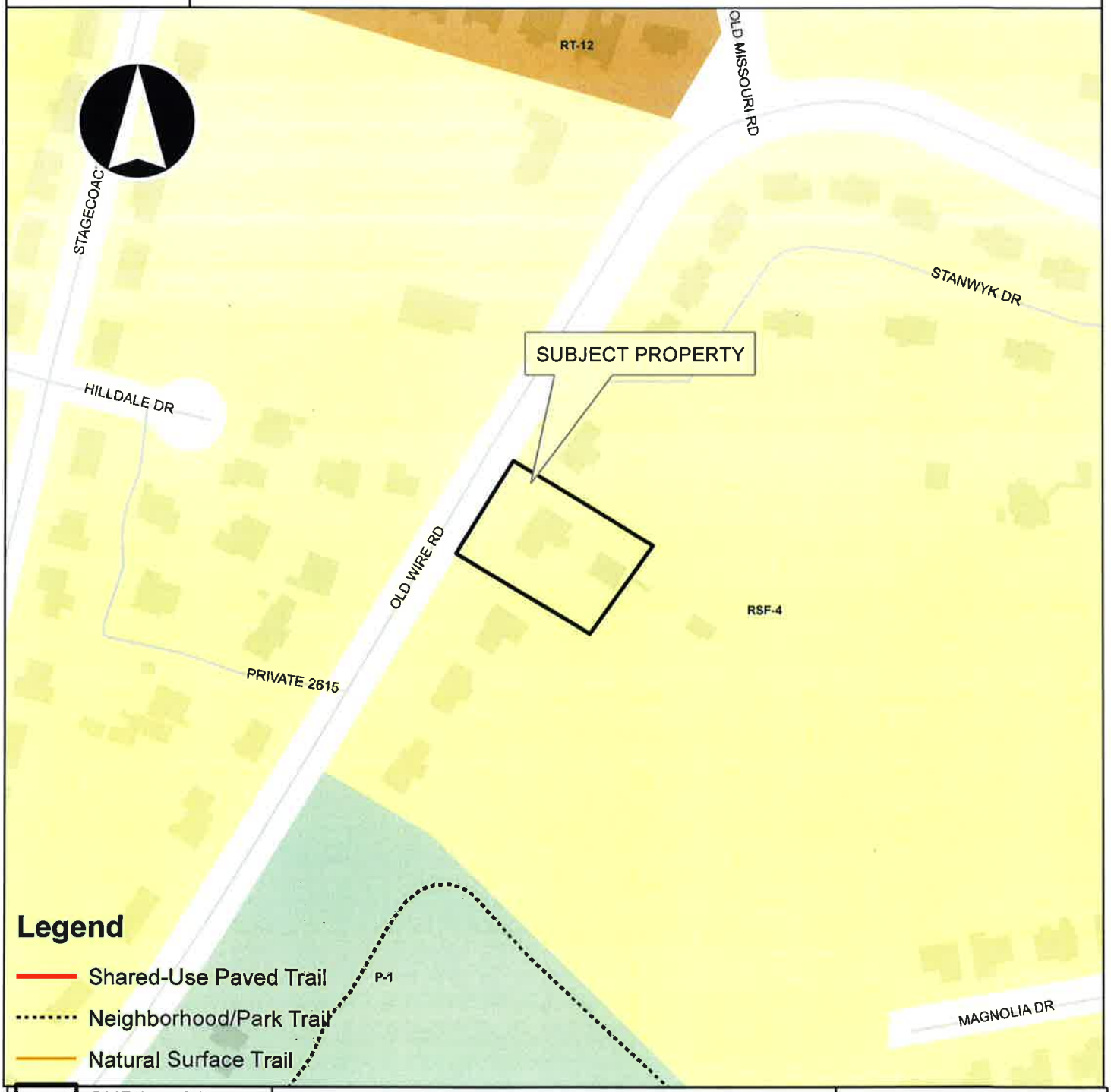
- CUP15-5217
- Hillside-Hilltop Overlay District
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area

0 75 150 300 450 600 Feet

CUP15-5217

Close Up View

APPLE SEEDS



Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail

Overview

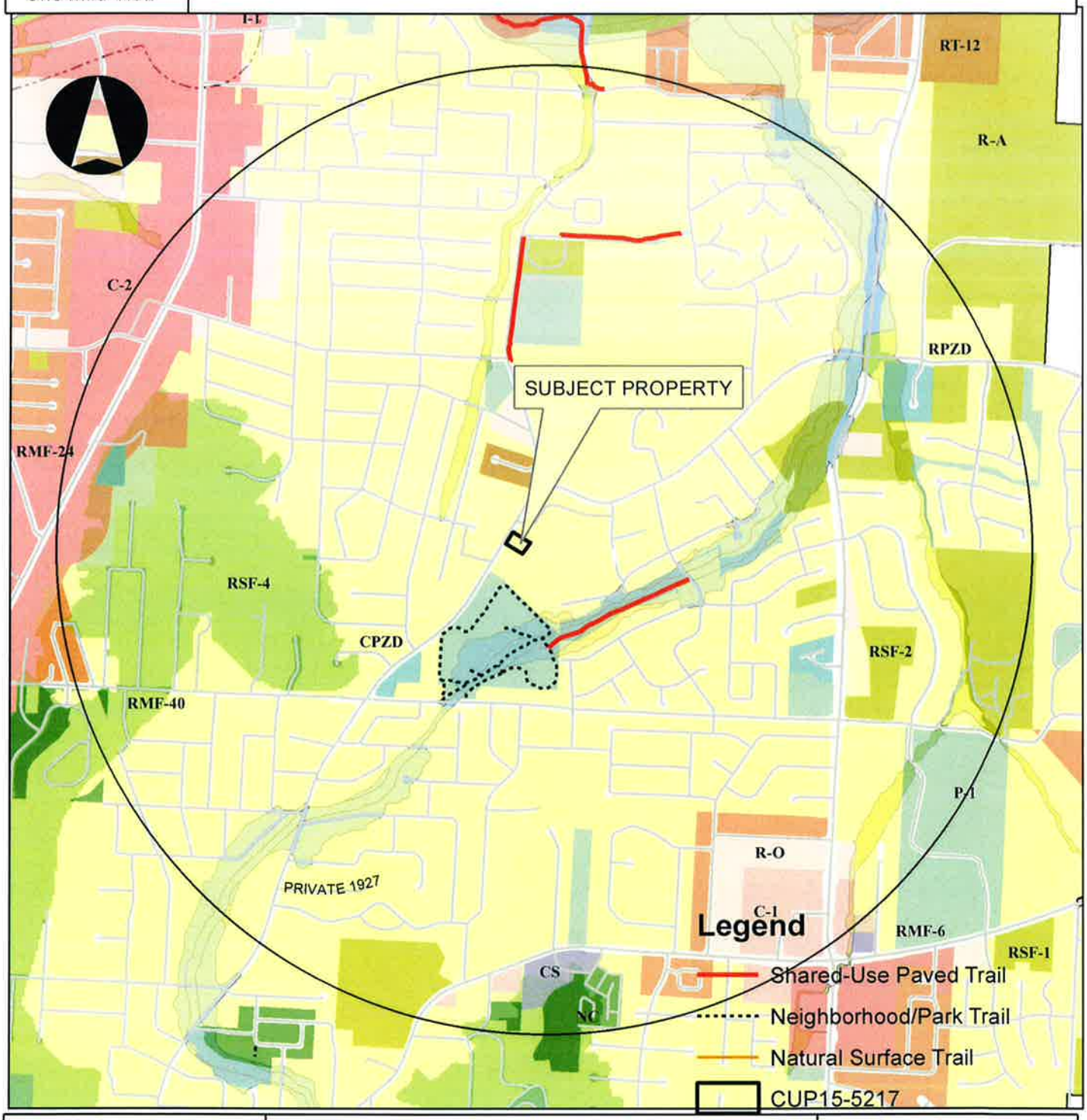
- CUP15-5217
- Hillside-Hilltop Overlay District
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area

0 75 150 300 450 600 Feet

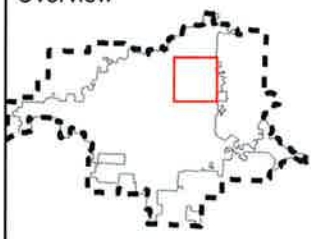
CUP15-5217

One Mile View

APPLE SEEDS



Overview



Legend

Subject Property

Boundary

Hillside-Hilltop Overlay District

Design Overlay District

Planning Area

Fayetteville

0 0.25 0.5 1 Miles

Apple Seeds

Certificate of Mailing

I hereby certify that a true and correct copy of the attached written notice was placed in the US mail, first-class, postage prepaid this 7th day of October, 2015.

Addressed as follows:

Kevin and Jeri Philips (owners of 2650 Old Wire Property)
6149 Greens Chapel Rd.
Fayetteville, AR 72704

Dandy and Son Properties (owners of 2137 E Stanwyk)
26 E Center
Fayetteville, AR 72701

CTD Ventures, INC. (owners of 2105 E Stanwyck)
5941 E. Drexel CV
Fayetteville, AR 72703

Matthew and Amanda Niehves
2626 Old Wire Rd.
Fayetteville, AR 72703

Matthew Williams Harmon
2679 Old Wire Rd
Fayetteville, Ar 72703

Brandan & Bradley Allen
2667 Old Wire Rd
Fayetteville, Ar 72703

Mary S. Thompson

Mary Thompson, Co-Executive Director/ Apple Seeds

City file No./Name:

PARCEL MAP for 2648 Old Wire Rd.

80 40 0 80 Feet

October 6, 2015

Dear Kevin and Jeri Philips,

I am writing to inform you that Apple Seeds is applying for a conditional use permit for 2648 Old Wire, located near your 2650 Old Wire property.

Apple Seeds is a local non-profit that works with area schools to engage students in garden-based education programs, establish school gardens, and educate kids about healthy eating. We currently have a teaching farm next to Ozark Natural Foods on College. We plan to house offices on Old Wire and expand our teaching Farms into Gulley Park to be a resource for the community.

Project Description:
Apple Seeds proposes a limited business at 2648 Old Wire Rd.
Building/Land Use: for offices and teaching kitchen
Size of Property: .7 acre plus 2 acre of Gulley Park

Public Hearings:

Planning Commission; 5:30 pm on October 26, 2015; 113 West Mountain Street (city administration room 219), Fayetteville, AR 72701

Property Owner: City of Fayetteville
Developer: N/A

Review Location:
The project information is available for public review at the city of Fayetteville Planning Division, 125 West Mountain St., Fayetteville, AR 72701, Monday thru Friday 8am-5pm; 479-575-8267

If you have any questions, please feel free to contact me at 479-966-6424 or by email at mary@appleseedsnwa.org.

Thank you,

Mary Thompson
Co-Director, Apple Seeds

PUBLIC HEARING

Branson, Lisa

From: Branson, Lisa
Sent: Thursday, November 12, 2015 11:22 AM
To: 'Lynn Risser'
Subject: RE: Gulley Park

Yes, since this item is on new business the Mayor will call for public comment.

Lisa

Office of the City Clerk Treasurer
Lisa Branson CAMC, CMC
Deputy City Clerk
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
lbranson@fayetteville-ar.gov
Website | Facebook | Twitter | YouTube

From: Lynn Risser [mailto:lynnkrisser@gmail.com]
Sent: Thursday, November 12, 2015 10:33 AM
To: Branson, Lisa <lbranson@fayetteville-ar.gov>
Subject: RE: Gulley Park

Lisa,
Thank you very much for this information.

Does the appeal mean the public will have a chance to comment on this issue on November 17 at the City Council meeting?

Thanks again,
Lynn

On Nov 12, 2015 9:33 AM, "Branson, Lisa" <lbranson@fayetteville-ar.gov> wrote:

> Please see the information for the Apple Seeds Appeal. If you have any questions please feel free to contact our office.
>
> Have a nice day!

Lisa

Office of the City Clerk Treasurer

Lisa Branson CAMC, CMC

Deputy City Clerk
113 W. Mountain Street, Suite 308

Fayetteville, AR 72701

479.575.8323

lbranson@fayetteville-ar.gov

Website | Facebook | Twitter | YouTube

From: Longward4@gmail.com [mailto:longward4@gmail.com]
Sent: Wednesday, November 11, 2015 10:25 AM
To: Lynn Risser <lynnkrisser@gmail.com>
Cc: Branson, Lisa <lbranson@fayetteville-ar.gov>; McCoy, Dee <dmccoy@fayetteville-ar.gov>
Subject: Re: Gulley Park

Lynn, I copied the clerk's office. They can send you all of the information on this agenda item.

Sincerely,

Alan T Long

City Council Member-Ward 4

City of Fayetteville, AR

On Nov 11, 2015, at 10:02 AM, Lynn Risser <lynnkrisser@gmail.com> wrote:

Councilman Long,

Once again I do appreciate your responding to my concern.

How can I find out when this issue will be coming back to the council? Upcoming agenda notes are not always clear to me in announcing specific issues.

I think two acres is a large enough chunk of the eleven we procured, and my problem is that, no matter how worthy the organization, no one group should be awarded free and exclusive use of land that we worked so hard for all the people and wildlife of Gulley Park to enjoy.

Again, thank you very much for taking the time to address this problem with me.

Sincerely,
Lynn Risser

On Nov 11, 2015 9:15 AM, "Longward4@gmail.com" <longward4@gmail.com> wrote:

> Did you know that it is only for a very small area of the park, next to the house that they are purchasing? We just learned yesterday that this will be coming back to the council.
>
> Sincerely,
>
> Alan T Long
>
> City Council Member-Ward 4
>
> City of Fayetteville, AR
>
> On Nov 10, 2015, at 4:44 PM, Lynn Risser <lynnkrisser@gmail.com> wrote:
>
> Dear Councilman Long:
>
> I do not live on the park; but Gulley is my neighborhood park, and I am there walking and enjoying the land almost every day of the year.
>
> Once green space is used for something, it is no longer a green space. The land we worked hard to secure with private donations was not to be divided and packaged off for free for special interest groups to develop. I was out of town in October and only learned of this deal in yesterday's news article. I heard there was no public input session as was promised.

Thank you very much for your response.
Lynn Risser

On Nov 10, 2015 9:43 AM, "Longward4@gmail.com" <longward4@gmail.com> wrote:

Lynn,

Do you live near the park? The lease was approved a while back.

Sincerely,

Alan T Long

City Council Member-Ward 4

City of Fayetteville, AR

On Nov 9, 2015, at 2:04 PM, Lynn Risser <lynnkrisser@gmail.com> wrote:

Dear Councilman Long:

I strongly oppose using Gulley Park for plans of Apple Seed Farms. This project is not in keeping with the peaceful green space we original Friends of Gulley Park intended. The space is for all citizens and not for special interest groups.

Sincerely,
Lynn Risser
2075 N. Juneway Terrace
Fayetteville, AR 72703
479-249-6158

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 John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

City of Fayetteville Arkansas
City Council Meeting
October 30, 2015

A special meeting of the Fayetteville City Council was held on October 30, 2015 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Jordan called the meeting to order.

PRESENT: Alderman Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Martin Schoppmeyer, John La Tour, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Alderman Long arrived at 5:33 p.m. Alderman La Tour arrived at 5:36 p.m.

Pledge of Allegiance

Mayor's Announcements, Proclamations, and Recognitions: None

City Council Meeting Presentations, Reports, and Discussion Items: None

Agenda Additions: None

New Business

Fayetteville Fire Pension and Relief Fund Proposal to Consolidate with LOPFI: An ordinance transferring administration of retirement coverage for eligible members of the Fayetteville Fire Pension and Relief Fund to the Arkansas Local Police and Fire Retirement System (LOPFI) and

authorizing the Mayor to enter into an irrevocable agreement with LOPFI and approving an emergency clause. *At the October 6, 2015 City Council meeting, this ordinance was left on the first reading. At the October 20, 2015 City Council meeting, this ordinance was left on the second reading and moved to a Special City Council meeting on October 30, 2015.*

Alderman Petty moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 6-0. Alderman La Tour and Long were absent during the vote.

City Attorney Kit Williams read the ordinance.

Mayor Jordan: I had hoped that we would have an Attorney General's opinion in by today. We have not received that. We have to decide what we are going to do with the Firemen's Pension Fund.

Paul Becker, Chief Financial Officer: The funds were established under separate Boards of Trustees as far back as the late 1940's and early 1950's. They are supported by property taxes, 0.4 mills, insurance, and premium taxes, for each of the Fire and Police Pension Funds. The police also get certain fees from the state to help the funding of the pension plan. The plans functioned well from the 50's through the 90's. Increases were requested by the Board of Trustees and approved by Arkansas Fire and Police Pension Review Board (PRB). The plan was established at a base of 50% of the salary for the retirees and by 2001 the amount was increased to a 90% base. Approved in 2003, there was a temporary 3% COLA for a three year period. In 2006, the income coming into the plan started reducing because of interest earnings. In 2007, a benefits increase was requested, and it was denied by PRB. In 2009, PRB declared the fund, projected insolvent. As of 2014, the pension fund has an unfunded liability of about $14 million. The investment advisors have given it about seven more years based on the current earnings.

In 2010, PRB gave a presentation to the City Council and Board of Trustees. They indicated there was a 91% risk of ruin and indicated the fund could be insolvent as early as 2020 or 2024. PRB recommended the city pay in $250,000 for a 30 year period or $325,000 for a 15 year period to keep the plan solvent. The city did not have that kind of funding available. It was indicated to us by the City Attorney that it was not a city liability. It was a liability of that trust fund. In the last few weeks, PRB has come to discuss the condition of the fund. They have now indicated to us that this fund could be consolidated with Arkansas Local Police and Fire Retirement System (LOPFI), because the amortization period has been lengthened from 15 years to 25 years. It would be consolidated with LOPFI funds which are projected to earn 8% in the future, that it could be sent down there at no cost at this point in time, however that is just for this year. That changes each year based on an actuarial study. It could be consolidated at no cost to the city, but that could change at any time. There are variables involved in that. Once it is sent to LOPFI, the city takes on that liability by contract to pay what is necessary to pay the pensioners. One of the variables is property taxes, if it increases 2%, there would be a cost over time, if the property taxes increased 3%, there wouldn't be as great a cost. If it increased less than 2%, that liability would increase. The rate of property tax increase is very pertinent to this study. Over the last five years city taxes have increased 1.7%. Over the last ten years, it has been over 4%. It is a variable which would determine the size that the liability might be. Another variable would be investment returns. If

investment returns are 8%, that would either eliminate the possibility of a liability or it would decrease it going forward. The fund currently here is gaining 3.6%. If it gains 8% with consolidation at LOPFI, it would be a much greater interest earning. LOPFI has gained roughly 9% since its inception. That rate has decreased over time. We never know what the premium tax turnback is going to be. It changes from year to year. The mortality rate is a variable. The variables are all over the map. I can't give you an accurate judgment on what the chances of a liability are. There is a risk that the city would take on liability. It could be substantial if the city agreed to enter into a contract with LOPFI for the administration of this plan.

I'll summarize your options. You could keep the plan here and subsidize it for $150,000 to $350,000. We don't have $350,000 laying around to spend. We could leave it where it is and do nothing, and that is almost certain failure. The City Council could agree to consolidate it with no revenue stream and send it to LOPFI but you could be taking on a large liability. It could be sent to the voters to increase the millage. A revenue stream would be created and send it to LOPFI with that stream and guard the city against a liability that is not funded in the future. A legislative option could be pursued to decrease the pension funds.

Alderman Long has been diligent in requesting an Attorney General's opinion of what our legal position is for the trustees' ability to be able to reduce the pensions. Our City Attorney has indicated in his opinion that this is not a city liability. The city may have constitutional issues taking on this liability.

City Attorney Kit Williams: For a decade I have been warning the Fire Pension Board that this was a problem that would not go away. There was a study done in 2010 by the actuary, Jody Carreiro about how it would be possible to save this plan without new revenue. He estimated that if the pension benefits were reduced half way back to where they started, the pension fund would probably be able to stabilize and not go bankrupt. This was never attempted. The Attorney General said that the Pension Board did not have that power. I felt like they did have the power. We drafted up a statute and presented it to the legislature to expressly give them that power, but because of opposition from pensioners, the statute failed. None of those options have been taken by the Pension Board, and we find ourselves where we are right now. I've written many memos on this. My position is the same as it was when we first started discussing this. I believe it is a grave situation from a constitutional point of view. A court could find that we would be unconstitutionally extending our credit to the Pension Board. What we might end up doing is not saving the pension plan, but instead lining the pockets of a private attorney who would sue us.

You have a compelling case from many of these retirees. I'd hoped that a different solution would have been arrived at back in 2010 when cuts would not have had to be as bad as they would have to now. I do not believe the City Council should consolidate with LOPFI. I believe it will expose us to litigation that we could possibly lose. I want to do what is most safe for our taxpayers. The safest way to go is to have the taxpayers raise the millage themselves. I think that can only occur during a General Election. This could help the plan stabilize.

Alderman Tennant: If there is a Primary Election or Judge's Election, we couldn't put this on that election. It would have to be in November, 2016?

City Attorney Kit Williams: The statute is very unclear and contradictory. It talks about having it at a Special Election, but then there is the provision that says, you have to conduct it as you would for Amendment 7. It is clearly an initiated act to have more millage accessed. If you read Amendment 7, it says, only at a General Election. I would be hesitant as your City Attorney to suggest doing it at a Special Election and see if the courts will agree that it is okay. If the court disagreed, then all the money collected in those taxes would be illegally collected. We would then have to pay some attorney who sued us. I know it can be done in a General Election. It possibly could be done in a Special Election, but I don't think it is worth the gamble.

Alderman Tennant: I don't want to have or spend the money on another Special Election. Does the Pension Board have a mechanism to bring this forward to the people for a vote? Do we have to send it to a vote?

City Attorney Kit Williams: Amendment 31 states 20 citizens by petition can bring this to the voters. It doesn't have to be the Fire Pension Board or the City Council. In order of having a reasonable chance of success, it needs the endorsement from the Pension Board and City Council. We would have to do the ballot to make sure it is done correctly.

Alderman Long: Paul, when you looked at the returns on LOPFI, did you look at their average three year returns and average five year returns?

Paul Becker: I didn't look at three year returns. I looked at what David Clark sent me. I have the returns between 2005 and 2015. I have those calculated at 6.6%.

Alderman Long: The reason I was asking that question, it was said that probably we would be looking at funding it in five to six years. The five year return would be something I would be interested in seeing.

Alderman La Tour: One of my jobs on the City Council is to guard the public purse. I have the greatest admiration for fire and police. When I look at all the facts and circumstances surrounding this, I find it difficult to obligate the citizens of Fayetteville, who will be paying that tax. I like the idea of sending it to them to decide the issue. If they feel it is important, they will pass that tax upon themselves. I would vote to send it to the people, but I can't vote to assume up to a $9 million liability. LOPFI is not going to assume all of our liabilities without an "I Owe You" from the City of Fayetteville. I do not want to obligate the people of Fayetteville to pay whatever that liability is. I urge City Council to do what we can and encourage the people of Fayetteville to consider this issue.

David Clark, Director of LOPFI and PRB: As far as the investment returns, the cumulative return for the last 32 years was 10.35%. The last five years was 8.15%. The last ten years was 5.84%. The last 20 years it was 8.58%. The assumed rate is still 8%. The Board of Trustees are going to hear from the actuaries about adjusting that possibly downward at the December meeting. I don't know how the board will vote. We provided you plenty of numbers and you have gone through those multiple times.

Pete Reagan, Fire Pension Board: City staff and Council have expressed concerns about the associated cost, but that all depends on several variables. When there is a liability to the city, it's not going to be there very long, because we are all going to die. That pendulum will swing back and the city will be making positive money going towards the LOPFI benefit for current employees. 164 old Fire and Police Pension plans have merged with LOPFI, and not one lawsuit has been filed. City of Fayetteville Ordinance 1136, Section 2 states, "The ballot title shall appear as follows: The question of the levy of an annual tax; of not more than one mill on the dollar upon the assessed value of the real and personal property within the City of Fayetteville, Arkansas for purpose of paying pensions to retired Firemen, and pensions to widows and minor children of deceased Firemen and widows and minor children of deceased retired Firemen." The key word is, not more than one mill. You as a City Council have the authority by this ordinance to increase the millage.

Pat Boudrey, 12923 West Highway 62, Farmington stated she understands the City Council's dilemma of the Fire Pension, Police Pension, taxes, citizens that pay those taxes, current employees concerned about their future, and all the legal issues involved. She requested City Council to consider some course of action that will save the plan and consolidate it with LOPFI.

Peter Tonnessen, Ward 3 does not believe this is an emergency. He stated this has been a known problem since 2009. He believes the taxpayers should have time to be heard. He stated if the city is inclined to do anything, the most it should do is present a millage increase to the voters in a General Election. He stated that the City of Detroit went through bankruptcy because of excessive government pensions. He wants the citizens of Fayetteville to be protected.

Alderman Long: The board recommended to us that we consolidate with LOPFI. Can we take an action to not consolidate with LOPFI without a board recommendation?

City Attorney Kit Williams: The proper procedure is to have the board ask us to do that. They not only asked us to consolidate, but appointed us as their representative to do the necessary procedures. Mr. Clark, does it require the board to make that request to the City Council before consolidation could happen?

David Clark: That was the purpose of the resolution that they passed.

City Attorney Kit Williams: Is that absolutely necessary? Both the board and the City Council would have to agree?

David Clark: Yes, that is correct.

Alderman Long: The original City Council resolution that was read to us earlier authorizes us to go up to one mill to fund our own funds. Could we not, with our own action increase our millage?

City Attorney Kit Williams: That was an ordinance calling for an election. We have yet to be able to find any ballot from 1957 that might say what the actual ballot language was. We have asked the county who keeps these ballots to look. Mayor Jordan, Sondra, and I have all looked.

City Clerk Sondra Smith: I have looked through 11 years of old records. I have talked to the county archives, and Mayor Jordan has talked to the county. They can't find the ballot language.

Alderman Long: By what authority are we collecting the .4 mills that we are collecting now?

City Clerk Sondra Smith: We know it went to a vote of the people because Mayor Jordan found the newspaper article stating it went to the vote of the people. We can't find the actual ballot language. We are still searching.

Mayor Jordan: This was brought up yesterday at the Pension Board meeting. I have been researching this. When you look at the old tax records, we levied, just like we levied .4, and millage for the library. We approve that every year before the end of October. Sondra brought me the research and we looked at the taxes. In 1948, there is no record of any kind of pension fund for the police or fire. In 1949, there is a pension fund of .5 mill for the police only, and it stayed like that until the election of 1957. In 1957 is when it starts getting vague. I assume the people voted to give the City Council authority to go up to a mill. I don't know that, because I can't find the ballot on either one of these pensions, from 1948 to 1949, and 1957. I went through the county archives. I went to the library and researched newspapers. The people passed an initiative for the Fire Department in 1957. It says, "The proposal to set aside up to one mill of the city tax for the Firemen's Pension, passed 1,199 to 346." Ordinance 1136 that was passed in May, 1957. Even though a Council passes a titled ballot language, it can be changed by a judge. I assume it can be changed by an Election Commission.

Alderman Long: If there was a lawsuit and the ballot language was changed, would that not of come up in the research?

City Attorney Kit Williams: It would be more likely that you would be able to find a ballot, then some lawsuit. Hopefully, the county will be able to find a ballot. Amendment 31 says, "After consent of the majority of those voting on the question at any General or Special Election in cities of the first or second class, the cities may annually thereafter, levy a tax on the assessed value of real and personal property, not to exceed two mills on the dollar, from which there shall be created a fund to pay retirement salaries and pensions to policemen and firemen, widows, and minor children. The annual levy shall not exceed one mill on the dollar for police and one mill on the dollar for fire." That is the authorizing constitutional provision that allowed this to be submitted to the voters. It is the statute that makes it confusing about Special Elections.

If I had been the City Attorney at that time, I would have probably stated what the actual millage should be. Maybe it was believed that the City Council could determine what it was every time. Even if that is what the ballot says, I still have concerns. I would be reluctant, without having a ballot, to attempt to raise the millage without a vote of the citizens. Every time you deal with taxes, it is a minefield. My recommendation is that it would be much safer to submit it to the voters.

Mayor Jordan: I can't figure out how it was decided upon .5 mills. I don't know when that was done, how it was done or if it was a City Council decision. I know that an election occurred in 1948, and I can't find any record of a ballot. In 1957, it says it could be up to a mill and someone decided to put it at .5 mill.

A discussion followed about the history of the millage rate and Amendment 59 lawsuit.

Alderman Long: If we waited until the April enrollment date for the LOPFI plan to find out some more information, and possibly send it back to the board to see if they would consider letting the Fayetteville voters fund their own pension plan, without going through an external plan, where would be in terms of solvency?

Paul Becker: This depends on what the market does and what the interest earnings are. We aren't going to earn as much interest between now and then if the plan stays where it is, in relation if it went to LOPFI. If the investments go down, we wouldn't lose as much either. We would be in the same type of position, at that point in time, that a decision could be made.

Alderman Long: We could wait until April and be in the exact same situation, but we could have an Attorney General's opinion by then to put us on a more solid legal footing. We would hopefully have a ballot to look and see what it said.

Paul Becker: The old Fire Pension Fund paid for an actuarial study, and we would have to have another study done. If the City Council chooses to do this, we should offer to fund that study. I was adamant that the city should not pay for the study originally done. That was the Fire Pension's responsibility. However, if we are going to delay this decision, and have another $1,500 study done, then we should offer to pay for the actuarial study.

A discussion followed about an additional actuarial study being done.

Alderman Long: David, LOPFI is considering by the end of this year decreasing their percentage?

David Clark: Yes, the assumed rate of return.

Alderman Long: We could have more information on that as well.

David Clark: Correct.

Alderman Long: $1,500 would be a small price to pay to make a better decision.

Paul Becker: David, a new study would be required?

David Clark: Yes.

Mayor Jordan: If it is postponed until the spring, I want to include the Police Pension plan to have a complete package if it goes to a vote of the people.

Alderman Tennant agreed with Alderman Long and Mayor Jordan's comments about taking more time and including the Police Pension plan package. He stated that the study is a good investment.

Alderman Kinion: We still need more information that we don't have. We can make assumptions, but it would be premature to enter into an agreement that is less than desirable. This doesn't mean we are abandoning our responsibility to look out for the retirement as we move forward. Based on the information we have in front of us today, it would be very hard for me to support moving forward with an agreement. When analyzed, it places all the authority on an outside organization, but all the risk and payment on the taxpayers of our city.

Alderman Petty: What is the current rate of return on the pension fund?

Paul Becker: 3.69%

Alderman Petty: I believe this fund will eventually have to be consolidated. Right now it is earning 3.69%, and we are in good times. In the recession, LOPFI was earning more than 5%. It is a better investment to be in LOPFI than for us to manage this small fund on our own. I believe people will have to raise their taxes. If it was an acceptable level of risk to all of us, we could say we are just going to consolidate, and wait for what happens. 164 cities have done this, and in theory we should be in the clear legally.

I am going to vote against consolidation today. It is easy to say, 164 other cities haven't been sued yet when times have been relatively good. When the city is the guarantor and times go bad, that is when the very hard conversations end up in a court room. I think the current pension levels are on balance and for the vast majority of the pensioners more than reasonable. We have a moral obligation to keep the pensions funded, but because we are in a legal fog. I can't ignore our City Attorney's advice at what might happen if we were to hit a big iceberg, like the next recession. We need to take time to be diligent and protect ourselves.

A discussion followed about tabling the ordinance.

Alderman Marsh: I understand the motivation behind tabling. I would rather let this motion die and then start fresh.

Alderman La Tour: I agree with Alderman Marsh. I would like to see us vote yes or no, on the motion to consolidate with LOPFI. I hope that all of you retirees know that we aren't abandoning you. We are in a difficult position.

Alderman Long: It would be better to table it because we would have updated information in our packets. Everything would be together and seem more organized.

Alderman Tennant: If we vote this up or down, then it is gone. If we table it, then it is still in its entirety. We just have to update it with information.

Alderman La Tour: As long as one of those pensioners are alive, it will not go away.

Mayor Jordan: We all agree that we want to take care of the firemen.

Alderman Long moved to table the ordinance to the May 17, 2016 City Council meeting. Alderman Tennant seconded the motion. Upon roll call the motion to table failed 3-5. Alderman Gray, Tennant and Long voting yes. Alderman Marsh, Kinion, Petty, Schoppmeyer, and La Tour voting no.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance failed 0-8.

This Ordinance Failed

Mayor Jordan: I will get with the Pension Boards and we will bring something back.

Announcements: None

Adjournment: 6:51 p.m.

Lioneld Jordan, Mayor	**Sondra E. Smith, City Clerk Treasurer**

Handed out at Agenda Session 11-10-15 B.1 Tree Preservation Area Variation

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	271.02'	174.98'	88°44'35"	N46° 23' 45"E	244.73'
C2	89.27'	227.88'	22°26'39"	N13° 24' 11"E	88.70'
C3	68.25'	171.80'	22°45'38"	N13° 40' 57"E	67.80'

LEGAL DESCRIPTION:

LOTS 16, 17 & 18 OF THE FINAL PLAT OF MEADOW FIELD COMMERCIAL SUBDIVISION, IN FAYETTEVILLE, ARKANSAS, AS SHOWN ON FINAL PLAT 0023-00000234.

PARKING:

REQUIRED PARKING: RETAIL SPACE: 1 SPACE/250 SQ. FT.
BUILDING AREA = 19,306/250 = 77 SPACES

SERVICE BAY PARKING: 4/BAY
12 BAYS X 4 SPACES = 48 SPACES

TOTAL REQUIRED: 128 SPACES
- 15% REDUCTION = 106 SPACES

REQUIRED ADA PARKING: HANDICAP REQUIRED: (101-150 SPACES) = 5 SPACES
HANDICAP PROVIDED: (106 TOTAL SPACES) = 5 SPACES

REQUIRED BICYCLE RACKS: BICYCLE RACKS REQUIRED = 1 RACK/20 SPACES
BICYCLE RACKS PROVIDED = (106 SPACES) = 6 RACKS

REQUIRED MOTORCYCLE/SCOOTER PARKING: MOTORCYCLE/SCOOTER REQUIRED = 1 SPACE/25 SPACES
MOTORCYCLE/SCOOTER PROVIDED (106 SPACES) = 6 SPACES

SITE COVERAGE:

SITE AREA: 4.76± ACRES (207,470 SQ. FT.)
BUILDING AREA: 9.3% (19,306 SQ. FT.)
GREENSPACE AREA: 34% (70,670 SQ. FT.)

SITE NOTES

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
3. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
4. ALL DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
6. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
7. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
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10. CONTACT CHUCK RUTHERFORD (ADA ADMINISTRATOR, 479-575-8291) TO SCHEDULE AN INSPECTION PRIOR TO POURING ADA ACCESSIBLE PARKING/LOADING STALL & ACCESS TO STRUCTURE AND POURING SIDEWALKS & DRIVEWAYS IN THE RIGHT-OF-WAY

LEGEND (CONSTRUCT)

SYMBOLS

- SET IRON PIN
- LIGHT POLE

LINEWORK

- CURB
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK
- FIRE LANE STRIPING

LEGEND (EXISTING)

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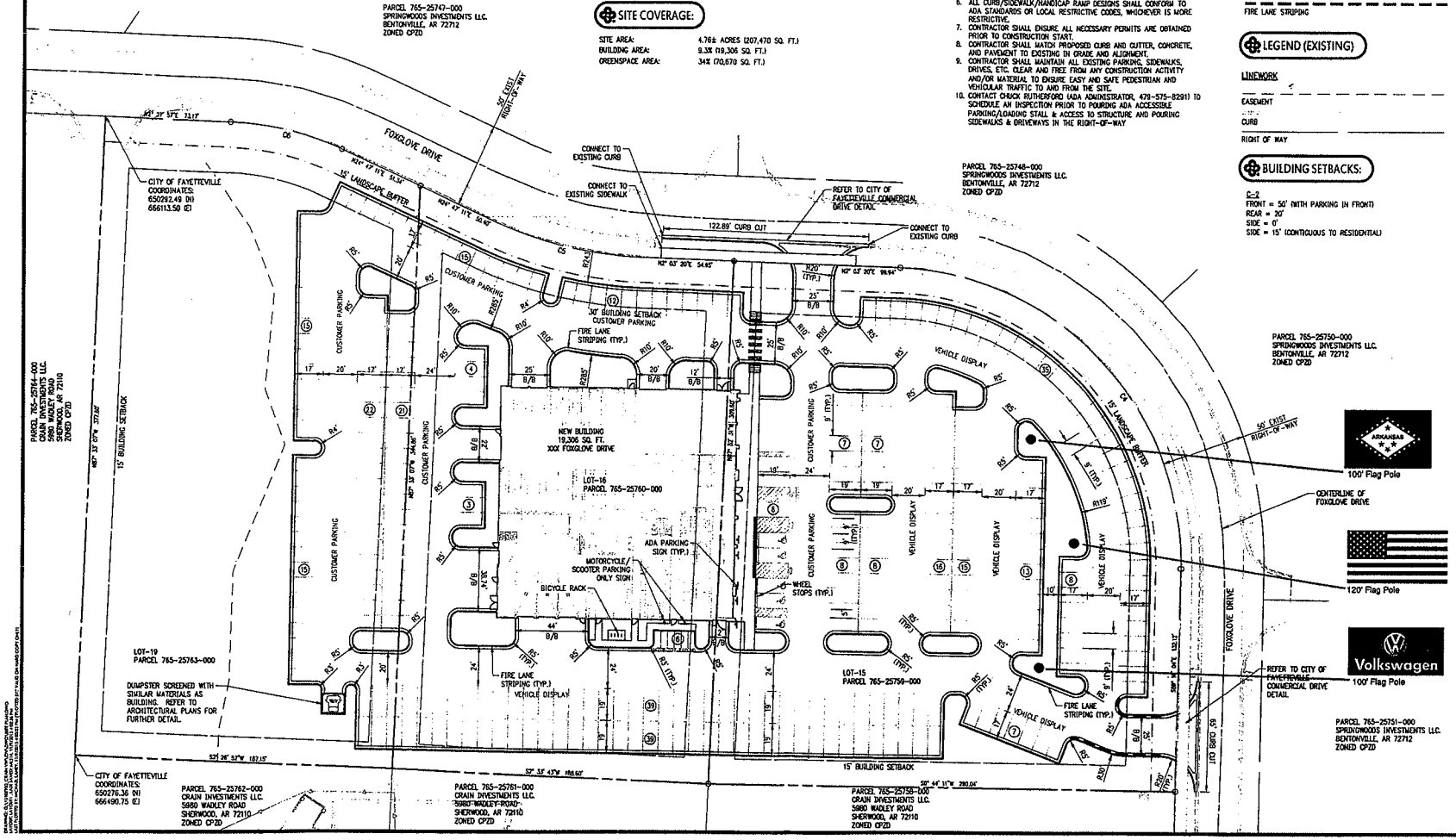

901 N. 47th St., Suite 200
Rogers, Arkansas 72756
Crafton Tull
architecture | engineering | surveying
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www.craftontull.com

CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC. No. 109

GRAPHIC SCALE IN FEET
30' 0 30'

CRAIN VOLKSWAGEN
FAYETTEVILLE, ARKANSAS

Key Plan

No.	Description	Date

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PROJECT NO. 15105900
ISSUE DATE: 06-31-2015
DRAWN BY: T. HENNITELLY
CHECKED BY:

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

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SITE PLAN

C-101

Handed out at Agenda Session 11-10-15 B.1 Tree Preservation Area Vacation

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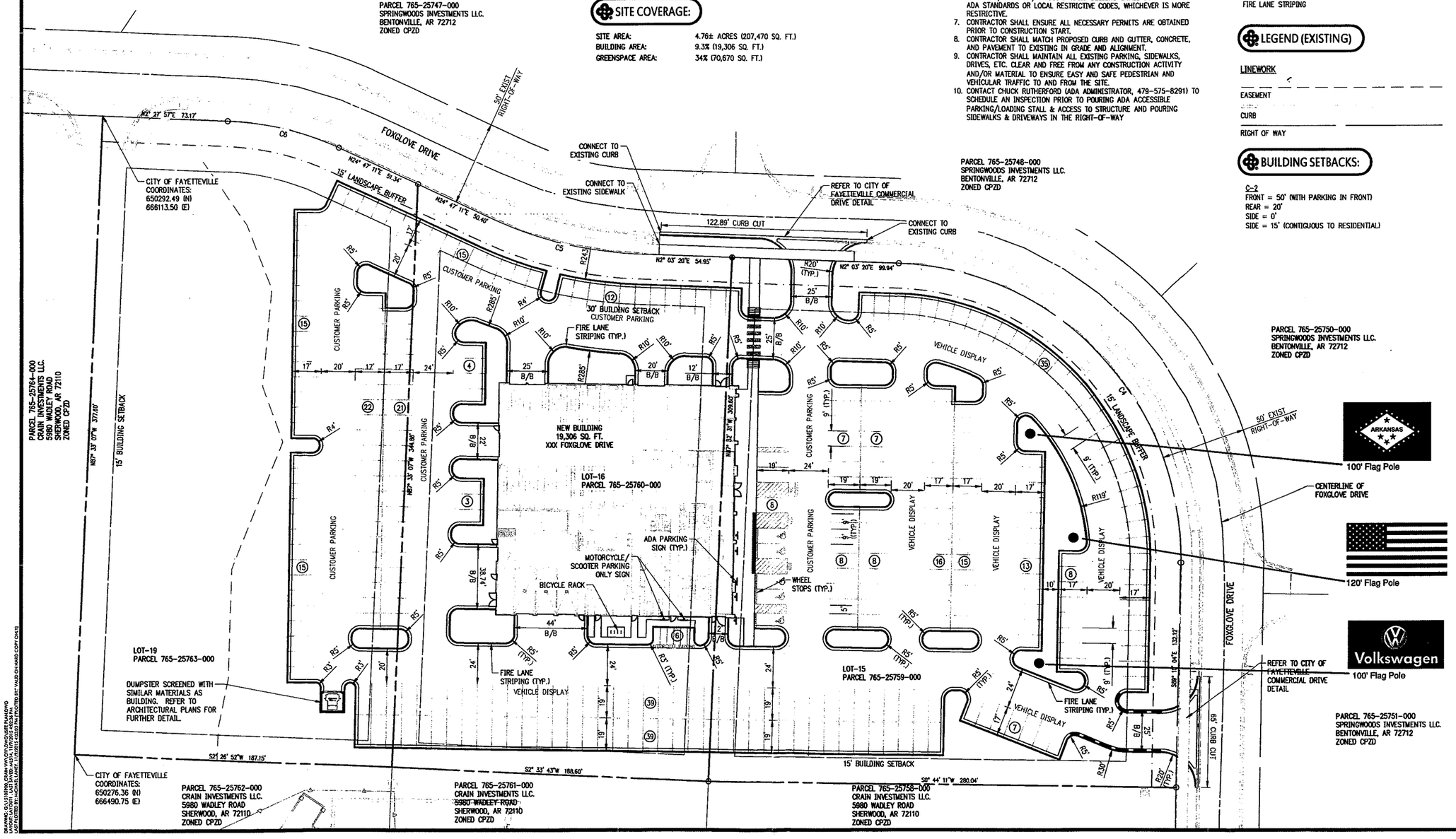

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GRAPHIC SCALE IN FEET
30' 0 30'

CRAIN VOLKSWAGEN
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Key Plan

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PROJECT NO: 15105900
ISSUE DATE: 08-21-2015
CONTACT: T. HENNELLY
CHECKED BY:

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REVIEW SET — NOT FOR CONSTRUCTION

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SITE PLAN

C-101

DRAWING: C:\15105900_CRAIN VW\CP\CP\SITE PLAN.DWG
XREF: C:\15105900_CRAIN VW\CP\CP\XREF\XREF-TOPO.DWG
LAST PLOTTED BY: MICHAEL LANE 11/10/2015 4:05:03 PM PLOTTED BY: MLAD ON HAS5.CORP.CPA.11

Branson, Lisa

From: Branson, Lisa
Sent: Thursday, November 12, 2015 3:35 PM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'dmccoy@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Cc: Linn, Derek
Subject: FW: 2015-0495 | Applicant's request to Remove Agenda Item

FYI

Sondra and Lisa,
Per the below email, the applicant has requested to officially remove Item 2015-0495 (Tree Preservation Area Vacation for Crain Automotive) from the November 17 City Council Agenda.

If anything further is needed to remove from the Final Agenda, please let me know. Thanks for all your help with this.

Thank you,

Derek Linn
Urban Forestry
City of Fayetteville, Arkansas
479.444.3486
Website | Facebook | Twitter | YouTube

From: Thomas Hennelly [mailto:Thomas.Hennelly@craftontull.com]
Sent: Thursday, November 12, 2015 9:22 AM
To: Linn, Derek <dlinn@fayetteville-ar.gov>
Subject: RE: Crain VW | Revised Plan

Derek,

We are requesting that you remove the vacation request (council item 2015-0495) from the November Agenda.

We appreciate your help with this issue.

Thomas Hennelly, P.E.
Vice President | Civil

Crafton Tull

Direct: 479-878-2419 | Mobile: 479-713-9021
901 N. 47th Street, Suite 200
Rogers, AR 72756
www.craftontull.com

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From: Linn, Derek [mailto:dlinn@fayetteville-ar.gov]
Sent: Thursday, November 12, 2015 8:21 AM
To: Thomas Hennelly
Subject: Crain VW | Revised Plan

Tom,
Thanks again for providing the revised site plan for Crain VW; I understand that things looked good with some of the key divisions, including Jeremy, Planning, and the Fire Marshal.

Would you be able to send over an email to me requesting the vacation request (Council Item 2015-0495) be removed from the November Agenda? I can then forward on to the City Clerk so that the agenda can be updated accordingly.

Thanks,
Derek

Derek Linn
Urban Forestry
City of Fayetteville, Arkansas
479.444.3486
Website | Facebook | Twitter | YouTube

CITY OF Fayetteville ARKANSAS www.fayetteville.ar.gov URBAN FORESTRY

OFFICE OF THE CITY CLERK TREASURER

Sondra E. Smith – City Clerk Treasurer
Lisa Branson – Deputy City Clerk

Phone 479.575.8323
cityclerk@fayetteville-ar.gov

113 W. Mountain Street, Suite 308
Fayetteville, AR 72701

Date: November 17, 2015

To: Mayor Jordan
Fayetteville City Council
Kit Williams, City Attorney

CC: Don Marr, Chief of Staff
Connie Edmonston, Parks & Recreation Director

From: Sondra Smith, City Clerk Sondra E. Smith

RE: Renumbering Chapter 97, Chapter 71, and Chapter 51

In reviewing Chapter 97, Chapter 71, and Chapter 51 we do not want to change these sections of the code to a four digit number for many reasons. An example is changing 97.068 Camping Prohibited to 97.68 Camping Prohibited.

- Chapters 97, 71, and 51 were adopted before 1991 with a five digit section numbering.
- There are numerous ordinances that have been adopted since 1991 that reference the five digit section numbering.
- There is historical value in keeping the current five digit section numbering.
- This task would take an extreme about of staff time to change because each section is tied to a table of contents.
- In the current correct codification of Chapter 97, 71, and 51 there is a history at the end of each section that references previous ordinance or changes that affected that section. That history can't be changed due to ordinances that currently exist. Most of these ordinances have been published and some of them may be recorded at the Circuit Clerk. See the attached current correct codification of Chapter 97.
- There is no legal reason for the changes.

As City Clerk and codifier, I do not recommend changing the section numbering of Chapter 97, Chapter 71, and Chapter 51.

TITLE IX GENERAL REGULATIONS
CHAPTER 97: PARKS AND RECREATION

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CHAPTER 97: PARKS AND RECREATION

ARTICLE I
GENERAL PROVISIONS

97.001 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

City. The City of Fayetteville, Arkansas.

Director. A person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

Park. A park, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation.

Person. Any person, firm, partnership, association, corporation, company, or organization of any kind.

Vehicle. Any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled and shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city parks.

(Code 1965, §17-A-1; Ord. No. 1594, 4-1-68; Code 1991, §97.001)

(Code 1965, §17A-2; Ord. No. 1594, 4-1-68; Code 1991, §97.002)

97.002-97.014 Reserved

ARTICLE II
PARK OPERATIONS; ADMINISTRATION AND ENFORCEMENT

97.015 Operating Hours

(A) Except for unusual and unforseen emergencies, city parks shall be open to the public every day of the year from daylight until 11:00 p.m. Any section or part of any park may be declared closed to the public by the city or its duly authorized representative at any time and for any interval of time.

(B) Parks and Recreation Staff is authorized to extend the operating hours of a park when reasonable and necessary to accommodate a tournament or special event.

(Code 1965, §17A-32; Ord. No. 1594, 4-1-68; Code 1991, §97.015; Ord. 5501, 6-5-12)

97.016 Fee For City Park Athletic Facilities and Trails For Tournaments and Special Events

(A) For the use of City Park Athletic Facilities or City Trails for Tournaments and Special Events, the Mayor shall establish fees to be charged to defray the costs of event setup, maintenance, trash pickup and removal, equipment use, water, and electricity. Fayetteville Trails will remain open to the public, with the exception of annual events approved by the City and operated by non-profit entities and events organized in conjunction with the City of Fayetteville. Trails and park areas shall not be closed more than 4 hours at any time unless approved by the Mayor.

(B) The sponsors of any tournament or special event shall arrange for all necessary umpires and/or coordinators. Upon conclusion of each tournament or event, the sponsor shall restore each facility or trail to the same condition it was in prior to the tournament or event.

(Code 1965, §2-100; Ord. No. 2714, 4-7-81; Ord. No. 4115, 8-18-98; Code 1991, §97.016; Ord. 5681, 4-15-14)

Cross reference(s)--Penalty, §97.999.

97.017 Fees For City Swimming Pools

Upon the recommendation of the Parks and Recreation Advisory Board, the mayor, or his/her designee, shall establish and make periodic adjustments to the schedule of fees charged for the use of city swimming pools.

(Ord. No. 4371, 2-19-02; Code 1991, §97.017)

97.018 Enforcement By Director, Park Attendants, And City Police

The director, park attendants and city police shall in connection with their official duties diligently enforce the provisions of this chapter.

(Code 1965, 17A-33; Ord. No. 1594, 4-1-68; Code 1991, §97.018)

97.019-97.029 Reserved

ARTICLE III
CARE OF PARK PROPERTY

97.030 Buildings And Other Property

No person in a park shall wilfully mark, deface, disfigure, injure or tamper with any buildings, monuments, bridges, tables, benches, fireplaces, signs, public utilities or other structures or equipment, facilities, or park property or appurtenances whatsoever, either real or personal.

(Code 1965, §17A-3; Ord. No. 1594, 4-1-68; Code 1991, §97.030)

Cross reference(s)--Penalty, §97.999.

97.031 Restrooms And Washrooms

No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex.

(Code 1965, §17A-4; Ord. No. 1594, 4-1-68; Code 1991, §97.031)

Cross reference(s)--Penalty, §97.999.

97.032 Removal Of Natural Resources

No person in a park shall dig, or remove any sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency, except on special written permit obtained from the city.

(Code 1965, §17A-5; Ord. No. 1594, 4-1-68; Code 1991, §97.032)

Cross reference(s)--Penalty, §97.999.

97.033 Damaging Trees, Shrubbery And The Like

No person in a park shall damage, cut, climb, carve, injure, transplant or remove any tree, flower, or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant or in any other way injure or impair the natural beauty or usefulness of any park area.

(Code 1965, §17A-7; Ord. No. 1594, 4-1-68; Code 1991, §97.033)

Cross reference(s)--Penalty, §97.999.

97.034 Pollution Of Water

No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance which will or may result in the pollution of said waters.

(Code 1965, §17A-9; Ord. No. No. 1594, 4-1-68; Code 1991, §97.034)

Cross reference(s)--Penalty, §97.999.

97.035 Wild Animals, Birds, Fish, And The Like

No person in a park shall hunt, molest, harm, frighten, poison, kill, trap or remove any animal, reptile, fish, or bird; nor remove the eggs, nest or young of any wild animal, fish, reptile, or bird.

(Code 1965, §17A-8; Ord. No. No. 1594, 4-1-68; Code 1991, §97.035)

Cross reference(s)--Penalty, §97.999.

97.036 Erection Of Structures

No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit obtained from the city.

(Code 1965, §17A-6; Ord. No. No. 1594, 4-1-68; Code 1991, §97.036)

Cross reference(s)--Penalty, §97.999.

97.037 Refuse And Trash

No person in a park shall have brought into a park any refuse or other trash. Nor shall any refuse or other trash be left anywhere on the grounds thereof, but shall be placed in proper receptacles. Where such receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

(Code 1965, §17A-10; Ord. No. 1594, 4-1-68; Code 1991, §97.037)

Cross reference(s)--Penalty, §97.999.

97.038-97.049 Reserved

ARTICLE IV
TRAFFIC RULES

97.050 Compliance With State A nd City Motor Vehicle Laws Required

No person in a park shall fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such applicable regulations as are contained in this chapter and Title VII of this Code of Ordinances.

(Code 1965, §17A-11; Ord. No. 1594, 4-1-68; Code 1991, §97.050)

Cross reference(s)--Penalty, §97.999; Title VII, Traffic Code.

97.051 Speed Of Vehicles

No person in a park shall ride or drive a vehicle at a rate of speed exceeding 10 miles per hour, except upon such roads as the city may designate, by posted signs, for speedier travel.

(Code 1965, §17A-12; Ord. No. No. 1594, 4-1-68; Code 1991, §97.051)

Cross reference(s)--Penalty, §97.999.

97.052 Parking

No person in a park shall park a vehicle in other than an established or designated parking area, and such use shall also be in accordance with the provisions of Chapter 72 of this Code of Ordinances.

(Code 1965, §17A-13; Ord. No. No. 1594, 4-1-68; Code 1991, §97.052)

Cross reference(s)--Penalty, §97.999; Ch. 72, Parking Regulations.

97.053 Vehicles Prohibited After Closing Hours

No person in a park shall enter, operate, park, leave or abandon a vehicle within a park after the closing hour of 11:00 p.m.

(Code 1965, §17A-14; Ord. No. 1594, 4-1-68; Code 1991, §97.053)

Cross reference(s)--Penalty, §97.999.

97.054 Bicycles, Motorbikes, Skateboards And The Like

No person in a park shall ride, drive, operate or push a bicycle, motorbike, scooter, skateboard, roller skates and the like on other than a paved vehicular road, path, or course designated for that purpose.

(Code 1965, §17A-15; Ord. No. 1594, 4-1-68; Code 1991, §97.054)

Cross reference(s)--Penalty, §97.999.

97.055-97.064 Reserved

ARTICLE V
RECREATIONAL ACTIVITIES

97.065 Bathing And Swimming; Bathhouses

(A) No person in a park shall swim, bathe, or wade in any waters or waterways in any park, except in such waters as are provided therefor and except during such hours of the day as shall be designated by the city. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the city upon a finding that such use of the water would be dangerous or otherwise inadvisable. Groups wishing to have a special event at Lake Fayetteville that includes swimming shall obtain a special use permit from the City Parks and Recreations staff, see section 97.071.

(B) No person in a park shall dress or undress in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

(Code 1965, §17A-17; Ord. No. 1594, 4-1-68; Code 1991, §97.065; Ord. 5285, 11-17-09)

Cross reference(s)--Penalty, §97.999.

97.066 Hunting And Firearms

No person in a park shall hunt, trap or pursue wildlife at any time; provided that the trapping of muskrats or other burrowing animals may be permitted on city reservoirs upon approval of the mayor for the protection of earthen dams. No person shall use, carry, or possess firearms of any description or air rifles, spring guns, slings, traps, or other weapons or devices potentially inimical to wildlife and dangerous to human safety. Bows and arrows will be permitted on archery ranges so designated and supervised by the city.

(Code 1965, §17A-18; Ord. No. 1594, 4-1-68; Ord. No. 1963, 11-20-73; Code 1991, §97.066)

Cross reference(s)--Penalty, §97.999.

97.067 Picnic Facilities; Duty Of Picnicker

(A) No person in a park shall picnic or lunch in a

place other than those designated for that purpose, or use any portion of the picnic areas, picnic facilities, structures, or park recreational facilities to the exclusion of other persons; nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded. Use of individual fireplaces, tables, benches, and recreational facilities will generally follow the rule of "first come, first served".

(B) No person in a park shall leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. Where no such trash receptacles are available, the refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(Code 1965, §17A-19; Ord. No. 1594, 4-1-68; Code 1991, §97.067)

Cross reference(s)--Penalty, §97.999.

97.068 Camping Prohibited

No person in a park shall set up or use tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person bring in or leave in a city park after closing hours any structure or vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon or the like.

(Code 1965, §17A-20; Ord. No. 1594, 4-1-68; Code 1991, §97.068)

Cross reference(s)--Penalty, §97.999.

97.069 Horseback Riding

No person in a park shall ride a horse except in Combs Park or on designated bridle trails. Where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree, or shrub.

(Code 1965, §17A-22; Ord. No. 1594, 4-1-68; Code 1991, §97.069)

Cross reference(s)--Penalty, §97.999.

97.070 Recreational Activities At Lakes Fayetteville, Sequoyah And Wilson

(A) *Hours.* Lake Fayetteville, Lake Sequoyah, and Lake Wilson shall be open to the general public throughout the year from sunrise to sunset daily and shall be closed each day from sunset to sunrise; provided:

(1) Lake Fayetteville and Lake Sequoyah shall be closed on Thanksgiving Day and from sunset on December 23rd through January 14th.

(2) The Director of the Parks and Recreation Department is authorized to extend the operating hours of a lake when reasonable and necessary to accommodate a tournament, special event, or seasonal weather conditions.

(B) *Permits for fishing and boating.* Fishing and boating permits are required for Lake Fayetteville and Lake Sequoyah. There is no permit requirement for Lake Wilson or other Park areas containing fishable waters.

(1) *Permits:*

(a) Annual boating and fishing permit (65 and older and veterans) $40.00

(b) Annual boating and fishing permit (16-64) $50.00

(c) Daily boating and fishing permit (65 and older and veterans) $5.00

(d) Daily boating and fishing permit (16-64) $6.00

(e) Annual fishing/use permit (65 and older and veterans) $20.00

(f) Annual fishing/use permit (16-64) $30.00

(g) Daily fishing/use permit (65 and older and veterans) $2.00

(h) Daily fishing/use permit (16-64) $3.00

(i) Daily fishing/use permit (under 16 with permitted adult) Free

(j) Daily Non-motorized Boating (canoes, inflatables, kayaks, paddle boats and sailboats) $ 3.00

(k) Annual Non-motorized Boating (per patron, nontransferable) $20.00

(2) *Miscellaneous.*

(a) Each person 16 years of age or older is required to purchase a fishing/use permit for fishing on each lake or any stream within the city owned lake property at Lake Fayetteville and Lake Sequoyah.

(b) There will be two free fishing weekends each year where City fishing/use permits will not be required. One weekend will coincide with the Arkansas Game and Fish free fishing weekend. The Parks and Recreation Director will designate the second weekend annually.

(c) A boating permit applies to the boat rather than the occupants thereof; however, all occupants of a boat, 16 years of age or older must purchase a fishing/use permit. Daily permits are valid only for use on the date of purchase.

(d) Juveniles and their supervisors shall be exempt from the boating and fishing permit fee if they are part of Washington County government rehabilitation program approved by the Director of the Fayetteville Parks and Recreation Department for the location, date and time of lake access.

(C) *Boat docking.* Boat docking shall be permitted at the boat docks at Lake Sequoyah and Lake Fayetteville on a space available basis to season boating and fishing permit holders for the following per boat annual fees:

(1) Lake Fayetteville
(a) City resident $250.00

(b) Non-resident $325.00

(D) *Fishing.* All fishing shall be done only from the bank or boat. No wading, swimming, or belly boats shall be permitted in all City Lakes. Arkansas Game and Fish regulations shall control the number and size of fish which may be caught; however, the Fayetteville Parks and Recreation Department may provide additional limitations necessary to manage the fish population. All persons fishing at Lake Fayetteville and Lake Sequoyah should check with the boat dock operator before fishing. It shall be unlawful for any person fishing to use trot lines, limb lines, cast nets, yo-yo's or jug fishing.

(E) *Boating.* A boating permit for each boat must be purchased before its use on Lake Fayetteville or Lake Sequoyah. All boats must be docked (Lake Fayetteville) or removed from the lake at closing time. No boats except those used by lake employees will be docked at any other location on the lake. Boating may be closed to the public by the Parks and Recreation Department during a special event that includes swimming.

(F) *Place of entry.* All persons boating at Lake Fayetteville and Lake Sequoyah are warned to enter the lake only through the entrance at the lake office. Persons entering the lake property from any other location shall be considered trespassing and subject to prosecution.

(G) *Use of motors on boats.*

(1) In the event that motors are used on boats, the boats shall be operated in such a manner that they will not endanger other boats or the occupants thereof. All City Lakes are No Wake Lakes. Speeding and boat racing is not permitted and each outboard motor operator is cautioned to operate his motor in a safe and cautious manner. Failure to abide by this requirement will cause loss of boating permit. The dock operator shall revoke the boating permit of any boat which in his judgment is unsafe, overloaded, or operated in a careless manner.

(2) No boats shall be permitted within 500 feet of the spillway of Lake Sequoyah.

(3) No houseboats, water skiing, or jet skis allowed.

(4) All state laws governing boats must be complied with before using a boat on any city lake.

(5) The City will not be responsible for any damage to or theft of boats, motors, or equipment.

(H) *Picnicking or other recreational activities.* Picnicking is permitted on any part of Lake Fayetteville, Lake Sequoyah, or Lake Wilson or land surrounding said lakes, except within restricted nature areas, which are controlled by the city. Overnight camping is allowed only by special group permit.

(I) *Committing nuisances.* No person shall commit any nuisance while on Lake Fayetteville, Lake Sequoyah, and Lake Wilson or any of the land surrounding the lakes belonging to the city, nor shall any trash or other materials be thrown into the lakes or left about the shore line or on the premises of any lake.

(J) *Fishing and boating prohibited near intake tower.* No one shall climb upon, enter, or fish from the intake towers of the lakes.

(K) *Fishing on stream below dam.* State laws governing fishing below dams shall be applicable on city property. Fishing permits are required to fish in the stream on city property below the dams at Lake Fayetteville and Lake Sequoyah.

(L) *Firearms and hunting.* No firearms, hunting or trapping will be permitted on city owned property at any time.

(M) *Use of motor vehicles.* No person at Lake Fayetteville, Lake Sequoyah, or Lake Wilson shall drive a motor vehicle or ride a motorcycle, ATV or bicycle on other than a paved vehicular road or path designated for that purpose.

(N) *Revoking permits.* The city shall have the right to revoke any permit issued under this section if it is determined that the permittee willfully violated any of the provisions of this section. When a permit is revoked, there will be no refunds.

(Code 1965, §13-12; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Ord. No. 3437, 7-5-89; Ord. No. 3533, 2-19-91; Ord. No. 4168, 6-1-99; Code 1991, §97.070; Ord. 4707, 06-07-05; Ord. No. 4811, 12-20-05; Ord. 5139, 5-6-08; Ord. 5229, 3-17-09; Ord. 5285, 11-17-09; Ord. 5596, 07-02-13)

Cross reference(s)--Penalty, §97.999.

97.071 Fayetteville Special Use Permit for Events that Include a Swimming Component

(A) *Special events that include swimming.* Special events that include a swimming component, such as a triathlon, may be permitted at Lake Fayetteville with a special use permit issued by the Director of the City Parks and Recreation Department. Such issuance will be at the sole discretion of the Director and should comply with the following:

(1) A special event permit should be processed through the City Parks and Recreation Department at least 90 days prior to the event.

(2) A water testing fee of $250 and a special event fee in an amount sufficient to cover all City costs to administer the event shall be charged to the event organizer for the use of the Lake Fayetteville Park space and facilities. A further security deposit to ensure complete clean up or repair of any damage may be required. The Director may require an event organizer to obtain sufficient liability insurance and take measures to increase swimmers' safety.

(3) The City does not warrant the safety or cleanliness of any lake for swimmers. Event organizers shall provide notice of the inherent danger of swimming in the lake to all persons requesting to swim and shall obtain waivers of liability and responsibility for the City of Fayetteville from all participants.

(4) The City of Fayetteville reserves the right to allow swimming only in designated areas during the event and prohibit boating in these areas.

(5) The City of Fayetteville reserves the right to cancel previously approved special events due to unacceptable water quality, inclement weather or other valid reason.

(Ord.5285, 11-17-09)

97-072-97.079 Reserved

ARTICLE VI
CONDUCT IN PARKS

97.080 Gambling Prohibited; Recreational Activities To Take Place Only In Suitable Areas

No person in a park shall gamble, or participate in, or abet any game of chance. Nor shall any person take part in or abet the playing of other forms of recreation except in areas set apart for or conducive to the particular form of recreation.

(Code 1965, §17A-21; Ord. No. 1594, 4-1-68; Code 1991, §97.080)

Cross reference(s)--Penalty, §97.999.

97.081 Intoxicating Beverages

(a) No person in a park shall bring into or consume alcoholic beverages within a city park, nor shall any person enter a park when under the influence of intoxicating beverages.

(b) Notwithstanding the above prohibition, the Botanical Garden Society of the Ozarks may allow alcoholic beverages to be served on the premises they have leased within the Lake Fayetteville park area for fundraisers, wedding receptions and other special events as long as they fully comply with all Alcohol Beverage Control requirements.

(Code 1965, §17A-23; Ord. No. 1594, 4-1-68; Code 1991, §97.081; Ord. No. 4865, 05-16-06)

Cross reference(s)--Penalty, §97.999.

97.082 Fires; Fireworks And Explosives

(A) No person in a park shall build or attempt to build a fire except in fireplaces or facilities so designed for such use, nor leave any fire unattended. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco papers or other inflammable material within any park area or on any highway, road or street abutting or contiguous thereto.

(B) No person in a park shall bring in, explode or cause to be exploded, discharge or burn any firecrackers, torpedoes, skyrockets, roman candles or other fireworks, explosives or inflammable materials without having first obtained prior written consent pursuant to the requirements of §94.04.

(Code 1965, §§17A-24, 17A-26; Ord. No. 1594, 4-1-68; Code 1991, §97.082)

Cross reference(s)--Penalty, §97.999, Sale and use of fireworks, §94.04(B).

97.083 Soliciting Alms

No person in a park shall solicit alms or contributions for any purpose, whether public or private.

(Code 1965, §17A-25; Ord. No. 1594, 4-1-68; Code 1991, §97.083)

Cross reference(s)--Penalty, §97.999.

97.084 Entering Closed Areas

No person in a park shall enter an area posted as "Closed to the Public", nor shall any person use, or abet the use of, any area in violation of posted notices.

(Code 1965, §17A-27; Ord. No. 1594, 4-1-68; Code 1991, §97.084)

Cross reference(s)--Penalty, §97.999.

97.085 Going Onto Ice

No person in a park shall go onto the ice on any of the waters except such areas as are designated as skating fields, and provided a safety signal is displayed.

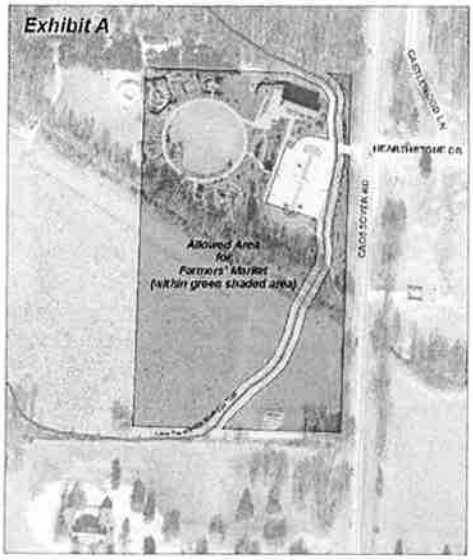
(Code 1965, §17A-28; Ord. No. 1594, 4-1-68; Code 1991, §97.085)

Cross reference(s)--Penalty, §97.999.

97.086 Vending And Peddling

(A) *General prohibition of selling or offering to sell items in city parks.* No person or business shall, within a city park, display, offer for sale, or sell any article, thing or service, nor place any stand, cart or vehicle for the display, sale or transportation of any such article.

(B) *Exemptions.* The City's regularly licensed concessionaires acting pursuant to the authority and regulation of the City are exempt from subsection (A). Nonprofit organizations which have obtained a special events permit may sell nonalcoholic beverages and food during an annual event. Gulley Park Concert sponsors may sell food and nonalcoholic beverages during the concerts when specifically permitted by the Parks and Recreation Department Director. The Farmers' Market and its members may sell items allowed pursuant to §114.02 (C) of the Fayetteville Code on Sundays, Saturdays and one weekday within a portion of the Lake Fayetteville Park that is licensed to the Botanical Garden Society of the Ozarks (if approved by the Society) as shown on Exhibit A.



Farmers' Market at Lake Fayetteville Park within Botanical Garden leased area

(C) Food trucks permitted pursuant to §178.05 may operate in City Parks as described below:

(1) Food trucks may not locate in the same area that is actively being served by a contracted concessionaire as shown on Exhibit C during regular season Fayetteville Parks and Recreation leagues and tournaments.

(2) Food trucks may locate at Gulley Park during a Gulley Park Concert **or** special event in other parks such as tournaments, reserved park gatherings, etc. if approved by the Parks and Recreation Director.

(D) For special events, food trucks and sales of items other than food may be approved by the Parks and Recreation Director through a special event permit

(Code 1965, §17A-29; Ord. No. 1594, 4-1-68; Code 1991, §97.086, Ord. 5310, 4-6-10; Ord. No. 5531, 10-02-12; Ord. 5666, 3-18-14)

Cross reference(s)--Penalty, §97.999.

97.087 Advertising Prohibited

No person in a park shall announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(Code 1965, §17A-30; Ord. No. 1594, 4-1-68; Code 1991, §97.087)

Cross reference(s)--Penalty, §97.999.

97.088 Signs Prohibited

(A) No person in a park shall paste, glue, tack, or otherwise post any sign, placards, advertisement, or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park, except as set forth herein below.

(B) *Exceptions.*

(1) *Athletic Field Signage.* Signs shall be permitted on softball/baseball outfield fences and scoreboards at locations and in sizes designated by the Parks and Recreation Director. Uniform fees shall be charged dependent upon placement and size of the permitted signs. The content of the sign and whether it is commercial or non-commercial may not be considered. Designated spaces shall be sold at the established price on a first come basis. The owner of a sign at a designated location shall have first right to renew before others can purchase the size/location for a new or replacement sign.

(2) *Recognition Signs.* Signs located in City parks or on City trails that are used for the purpose of memorializing a person or family through naming, recognition of significant donors, or recognition of contributions to the facility or amenity on which the sign is installed shall meet the following conditions:

(a) *Maximum Number of Recognition Signs.* Most donor or honoree recognition signs shall be limited to one for the facility financed by the donor or memorializing the honoree. For a park or a major facility with more than one major entrance, a second recognition sign may be recommended by the Parks and Recreation Advisory Board and approved by the City Council.

(b) *Maximum Size of Recognition Signs.*

(i) Donor recognition signs in city parks shall be sized in accordance with Exhibit 'A', Donor Recognition Signs,

unless otherwise determined by City Council Resolution.

(ii) Trail Recognition Signs shall not exceed four square feet for trailhead facilities. Recognition signs along the trail for park benches, etc., shall not exceed 1.5 square feet and should be incorporated within or attached to the bench or amenity sponsored by the donor.

(c) *Design requirements.* All recognition signs must comply with the following requirements and shall adhere to the aesthetic values and design of the park or trail.

(i) The recognition sign shall include only the name of the person memorialized or the name of the organization, person or business which has donated significant funds to the park facility. A company or organization logo (without company colors, any advertising or slogans) may be used on the sign.

(ii) The design of the sign shall be incorporated into the park facility and shall be approved by the Director of Parks and Recreation who shall ensure the signs' high quality and durable construction and its consistency with other recognition signs within the park.

(iii) Recognition signs shall comply with the Donor Operational Policy unless exempted by the City Council.

(d) *Facility Naming.* The naming of facilities is permitted so long as the donor or honoree has made a significant contribution to the City, the Facility or the Parks and Recreation Department in terms of financial donations, voluntarism or dedicated public service. Final naming of facility may be as recommended by the Parks and Recreation Advisory Board with final selection and approval by the City Council. Naming of the facilities should meet the Naming Park Facilities Policy attached as Exhibit 'B', unless otherwise determined by City Council Resolution.

Exhibit "A"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR DONOR RECOGNITION SIGNS	
	NUMBER:	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

DONOR RECOGNITION SIGNS

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

In order to provide important capital facilities in Fayetteville Parks, it is pragmatic in a time of shrinking public dollars to seek outside funding. It is essential to have specific boundaries and criteria in establishing fair and proper recognition of significant facility donations. This policy sets guidelines for donations within parks as well as on trails. All sign and plaque designs must be incorporated into the design of the facility. Donor recognition signs shall adhere to the aesthetic values and design of the park.

Donor recognition in parks is based upon the type of facility donated. Donor recognition on trails is limited on the trailheads unless there is an educational and/or art feature that is appropriate to be displayed along the trail. Recognition signs may not be predominant within the educational and/or art component.

Recognition for each donation will be determined pursuant to the Recognition for Parks and Trails Facilities Policy. Any exceptions to this policy must be approved by City Council. Park Planners have the latitude to design signs recognizing donations based on site location and donor specific criteria. Naming of facilities donated must meet the Naming Park Facilities Operational Policy unless accepted under City Council resolution. The naming proposal will be presented to the Parks and Recreation Advisory Board for their recommendation to City Council. City Council has final approval of the park facility name, including the right to approve a different name. The option for naming facilities is only permitted under the Park Facility Diamond, Platinum, Gold and Silver categories. Minor items such as trash receptacles and flower beds cannot be named.

CITY OF Fayetteville ARKANSAS	Parks and Recreation Department Policies and Procedures Manual		SUBJECT: **RECOGNITION FOR PARKS AND TRAILS FACILITIES POLICY**	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 3
	SUPERSEDES:	APPROVED BY:		

RECOGNITION FOR PARKS AND TRAILS FACILITIES

Bronze Category: Recognition on Donor Wall for 25 year period

Donation of $25,000 up to $250,000 for park amenities. Examples include

Bleachers
Batting Cages
Bike Racks
Lighting
Drinking Fountain with Dog Bowl
Prefabricated Pavilion
Picnic Table and Grill
Art Sculpture
Single Playground Apparatus (climbing rocks/swing set)
Landscape Feature

Size of donor wall and names to be approved by the City Council.

Silver Category: Naming Rights for 10 year period

Donation of 75% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground

Gold Category: Naming Rights for a Field/Court/Facility for 25 year period

Donation of 100% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground
Dog Park

Platinum Category: Naming Rights of a Complex for 30 year period

Donation of $1 million up to $5 million to name a complete complex. Examples include:

Sport Complex: 4-6 field lighted complex such as softball, baseball, soccer, tennis

Aquatic center
Amphitheater- seating for 1,200
Development of a new park

Diamond Category: Naming Rights of a Park

Donation over $5 million to name a park.

RECOGNITION FOR EXISTING PARK FACILITIES

$200,000 per baseball or softball field for 10 years, or $350,000 for two fields
$150,000 per soccer field for 10 years or $250,000 for two fields

TRAIL FACILITIES

Silver Category receives donor recognition of a press release, ribbon cutting ceremony, plaque constructed of high quality durable materials up to 1.5 sq ft.

Trail Facilities donated in the Silver Category may only be located along trails for educational purposes or as an integral part of an art feature.

Gold Category receives donor recognition of a press release, ribbon cutting ceremony, sign constructed of high quality durable materials up to 4 sq ft.

Trail Facilities donated in the Gold Category may only be located at trailheads for a 25 year period and include the following:

Parking Lot
Pavilion

Restroom
One Mile Asphalt/Concrete Trail

City Process

1. Parks and Recreation Staff or the Friends of Parks Board meets with donor to discuss donation including amount of donation, development of facility/amenity, recognition operational policy, naming rights (if applicable), sign appearance/style/construction, time requirements and other pertinent topics. Donor must meet the Operational Policy for Donor Recognition Signs.

2. Request is presented for approval from Parks and Recreation Advisory Board. If the facility donated is granted the option to name the facility, the name must meet Park Naming Facility Operational Policy.

3. Request presented to Planning Office for approval.

4. Request presented to City Council for final park name selection and approval.

5. All donors will have first right to re-new their naming rights for an appropriate donation upon conclusion of the time period.

6 The City will reserve the right to remove a donor's name from the facility if the City Council determines by resolution that a donor would otherwise cause undue embarrassment or other issues for the City or its citizens.

Exhibit "B"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR NAMING PARK FACILITIES	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE:	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

NAMING PARK FACILITIES

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

Upon acquisition of a new park, the Director of Parks and Recreation will assign a nondescript temporary working name or subdivision name for the park facility to be used until park development begins.

Once park development begins, the Parks and Recreation Department will receive and forward park facility name suggestions to the Parks and Recreation Advisory Board for review. The Parks and Recreation Advisory Board will discuss and approve the recommendations at their monthly meeting. Once a recommended name has been selected, the Parks and Recreation staff will forward the name to the City Council for its final park name selection including a potentially different name.

The following items should be considered when proposing names for any park facilities:

- Geographic location of the facility
- Outstanding features of the facility
- Commonly recognized historical event, group, or individual
- Individual or group who contributed significantly to the acquisition or development of a facility
- Individual who provided an exceptional service in the interest of the park system

For an individual to be considered, the recommended name must be accompanied by a biographical sketch which provides evidence of historical significance or contributions to the Parks and Recreation Department or City of Fayetteville.

The naming of plaques, markers, and memorials within park facilities must follow the policies as stated above.

Note: A name recommendation from the Active Transportation Committee for trail facilities will be required prior to forwarding to the Parks and Recreation Advisory Board.

(Code 1965, §17A-31; Ord. No. 3677, §2, 3-2-93; Code 1991, §97.088; Ord. 5335, 7-20-10; Ord. 5335, 7-20-10; Ord. 5778, 6-16-15)

Cross reference(s)--Penalty, §97.999.

97.089–97.998 Reserved

97.999 Penalty

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be fined not more than $500.00 or double that sum for each repetition of such offense, or violation; provided, no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. If the violation of the chapter is, in its nature, continuous in respect to time, the penalty for allowing the continuation thereof shall not exceed $250.00 for each day the same is unlawfully continued.

(B) Any person violating any provision of §97.070 shall be guilty of a misdemeanor and shall be punished by a fine of not more than $500.00.

(Code 1965, §§1-5, 13-12; Ord. No. 2128, 7-15-75; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Code 1991, §97.999)

OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**
City Council
Sondra Smith, City Clerk

CC: **Don Marr**, Chief of Staff
Connie Edmonston, Parks & Recreation Director

FROM: **Kit Williams**, City Attorney

DATE: **November 16, 2015**

RE: **Revision of Chapter 97: Parks & Recreation**
Minor changes to Exhibit A

I noticed a minor wording problem in § 97.38 **Animals to be leashed** during the Agenda Session. After discussing this with Connie, I made a correction to the first proposed language.

I also noticed that on Exhibit A the numbering of sections had become inconsistent with a few section numbers now having an addition "0" immediately after "97." so that these sections used five digits for their numbers while all rest in Exhibit A used four. Therefore, I changed all those back to four digits. The first two digits identify the Chapter while the digits after the period denote the actual section number. Since there are still 66 available four digit section numbers left (out of 100), I think it will be a very long time before a fifth digit must be used in Chapter 97.

Also I reviewed our current Fayetteville Code and discovered that a five digit section numbering was already in use in this chapter and a few others which would require the use of an additional zero immediately

following the period in the section number. The first two or three digits to the left of the period show which chapter the section is in. The two or three digits to the right of the period reflect the section within the chapter.

I saw that this five rather than four digit numbering system is used in Chapter 33: **Department, Boards, Commission and Authorities** which makes sense as there are 105 sections within this Chapter with a few more to come with the establishment of the Civil Rights Commission. However, this five digit (51.001, etc.) numbering system is also in place for Chapter 51 **Water and Sewer** and Chapter 71: **Traffic Rules** neither of which need a numbering system that would provide for 1,000 sections. In fact these chapters have only 52 and 51 actual sections currently which could be easily numbered in our standard four digit numbering system. No chapter within the Unified Development Code (which is part of the Fayetteville Code) uses three digits after the period.

I would suggest that our codifier, the City Clerk, be given the authority to renumber Chapters 51 and 71 to remove the unnecessary fifth digit and clarify that such fifth digit will only be used when the number of sections within a chapter at least nears 100.

CONCLUSION

Please pass an amendment to Exhibit A as attached to this memo for the revised language in § 97.38 and for the consistent four digit numbering system for this chapter.

TITLE IX GENERAL REGULATIONS
CHAPTER 97: PARKS AND RECREATION

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CHAPTER 97: PARKS AND RECREATION

ARTICLE I
GENERAL PROVISIONS

97.01 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

City. The City of Fayetteville, Arkansas.

Director. A person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

Park. A park, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation.

Person. Any person, firm, partnership, association, corporation, company, or organization of any kind.

Vehicle. Any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled and shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city parks.

(Code 1965, §17-A-1 and 2; Ord. No. 1594, 4-1-68; Code 1991, §97.001and §97.002)

97.02-97.14 Reserved

ARTICLE II
PARK OPERATIONS; ADMINISTRATION AND ENFORCEMENT

97.15 Operating Hours

(A) Except for unusual emergencies, city parks shall be open to the public every day of the year from daylight until 11:00 p.m. except Shared Use Paved Trails as designated on the Parks and Trails Interactive Map which are open 24 hours every day. Any section or part of any park may be declared closed to the public by the city or its duly authorized representative at any time and for any interval of time.

(B) Parks and Recreation Staff is authorized to extend the operating hours of a park when reasonable and necessary to accommodate a tournament or special event.

(Code 1965, §17A-32; Ord. No. 1594, 4-1-68; Code 1991, §97.015; Ord. 5501, 6-5-12)

97.16 Fee For City Park Athletic Facilities and Trails For Tournaments and Special Events

(A) For the use of City Park Athletic Facilities or City Trails for Tournaments and Special Events, the Mayor shall establish fees to be charged to defray the costs of event setup, maintenance, trash pickup and removal, equipment use, water, and electricity. Fayetteville Trails will remain open to the public, with the exception of annual events approved by the City and operated by non-profit entities and events organized in conjunction with the City of Fayetteville. Trails and park areas shall not be closed more than 4 hours at any time unless approved by the Mayor.

(B) The sponsors of any tournament or special event shall pay a trash and key deposit and arrange for all necessary umpires and/or coordinators. Upon conclusion of each tournament or event, the sponsor shall restore each facility or trail to the same condition it was in prior to the tournament or event in order for deposit to be returned.

(Code 1965, §2-100; Ord. No. 2714, 4-7-81; Ord. No. 4115, 8-18-98; Code 1991, §97.016; Ord. 5681, 4-15-14)

Cross reference(s)--Penalty, §97.999.

97.17 Fees For City Swimming Pools

Upon the recommendation of the Parks and Recreation Advisory Board, the mayor, or his/her designee, shall establish and make periodic adjustments to the schedule of fees charged for the use of city swimming pools.

(Ord. No. 4371, 2-19-02; Code 1991, §97.017)

97.18 Enforcement By Director, Park Staff, And City Police

The director, park staff and city police shall in connection with their official duties diligently enforce the provisions of this chapter.

(Code 1965, 17A-33; Ord. No. 1594, 4-1-68; Code 1991, §97.018)

97.19-97.29 Reserved

ARTICLE III
CARE OF PARK PROPERTY

97.30 Buildings And Other Property

No person in a park shall willfully mark, deface, disfigure, injure or tamper with any buildings, monuments, bridges, tables, benches, fireplaces, signs, public utilities or other structures or equipment, facilities, or park property or appurtenances whatsoever, either real or personal.

(Code 1965, §17A-3; Ord. No. 1594, 4-1-68; Code 1991, §97.030)

Cross reference(s)--Penalty, §97.999.

97.31 Restrooms And Washrooms

No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex.

(Code 1965, §17A-4; Ord. No. 1594, 4-1-68; Code 1991, §97.031)

Cross reference(s)--Penalty, §97.999.

97.32 Removal Of Natural Resources

No person in a park shall dig, or remove any sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency, except on special written permit obtained from the city.

(Code 1965, §17A-5; Ord. No. 1594, 4-1-68; Code 1991, §97.032)

Cross reference(s)--Penalty, §97.999.

97.33 Damaging Trees, Shrubbery And The Like

No person in a park shall damage, cut, climb, carve, injure, transplant or remove any tree, flower, or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant or in any other way injure or impair the natural beauty or usefulness of any park area.

(Code 1965, §17A-7; Ord. No. 1594, 4-1-68; Code 1991, §97.033)

Cross reference(s)--Penalty, §97.999.

97.34 Pollution Of Water

No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance which will or may result in the pollution of said waters.

(Code 1965, §17A-9; Ord. No. No. 1594, 4-1-68; Code 1991, §97.034)

Cross reference(s)--Penalty, §97.999.

97.35 Wild Animals, Birds, Fish, And The Like

No person in a park shall hunt, molest, harm, frighten, poison, kill, trap or remove any animal, reptile, fish, or bird; nor remove the eggs, nest or young of any wild animal, fish, reptile, or bird.

(Code 1965, §17A-8; Ord. No. No. 1594, 4-1-68; Code 1991, §97.035)

Cross reference(s)--Penalty, §97.999.

97.36 Erection Of Structures

No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit obtained from the city.

(Code 1965, §17A-6; Ord. No. No. 1594, 4-1-68; Code 1991, §97.036)

Cross reference(s)--Penalty, §97.999.

97.37 Refuse And Trash

No person in a park shall have brought into a park any refuse or other trash. Nor shall any refuse or other trash be left anywhere on the grounds thereof, but shall be placed in proper receptacles. Where such receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

(Code 1965, §17A-10; Ord. No. 1594, 4-1-68; Code 1991, §97.037)

Cross reference(s)--Penalty, §97.999.

97.38 Animals to be Leashed

Owners must keep their animals on a leash in a park. Dogs are allowed to be off leash in designated dog parks and Lake Wilson Park. Owners and anyone in control of a pet shall pick up, remove and properly dispose of their pet's waste as also required by § 92.06 **Animal Waste, Offensive Odors Prohibited**.

ARTICLE IV
TRAFFIC RULES

97.50 Compliance With State And City Motor Vehicle Laws Required

No person in a park shall fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such applicable regulations as are contained in this chapter and Title VII of this Code of Ordinances.

(Code 1965, §17A-11; Ord. No. 1594, 4-1-68; Code 1991, §97.050)

Cross reference(s)--Penalty, §97.999; Title VII, Traffic Code.

97.51 Speed Of Vehicles

No person in a park shall ride or drive a vehicle at a rate of speed exceeding 10 miles per hour, except upon such roads as the city may designate, by posted signs, for speedier travel.

(Code 1965, §17A-12; Ord. No. No. 1594, 4-1-68; Code 1991, §97.051)

Cross reference(s)--Penalty, §97.999.

97.52 Parking

No person in a park shall park a vehicle in other than an established or designated parking area, and such use shall also be in accordance with the provisions of Chapter 72 of this Code of Ordinances.

(Code 1965, §17A-13; Ord. No. No. 1594, 4-1-68; Code 1991, §97.052)

Cross reference(s)--Penalty, §97.999; Ch. 72, Parking Regulations.

97.53 Vehicles Prohibited After Closing Hours

No person in a park shall enter, operate, park, leave or abandon a vehicle within a park after the closing hour of 11:00 p.m. No person shall operate a vehicle anywhere other than on a paved vehicular road or path designated for vehicular access.

(Code 1965, §17A-14; Ord. No. 1594, 4-1-68; Code 1991, §97.053)

Cross reference(s)--Penalty, §97.999.

97.54 Bicycles, Motorbikes, Skateboards And The Like

No person in a park shall ride, drive, operate or push a bicycle, motorbike, scooter, skateboard, roller skates and the like on other than a paved vehicular road, path, or course designated for that purpose.

(Code 1965, §17A-15; Ord. No. 1594, 4-1-68; Code 1991, §97.054)

Cross reference(s)--Penalty, §97.999.

97.55-97.64 Reserved

ARTICLE V
RECREATIONAL ACTIVITIES

97.65 Bathing And Swimming; Bathhouses

(A) No person in a park shall swim, bathe, or wade in any waters or waterways in any park, except in such waters as are provided therefor and except during such hours of the day as shall be designated by the city. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the city upon a finding that such use of the water would be dangerous or otherwise inadvisable. Groups wishing to have a special event at Lake Fayetteville that includes swimming shall obtain a special use permit from the City Parks and Recreation staff, see section 97.071.

(B) No person in a park shall dress or undress in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

(Code 1965, §17A-17; Ord. No. 1594, 4-1-68; Code 1991, §97.065; Ord. 5285, 11-17-09)

Cross reference(s)--Penalty, §97.999.

97.66 Hunting And Firearms

No person in a park shall hunt, trap or pursue wildlife at any time; provided that the trapping of muskrats, beavers or other burrowing animals may be permitted on city reservoirs and waterways upon approval of the mayor for the protection of earthen dams. No person shall use, carry, or possess firearms of any description or air rifles, spring guns, slings, traps, or other weapons or devices potentially inimical to wildlife and dangerous to human safety. Bows and arrows will be permitted on archery ranges so designated and supervised by the city.

(Code 1965, §17A-18; Ord. No. 1594, 4-1-68; Ord. No. 1963, 11-20-73; Code 1991, §97.066)

Cross reference(s)--Penalty, §97.999.

97.67 Picnic Facilities; Duty Of Picnicker

(A) No person in a park shall use any portion of the park or recreational facilities to the exclusion of other persons; nor shall any person use

such areas and facilities for an unreasonable time if the facilities are crowded. Use of individual grills, tables, benches, and recreational facilities will generally follow the rule of "first come, first served" unless scheduled by the Parks and Recreation Department.

(B) No person in a park shall leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. Where no such trash receptacles are available, the refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(Code 1965, §17A-19; Ord. No. 1594, 4-1-68; Code 1991, §97.067)

Cross reference(s)--Penalty, §97.999.

97.68 Camping Prohibited

No person in a park shall set up or use tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person bring in or leave in a city park after closing hours any structure or vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon or the like. Boy Scouts, and other groups who have served the Parks and Recreation Department through approved work programs in parks, may be permitted to camp at Lake Sequoyah at the approved campsite as shown on the map if authorized by the Parks and Recreation Director. Tournament Directors of park related sanction tournaments may be permitted to camp at the tournament facility site at Walker Park horseshoe, Walker Park baseball, White River baseball, Gary Hampton softball, Regional Park soccer and baseball, and Lake Fayetteville softball, if authorized by the Parks and Recreation Director.

(Code 1965, §17A-20; Ord. No. 1594, 4-1-68; Code 1991, §97.068)

Cross reference(s)--Penalty, §97.999.

97.69 Horseback Riding

No person in a park shall ride a horse except on designated bridle trails approved by the Parks and Recreation Director. Where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care and shall not be allowed to go unattended.

(Code 1965, §17A-22; Ord. No. 1594, 4-1-68; Code 1991, §97.069)

Cross reference(s)--Penalty, §97.999.

97.70 Recreational Activities At Lakes Fayetteville, Sequoyah And Wilson

(A) *Hours.* Lake Fayetteville, Lake Sequoyah, and Lake Wilson shall be open to the general public throughout the year from sunrise to sunset daily and shall be closed each day from sunset to sunrise; provided:

(1) Lake Fayetteville and Lake Sequoyah shall be closed on Thanksgiving Day and from sunset on December 23rd through January 14th.

(2) The Director of the Parks and Recreation Department is authorized to extend the operating hours of a lake when reasonable and necessary to accommodate a tournament, special event, or seasonal weather conditions.

(B) *Permits for fishing and boating.* Fishing and boating permits are required for Lake Fayetteville and Lake Sequoyah. There is no permit requirement for Lake Wilson or other Park areas containing fishable waters.

(1) *Permits:*

(a) Annual boating and fishing permit (65 and older and veterans) $40.00

(b) Annual boating and fishing permit (16-64) $50.00

(c) Daily boating and fishing permit (65 and older and veterans) $5.00

(d) Daily boating and fishing permit (16-64) $6.00

(e) Annual fishing/use permit (65 and older and veterans) $20.00

(f) Annual fishing/use permit (16-64) $30.00

(g) Daily fishing/use permit (65 and older and veterans) $2.00

(h) Daily fishing/use permit (16-64) $3.00

(i) Daily fishing/use permit (under 16 with permitted adult) Free

(j) Daily Non-motorized Boating (canoes, inflatables, kayaks, paddle boats and sailboats) $ 3.00

(k) Annual Non-motorized Boating (per patron, nontransferable) $20.00

(2) *Miscellaneous.*

(a) Each person 16 years of age or older is required to purchase a fishing/use permit for fishing on each lake or any stream within the city owned lake property at Lake Fayetteville and Lake Sequoyah.

(b) There will be two free fishing weekends each year where City fishing/use permits will not be required. One weekend will coincide with the Arkansas Game and Fish free fishing weekend. The Parks and Recreation Director will designate the second weekend annually.

(c) A boating permit applies to the boat rather than the occupants thereof; however, all occupants of a boat, 16 years of age or older must purchase a fishing/use permit. Daily permits are valid only for use on the date of purchase.

(d) Juveniles and their supervisors shall be exempt from the boating and fishing permit fee if they are part of Washington County government rehabilitation program approved by the Director of the Fayetteville Parks and Recreation Department for the location, date and time of lake access.

(C) *Boat docking.* Boat docking shall be permitted at the boat docks at Lake Fayetteville on a space available basis to season boating and fishing permit holders for the following per boat annual fees:

(1) City resident $250.00

(2) Non-resident $325.00

(D) *Fishing.* All fishing shall be done only from the bank, designated docks or boat. No wading, swimming, paddle boards or belly boats shall be permitted in all City Lakes. Arkansas Game and Fish regulations shall control the number and size of fish which may be caught; however, the Fayetteville Parks and Recreation Department may provide additional limitations necessary to manage the fish population. All persons fishing at Lake Fayetteville and Lake Sequoyah should check with the boat dock operator before fishing. It shall be unlawful for any person fishing to use trot lines, limb lines, cast nets, yo-yo's or jug fishing.

(E) *Boating.* A boating permit for each boat must be purchased before its use on Lake Fayetteville or Lake Sequoyah. All boats must be docked (Lake Fayetteville) or removed from the lake at closing time. No boats except those used by lake employees or the Environmental Study Center will be docked at any other location on the lake. Boating may be closed to the public by the Parks and Recreation Department during a special event that includes swimming.

(F) *Place of entry.* All persons boating at Lake Fayetteville and Lake Sequoyah shall enter the lake only through the entrance at the lake office. Persons entering the lake property from any other location shall be considered trespassing and subject to prosecution.

(G) *Use of motors on boats.*

(1) In the event that motors are used on boats, the boats shall be operated in such a manner that they will not endanger other boats or the occupants thereof. All City Lakes are No Wake Lakes. Speeding and boat racing is not permitted and each outboard motor operator is cautioned to operate his motor in a safe and cautious manner. Failure to abide by this requirement will cause loss of boating permit. The dock operator shall revoke the boating permit of any boat which in his judgment is unsafe, overloaded, or operated in a careless manner.

(2) No boats shall be permitted within 500 feet of the spillway of Lake Sequoyah and Lake Fayetteville.

(3) No houseboats, paddle boards, water skiing, or jet skis allowed.

(4) All state laws governing boats must be complied with before using a boat on any city lake.

(5) The City will not be responsible for any damage to or theft of boats, motors, or equipment.

(H) *Picnicking or other recreational activities.* Picnicking is permitted on any part of Lake Fayetteville, Lake Sequoyah, or Lake Wilson or land surrounding said lakes, except within restricted nature areas, which are controlled by the city. Boy Scouts, and other groups who have served the Parks and Recreation Department through approved work programs in parks, may be permitted to camp at Lake Sequoyah at the approved campsite as shown

on the map if authorized by the Parks and Recreation Director.

(I) *Committing nuisances.* No person shall commit any nuisance while on Lake Fayetteville, Lake Sequoyah, and Lake Wilson or any of the land surrounding the lakes belonging to the city, nor shall any trash or other materials be thrown into the lakes or left about the shore line or on the premises of any lake.

(J) *Fishing and boating prohibited near intake tower.* No one shall climb upon, enter, or fish from the intake towers of the lakes.

(K) *Fishing on stream below dam.* State laws governing fishing below dams shall be applicable on city property. Fishing permits are required to fish in the stream on city property below the dams at Lake Fayetteville and Lake Sequoyah.

(L) *Firearms and hunting.* No firearms, hunting or trapping will be permitted on city owned property at any time.

(M) *Use of motor vehicles.* No person at Lake Fayetteville, Lake Sequoyah, or Lake Wilson shall drive a motor vehicle or ride a motorcycle, ATV or bicycle on other than a paved vehicular road or path designated for that purpose.

(N) *Revoking permits.* The city shall have the right to revoke any permit issued under this section if it is determined that the permittee willfully violated any of the provisions of this section. When a permit is revoked, there will be no refunds.

(Code 1965, §13-12; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Ord. No. 3437, 7-5-89; Ord. No. 3533, 2-19-91; Ord. No. 4168, 6-1-99; Code 1991, §97.070; Ord. 4707, 06-07-05; Ord. No. 4811, 12-20-05; Ord. 5139, 5-6-08; Ord. 5229, 3-17-09; Ord. 5285, 11-17-09; Ord. 5596, 07-02-13)

Cross reference(s)--Penalty, §97.999.

97.71 Fayetteville Special Use Permit for Events that Include a Swimming Component

Special events that include a swimming component, such as a triathlon, may be permitted at Lake Fayetteville with a special use permit issued by the Director of the City Parks and Recreation Department. Such issuance will be at the sole discretion of the Director and should comply with the following:

(A) A special event permit should be processed through the City Parks and Recreation Department at least 90 days prior to the event.

(B) A water testing fee of $250 and a special event fee in an amount sufficient to cover all City costs to administer the event shall be charged to the event organizer for the use of the Lake Fayetteville Park space and facilities. A further security deposit to ensure complete clean up or repair of any damage may be required. The Director may require an event organizer to obtain sufficient liability insurance and take measures to increase swimmers' safety.

(C) The City does not warrant the safety or cleanliness of any lake for swimmers. Event organizers shall provide notice of the inherent danger of swimming in the lake to all persons requesting to swim and shall obtain waivers of liability and responsibility for the City of Fayetteville from all participants.

(D) The City of Fayetteville reserves the right to allow swimming only in designated areas during the event and prohibit boating in these areas.

(E) The City of Fayetteville reserves the right to cancel previously approved special events due to unacceptable water quality, inclement weather or other valid reason.

(Ord.5285, 11-17-09)

97.72-97.79 Reserved

ARTICLE VI
CONDUCT IN PARKS

97.80 Gambling Prohibited; Recreational Activities To Take Place Only In Suitable Areas

No person in a park shall gamble, or participate in, or abet any game of chance. Nor shall any person take part in or abet the playing of other forms of recreation except in areas set apart for or conducive to the particular form of recreation.

(Code 1965, §17A-21; Ord. No. 1594, 4-1-68; Code 1991, §97.080)

Cross reference(s)--Penalty, §97.999.

97.81 Intoxicating Beverages

(A) No person in a park shall bring into or consume alcoholic beverages within a city park, nor shall any person enter a park when under the influence of intoxicating beverages.

(B) Notwithstanding the above prohibition, the Botanical Garden Society of the Ozarks may allow alcoholic beverages to be served on the premises they have leased within the Lake Fayetteville park area for fundraisers, wedding receptions and other special events as long as they fully comply with all Alcohol Beverage Control requirements.

(Code 1965, §17A-23; Ord. No. 1594, 4-1-68; Code 1991, §97.081; Ord. No. 4865, 05-16-06)

Cross reference(s)--Penalty, §97.999.

97.82 Fires; Fireworks And Explosives

(A) No person in a park shall build or attempt to build a fire except in fireplaces or facilities so designed for such use, nor leave any fire unattended. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco papers or other inflammable material within any park area or on any highway, road or street abutting or contiguous thereto.

(B) No person in a park shall bring in, explode or cause to be exploded, discharge or burn any firecrackers, torpedoes, skyrockets, model rockets, roman candles or other fireworks, explosives or flammable materials without having first obtained prior written consent pursuant to the requirements of §94.04.

(Code 1965, §§17A-24, 17A-26; Ord. No. 1594, 4-1-68; Code 1991, §97.082)

Cross reference(s)--Penalty, §97.999, Sale and use of fireworks, §94.04(B).

97.83 Soliciting Alms

No person in a park shall solicit alms or contributions for any purpose, whether public or private.

(Code 1965, §17A-25; Ord. No. 1594, 4-1-68; Code 1991, §97.083)

Cross reference(s)--Penalty, §97.999.

97.84 Entering Closed Areas

No person in a park shall enter an area posted as "Closed to the Public", nor shall any person use, or abet the use of, any area in violation of posted notices.

(Code 1965, §17A-27; Ord. No. 1594, 4-1-68; Code 1991, §97.084)

Cross reference(s)--Penalty, §97.999.

97.85 Going Onto Ice

No person in a park shall go onto the ice on any of the waters.

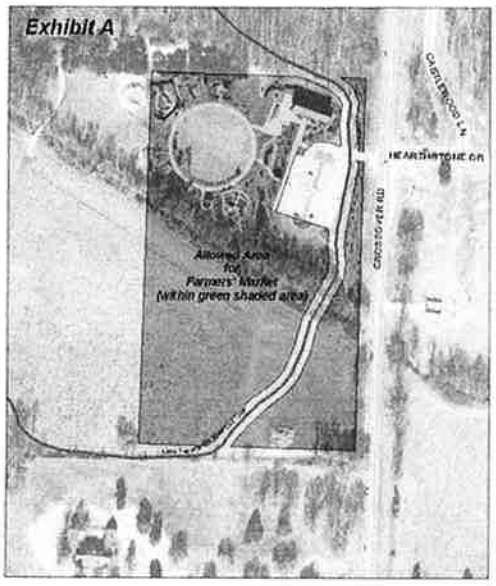
(Code 1965, §17A-28; Ord. No. 1594, 4-1-68; Code 1991, §97.085)

Cross reference(s)--Penalty, §97.999.

97.86 Vending And Peddling

(A) *General prohibition of selling or offering to sell items in city parks.* No person or business shall, within a city park, display, offer for sale, or sell any article, thing or service, nor place any stand, cart or vehicle for the display, sale or transportation of any such article.

(B) *Exemptions.* The City's regularly licensed concessionaires acting pursuant to the authority and regulation of the City are exempt from subsection (A). Nonprofit organizations which have obtained a special events permit may sell nonalcoholic beverages, food and other approved items during an annual event. Sponsors of the Gulley Park Concerts and other Special Events offered by the Parks and Recreation Department may sell food, nonalcoholic beverages, and other approved items during the event when specifically approved by the Parks and Recreation Department Director. Approved merchandise may be sold at special events by performers and hosts if approved in advance by the Parks and Recreation Director. The Farmers' Market and its members may sell items allowed pursuant to §114.02 (C) of the Fayetteville Code on Sundays, Saturdays and one weekday within a portion of the Lake Fayetteville Park that is licensed to the Botanical Garden Society of the Ozarks (if approved by the Society) as shown on Exhibit A. Organizations the City directly funds, event sponsors and the non-profit Friends of Fayetteville Parks are allowed at no charge to setup a table to distribute information at park events upon approval of the Parks and Recreation Director.



Farmers' Market at Lake Fayetteville Park within Botanical Garden leased area

(C) Food trucks permitted pursuant to §178.05 may operate in City Parks as described below:

(1) Food trucks may not locate in the same area that is actively being served by a contracted concessionaire as shown on Exhibit C during regular season Fayetteville Parks and Recreation leagues and tournaments.

(2) Food trucks may locate at Gulley Park during a Gulley Park Concert **or** special event in other parks such as tournaments, reserved park gatherings, etc. if approved by the Parks and Recreation Director.

(D) For special events, food trucks and sales of items other than food may be approved by the Parks and Recreation Director through a special event permit

(Code 1965, §17A-29; Ord. No. 1594, 4-1-68; Code 1991, §97.086, Ord. 5310, 4-6-10; Ord. No. 5531, 10-02-12; Ord. 5666, 3-18-14)

Cross reference(s)--Penalty, §97.999.

97.87 Advertising Prohibited

No person in a park shall announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(Code 1965, §17A-30; Ord. No. 1594, 4-1-68; Code 1991, §97.087)

Cross reference(s)--Penalty, §97.999.

97.88 Signs Prohibited

(A) No person in a park shall paste, glue, tack, or otherwise post any sign, placards, advertisement, or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park, except as set forth herein below.

(B) *Exceptions.*

(1) *Athletic Field Signage.* Signs shall be permitted on softball/baseball outfield fences and scoreboards at locations and in sizes designated by the Parks and Recreation Director. Uniform fees shall be charged dependent upon placement and size of the permitted signs. The content of the sign and whether it is commercial or non-commercial may not be considered. Designated spaces shall be sold at the established price on a first come basis. The owner of a sign at a designated location shall have first right to renew before others can purchase the size/location for a new or replacement sign.

(2) Adopt-A-Park or Trail groups may post a sign while they are actively working on a park project that provides information about their organization or group. The sign must be approved in advance by the Parks and Recreation Staff.

(3) *Recognition Signs.* Signs located in City parks or on City trails that are used for the purpose of memorializing a person or family through naming, recognition of significant donors, or recognition of contributions to the facility or amenity on which the sign is installed shall meet the following conditions:

(a) *Maximum Number of Recognition Signs.* Most donor or honoree recognition signs shall be limited to one for the facility financed by the donor or memorializing the honoree. For a park or a major facility with more than one major entrance, a second recognition sign may be recommended by the Parks and Recreation Advisory Board and approved by the City Council.

(b) *Maximum Size of Recognition Signs.*

(i) Donor recognition signs in city parks shall be sized in accordance with Exhibit 'A', Donor Recognition Signs, unless otherwise determined by City Council Resolution.

(ii) Trail Recognition Signs shall not exceed four square feet for trailhead facilities. Recognition signs along the trail for park benches, etc., shall not exceed 1.5 square feet and should be incorporated within or attached to the bench or amenity sponsored by the donor.

(c) *Design requirements.* All recognition signs must comply with the following requirements and shall adhere to the aesthetic values and design of the park or trail.

(i) The recognition sign shall include only the name of the person memorialized or the name of the organization, person or business which has donated significant funds to the park facility. A company or organization logo (without company colors, any advertising or slogans) may be used on the sign.

(ii) The design of the sign shall be incorporated into the park facility and shall be approved by the Director of Parks and Recreation who shall ensure the signs' high quality and durable construction and its consistency with other recognition signs within the park.

(iii) Recognition signs shall comply with the Donor Operational Policy unless exempted by the City Council.

(d) *Facility Naming.* The naming of facilities is permitted so long as the donor or honoree has made a significant contribution to the City, the Facility or the Parks and Recreation Department in terms of financial donations, voluntarism or dedicated public service. Final naming of facility may be as recommended by the Parks and Recreation Advisory Board with final selection and approval by the City Council. Naming of the facilities should meet the Naming Park Facilities Policy attached as Exhibit 'B', unless otherwise determined by City Council Resolution.

(Code 1965, §17A-31; Ord. No. 3677, §2, 3-2-93; Code 1991, §97.088; Ord. 5335, 7-20-10; Ord. 5335, 7-20-10; Ord. 5778, 6-16-15)

Cross reference(s)--Penalty, §97.999.

Exhibit "A"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR DONOR RECOGNITION SIGNS	
	NUMBER:	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

DONOR RECOGNITION SIGNS

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

In order to provide important capital facilities in Fayetteville Parks, it is pragmatic in a time of shrinking public dollars to seek outside funding. It is essential to have specific boundaries and criteria in establishing fair and proper recognition of significant facility donations. This policy sets guidelines for donations within parks as well as on trails. All sign and plaque designs must be incorporated into the design of the facility. Donor recognition signs shall adhere to the aesthetic values and design of the park.

Donor recognition in parks is based upon the type of facility donated. Donor recognition on trails is limited on the trailheads unless there is an educational and/or art feature that is appropriate to be displayed along the trail. Recognition signs may not be predominant within the educational and/or art component.

Recognition for each donation will be determined pursuant to the Recognition for Parks and Trails Facilities Policy. Any exceptions to this policy must be approved by City Council. Park Planners have the latitude to design signs recognizing donations based on site location and donor specific criteria. Naming of facilities donated must meet the Naming Park Facilities Operational Policy unless accepted under City Council resolution. The naming proposal will be presented to the Parks and Recreation Advisory Board for their recommendation to City Council. City Council has final approval of the park facility name, including the right to approve a different name. The option for naming facilities is only permitted under the Park Facility Diamond, Platinum, Gold and Silver categories. Minor items such as trash receptacles and flower beds cannot be named

CITY OF Fayetteville ARKANSAS	Parks and Recreation Department Policies and Procedures Manual		SUBJECT: **RECOGNITION FOR PARKS AND TRAILS FACILITIES POLICY**	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 3
	SUPERSEDES:	APPROVED BY:		

RECOGNITION FOR PARKS AND TRAILS FACILITIES

Bronze Category: Recognition on Donor Wall for 25 year period

Donation of $25,000 up to $250,000 for park amenities. Examples include

Bleachers
Batting Cages
Bike Racks
Lighting
Drinking Fountain with Dog Bowl
Prefabricated Pavilion
Picnic Table and Grill
Art Sculpture
Single Playground Apparatus (climbing rocks/swing set)
Landscape Feature

Size of donor wall and names to be approved by the City Council.

Silver Category: Naming Rights for 10 year period

Donation of 75% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground

Gold Category: Naming Rights for a Field/Court/Facility for 25 year period

Donation of 100% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground
Dog Park

Platinum Category: Naming Rights of a Complex for 30 year period

Donation of $1 million up to $5 million to name a complete complex. Examples include:

Sport Complex: 4-6 field lighted complex such as softball, baseball, soccer, tennis

Aquatic center
Amphitheater- seating for 1,200
Development of a new park

Diamond Category: Naming Rights of a Park

Donation over $5 million to name a park.

RECOGNITION FOR EXISTING PARK FACILITIES

$200,000 per baseball or softball field for 10 years, or $350,000 for two fields
$150,000 per soccer field for 10 years or $250,000 for two fields

TRAIL FACILITIES

Silver Category receives donor recognition of a press release, ribbon cutting ceremony, plaque constructed of high quality durable materials up to 1.5 sq ft.

Trail Facilities donated in the Silver Category may only be located along trails for educational purposes or as an integral part of an art feature.

Gold Category receives donor recognition of a press release, ribbon cutting ceremony, sign constructed of high quality durable materials up to 4 sq ft.

Trail Facilities donated in the Gold Category may only be located at trailheads for a 25 year period and include the following:

Parking Lot
Pavilion

Restroom
One Mile Asphalt/Concrete Trail

City Process

1. Parks and Recreation Staff or the Friends of Parks Board meets with donor to discuss donation including amount of donation, development of facility/amenity, recognition operational policy, naming rights (if applicable), sign appearance/style/construction, time requirements and other pertinent topics. Donor must meet the Operational Policy for Donor Recognition Signs.

2. Request is presented for approval from Parks and Recreation Advisory Board. If the facility donated is granted the option to name the facility, the name must meet Park Naming Facility Operational Policy.

3. Request presented to Planning Office for approval.

4. Request presented to City Council for final park name selection and approval.

5. All donors will have first right to re-new their naming rights for an appropriate donation upon conclusion of the time period.

6 The City will reserve the right to remove a donor's name from the facility if the City Council determines by resolution that a donor would otherwise cause undue embarrassment or other issues for the City or its citizens.

Exhibit "B"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR NAMING PARK FACILITIES	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE:	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

NAMING PARK FACILITIES

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

Upon acquisition of a new park, the Director of Parks and Recreation will assign a nondescript temporary working name or subdivision name for the park facility to be used until park development begins.

Once park development begins, the Parks and Recreation Department will receive and forward park facility name suggestions to the Parks and Recreation Advisory Board for review. The Parks and Recreation Advisory Board will discuss and approve the recommendations at their monthly meeting. Once a recommended name has been selected, the Parks and Recreation staff will forward the name to the City Council for its final park name selection including a potentially different name.

The following items should be considered when proposing names for any park facilities:

- Geographic location of the facility
- Outstanding features of the facility
- Commonly recognized historical event, group, or individual
- Individual or group who contributed significantly to the acquisition or development of a facility
- Individual who provided an exceptional service in the interest of the park system

For an individual to be considered, the recommended name must be accompanied by a biographical sketch which provides evidence of historical significance or contributions to the Parks and Recreation Department or City of Fayetteville.

The naming of plaques, markers, and memorials within park facilities must follow the policies as stated above.

Note: A name recommendation from the Active Transportation Committee for trail facilities will be required prior to forwarding to the Parks and Recreation Advisory Board.

97.89 –97.98 Reserved

97.99 Penalty

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be fined not more than $500.00 or double that sum for each repetition of such offense, or violation; provided, no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. If the violation of the chapter is, in its nature, continuous in respect to time, the penalty for allowing the continuation thereof shall not exceed $250.00 for each day the same is unlawfully continued.

(B) Any person violating any provision of §97.070 shall be guilty of a misdemeanor and shall be punished by a fine of not more than $500.00.

(Code 1965, §§1-5, 13-12; Ord. No. 2128, 7-15-75; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Code 1991, §97.999)

bicycle coalition of the ozarks

Leading the way to create a more bicycle-friendly Northwest Arkansas

P.O. Box 4173 FAYETTEVILLE AR 72703 • (479) 439-1702 • WWW.BCONWA.COM

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

November 16, 2015

Dear Peter Nierengarten, Mayor Jordan, and Fayetteville City Council Members:

The Bicycle Coalition of the Ozarks has worked closely with the City of Fayetteville for over 15 years to create a more bicycle-friendly community. We have done this through advocacy for infrastructure, providing safety and skill programming to adults and children, and through advising on policy and best practices concerning the 5 E's- engineering, education, encouragement, enforcement, and evaluation. Recently, we became aware of city staff's efforts to revise the current City of Fayetteville code concerning operating a bicycle on roadways and paths and we would like to applaud this effort and make some recommendations *for further improvement*.

Much has changed in the 50 years since the current city code was written. Standards for legislation to protect cyclists have been established nationally and cycling is more popular than ever. By updating city codes to include well-established best practices and protections for cyclist we can make Fayetteville an even more bicycle-friendly community. At the BCO, our primary interest is for operators of both vehicles and bicycles to clearly understand the rules of the road and be provided adequate safety under these rules.

Specifically, bicyclists are part of a class of "vulnerable road users" and we want to see their safety championed and protected as the community continues to improve its infrastructure. We ask that the city modify the ordinance in a stronger, clearer way to communicate where a cyclist <u>may ride</u> and under <u>what conditions</u> in order to <u>safely accommodate</u> their travel on roadways in the City of Fayetteville.

In Sections (A) and (B) of the ordinance, we challenge the city to use language that clearly explains to motorists and cyclists where a cyclist may ride without restricting cyclist's rights of the road beyond that of current state law. We ask that the city strike the language "as far to the right" and the language that forces cyclists to use "on-street bicycle facilities when available" from the proposed revision. The Arkansas Code of 1987, Annotated, ("A.C.A.") Title 27, chapters 49 through 111 states that

> "Every person riding a bicycle or an animal, or driving any animal drawing a vehicle upon a highway, shall have all the rights and all of the duties applicable to the driver of a vehicle, except those provisions of this act which by their nature can have no applicability."

Arkansas law gives a cyclist full use of the lane, and although it is often prudent for the safety of the cyclist to ride to the right side or in a bike lane, there are many situations when this is less safe than riding in the middle of the lane.

Additionally, we would like the city to strike the entire Section (D) of the proposed revised ordinance. A cyclist's perception of their safety is a huge factor in deciding to use a bicycle as transportation between home, office, and school or for recreation on roads and trails. No state law exists to regulate cyclists riding two or more abreast. The same rules laid out in the other sections of the ordinance apply when this does occur, so we feel it is not necessary to overregulate these situations. In fact, it is often an issue of safety as to why a group of cyclists would choose to ride two or more abreast. When a group of cyclists are riding on a road, the larger the number of cyclists riding in single file line, and thus a longer distance is needed to pass these cyclists. This creates potential situations for a vehicle to have to travel considerable distance in the passing lane, or cross a dotted yellow line to overtake the cyclists. When the passing vehicle meets an oncoming car and has to make a choice, it is often the group of cyclists who are hit, as this is perceived to be less of a risk to the driver of the overtaking vehicle than colliding with another vehicle. Riding two or more abreast creates a shorter distance for drivers to overtake and pass a group of cyclists. Additionally, riding two or more abreast is visibly easier for an approaching vehicle to see and use caution when overtaking the cyclists.

The issue of "impeding traffic" is also a major safety and potential traffic violation issue for cyclists. It is arguable that a driver of a vehicle could always say that they were "impeded" by cyclists because of the large disparity in their max potential speed. Motorists who choose to drive less than the speed limit are not considered impeding other vehicles unless they "impede the normal and reasonable movement of traffic" and thus cyclists should not face increased restrictions because they lack two more wheels and a motor. If wording like this is kept in place, it could effectively restrict cyclists from all roads in the city. In the case of an accident the burden of proof would be placed on the cyclists to show that he, she, or a group was not impeding traffic.

Over the past decade, the City of Fayetteville has made great strides in improving the conditions for safe cycling through its investment in infrastructure. The city must not take a step backward from the state in recognizing the bicycle as a legitimate form of transportation "with all the rights and all of duties of a driver of a vehicle." We at the BCO want to see the City of Fayetteville continue to lead the way in Northwest Arkansas by creating policies that exemplify best practices from around the country. We hope that the city will set a high bar for other NWA communities by providing a new ordinance that exemplifies the best practices we are seeing in Silver, Gold, and Platinum level bicycle-friendly communities across the country.

Attached below is city staff's proposed revision, the BCO's proposed revision to that of city staff's, and the League of American Bicyclists recommendations for a model "Where to Ride Law." The BCO asks that the City of Fayetteville gives due consideration to the model law and enacts our modified version of city staff's proposed revised ordinance. At the very least, we ask

that city council allow more time for the BCO to work with city staff to modify the ordinance to be more in-line with national best practices. Additionally, a special meeting of the Active Transportation Advisory Committee has been scheduled for December 2rd to discuss the issue further and we would implore the council to give the committee more time to advise on this ordinance. We implore the city to show commitment by not just making an incremental improvement in bicycle-related policies that will help achieve Silver-level bicycle friendly community status, but enact an ordinance that will carry the community onward towards achieving Gold and someday Platinum level status by increasing the safety and protection of cyclists for decades to come.

Sincerely,

Paxton Roberts

Executive Director
Bicycle Coalition of the Ozarks

City Staff's Proposed Revision to Current Ordinance:

73.04 Riding on Roadways and Bicycle Facilities

(A) Any person operating a bicycle upon a roadway at a speed slower than the flow of traffic shall ride in the right hand lane as far to the right as is judged safe by a reasonable bicyclist. A bicyclist may leave this position to turn left, pass, or for any safety reasons.

(B) Bicyclists shall use on-street bicycle facilities exclusively for the use of bicyclists when available, and may only use vehicle lanes as needed to turn left, pass, or for any safety reasons.

(C) A bicyclist shall not be expected or required to:

1. Ride over or through any hazards or apparent hazards at the edge of a roadway**.**
2. Ride without a reasonable safety margin on the right-hand side of the roadway.

(D) Persons riding bicycles upon a roadway shall not ride more than two abreast. Persons riding bicycles two abreast shall not unduly impede the normal movement of traffic and shall ride within a single lane.

BCO's Proposed Revision to Staff's Proposed Revision:

73.04 Riding on Roadways and Bicycle Facilities

(A) Any person operating a bicycle upon a roadway at less than the normal and reasonable speed of traffic shall ride in the right hand lane of the roadway subject to the following provisions:

1. If the right hand lane is wide enough to be safely shared with overtaking vehicles, a person operating a bicycle shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.
2. A person operating a bicycle may use a lane other than the right hand lane when:
    i. Passing another vehicle;
    ii. Preparing for a left turn;
    iii. Avoiding conditions, including, but not limited to, fixed or moving objects, or surface hazards;
    iv. Lanes are too narrow for a bicycle and vehicle to travel safely side by side;
    v. Approaching an intersection where there is a designated right turn lane and the bicyclist does not intend to turn right, the cyclist may ride on the left-hand side of such designated lane,
    vi. Riding on a roadway designated for one-way traffic, when the bicyclist may ride as near to the left-hand curb or edge of such roadway as judged safe by the bicyclist; or
    vii. Riding on parts of roadways designated for bicycles.

(B) A bicyclist shall not be expected or required to:

1. Ride over or through any hazards or apparent hazards.
2. Ride without a reasonable safety margin on the right-hand side of the roadway.

(C) A person operating a bicycle in compliance with this section and not violating any other section of law is not impeding traffic.

Markup Showing BCO's Proposed Revision to the City Staff Proposed Revision:

73.04 Riding on Roadways and Bicycle Facilities

(A) Any person operating a bicycle upon a roadway at ~~a speed slower than the flow~~ **less than the normal and reasonable** speed of traffic shall ride in the right hand lane ~~as far to the right as is judged safe by a reasonable bicyclist. A bicyclist may leave this position to turn left, pass, or for any safety reasons~~ **of the roadway subject to the following provisions:**

1. **If the right hand lane is wide enough to be safely shared with overtaking vehicles, a person operating a bicycle shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.**
2. **A person operating a bicycle may use a lane other than the right hand lane when:**

   i. **Passing another vehicle;**
   ii. **Preparing for a left turn;**
   iii. **Avoiding conditions, including, but not limited to, fixed or moving objects, or surface hazards;**
   iv. **Lanes are too narrow for a bicycle and vehicle to travel safely side by side;**
   v. **Approaching an intersection where there is a designated right turn lane and the bicyclist does not intend to turn right, the cyclist may ride on the left-hand side of such designated lane,**
   vi. **Riding on a roadway designated for one-way traffic, when the bicyclist may ride as near to the left-hand curb or edge of such roadway as judged safe by the bicyclist; or**
   vii. **Riding on parts of roadways designated for bicycles.**

~~(B) Bicyclists shall use on-street bicycle facilities exclusively for the use of bicyclists when available, and may only use vehicle lanes as needed to turn left, pass, or for any safety reasons.~~
A bicyclist shall not be expected or required to:

1. Ride over or through any hazards or apparent hazards ~~at the edge of a roadway~~.
2. Ride without a reasonable safety margin on the right-hand side of the roadway.

(C) ~~Persons riding bicycles upon a roadway shall not ride more than two abreast. Persons riding bicycles two abreast shall not unduly impede the normal movement of traffic and shall ride within a single lane.~~ **A person operating a bicycle in compliance with this section and not violating any other section of law is not impeding traffic.**

Model Where to Ride Law

1. A person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride in the right hand lane of the roadway subject to the following provisions:
    a. If the right hand lane is wide enough to be safely shared with overtaking vehicles, a person operating a bicycle shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.
    b. A person operating a bicycle may use a lane other than the right hand lane when:
        I. Overtaking or passing another vehicle proceeding in the same direction;
        II. Preparing for a left turn at an intersection or into a private road or driveway;
        III. Reasonably necessary to avoid conditions, including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or lanes that are too narrow for a bicycle and a motor vehicle to travel safely side by side within such lanes;
        IV. Approaching an intersection where right turns are permitted and there is a dedicated right turn lane, in which case a bicyclist may ride on the left-hand side of such dedicated lane, even if the bicyclist does not intend to turn right;
        V. Riding on a roadway designated for one-way traffic, when the bicyclist may ride as near to the left-hand curb or edge of such roadway as judged safe by the bicyclist; or
        VI. Riding on parts of roadways set aside for the exclusive use of bicycles, including, but not limited to, contra-flow bicycle lanes, left-handed cycle tracks or bicycle lanes on one-way streets and two-way cycle tracks or bicycle lanes.
2. A person operating a bicycle shall not be expected or required to:
    a. Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or
    b. Ride without a reasonable safety margin on the right-hand side of the roadway.
3. A person operating a bicycle in compliance with this section and not violating any other section of law is not impeding traffic.

City of Fayetteville, Arkansas

2016 Proposed Annual Budget & Work Program

Draft

CITY OF Fayetteville ARKANSAS

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City of Fayetteville, Arkansas

2016 Annual Budget
and
Work Program

Draft

<u>City Council and Other Elected Officials</u>

Adella Gray, Ward 1 - Position 1
Sarah Marsh, Ward 1 - Position 2
Mark Kinion, Ward 2 - Position 1
Matthew Petty, Ward 2 - Position 2
Justin Tennant, Ward 3 - Position 1
Martin W. Schoppmeyer, Jr., Ward 3 - Position 2
John La Tour, Ward 4 - Position 1
Alan Long, Ward 4 - Position 2

Kit Williams, City Attorney
Sondra Smith, City Clerk/Treasurer
William A. Storey, District Judge

<u>Submitted by</u>

Lioneld Jordan, Mayor
Don Marr, Chief of Staff
Paul A. Becker, Chief Financial Officer
Greg Tabor, Police Chief
David Dayringer, Fire Chief

<u>Prepared by</u>

Kevin Springer, Budget Director
Barbara Fell, Senior Research Analyst
Liz Hutchens, Financial Analyst

CITY OF Fayetteville ARKANSAS

Draft

MISSION STATEMENT

The City of Fayetteville's mission statement is a direct result of a volunteer team of employees charged with creating a mission statement that expressed the service core of City operations, reflected our beliefs concerning City services, and was easy to remember. All City employees were given an opportunity to provide input for the mission statement. The mission statement was then adopted by the City Council and is as follows:

To protect and improve our quality of life by listening to and serving the people with pride and fairness.

City of Fayetteville, Arkansas
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CITY OF Fayetteville ARKANSAS

November 10, 2015

Members of City Council and
Citizens of Fayetteville

I am pleased to submit my proposed budget for 2016 for the City of Fayetteville. This budget has been prepared in accordance with the Arkansas Statutes and City Ordinances that require the Mayor, under the aldermanic form of government, to submit to the City Council the annual budget for approval. This budget allocates necessary funding for all municipal operations as well as necessary adjustments to the Capital Improvements Program for 2016.

Once again, the current budget was formulated in the context of my primary budget goals considering current economic conditions.

To meet increased call volume, I have requested 19 newly funded positions in Public Safety. I have also requested the funding of five (5) previously frozen or new non-public safety positions. I have requested a one (1) mil property tax levy increase for the General Fund to finance these positions. This request was approved by City Council on October 6, 2015.

Draft

2016 Budgetary Goals

My primary goals for 2016 are as follows:

- *To increase the level of public safety for the City by increasing the Fire Department by 11 new or previously unfunded positions and the Police Department by eight*
- *To provide the same or increased levels of service to the citizens for non-public safety services as previously delivered*
- *To continue to provide services to the citizen in the most efficient and effective manner possible*
- *To fund needed Capital Improvements to the greatest extent possible*
- *To present a General Fund operating budget that is balanced with operating revenue estimates*

Mailing Address:
113 W. Mountain Street
Fayetteville, AR 72701

BUDGET & INFORMATION MANAGEMENT
www.fayetteville-ar.gov

Financial Environment

The local economic conditions in Fayetteville have been very good in fiscal 2015. City sales taxes are up approximately 5.3% compared to budget through the end of the third quarter of fiscal 2015. The City has also seen increased activity in large scale development as well as in the commercial sector as the population continues to expand. Unemployment is at 4.1%, which compares favorably to the rest of the State and Nation. Even though economic conditions continue to improve, this budget has been formulated on conservative revenue and expenditure estimates. For 2016, revenue sources are forecasted to be equal to 2015 estimated collections except for sales tax which is estimated to increase by 2.0% over the 2015 estimated collections. I am presenting a balanced budget at this time for the General Fund for 2016.

I have not included a salary increase in my proposed budget. At the close of the 2015 fiscal year, I intend to analyze the City's financial position and if at all possible recommend a salary package for employees to the City Council.

Conclusion

This budget is based on realistic revenue and expenditure estimates. I believe that it continues to provide for the best possible level of services while still guarding against possible weakening economic conditions.

2015 has been a very busy year for the City. With your continued support we have accomplished many things. With the combined efforts of this Administration and City Council support, I am confident that we will again meet the challenges facing the City while continuing to provide our citizens superior service levels.

Lioneld Jordan, Mayor

Draft

CITY OF
Fayetteville
ARKANSAS

November 10, 2015

Mayor Lioneld Jordan, Members of the City Council and
Citizens of Fayetteville:

The budget being presented is a 2016 operating budget. It does not include re-budgets that represent programs approved and appropriated in prior years which as of the end of fiscal 2015 remain uncompleted. Re-budgets also include amounts generated by previous bond issues in the Capital Project Funds which remain unspent as of December 31, 2015. Total re-budgets are likely to exceed $70,000,000 or more. These re-budgets will be presented for addition to the 2016 operating budget early in the first quarter of 2016.

The 2015 economy in Fayetteville has been robust. By year end, City and County Sales Taxes are expected to increase 5.3% over prior year collections. Forecasted 2016 sales taxes are expected to be approximately 2.0% over that amount. Residential and commercial building starts have been very strong in 2015 but are expected to level off in 2016. Although Water and Sewer revenue collections have increased slightly in fiscal 2015 compared to 2014, revenues in 2016 should approximate 2015 amounts. Fuel quantity sales at the Airport are about the same as 2014 but revenues are less due to price decreases. This trend is expected to continue in 2016. Revenue projections for HMR tax collections are estimated to be approximately 9.0% over 2014 and revenues for 2016 are expected to be equal to 2015 collections. All other fund revenues are expected to be relatively stable when compared to 2015.

The 2016 General Fund budget represents a net expenditure increase from 2015 budget of $3,200,000 (see page VII for details). This is due to the added funding for 25 new or previously frozen positions nineteen of which are in the Police and Fire Departments. Also, the incorporation of 2015 salary increases as well as increased insurance and pension costs contributed to the increase in expenditures.

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Mailing Address:
113 W. Mountain Street
Fayetteville, AR 72701

2016 PROPOSED BUDGET EXECUTIVE SUMMARY

This budget is formulated with the Enterprise Funds being budgeted on an accrual basis except for depreciation, which is not included in the budget and both capital expenditures and bond principal payments which are included in the expenditure budgets.

Governmental funds are budgeted on the modified accrual basis.

The total budget allocated by expenditure category is displayed in the following table.

Summary of Fund Expenditures by Category (In Dollars)

Category	Adopted 2015	Proposed 2016	Change In Dollars	2016 % of Total Budget
Personnel Services	$ 47,771,036	$ 49,898,436	$ 2,127,400	34.0%
Materials & Supplies	4,366,775	4,181,842	(184,933)	2.8%
Services & Charges	18,570,913	19,805,468	1,234,555	13.4%
Maintenance	4,102,102	3,683,495	(418,607)	2.5%
Fuel	4,851,770	4,736,349	(115,421)	3.2%
Internal Charges	5,381,013	6,347,813	966,800	4.3%
Purchased Water	6,600,000	6,810,000	210,000	4.6%
WWTP Operations	8,999,209	8,973,700	(25,509)	6.1%
Total Operating Expenses	100,642,818	104,437,103	3,794,285	70.9%
Transfers Out	1,433,000	1,745,290	312,290	1.2%
Debt Service	21,528,182	22,641,507	1,113,325	15.4%
Capital	21,601,000	18,444,100	(3,156,900)	12.5%
Total Expenses	$ 145,205,000	$ 147,268,000	$ 2,063,000	100.0%

Draft

The 2016 Proposed Budget is $147,268,000 million. This is an increase of 1.0% when compared to 2015 or $2,063,000. Most of this increase is due to personnel related costs.

The following table indicates the percentage of total budget allocated by funds.

Fund Totals as Percent of Total Budget

	Adopted 2015		Adopted 2016	
	Budget	% of Total	Budget	% of Total
Funding Source				
General	$ 38,166,000	26.3%	$ 41,366,000	28.1%
Water & Sewer	39,203,000	27.0%	36,968,000	25.1%
Sales Tax Bond	18,626,000	12.8%	19,771,000	13.4%
Recycling & Trash Collection	12,651,000	8.7%	11,123,000	7.6%
Sales Tax Capital Improvements	7,692,000	5.3%	7,982,000	5.4%
Shop	8,456,000	5.8%	8,942,000	6.1%
Street	7,571,000	5.2%	6,930,000	4.7%
Parks Development	2,273,000	1.6%	3,155,000	2.1%
Airport	2,576,000	1.8%	2,256,000	1.5%
Police Pension	1,611,000	1.1%	1,574,000	1.1%
Parking	1,560,000	1.1%	1,616,000	1.1%
Fire Pension	1,435,000	1.0%	1,426,000	1.0%
Impact Fee	1,070,000	0.7%	1,741,000	1.2%
HMR 2014 Bond Debt Service	0	0.0%	706,000	0.5%
Town Center	690,000	0.5%	0	0.0%
Drug Law Enforcement	575,000	0.4%	637,000	0.4%
Community Development Block Grant	559,000	0.4%	556,000	0.4%
Parking Deck Bond	300,000	0.2%	326,000	0.2%
TIF Bond	141,000	0.1%	146,000	0.1%
Replacement & Disaster Recovery	42,000	0.0%	42,000	0.0%
Sales Tax Construction Bond	5,000	0.0%	5,000	0.0%
Parking Deck Project	3,000	0.0%	0	0.0%
	$ 145,205,000	100.0%	$ 147,268,000	100.0%

Draft

An examination of the overall budget indicated that the General Fund is the largest fund being 28.1% of the total. The Water & Sewer Fund is second at 25.1% of the total. The combination of these funds is 53.2% of the total budget. The Sales Tax Bond Fund (budget to repay outstanding bonds) is 13.4% of the budget. Thus the three largest funds represent two-thirds of the total operating budget.

An important part of this budget document is the City's Financial Policies delineated in pages 4 through 8 which are incorporated as a part of the budget. These policies include the following:

Revenue Policy
Expenditure Policy
Debt Policy
Reserve Policy
Investment & Cash Management Policy
Capital Improvement Policy
Financial Reporting Policy
Administrative Procedures to Adjust the Approved Budget

Overview of City's Major Funds:

General Fund is normally the major operating fund of the City and is comprised of activities not accounted for specifically in other funds.

The traditional functions of government are included in the General Fund which includes the following: general government services (Mayor's Administration, District Court, City Clerk and City Attorney), fire, police, finance, internal services, animal services, telecommunications, parks and recreation, media services, library funding, engineering, planning, and building safety.

General Fund Revenue:

The General Fund revenue budget was based on the following assumptions:

- City Sales Tax is projected to increase at a rate of 2.0% over 2015 estimates.
- County Sales Tax is projected to increase at a rate of 2.0% over 2015 estimates.
- Franchise Fees are projected to equal current collections.
- Property Taxes are projected to increase by the added one mil as requested by the Administration and approved by the City Council.
- All other revenues remain consistent with 2015 actual collections.
- The revenue split for City Sales Tax remains at 60% operations and 40% capital.

Based on these revenue assumptions, the major revenue sources for the General Fund in 2016 are projected to be as follows:

City's Share of County Sales Tax		$12.9	million
City Sales Tax		11.8	million
Franchise Fees		5.9	million
Property Tax Millage		3.2	million
Intergovernmental Income		2.3	million
Fines & Forfeitures		1.5	million
Charges for Services		1.6	million
Licenses & Permits		1.2	million
Alcoholic Beverage Taxes		0.6	million
Other		0.3	million
	Total	$41.3	million

Draft

General Fund Expenditures:

Payroll expenditures are based on full employment.

The significant increases in General Fund for 2016 compared to 2015 are as follows:

2015 General Fund Budget - Adopted	**$**	**38,166,000**
Additions:		
New/Unfrozen Personnel	$	1,510,542
Personnel (2015 Salary increases)		491,365
Salary Contingency		313,030
Workers Compensation/Unemployment		19,000
Health Insurance		121,103
LOPFI Pension		124,343
Outside Agencies		270,131
Uniforms/Personal Equipment/Bunker Gear		20,986
Travel & Training		23,116
Insurances (Vehicles/Building/Personal)		44,817
Compensation Classification Project		100,000
Software Maintenance/Lease		40,690
Contract Services		22,121
Election Cost		55,000
Minor Equipment		17,392
Building & Grounds Maintenance		17,079
Office Machine Maintenance		14,382
Contingency/Savings Other/Donations		40,000
Other - Additions		30,581
		3,275,678
Reductions:		
Motorpool		(64,922)
Rent		(10,756)
		(75,678)
2016 General Fund Budget - Proposed	**$**	**41,366,000**

Draft

Major policy issues to be considered for General Fund in the future include:

- A consistent method to incorporate annual wage increases in the proposed operation budget.
- The need to fund a salary increase if indicated by the 2016 salary survey.
- To continue to explore an independent funding method for the Fayetteville Public Library.
- A continued examination of the City's overall long term revenue stream to match required long term expenditures as identified, especially for needed capital expansion.

The **Street Fund** is primarily financed by turnback revenues received from the State of Arkansas and turnback monies received from the County Road Millage Tax. In addition, a temporary gallon tax levied by the State is also received. These monies are utilized to maintain and repair City streets, rights-of-way, drainage, traffic control and maintenance, and City owned sidewalks.

State turnback comes from motor fuel taxes collected by the State (state turnback) and returned to the City on a per capita basis. The long term trend for state turnback has been flat. A total of $3.4 million is projected for 2016. The new half cent transportation tax passed by statewide referendum is expected to provide an additional $1.3 million of which $500,000 will be allocated to sidewalk construction in 2016. The City also receives 80% of the road millage levied by the Quorum Court on real and personal property located within the City. This should generate in excess of $1 million. The Street Fund budget is expected to use fund balance of $987,000 for capital programs in 2016.

The **Parking Fund** has been established to account for the revenue and expense associated with the paid parking program. A revenue bond issue for the construction of a parking facility was issued in December of 2012. Net revenue from this fund is pledged for payment of that bond issue. This fund has a budgeted surplus of $102,000 for 2016.

The **Parks Development Fund** accounts for the revenue and expenditures of the Parks HMR tax approved by the voters in 1995 as modified by the 2012 referendum. The $3.2 million in planned expenditures for 2016 includes $879,000 in capital improvements. The fund has a budgeted surplus of $96,000 for 2016. This will replenish reserves used to accelerate funding of phase one of the regional park.

Draft

The **Impact Fee Fund** accounts for the revenues and expenditures related to the collection of water, wastewater, police, and fire impact fees. The collection of these fees will be less compared to 2015 estimated as actual occupancy requests are expected to decline. Expenditures in 2016 include a new fire apparatus as well as equipment and vehicles for the new public safety officers.

The **Sales Tax Capital Improvements Fund** accounts for the revenue and expenditures of the City's sales and use taxes which are used for acquisition and improvement projects as well as equipment additions and replacements that are included in the City's five-year capital improvements program as adjusted. The 2016 planned expenditures include $7,974,000 in capital improvements.

The **Water & Sewer Fund** accounts for the revenue sources as well as the operation and maintenance expenses of the City's water and sewer system. This includes water purchases from Beaver Water District, all water and sewer functions, the operation of the wastewater treatment plants, meter and backflow operations, and utilities financial services. The capital expenditure portion of this program will be $7.1 million.

For 2016, the Water & Sewer Fund is projected to have an operating gain of $7,740,000 excluding depreciation expense and before capital expenditures. The wastewater treatment plant operations are budgeted at $9.0 million, which represents 24.4% of the total operating expenses. The water purchases budgeted for 2016 represent the second largest expenditure for operations in the fund at $6.1 million. This represents approximately 18.4% of total operating expenditures. This fund is budgeted to break even for 2016.

The **Recycling & Trash Collection Fund** is responsible for the operation of the City's solid waste collection and disposal, recycling program, and composting program. Revenues for the fund are obtained from fees levied for trash collection, recycling revenue, and container sales or leases. During the end of 2009, the operation of the transfer station was brought in house and is currently being operated by the City. For 2016, the Recycling & Trash Collection Fund is projected to have a loss of $732,000. However, there are sufficient reserves to accommodate this deficit.

The **Airport Fund** provides for the operation and maintenance of the City's municipal airport. The Airport Fund's revenue is generated from fuel sales and rents and leases. For 2016, the Airport Fund is projected to have an operating loss of $69,000 before depreciation expense and capital expenditures. The total budget deficit is $126,000.

In March 2013, the City once again took over the running of fixed base operations at the Airport.

The **Shop Fund** is an internal service fund that provides for the acquisition and maintenance of equipment and vehicles utilized by the City's operating divisions. The Shop Fund's source of revenue is from charges to other City operating funds based on equipment and vehicle usage. The Shop Fund will break even for 2016 after capital expenditures of $4,204,000.

Draft

2016 Capital Budget

This plan contains a total of $23,266,000 for capital projects in 2016. A detail listing of all of the projects planned for 2016 are included under the Capital and Debt section.

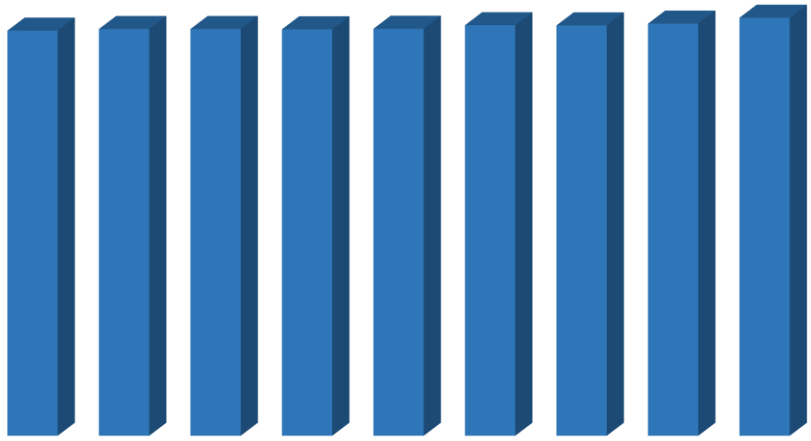
Debt Issues – 2015

In 2015 the City will issue $9,000,000 in bonds as a part of the 2006 bonds authorization approved by the voters for street projects. The closing date of these bonds will be November 12, 2015 and appropriation of that issue is expected to occur in December of 2015 and is not included in this budget.

Personnel Changes

Below is a history of total positions by activity from 2008-2016.

City of Fayetteville, Arkansas
Personnel History by Activity (2008-2016)



Activity	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Government	41.40	41.40	41.50	41.50	41.50	41.50	40.50	40.75	42.75
Finance & Internal Services	53.25	53.25	53.25	52.75	52.75	52.75	53.25	53.25	52.25
Police	171.63	171.63	171.63	171.60	171.60	171.60	170.00	170.00	175.50
Fire	114.00	114.00	114.00	114.00	114.00	114.00	114.00	114.00	122.00
Community Planning/Engineering	73.30	73.30	70.30	70.30	70.30	70.30	69.80	69.80	67.30
Transportation Services	93.50	93.50	96.00	95.00	96.00	96.00	98.00	100.00	99.00
Parks & Recreation	53.35	53.35	54.35	54.35	54.35	54.35	54.65	55.65	56.65
Business-Type	153.10	156.10	155.50	156.50	156.50	163.10	163.10	163.10	162.10
Total	753.53	756.53	756.53	756.00	757.00	763.60	763.30	766.55	777.55
Change from Prior Year	1.00	3.00	-	(0.53)	1.00	6.60	(0.30)	3.25	11.00

* The 2016 year change from prior represents a netting of new positions and the elimination of previously frozen positions.

CLOSING

The appropriations requested in this budget are the result of a collaborative effort among all City Division Heads, Department Directors, and City financial Staff members. It is built on the policies, goals, and objectives outlined by the Mayor and City Council. It represents the financial and operational plan for the City of Fayetteville for 2016. The appropriations contained in this budget will provide for quality municipal services that meet the needs of the Citizens of Fayetteville and it is, hereby, submitted by the Mayor to the City Council for consideration and adoption.

Respectfully submitted,

Paul A. Becker
Chief Financial Officer

Respectfully submitted,

Kevin Springer
Budget Director

Draft

RESOLUTION NO. ???-15

A RESOLUTION ADOPTING THE PROPOSED 2016 ANNUAL BUDGET AND WORK PROGRAM AS AMENDED.

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 adopts the Proposed 2016 Annual Budget and Work Program. A copy of the Budget, marked Exhibit "A" is attached hereto and made a part hereof.

PASSED and **APPROVED** this the 17th day of November, 2015.

APPROVED: ATTEST:

By: _____ By: _____

LIONELD JORDAN, Mayor **SONDRA E. SMITH**, City Clerk/Treasurer

Draft

CITY OF FAYETTEVILLE, ARKANSAS
THE BUDGET PROCESS

The budgets of governmental funds (for example General Fund, Street Fund, and Parks Development Fund) are prepared on the modified accrual basis for revenues and expenditures. Under the modified accrual basis of accounting, revenues are recognized when they become both measurable and available. Expenditures are recorded when the related fund liability is incurred. The proprietary and trust fund types (Water & Sewer Fund, Recycling & Trash Collection Fund, and Airport Fund) are budgeted on a full accrual basis except for depreciation which is excluded and both capital purchases and bond principal payments which are included as expenditures. Not only are expenditures recognized when the liability is incurred but revenues are recognized when they are due and owing to the City (for example, water user fees are recognized as revenue when bills are produced). Agency funds are not budgeted since they are custodial in nature and do not involve measurement of results of operations.

The Comprehensive Annual Financial Report (CAFR) shows the status of the City's finances on the basis of "Generally Accepted Accounting Principles" (GAAP). This conforms to the way the City prepares its budget. Formal budgets exist for all funds and fund types, except agency funds, but the budget-to-actual comparison reports are prepared only for the governmental fund types (General, Special Revenue, and Capital Projects).

The Annual Budget and Work Program is a fiscal plan which presents the services which will be provided to the community and the funds needed to perform these services. The type and level of service is defined by the use of program objectives, which are further defined by performance measures. The Mayor is responsible for formulating the fiscal plan and presenting it to the City Council for approval and adoption. The key steps and dates in this process for the 2016 Budget and Work Program are described below:

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1. **Budget Preparation Package, June 2015**
   The budget preparation package was distributed to all Department Directors and Division Heads. The package included budget preparation software. In addition, target budgets were set for each fund and/or program. The target budget excluded service expansion requests and new personnel requests. These items are considered separately. Training was conducted on an individual basis with the Budget Staff and Department Directors and Division Heads, as requested.

2. **Capital Requests, June – August 2015**
   Five Year Capital Improvements modification requests were submitted for review and prioritization. Approval of the requests were based on a review of prioritized lists by the Chief Financial Officer and Budget staff to see if original cost and continuing costs were within the available funding range. Capital items with a cost that exceeds $10,000 should appear in the Five Year Capital Improvements Programs.

3. **Budget Work Papers Submitted by Division Heads, July 2015**
   The Division Heads returned budget submissions requesting 2016 funding to the budget office. The budget office then verified that budget submissions were correct and within specified targets.

4. **Analysis of Each Proposed Program Budget, July - August 2015**
During this period, meetings, as needed, were conducted with each Department Director. At these meetings, the submitted program budgets were evaluated in their entirety and additions and cuts were made to balance the funds with the service requirements. The 2016 Proposed Budget and Work Program was the result of this process.

5. **Consideration and Approval of the Budget, Beginning to Adoption 2015**
The proposed budget is discussed with the Mayor beginning in August and through November. The Mayor will present the comprehensive 2016 Proposed Budget and Work Program to the City Council on November 10. Public discussions on the budget will be conducted at agenda sessions and City Council meetings as needed beginning November 10. A special meeting is scheduled for November 14.

6. **Implementing the 2016 Budget, January 2016**
Work papers are created and distributed to allow each division head to split their budget into the projected funding level needed for each month. These work papers are collected and input into the computer system to assist in the control of the adopted budget throughout 2016.

7. **Adjusting the 2016 Budget, Throughout 2016**
The budget may be adjusted throughout 2016. Depending on the amount of the adjustment, approval may come from the Budget Director, Chief Financial Officer, Mayor or the City Council. A detailed explanation of the Budget Adjustment Policy is listed on pages 7 and 8.

The public meetings throughout the budget process are considered to be an essential part of the budget process as they are designed to solicit feedback from the City Council and public on City operations and services. In accord with continuing efforts to apprise the public of City activities, the 2016 Proposed Budget and Work Program is made available for review by all interested persons at the Fayetteville Public Library and the City Clerk's Office. In addition, a downloadable version of the budget is found on the City's web site: http://www.fayetteville-ar.gov/. Public notification of this information is made in a local newspaper and on the Fayetteville Government Channel. As always, the public is invited to attend all meetings, retreats, and hearings regarding consideration of the Budget.

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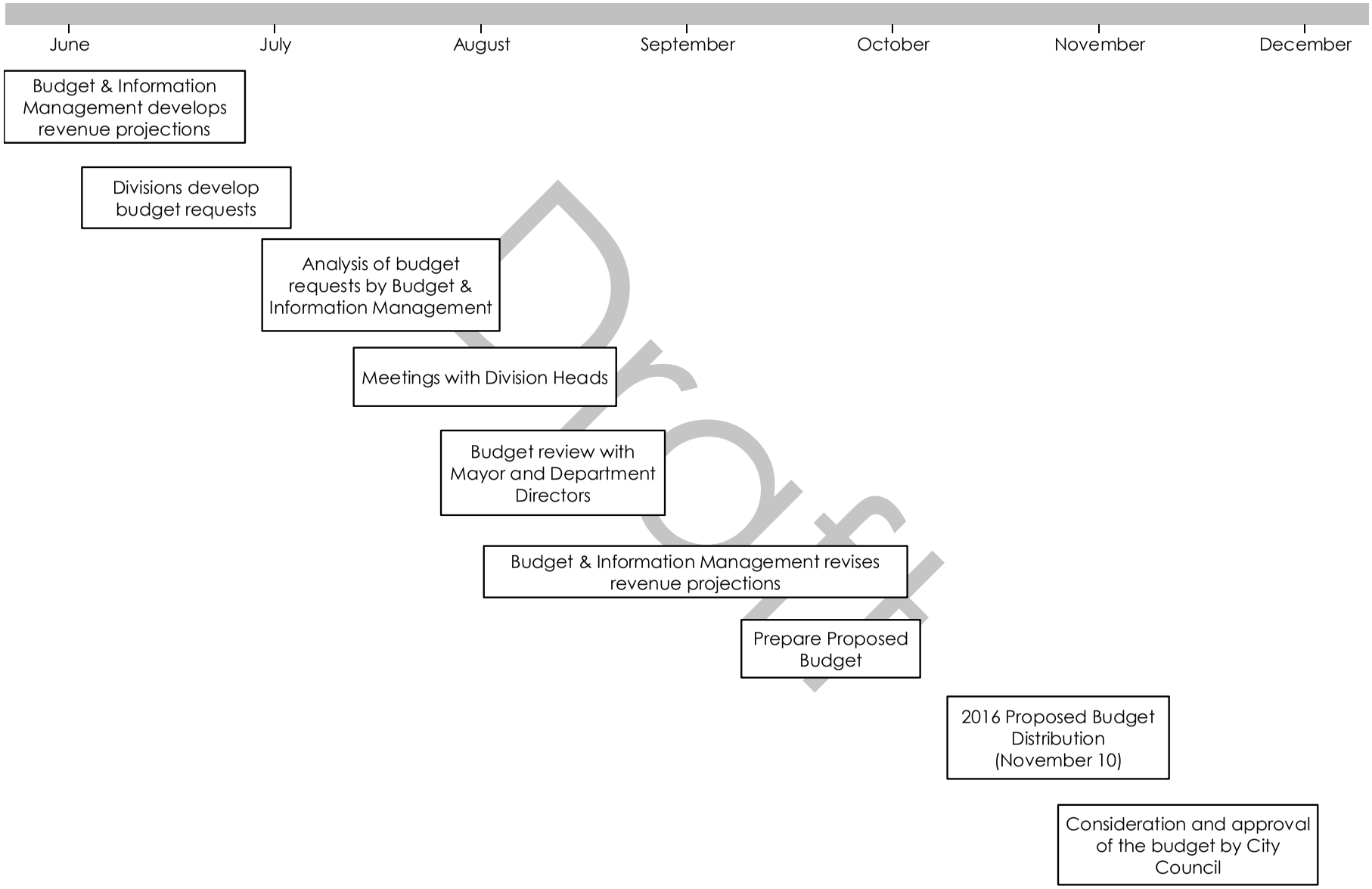
CITY OF FAYETTEVILLE, ARKANSAS
THE 2016 BUDGET PROCESS



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CITY OF FAYETTEVILLE, ARKANSAS
FINANCIAL POLICIES

The purpose of this section is to present the policies that the City follows in managing its financial and budgetary affairs. These are general statements of policies, which represent long-standing principles, traditions, and practices that have guided the City in maintaining financial stability.

REVENUE POLICY

- The City will strive to maintain a broad and diversified revenue base that will equitably distribute the burden of supporting City services and will protect the City from short-term fluctuations in any one revenue source.

- The City will actively support economic and industrial development recruitment and retention efforts to provide for a solid revenue base.

- The City will maintain timely collection systems and implement necessary enforcement strategies to collect revenues from available sources.

- The City will establish user fees and charges for services, when feasible, at levels related to the cost of providing the services. The City will review the fees and charges on a periodic basis to determine modifications needed to keep pace with the cost of providing the services.

- The City will establish, when feasible, self-supporting enterprise funds and internal service funds in which a relationship between revenues and expenditures clearly exists.

- The City will project revenues on a conservative basis so that actual revenues will consistently meet or exceed budgeted revenues.

- The City will maintain a budgetary control system and will prepare reports that compare actual revenues to budgeted amounts.

- The City will review annually and revise, where necessary, its cost allocation formula.

- The City will limit the designation of General Fund revenues for specified purposes to maximize flexibility in budgeting and revenue utilization.

EXPENDITURE POLICY

- Basic and essential services provided by the City will receive first priority for funding.

- The City will establish performance measurements for all program areas, when feasible. These measures will reflect the demand, workload capability, and projected outcomes for the program to accomplish its objectives.

- The City will strive to adopt a balanced budget, by fund, for all funds maintained by the City, in which total anticipated revenues must equal or exceed the budgeted expenditures for each fund. However, if this cannot be attained, the City will utilize unallocated fund reserves, which have been carried forward from prior years.

- The City will maintain a budgetary control system to ensure adherence to the adopted budget and will prepare reports that compare actual expenditures to budgeted amounts.

- The City will attempt to refrain from budgeting non-recurring or one-time revenue for ongoing expenses.

- The City will provide access to medical, dental, life, and long-term disability insurance for its employees. The cost for these benefits will be a shared responsibility between the City and its employees.

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- The City will provide access to appropriate retirement plans for its employees. The City will make contributions for eligible employees at the percentage defined for each of the respective retirement plans.

DEBT POLICY

- The City will maintain a policy of full disclosure on financial reports and bond prospectus.

- The City will maintain communications with bond rating agencies and continue to strive for improvements in the City's bond rating.

- The City will pay for all capital projects and capital improvements on a pay-as-you-go basis using current revenues whenever possible. If a project or improvement cannot be financed with current revenues, long-term or short-term debt or capital leases will be recommended.

- The City will refrain from issuing long-term debt for a period in excess of the expected useful life of the capital project.

- The City will use special assessment revenue or other self-supporting bonds instead of general obligation bonds, when feasible.

- The City will seek refinancing of outstanding debt if it is determined that the City will benefit by reduced interest expense over the remaining life of the bonds of at least 3% of the principal being refunded.

- The City will require that General Fund and Street Fund debt service shall not exceed 10% of annual general and road tax revenues and the principle amount of General and Street Fund debt shall not exceed 5% of assessed taxable property.

- Outstanding short-term debt and Amendment 78 debt obligations combined shall not exceed 5% of the City's taxable real property.

RESERVE POLICY

- The City will maintain a minimum reserve of sixty (60) days of annual regular general fund operating expenditures for the General Fund in Undesignated Fund Balance. The minimum unreserved General Fund Balance cannot be reduced without specific City Council Resolution.

- The City will maintain a minimum reserve of at least 10% of current year operating expenditures for the Street Fund in Undesignated Fund Balance. If existing reserves exceed the required level, such funds may be used to provide for non-recurring expenditures. The City will use monies in the 10% reserve only in times of emergency or fiscal and economic hardship.

- The City will attempt to maintain a cash and investments balance of not less than 10% of current year operating expenditures for all Enterprise Funds.

- The City will maintain a Shop Fund reserve necessary to fund the replacement and expansion of the City's vehicles and equipment.

INVESTMENT AND CASH MANAGEMENT POLICY

- The City will deposit all receipts on a timely basis.

- The City will strive to maximize the return on its investment portfolio without jeopardizing principal amounts.

- The City will limit its investments to the types of securities provided for by Arkansas statutes.

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- The City will diversify its investments by maturity date to protect against market fluctuations.

- The City will purchase securities from qualified institutions based on competitive bids in an effort to obtain the highest available rates.

CAPITAL IMPROVEMENT POLICY

- The City will prepare and update, as needed, a five-year Capital Improvements Program (CIP), which will provide for the orderly maintenance, replacement, and expansion of capital assets.

- The CIP will identify long-range capital projects and capital improvements of all types, which will be coordinated with the annual operating budget to maintain full utilization of available revenue sources.

- When preparing the CIP, the City will seek to identify all viable capital projects and capital improvements required during the subsequent five-year period. These projects and improvements will be prioritized by year and by funding source. Every attempt will be made to match projects and improvements with available funding sources. Future operating costs associated with a project or an improvement will also be given consideration in the establishment of priorities.

- The City will seek Federal, State, and other funding to assist in financing capital projects and capital improvements.

- The City will seek input from the public by holding public hearings in relation to the establishment of major projects and major project priorities.

- The City will incorporate the reasonable findings and recommendations of the other City Boards, Commissions, Committees, and Citizen task forces, as they relate to capital projects and improvements.

FINANCIAL REPORTING POLICY

- The City's accounting system will maintain records in accordance with accounting standards and principles outlined by the Governmental Accounting Standards Board (GASB), Financial Accounting Standards Board (FASB), and the State of Arkansas.

- The City will employ an independent accounting firm to perform an annual audit of the City's finances and make the annual audit available to all required and interested parties. The audit shall be completed and submitted to the State of Arkansas within 210 days of the close of the fiscal year.

- The City will produce monthly and quarterly financial statements reporting the current periods' activity for all funds maintained by the City.

- The City will maintain an internal audit function, which will be charged with adopting and routinely monitoring internal controls of the City.

- The City will prepare an annual budget document that provides a basic understanding of the City's planned financial operations for the coming fiscal year. Copies of the proposed and final budget will be made available to all interested parties and opportunities will be provided for citizen input prior to final decisions on the budget.

- The City will seek annual renewal of the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting and the Distinguished Budget Presentation Award.

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CITY OF FAYETTEVILLE, ARKANSAS
ADMINISTRATIVE PROCEDURES
TO ADJUST THE APPROVED BUDGET

PURPOSE:

The procedures outlined in this section define, standardize, and set forth responsibilities for budget adjustments.

DEFINITION AND EXPLANATION:

During the fiscal year needs arise for expenditure budget adjustments to enable divisions to adapt to changing conditions. There are two types of expenditure budget adjustments which can be defined as follows:

1) **Budget Adjustment** – this is a transfer from one category within a fund budget to another category. The fund total does not change.

2) **Budget Amendment** – this is an addition to the overall budget total of the fund. It increases the total expenditure amount authorized for the fund. Any budget amendment must be supported by an increase in revenue or come from available fund balance.

DEPARTMENT DIRECTORS AND DIVISION HEADS RESPONSIBILITIES:

All Department Directors and Division Heads are mandated to stay within each operational program budget as adopted and to stay within the total budget for each capital project. **Neither the Accounting nor Purchasing Divisions will process payments or purchase orders, which will cause a program or capital project to be over the annual budget amount.**

Each operational division is grouped into programs (i.e. Engineering - Administration, Engineering - Plans & Specifications, Engineering - Right-of-Way, etc.). Budget adjustments will be required in the following instances:

1) When the budgeted amount <u>per operational program</u> is exceeded (an offsetting adjustment must be made from another operational program).

2) When the budgeted amount for <u>a capital project</u> is exceeded (an offsetting adjustment must be made from another capital project or another program).

Requested adjustments to an operational program must be submitted on a budget adjustment form with sufficient justification for the need. Any changes in the personnel services category must meet the City's policy for raises, promotions, and staff increases.

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BUDGET ADJUSTMENT APPROVAL PROCESS:

Budget Amendments

1) All budget amendments must be approved by the City Council other than mandatory redemptions and other expenditures delegated to a Bond Trustee via a bond trust agreement. Budget amendments appropriate additional revenue or allocation of reserves.

Budget Adjustments

1) Budget adjustments within categories, within divisions of a fund, can be made with the approval of the Budget Director (see page 10 for a division listing).

2) Budget adjustments between categories within a division of a fund can be made with the approval of the Budget Director and Chief Financial Officer.

3) Budget adjustments within the personnel services category between departments within a fund will be approved by the Budget Director, the Chief Financial Officer, and the Chief of Staff.

4) Budget adjustments between categories within an approved project will be approved by the Budget Director.

5) All other budget adjustments must be approved by the City Council.

BUDGET AMENDMENT REPORTING:

As a matter of practice, staff will provide information regarding Budget Amendments to the City Council on a quarterly basis.

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CITY OF FAYETTEVILLE, ARKANSAS
BUDGET ORGANIZATIONAL STRUCTURE

FUND

In governmental accounting, a fund is a fiscal and accounting entity with a self-balancing set of accounts, created and maintained for a particular purpose. It has transactions subject to legal or administrative restrictions. A separate budget is provided for each fund.

ACTIVITY

Activities are the major groups of items which are functionally related, regardless of the Department or Division that is responsible. This type of classification provides a useful Budget summary that is consistent even though changes in the organizational structure may occur.

DEPARTMENT

Departments are the major organizational sub-divisions. They have a broad overall purpose. The City of Fayetteville is organized into nine operating departments: Police, Fire, Sustainability & Resilience, Parks & Recreation, Utilities, Development Services, Communications & Marketing, Transportation Services, and Finance & Internal Services. Each Department, except Police and Fire, has a director who reports to the Chief of Staff.

DIVISION

Divisions are the major operational areas of the City. Each Division has been assigned to one of the Departments listed above according to the type of activity it performs. For example, the Recycling & Trash Collection Division is part of the Transportation Services Department. A listing of divisions is on the following page.

PROGRAM

Programs are the operating units within the Division. Each program represents a specific type of activity within its Division aimed at providing a service for which the City is responsible. For example, the Recycling & Trash Collection Division contains the following programs: Administration, Commercial Collections, Residential Collections, Commercial Drop Box Collections, Transfer Station, Recycling, and Composting.

CATEGORY

Within each program, each expenditure item is grouped into a category of related expenditures. The budget for each program is listed by categorical total. Examples of a category include: Personnel Services, Materials and Supplies, Services and Charges, Maintenance, Motor Pool Charges, Capital, Transfers to Outside Agencies, Cost Reimbursements, and Operating Transfers.

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LISTING OF DEPARTMENTS AND DIVISIONS

DEPARTMENT	DIVISIONS
General Government	Mayors Administration City Council City Attorney City Prosecutor City Clerk/Treasurer Fayetteville District Court Library
Chief of Staff	Chief of Staff Human Resources Information Technology Internal Audit
Police Department	Police Central Dispatch
Fire Department	Fire Department
Sustainability & Resilience Department	Sustainability & Resilience Parking Management
Parks & Recreation Department	Parks & Recreation
Finance & Internal Services Department	Chief Financial Officer Accounting & Audit Budget & Information Management Facilities Management Purchasing Utilities Financial Services
Development Services Department	Development Services Animal Services Building Safety City Planning Community Resources Engineering
Communications & Marketing Department	Communications & Marketing Media Services
Transportation Services Department	Transportation Services Airport Services Fleet Operations Recycling & Trash Collection
Utilities Department	Utilities Director Water & Sewer Maintenance Wastewater Treatment Plant

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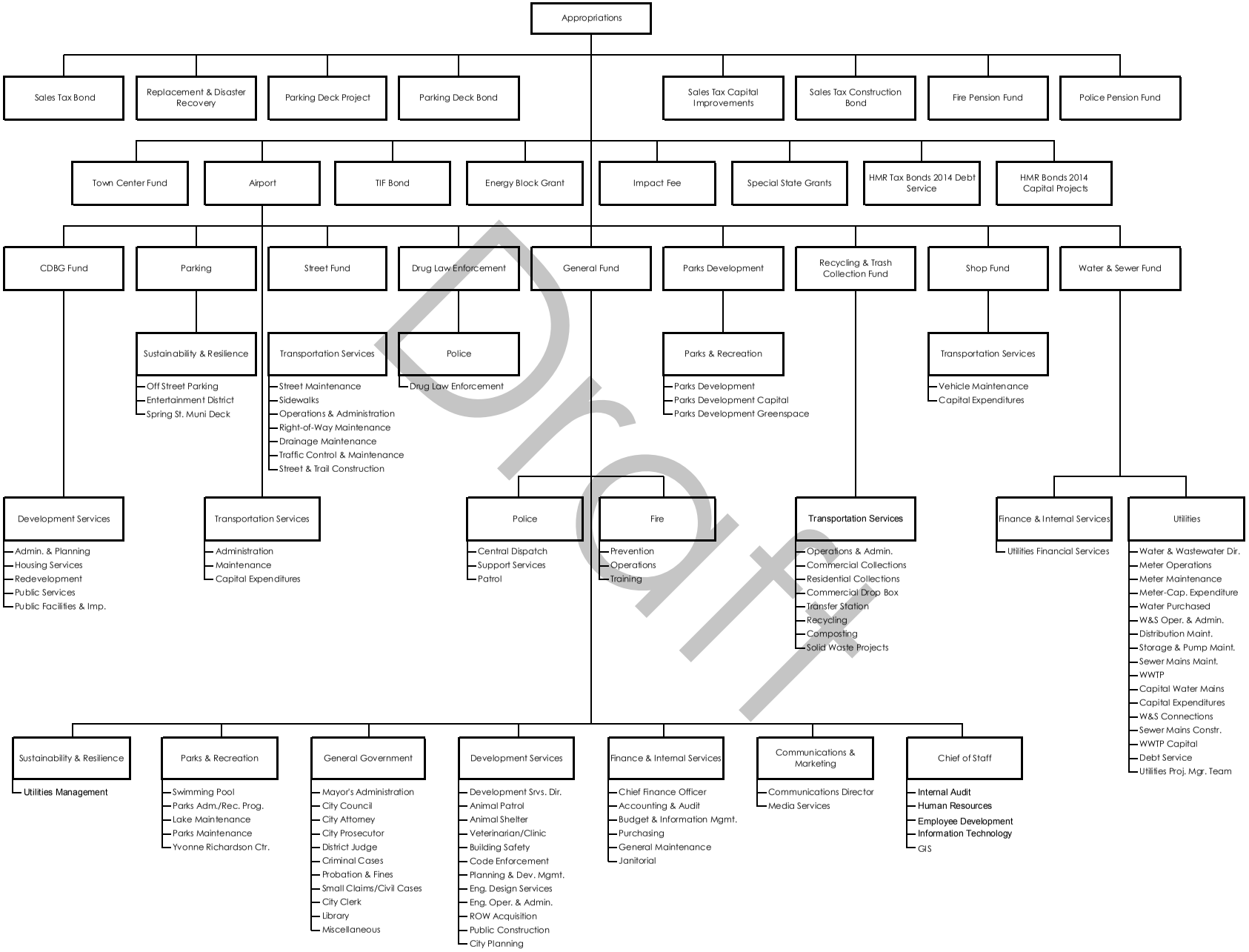
Consolidated Fund-Department-Program Structure



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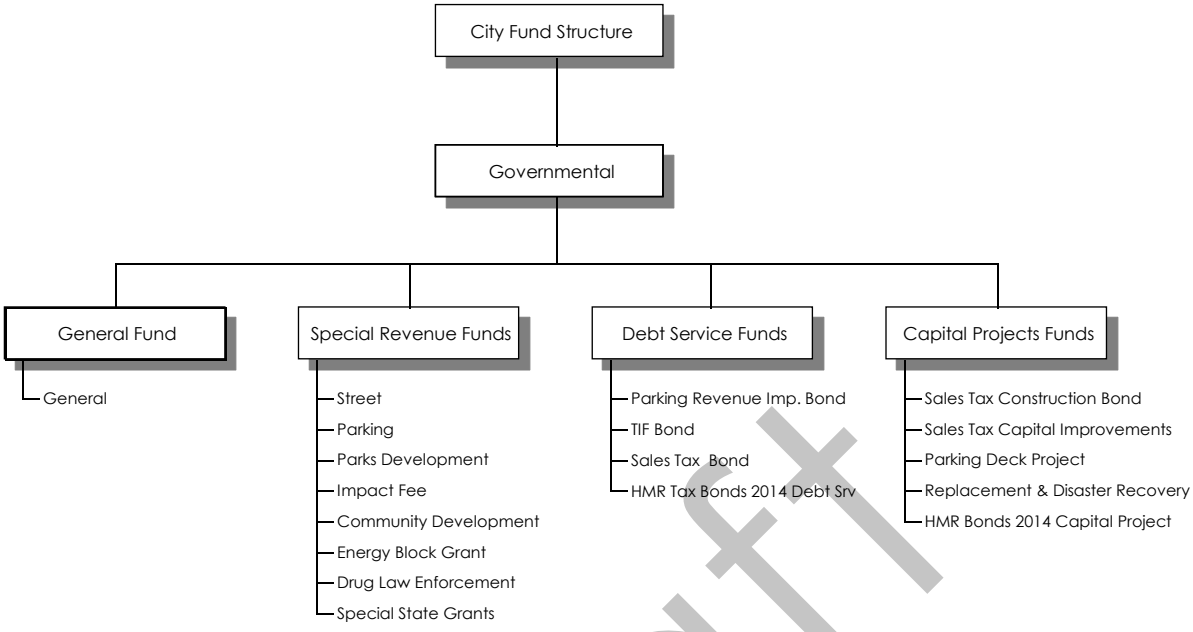
City of Fayetteville, Arkansas
Chart of Governmental Fund Types



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As noted by the chart above, the City utilizes all four (4) major Governmental fund types: General, Special Revenue, Debt Service, and Capital Projects.

General Fund - General fund is the general operating fund of the City. It is used to account for all financial resources except those accounted for in other funds.

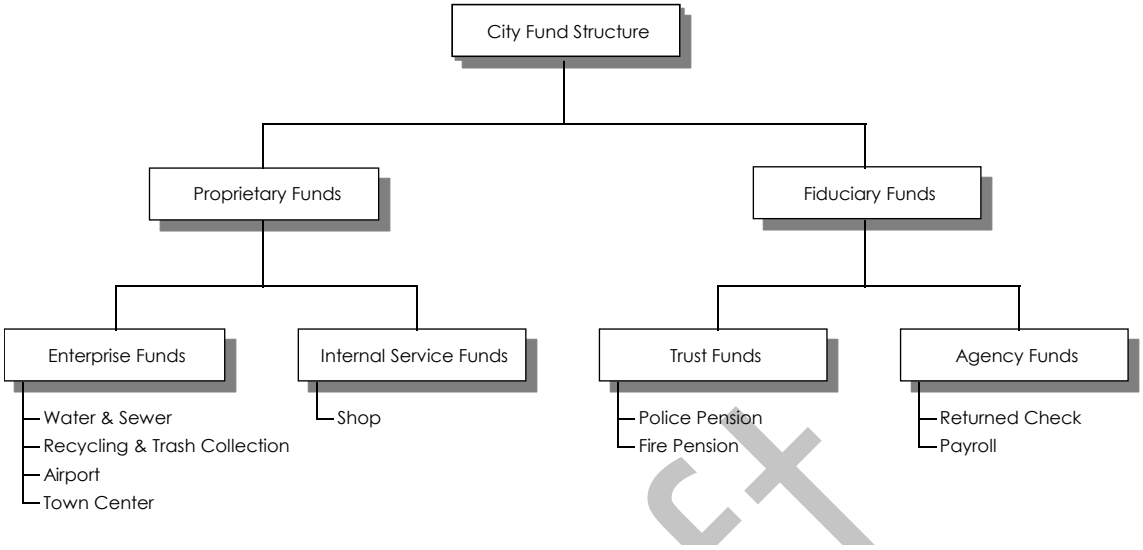
Special Revenue Funds - Special Revenue funds are used to account for the proceeds of specific revenue sources, which are designated or required to finance particular functions or activities of the City.

Debt Service Funds - Debt service funds are used to account for the accumulation of resources for, and the payment of, general long-term debt principal, interest and related costs other than debt service payments made by enterprise funds.

Capital Projects Funds - Capital projects funds are used to account for financial resources to be used for the acquisition and construction of assets of a relatively permanent nature other than those financed by proprietary funds.

As a note of explanation for the following combined statements, the revenues are listed by major source and the expenditures are listed by major department or service. The operation transfers are listed both in and (out).

City of Fayetteville, Arkansas
Chart of Proprietary and Fiduciary Fund Types



As noted by the chart above, the City utilizes the Enterprise and Internal Service funds in the Proprietary fund type and the Trust and Agency funds in the Fiduciary fund type.

Enterprise Funds - Enterprise funds are used to account for operations (A) that are financed and operated in a manner similar to private business enterprise, where the intent of the governing body is that the costs of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (B) where the governing body has decided that periodic determination of revenues earned, expenses incurred and/or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes.

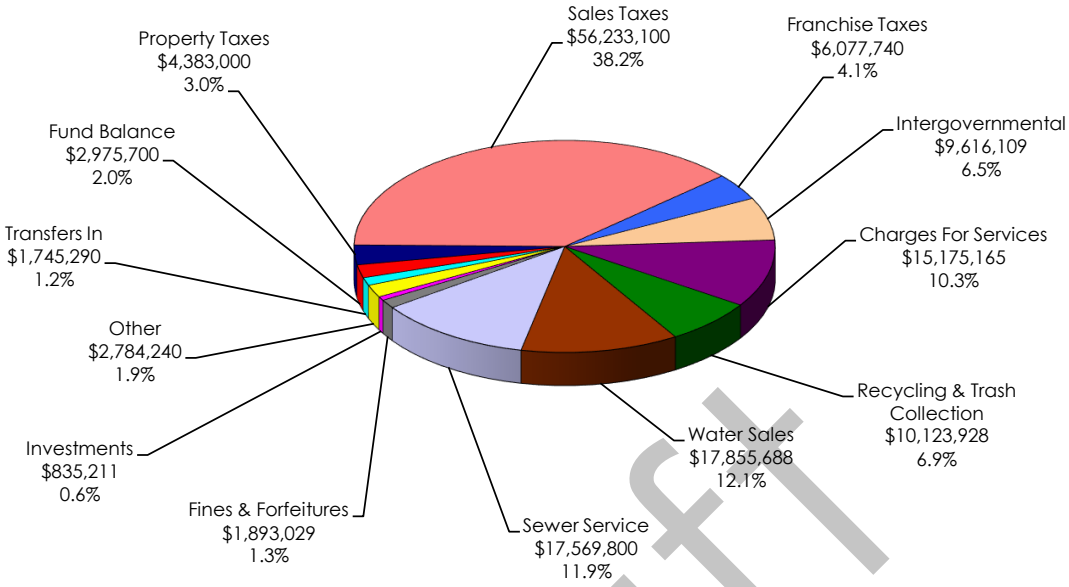
Internal Service Funds - Internal service funds are used to account for the financing of goods or services provided by one division of the City to other divisions of the City, on a cost reimbursement basis.

Trust Funds and Agency Funds - Trust funds and agency funds are used to account for assets held by the City in a trustee capacity or as an agent for individuals, private organizations, other governments and/or other funds. Trust funds are accounted for in essentially the same manner as proprietary funds. Agency funds are custodial in nature and do not involve measurement of results of operation.

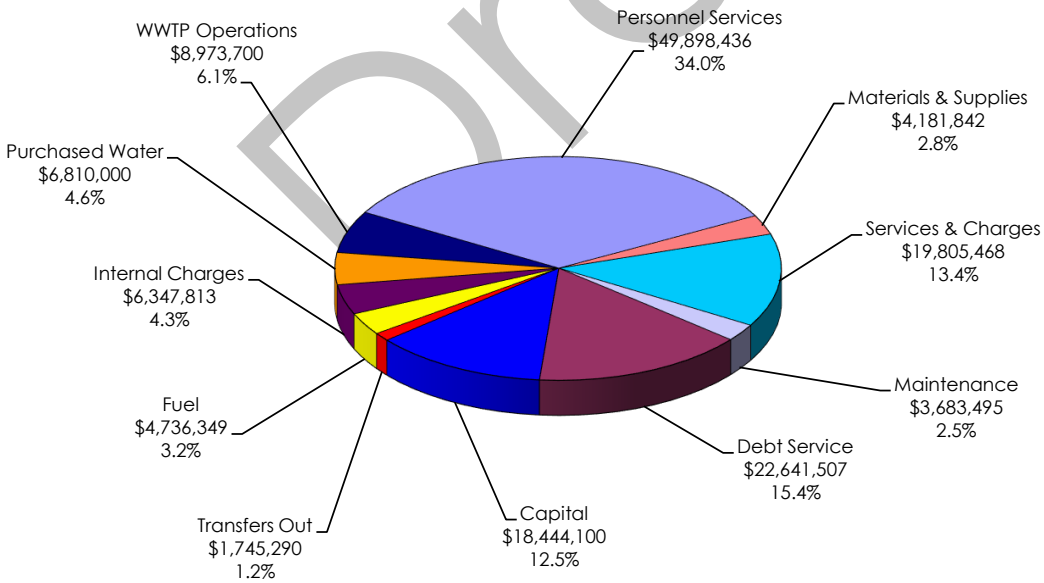
In reference to the following combined statements, the revenues are listed by major source and the expenses are listed by major department or service. Also shown are depreciation, non-operating revenue and (expenses), transfers in and (out), and net income.

City of Fayetteville, Arkansas

Sources of Funds for 2016
$147,268,000



Uses of Funds for 2016
$147,268,000



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Note: The Sources of Funds chart includes revenues from all City funds. The Uses of Funds chart includes expenditures from all funds including capital expenditures in the Proprietary fund types. In compliance with GAAP, Proprietary fund balances do not reflect capital expenditures.

City of Fayetteville, Arkansas
Multi-Year Comparison
Budget Expenditures

	Adopted 2012	Adopted 2013	Adopted 2014	Adopted 2015	Proposed 2016
Major Funding Sources:					
General	$ 34,139,200	$ 36,057,000	$ 37,460,000	$ 38,166,000	$ 41,366,000
Street	4,706,600	4,708,000	6,422,000	7,571,000	6,930,000
Parking	1,101,800	1,162,000	1,605,000	1,560,000	1,616,000
Community Development Block Grant	589,000	541,000	562,000	559,000	556,000
Parks Development	2,358,000	3,074,000	2,737,000	2,273,000	3,155,000
Drug Law Enforcement	544,000	568,000	565,000	575,000	637,000
Water & Sewer	30,908,000	34,920,000	34,043,000	39,203,000	36,968,000
Recycling & Trash Collection	9,950,100	11,774,000	10,960,000	12,651,000	11,123,000
Airport	768,000	955,000	2,494,000	2,576,000	2,256,000
Shop	8,231,500	8,486,000	7,328,000	8,456,000	8,942,000
	93,296,200	102,245,000	104,176,000	113,590,000	113,549,000
Other Funding Sources:					
Impact Fee	921,000	1,060,000	1,113,000	1,070,000	1,741,000
TIF Bond	100,000	100,000	123,000	141,000	146,000
Parking Deck Bond	0	0	300,000	300,000	326,000
HMR 2014 Bond Debt Service	0	0	0	0	706,000
Sales Tax Bond	16,372,400	17,871,000	18,592,000	18,626,000	19,771,000
Replacement & Disaster Recovery	41,000	42,000	42,000	42,000	42,000
Sales Tax Capital Improvements	6,702,600	8,253,000	7,523,000	7,692,000	7,982,000
Wastewater System Improvements Project	97,600	1,520,000	0	0	0
Sales Tax Construction Bond	2,000	7,000	7,000	5,000	5,000
Parking Deck Project	0	0	2,000	3,000	0
Town Center	695,200	697,000	696,000	690,000	0
Police Pension	1,633,000	1,629,000	1,609,000	1,611,000	1,574,000
Fire Pension	1,470,000	1,468,000	1,417,000	1,435,000	1,426,000
	28,034,800	32,647,000	31,424,000	31,615,000	33,719,000
	$ 121,331,000	$ 134,892,000	$ 135,600,000	$ 145,205,000	$ 147,268,000

This comparison of adopted budgets is included to show the scope and growth of City operations in a multi-year format. This presentation is traditional but continues to include interfund transfers. Rather than restating all of the budgets, it is recommended that emphasis be placed on the significant entries, which are the individual funds. A more detailed discussion of each individual fund is included in the specific section devoted to that fund.

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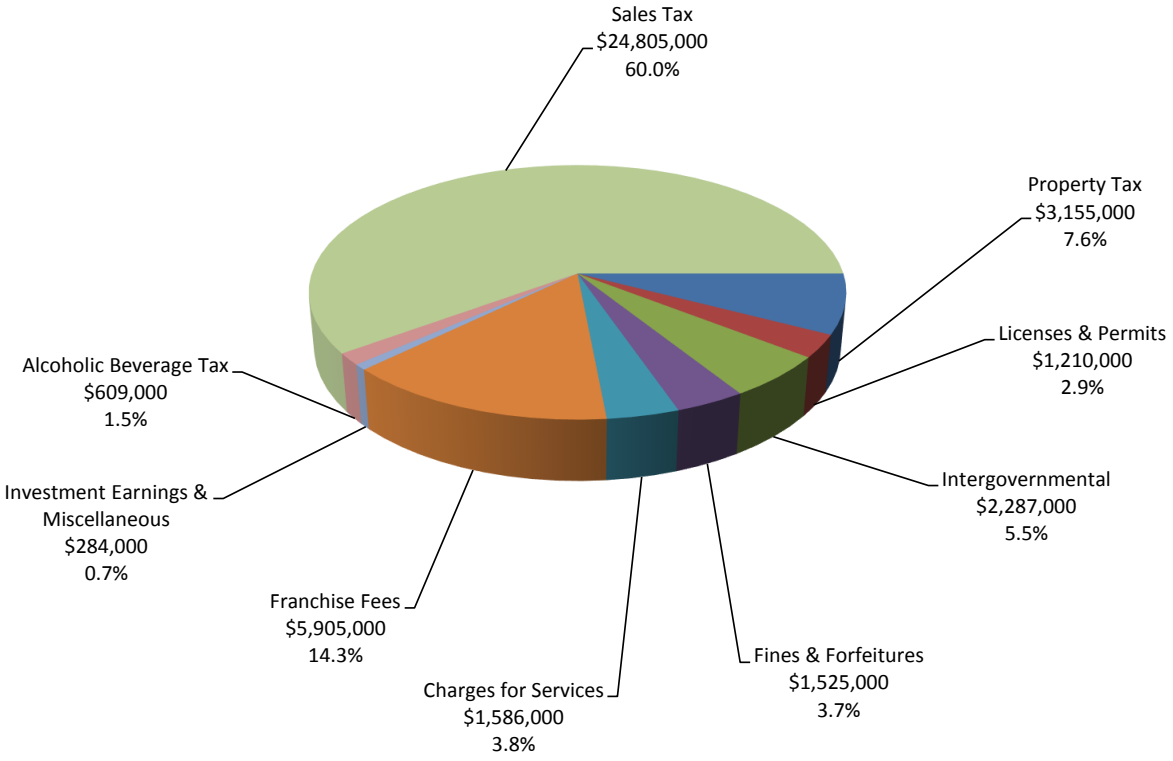
General Fund (1010)

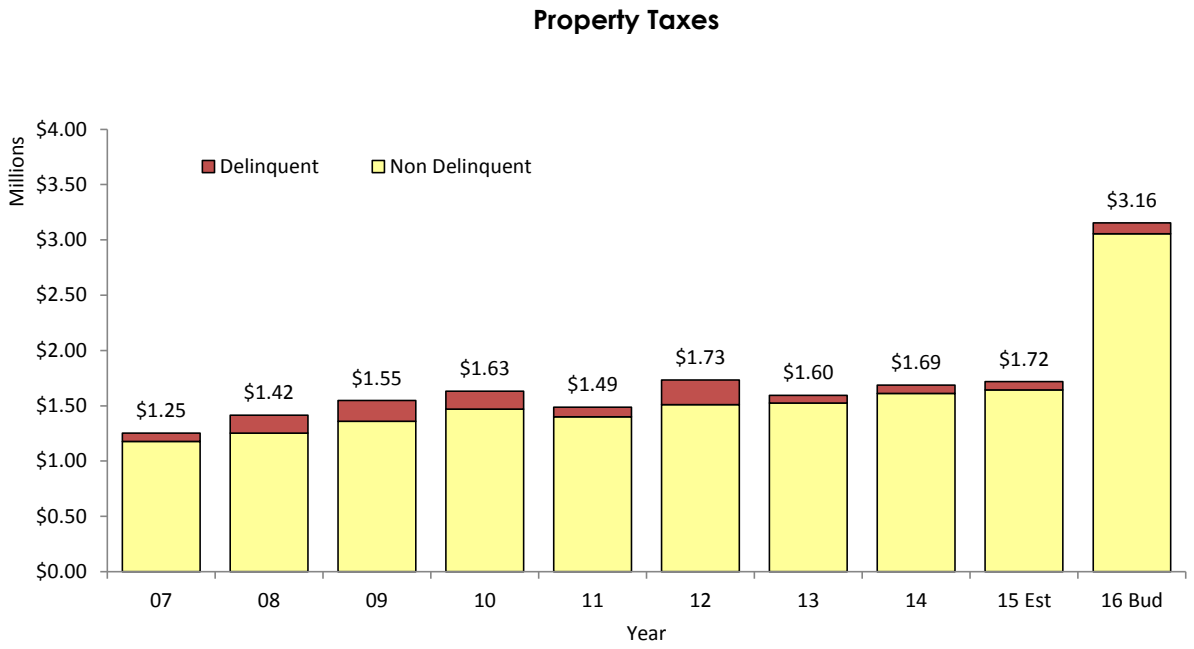
General Fund Revenues

Total estimated revenue available in 2016 to support the General Fund is approximately $41.4 million. These overall General Fund Revenue projections are based on historical trend data, expected population increases, and current performance of the national, state, and local economies and statistical information.

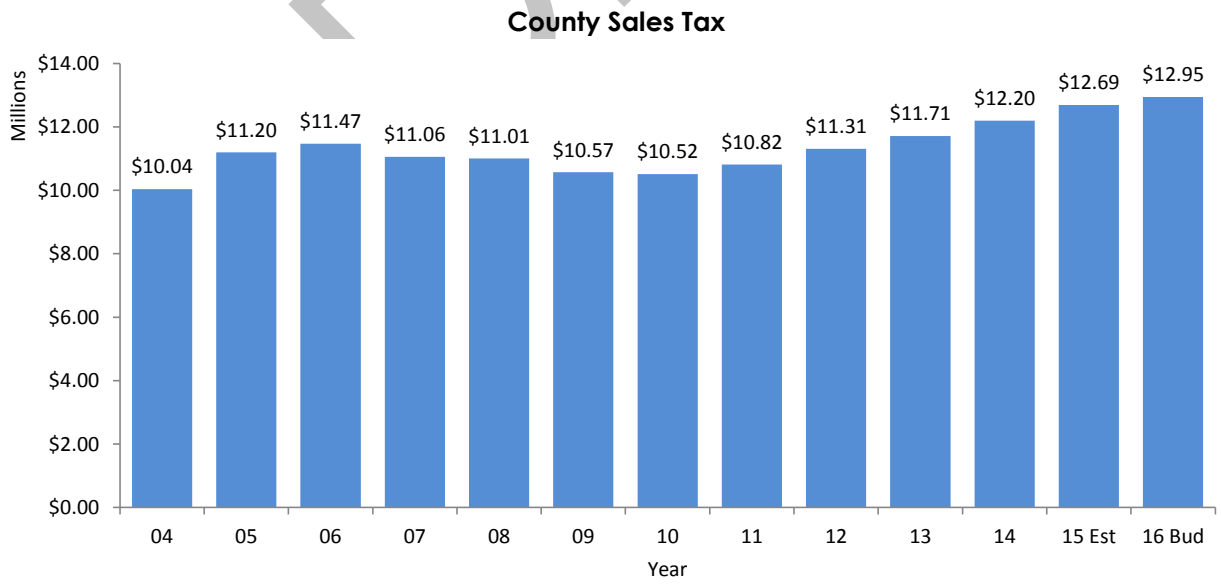
Sources of Funds for 2016
$41,366,000



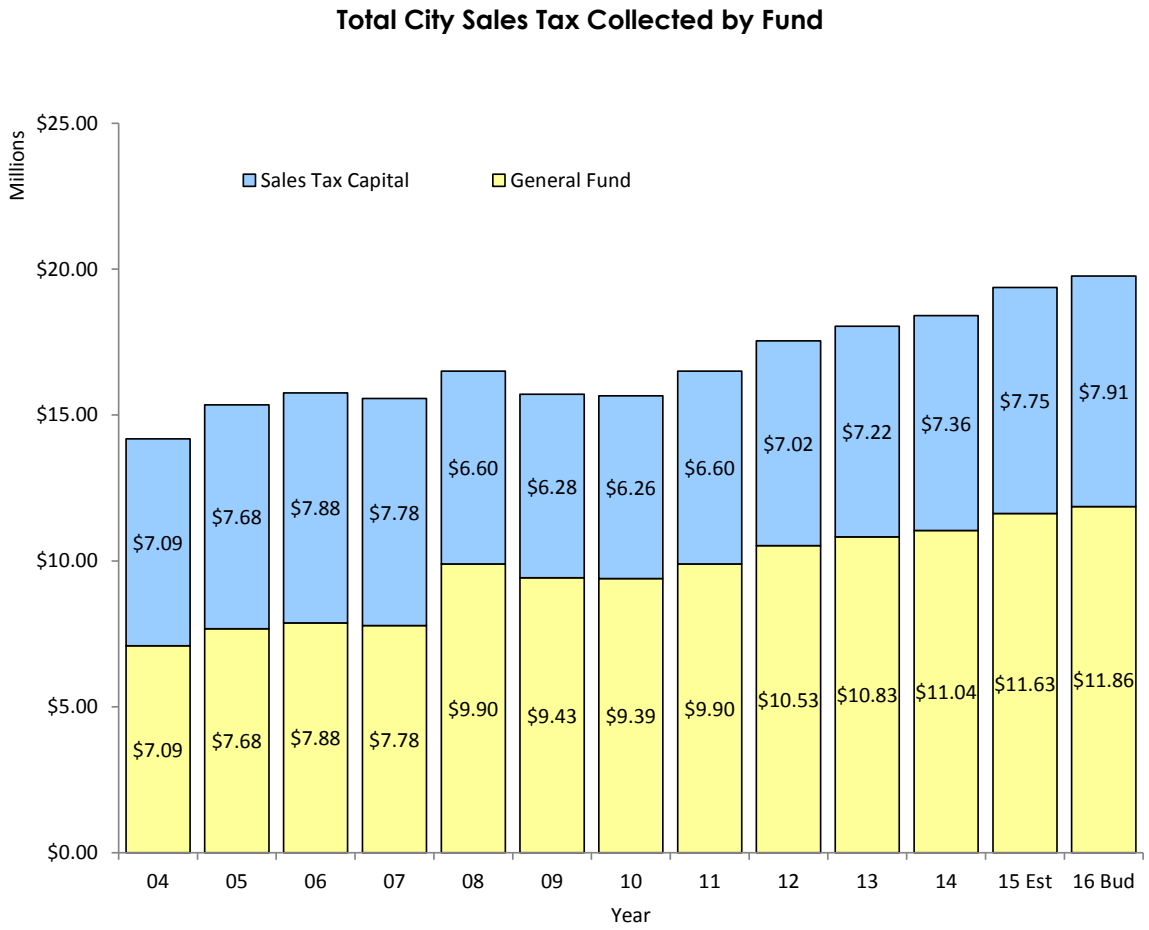
Property Taxes: Property Tax revenue makes up 7.6% of total General Fund Revenue. The tax rate currently approved is 2.3 mils. One additional mil of property tax was approved in October 2015 which is estimated to generate approximately $1.4 million. The City of Fayetteville has a discretionary limit of 5.0 mils, which is set by law. By law, millage decisions must be made by the end of October of each year by the City Council and filed with the County.



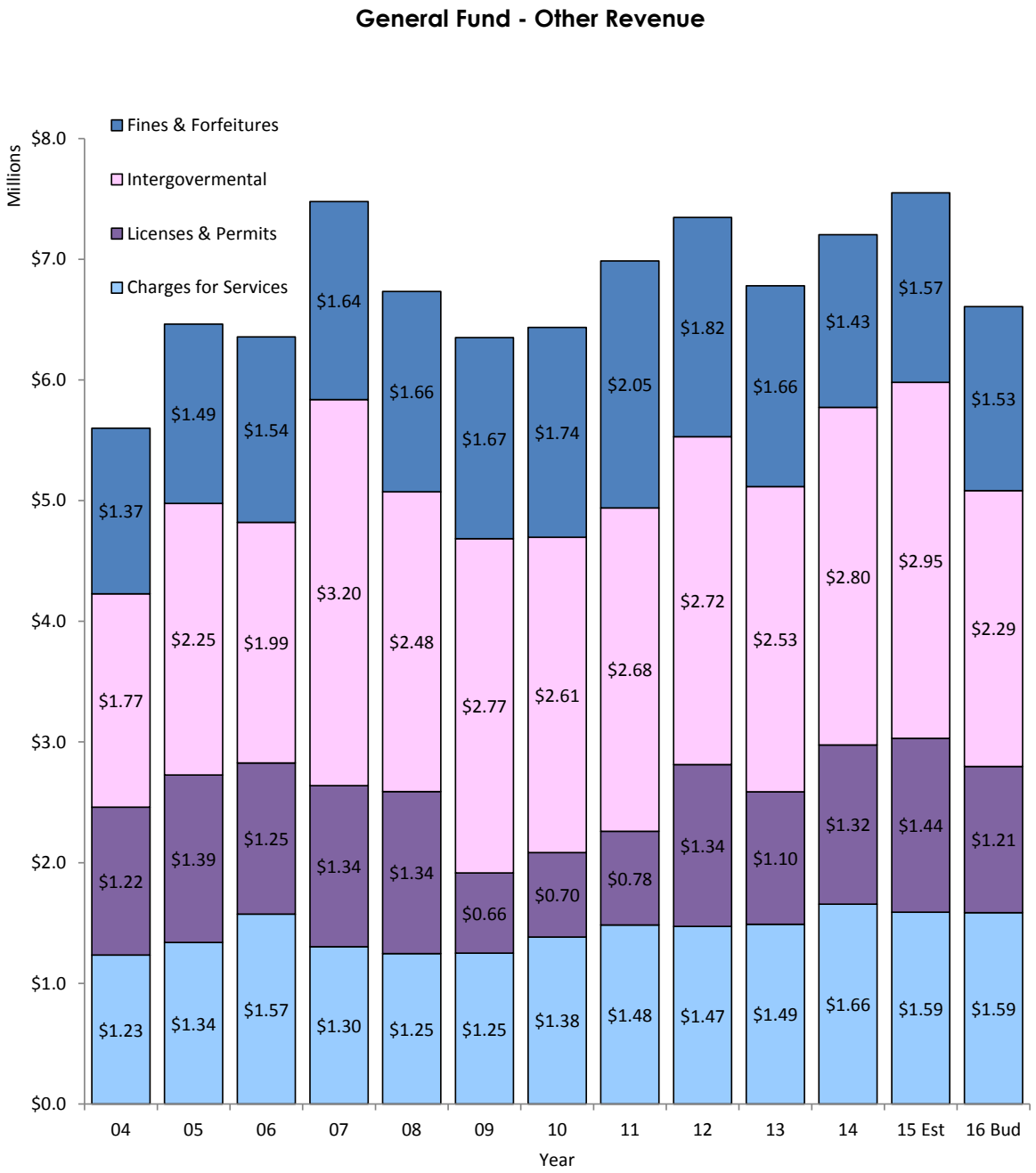
County Sales Tax: The largest source of General Fund revenue (31.2%) is the County Sales Tax. The City receives a prorated share (36.2%) of the 1% County Sales Tax based on population as of the most recent federal census. Sales Tax growth averaged 2.64% per year from 2004 to 2014. Budgeted 2016 revenue is projected to be 2.0% higher than the current 2015 estimated collections.



City Sales Tax: The second largest source of General Fund revenue is the City Sales Tax at 28.6% of total revenue. Average growth for the City's 1% sales tax has been 2.8% in 2013 and 2.0% in 2014. 2015 revenue is expected to be 5.3% higher than the 2014 actuals. The 2016 budget is estimated to be 2% over 2015 estimated collections. The 1% City Sales Tax revenue is divided between General Fund operations and capital. The current split for 2016, which began with the 2008 budget, is 60% for General Fund and 40% for Sales Tax Capital Improvements Fund.

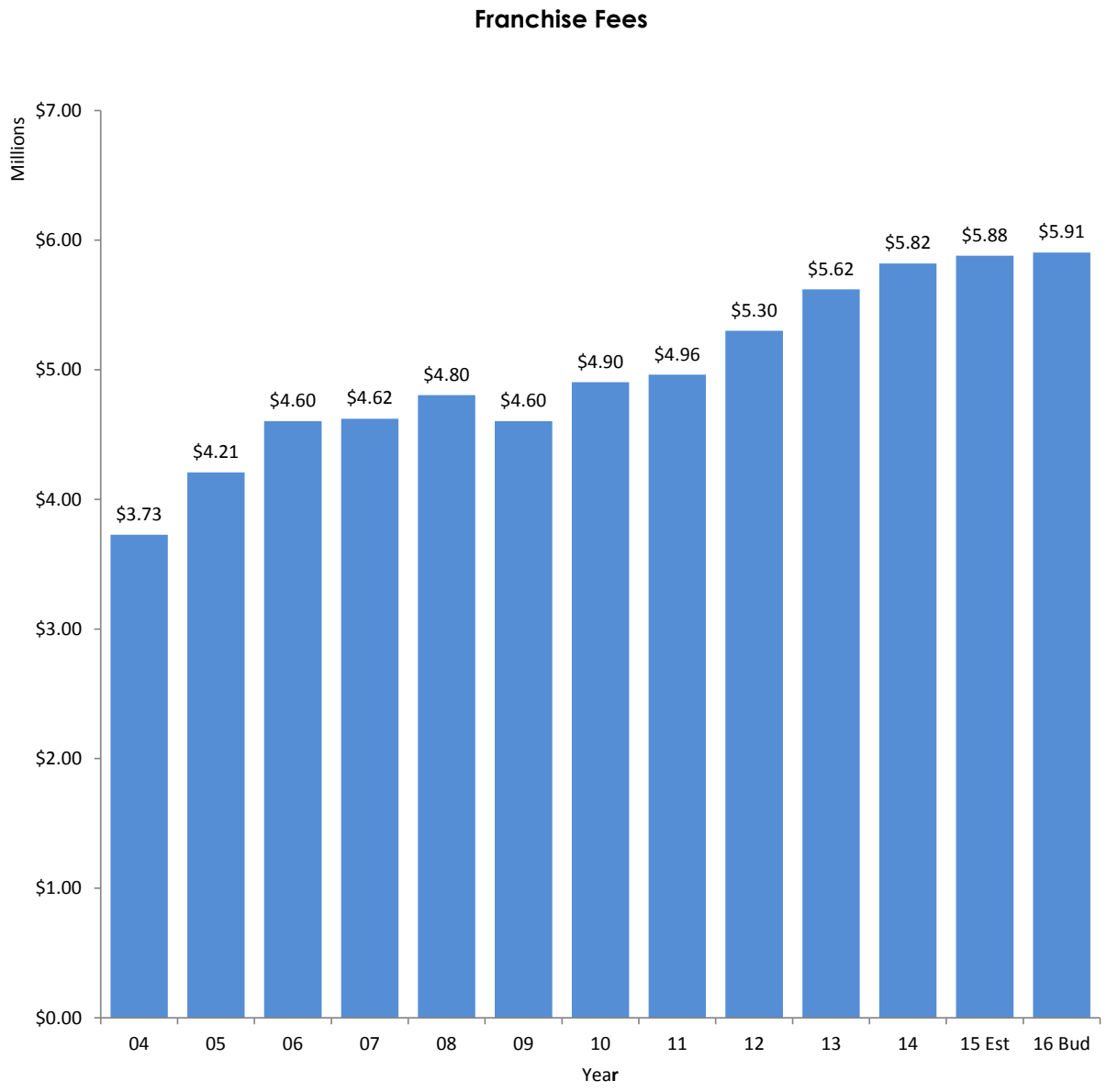


Other Revenues: Other Revenues (Licenses & Permits, Intergovernmental, Charges for Services, and Fines & Forfeitures) as a whole make up 15.9% of total General Fund revenue. Licenses & Permits mainly consist of Building Permits which are projected to be less in 2016 compared to estimated 2015 revenue due to an expected reduction in permitting. Intergovernmental revenues consist of State Turnback and State/Federal grants and are projected to be less in 2016 compared to estimated 2015 revenue. This is because grant revenue is not estimated until the actual grant is awarded which is normally mid-year. Charges for Services consists of a multitude of fees such as parks and recreation fees, 911 reimbursements, and planning fees which are expected to be about the same in 2016 compared to estimated 2015 revenue. Fines & Forfeitures revenues consist of court fines and are also expected to be less than estimated 2015 revenue based on current collection trends.



Franchise Fees: Franchise fees as a category makes up 14.2% of total General Fund revenue. The City collects franchise fees from all utility companies in Fayetteville for the use of City Rights-of-Way. All of the franchise fee agreements reflect a percentage of gross utility revenue generated. Although franchise fees are a direct cost of the utilities business, all utilities except AEP (SWEPCO) and the City of Fayetteville's Recycling & Trash Collection and Water & Sewer Divisions show the fee as an additional item on the consumer's invoice.

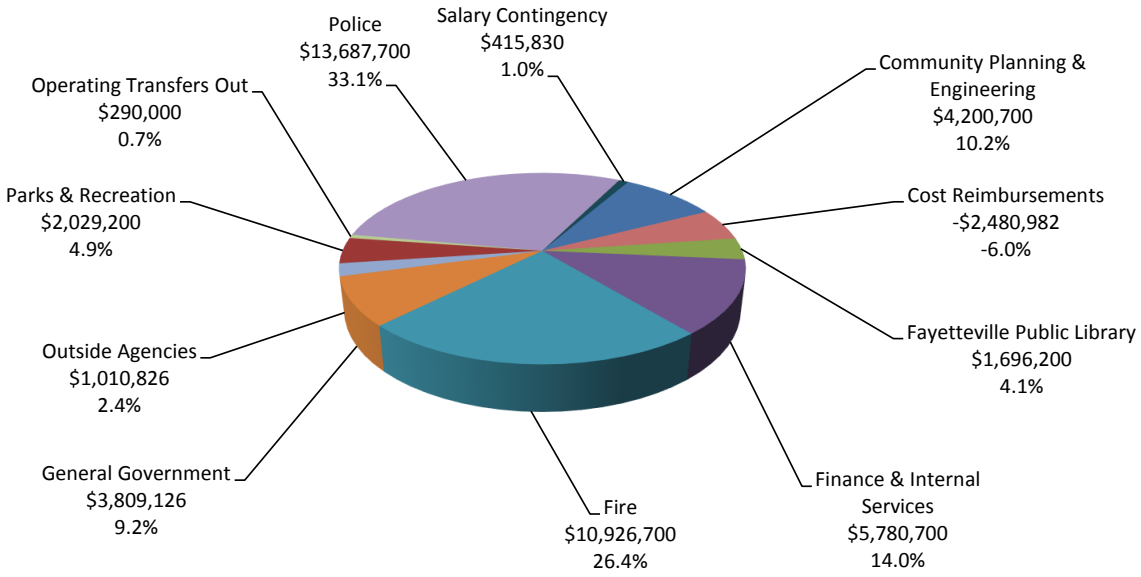
Currently, Source Gas pays 3% of annual sales before taxes on residential and commercial customers and 1% on industrial customers. AT&T and Prairie Grove Telephone pay 4% of all access line billing. AT&T Video and Cox Communications pay 5% of annual gross sales on everything except internet access revenue. The Water & Sewer utility pays 4.25% and the Recycling & Trash Collection utility pays 3% on annual gross sales. AEP Electric and Ozarks Electric Co-Op pay 3% of gross revenues on domestic customers and 1% on industrial consumers. Collections in 2015 are currently 3.0% over budget. The 2016 budget is set to be slightly higher than estimated 2015.



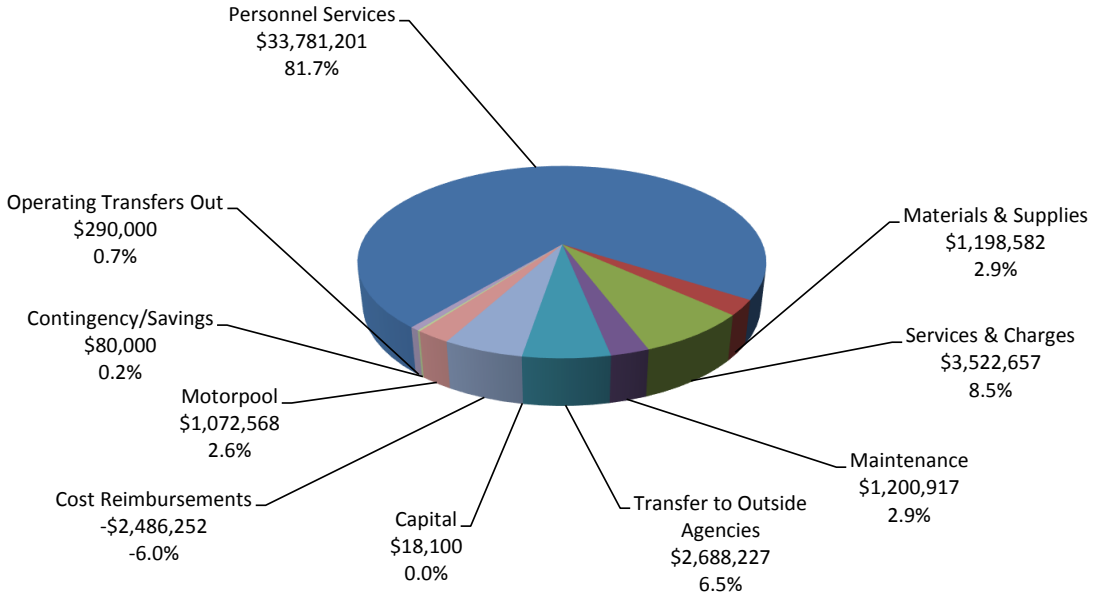
General Fund Expenses

Total uses of funds in 2016 for the City's General Fund totals $41,366,000. The charts below show the total General Fund expenditure budget by operating department and expense category.

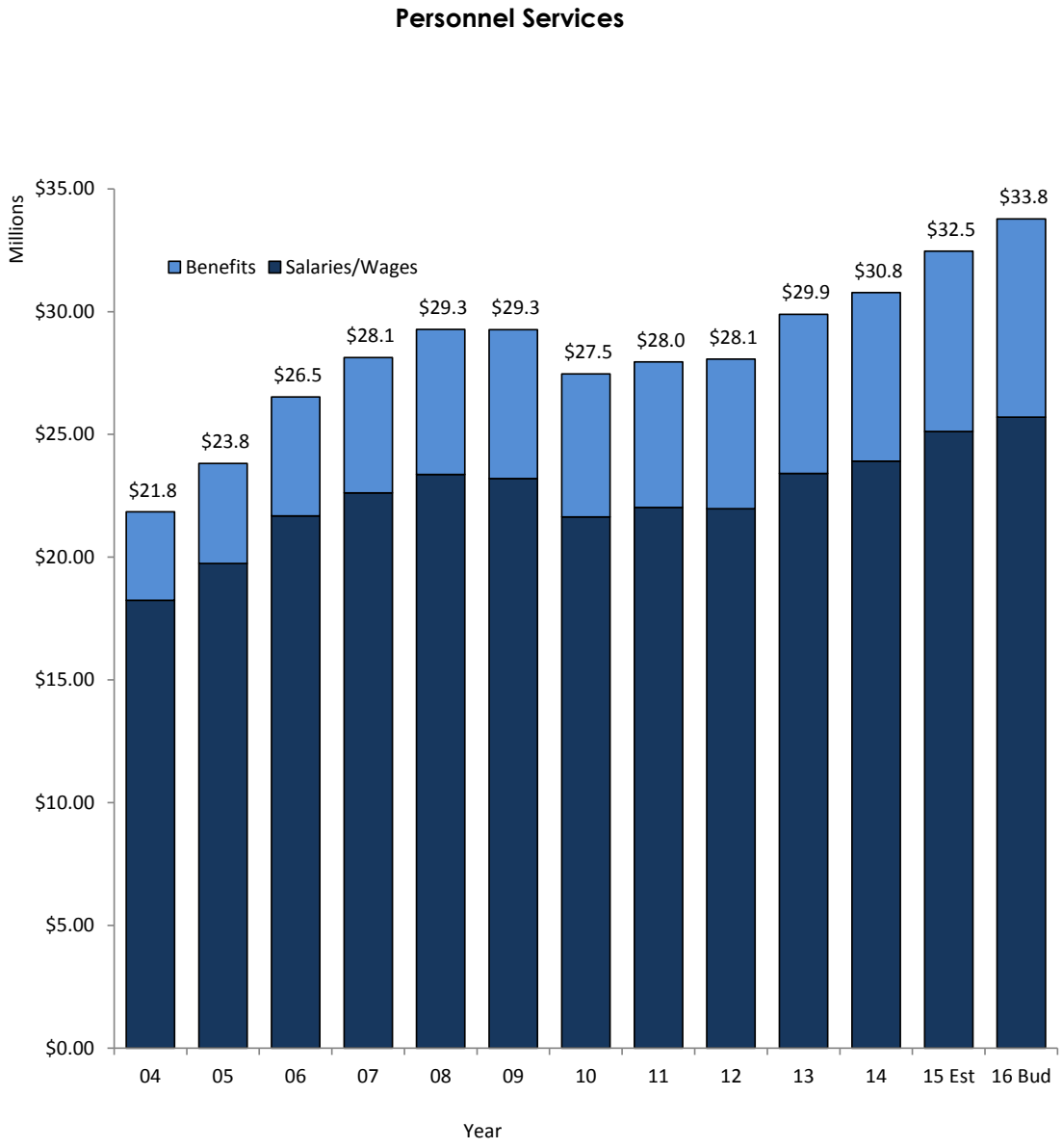
2016 Uses of Funds by Activity
$41,366,000



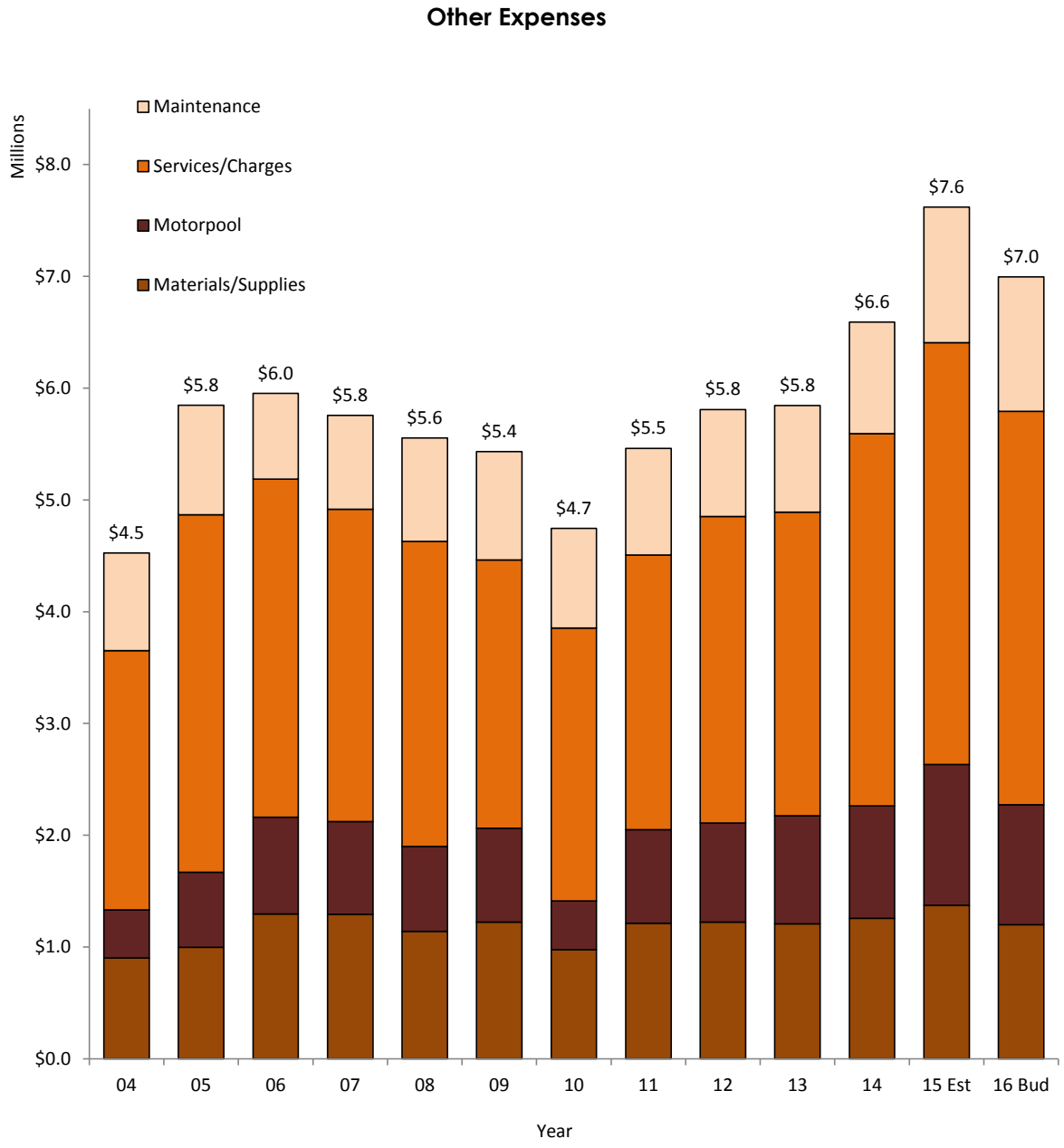
2016 Uses of Funds by Category
$41,366,000



Personnel Services: Personnel Services represent the largest category (81.7%) of expense for the City's General Fund. Personnel Services include Salaries & Wages, Overtime, Insurance, Pension, and Worker's Compensation expenses. The Personnel Services category has averaged 4.49% growth per year from 2004 to 2014. A $415,830 contingency amount has been included in this budget for accrued benefit payouts and potential personnel service adjustments in 2016.



Other Expenses: Other expenses represent 16.9% of the General Fund expenditures for 2016. Other expenses represent the Maintenance, Services & Charges, Materials & Supplies, and Motor Pool categories. The Services & Charges Category includes contract services, publications and dues, etc. and represents 8.5% of the total General Fund budget. The Materials & Supplies Category includes copier/printing charges, minor equipment, fuel, and office supplies and represents 2.9% of the total General Fund budget. The Maintenance Category includes building and grounds maintenance, software maintenance, and various other small maintenance accounts and is 2.9% of the total General Fund budget. The Motorpool Category represents 2.6% of the total General Fund budget.

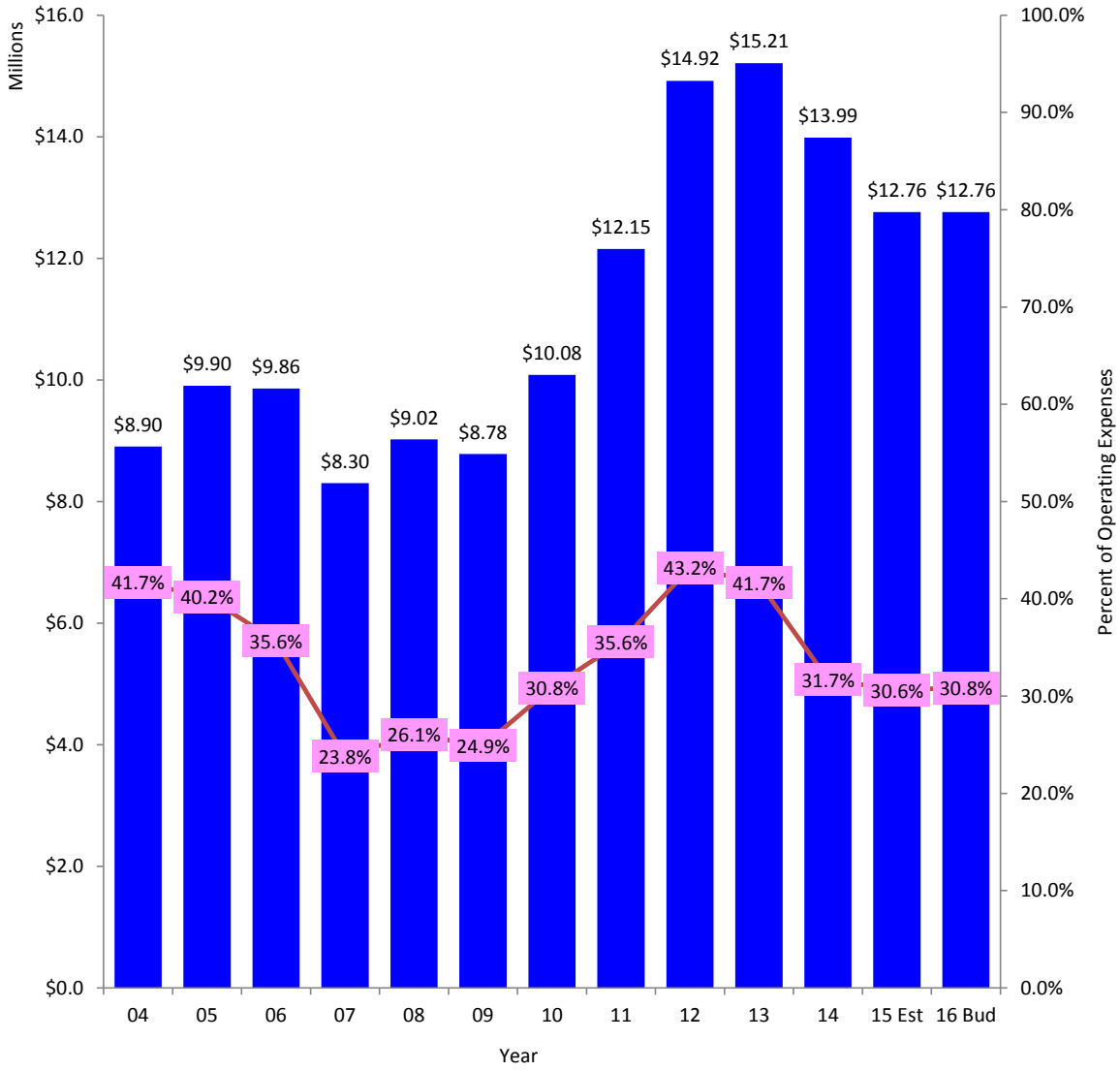


General Fund - Fund Balance

The amount of minimum reserves to be maintained in undesignated fund balance for General Fund is sixty (60) days (or 16.5%) of annual regular general fund operating expenditures. The General Fund designation requirement was approved by the Fayetteville City Council on November 5, 2002 with Resolution 174-2002 and currently amounts to $6,825,390.

General Fund

Ending Undesignated Fund Balance & % of Expense



City of Fayetteville, Arkansas
2016 Operating Budget
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Property Taxes	$ 1,686,883	$ 1,750,000	$ 1,719,000	$ 3,155,000
Sales Tax - County	12,199,153	12,269,000	12,691,000	12,945,000
Sales Tax - City	11,042,990	11,191,000	11,627,000	11,860,000
Alcoholic Beverage Taxes	609,510	606,000	610,000	609,000
Franchise Fees	5,819,517	5,774,000	5,880,800	5,905,000
Licenses & Permits	1,319,832	1,023,000	1,440,669	1,210,000
Intergovernmental	2,796,543	3,176,141	2,949,731	2,287,000
Charges for Services	1,655,949	1,671,198	1,590,106	1,586,000
Fines & Forfeitures	1,432,076	1,560,664	1,569,848	1,525,000
Investment Earnings	96,800	70,000	88,002	84,000
Other	3,526,461	291,161	273,149	200,000
Total Revenues	42,185,714	39,382,164	40,439,305	41,366,000
Expenses:				
General Government Activity	3,455,374	3,698,666	3,698,666	3,809,126
- Outside Agencies	719,458	740,695	740,695	1,010,826
- Salary Contingency	0	1,055,142	1,055,142	415,830
- Fayetteville Public Library	1,694,765	1,696,200	1,696,200	1,696,200
- Cost Reimbursements	(2,304,002)	(2,480,982)	(2,480,982)	(2,480,982)
Finance and Internal Services Activity	4,873,246	5,472,124	5,472,124	5,780,700
Police Activity	13,307,362	14,918,867	14,918,867	13,687,700
Fire Activity	10,210,489	9,935,276	9,935,276	10,926,700
Community Planning & Engineering	3,783,243	4,132,430	4,132,430	4,200,700
Parks and Recreation Activity	1,813,559	2,006,230	2,006,230	2,029,200
Transfer to Parks Development	0	40,000	40,000	0
Transfer to Water & Sewer	0	74,500	74,500	0
Transfer to Sales Tax Capital	2,713,706	124,872	124,872	0
Transfer to Parking Deck Project	3,660,758	0	0	0
Transfer to Shop	18,000	2,500	2,500	57,000
Transfer to Drug Grant	198,999	249,607	249,607	233,000
Total Expenses	44,144,957	41,666,127	41,666,127	41,366,000
Income / (Loss)	$ (1,959,243)	$ (2,283,963)	$ (1,226,822)	$ 0
Total Budget	$ 44,144,957	$ 41,666,127	$ 41,666,127	$ 41,366,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 15,210,378	$ 13,987,667	$ 13,987,667	$ 12,760,845
Income / (Loss)	(1,959,243)	(2,283,963)	(1,226,822)	0
Designated FB Change (Increase)	736,532	0	0	0
Ending Undesignated Fund Balance	$ 13,987,667	$ 11,703,704	$ 12,760,845	$ 12,760,845

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
General Government/Miscellaneous Activity:				
Mayor's Administration Program (0150):				
Personnel Services	$ 208,882	$ 206,182	$ 206,182	$ 217,742
Materials and Supplies	15,482	5,450	5,450	5,450
Services and Charges	35,704	51,268	51,268	55,708
Maintenance	0	100	100	100
	260,068	263,000	263,000	279,000
City Council Program (0160):				
Personnel Services	108,345	129,477	129,477	139,892
Materials and Supplies	154	625	625	414
Services and Charges	8,381	18,127	18,127	18,494
	116,880	148,229	148,229	158,800
City Attorney Program (0210):				
Personnel Services	279,887	295,688	295,688	305,588
Materials and Supplies	2,234	3,400	3,400	3,400
Services and Charges	12,643	20,012	20,012	20,012
	294,764	319,100	319,100	329,000
City Prosecutor Program (0310):				
Personnel Services	560,268	563,106	563,106	644,451
Materials and Supplies	10,843	9,220	9,220	16,043
Services and Charges	10,167	19,174	19,174	19,670
Maintenance	6,766	7,700	7,700	8,836
	588,044	599,200	599,200	689,000
District Judge Program (0400):				
Personnel Services	152,578	152,696	152,696	157,931
Materials and Supplies	6,167	13,882	13,882	50
Services and Charges	7,771	11,469	11,469	12,619
Maintenance	11,853	12,261	12,261	11,900
	178,369	190,308	190,308	182,500
Communications Program (0550):				
Personnel Services	216,924	216,724	216,724	277,724
Materials and Supplies	3,322	4,961	4,961	4,034
Services and Charges	6,033	7,115	7,115	8,042
	226,279	228,800	228,800	289,800

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Media Services Program (0600):				
Personnel Services	195,702	198,598	198,598	197,774
Materials and Supplies	2,146	7,577	7,577	7,960
Services and Charges	52,161	53,575	53,575	65,118
Motorpool Charges	0	1,242	1,242	1,423
Maintenance	2,120	3,625	3,625	12,725
	252,129	264,617	264,617	285,000
Chief of Staff Program (0700):				
Personnel Services	70,503	65,752	65,752	67,721
Materials and Supplies	3,550	5,375	5,375	5,475
Services and Charges	9,657	10,968	10,968	10,868
Motorpool Charges	2,675	8,605	8,605	8,136
	86,385	90,700	90,700	92,200
Internal Audit Program (1360):				
Personnel Services	29,355	86,000	86,000	94,500
Materials and Supplies	405	600	600	600
Services and Charges	700	3,200	3,200	3,200
	30,460	89,800	89,800	98,300
City Clerk/Treasurer Program (1510):				
Personnel Services	293,788	305,691	305,691	314,391
Materials and Supplies	9,093	13,750	13,750	11,350
Services and Charges	103,448	35,859	35,859	36,259
Maintenance	11,783	8,000	8,000	10,000
	418,112	363,300	363,300	372,000

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Criminal Cases Program (2010):				
Personnel Services	333,065	335,553	335,553	340,053
Materials and Supplies	3,949	7,732	7,732	7,732
Services and Charges	4,112	6,515	6,515	7,215
	341,126	349,800	349,800	355,000
Probation & Fine Collection Program (2020):				
Personnel Services	20,670	22,042	22,042	22,930
Materials and Supplies	103	350	350	350
Services and Charges	916	1,108	1,108	1,120
	21,689	23,500	23,500	24,400
Small Claims & Civil Cases Program (2030):				
Personnel Services	174,452	229,547	229,547	239,747
Materials and Supplies	2,307	3,600	3,600	3,600
Services and Charges	1,387	1,650	1,650	1,650
Maintenance	0	103	103	103
	178,146	234,900	234,900	245,100
Library Program (5240):				
Services and Charges	17,364	18,799	18,799	18,799
Transfers To Outside Entities	1,677,401	1,677,401	1,677,401	1,677,401
	1,694,765	1,696,200	1,696,200	1,696,200
Miscellaneous Program (6600):				
Personnel Services	0	1,055,142	1,055,142	415,830
Materials and Supplies	11,854	21,837	21,837	14,645
Services and Charges	418,231	474,270	474,270	347,331
Cost allocation	(2,304,002)	(2,480,982)	(2,480,982)	(2,480,982)
Maintenance	14,799	19,305	19,305	28,950
Transfers To Outside Entities	719,458	740,695	740,695	1,010,826
Capital	18,039	18,000	18,000	18,100
Operating Transfers Out	6,392,464	241,872	241,872	57,000
	5,270,843	90,139	90,139	(588,300)
Total General Government/Miscellaneous Activity:	$ 9,958,059	$ 4,951,593	$ 4,951,593	$ 4,508,000

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Finance & Internal Services Activity:				
Chief Financial Officer Program (1100):				
Personnel Services	$ 157,804	$ 158,158	$ 158,158	$ 161,344
Materials and Supplies	114	250	250	250
Services and Charges	3,494	3,906	3,906	3,906
	161,412	162,314	162,314	165,500
Human Resource Operations Program (1210):				
Personnel Services	361,438	354,354	354,354	355,559
Materials and Supplies	4,642	5,090	5,090	4,770
Services and Charges	4,110	13,129	13,129	12,421
Maintenance	0	150	150	150
	370,190	372,723	372,723	372,900
Employee Benefits/Services Program (1220):				
Personnel Services	407,796	500,924	500,924	499,400
Materials and Supplies	(18)	650	650	1,760
Services and Charges	137,337	159,496	159,496	286,213
Maintenance	38,331	44,007	44,007	48,627
	583,446	705,077	705,077	836,000
Accounting & Audit Program (1310):				
Personnel Services	735,432	740,186	740,186	768,236
Materials and Supplies	9,890	9,000	9,000	9,000
Services and Charges	26,432	27,814	27,814	39,864
Maintenance	494	1,000	1,000	1,000
	772,248	778,000	778,000	818,100
Budget & Information Management Program (1330):				
Personnel Services	275,996	270,690	270,690	324,156
Materials and Supplies	2,108	5,143	5,143	5,156
Services and Charges	3,383	5,837	5,837	7,088
Maintenance	20	2,430	2,430	2,100
	281,507	284,100	284,100	338,500
Utilities Management Program (1380):				
Personnel Services	155,019	160,878	160,878	91,600
Materials and Supplies	6,834	11,105	11,105	0
Services and Charges	260,649	309,028	309,028	165,000
Motorpool Charges	3,353	2,989	2,989	0
	425,855	484,000	484,000	256,600

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
General Maintenance Program (1410):				
Personnel Services	366,412	435,418	435,418	459,872
Materials and Supplies	8,925	10,453	10,453	11,228
Services and Charges	17,531	20,244	20,244	25,169
Motorpool Charges	12,521	11,974	11,974	11,020
Maintenance	16,757	25,011	25,011	25,011
	422,146	503,100	503,100	532,300
Janitorial Program (1420):				
Personnel Services	194,327	243,568	243,568	257,368
Materials and Supplies	9,817	13,549	13,549	11,749
Services and Charges	12,185	15,083	15,083	15,083
Maintenance	390	400	400	400
	216,719	272,600	272,600	284,600
Purchasing Program (1610):				
Personnel Services	240,577	240,236	240,236	246,636
Materials and Supplies	1,465	616	616	921
Services and Charges	20,079	21,248	21,248	20,943
	262,121	262,100	262,100	268,500
Information Technology Program (1710):				
Personnel Services	786,083	918,279	918,279	812,129
Materials and Supplies	31,489	49,462	49,462	40,000
Services and Charges	142,040	222,098	222,098	260,187
Motorpool Charges	3,659	4,088	4,088	6,951
Maintenance	414,331	454,183	454,183	413,233
	1,377,602	1,648,110	1,648,110	1,532,500
Geographic Information Systems Program (1720):				
Personnel Services	0	0	0	309,415
Materials and Supplies	0	0	0	3,500
Services and Charges	0	0	0	9,720
Maintenance	0	0	0	52,565
	0	0	0	375,200
Total Finance & Internal Services Activity:	$ 4,873,246	$ 5,472,124	$ 5,472,124	$ 5,780,700

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Police Activity:				
Central Dispatch Program (2600):				
Personnel Services	$ 1,232,472	$ 1,254,254	$ 1,254,254	$ 1,333,616
Materials and Supplies	9,795	8,990	8,990	9,190
Services and Charges	62,165	65,746	65,746	67,738
Motorpool Charges	9,474	9,836	9,836	9,198
Maintenance	27,758	34,574	34,574	45,658
Capital	0	70,706	70,706	0
	1,341,664	1,444,106	1,444,106	1,465,400
Police Support Services Program (2900):				
Personnel Services	2,293,669	2,299,888	2,299,888	2,257,110
Materials and Supplies	72,522	72,797	72,797	74,149
Services and Charges	437,112	534,249	534,249	531,244
Motorpool Charges	23,279	28,023	28,023	20,315
Maintenance	176,965	192,450	192,450	228,782
Operating Transfers Out	198,999	249,607	249,607	233,000
	3,202,546	3,377,014	3,377,014	3,344,600
Police Projects Program (2920):				
Personnel Services	329,627	193,011	193,011	0
Materials and Supplies	88,057	103,957	103,957	0
Services and Charges	97,937	134,146	134,146	0
Motorpool Charges	23,579	169,792	169,792	0
Maintenance	3,087	5,467	5,467	0
Transfers To Outside Entities	0	47,957	47,957	0
Capital	69,633	416,077	416,077	0
Contingency/Savings	0	531,661	531,661	0
	611,920	1,602,068	1,602,068	0
Police Patrol Program (2940):				
Personnel Services	7,292,261	7,560,474	7,560,474	8,015,975
Materials and Supplies	307,123	339,508	339,508	341,270
Services and Charges	219,488	255,194	255,194	216,096
Motorpool Charges	495,830	547,146	547,146	493,695
Maintenance	24,364	42,364	42,364	43,064
Capital	10,849	0	0	0
	8,349,915	8,744,686	8,744,686	9,110,100
Total Police Activity:	$ 13,506,045	$ 15,167,874	$ 15,167,874	$ 13,920,100

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Fire Activity:				
Fire Prevention Program (3010):				
Personnel Services	$ 469,423	$ 422,971	$ 422,971	$ 446,994
Materials and Supplies	32,666	36,687	36,687	36,587
Services and Charges	8,407	13,127	13,127	14,175
Motorpool Charges	54,537	47,467	47,467	47,344
Maintenance	701	0	0	0
	565,734	520,252	520,252	545,100
Fire Operations Program (3020):				
Personnel Services	8,274,551	8,079,802	8,079,802	8,967,086
Materials and Supplies	157,302	175,118	175,118	174,660
Services and Charges	592,291	464,187	464,187	499,234
Motorpool Charges	158,788	195,538	195,538	241,603
Maintenance	113,362	118,982	118,982	121,217
Capital	0	76,244	76,244	0
Contingency/Savings	0	1,775	1,775	80,000
	9,296,294	9,111,646	9,111,646	10,083,800
Fire Training Program (3030):				
Personnel Services	225,111	190,867	190,867	201,557
Materials and Supplies	8,820	12,134	12,134	10,934
Services and Charges	11,970	27,775	27,775	27,975
Motorpool Charges	15,814	21,824	21,824	23,834
	261,715	252,600	252,600	264,300
Fire Hazardous Materials Program (3040):				
Materials and Supplies	58,623	23,278	23,278	13,138
Services and Charges	14,936	13,539	13,539	8,039
Motorpool Charges	12,150	13,061	13,061	11,423
Maintenance	1,353	1,500	1,500	1,500
	87,062	51,378	51,378	34,100
Total Fire Activity:	$ 10,210,805	$ 9,935,876	$ 9,935,876	$ 10,927,300

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Community Planning & Engineering Activity:				
Animal Patrol/Emergency Response Program (2710):				
Personnel Services	$ 295,158	$ 293,173	$ 293,173	$ 305,391
Materials and Supplies	20,375	17,810	17,810	18,030
Services and Charges	11,407	10,618	10,618	10,631
Motorpool Charges	34,104	39,169	39,169	41,188
Maintenance	1,402	1,630	1,630	1,460
	362,446	362,400	362,400	376,700
Animal Shelter Program (2720):				
Personnel Services	275,216	297,957	297,957	291,022
Materials and Supplies	26,079	25,712	25,712	26,112
Services and Charges	50,922	51,875	51,875	53,510
Maintenance	5,179	10,656	10,656	11,156
	357,396	386,200	386,200	381,800
Veterinarian/Clinic Program (2730):				
Personnel Services	111,934	125,984	125,984	133,059
Materials and Supplies	65,806	65,837	65,837	65,837
Services and Charges	3,348	5,729	5,729	3,354
Maintenance	769	450	450	450
	181,857	198,000	198,000	202,700
Animal Services Projects Program (2740):				
Materials and Supplies	5,796	17,932	17,932	0
Services and Charges	0	2,943	2,943	0
Maintenance	3,923	95,204	95,204	0
	9,719	116,079	116,079	0
Development Services Director Program (6200):				
Personnel Services	216,187	226,434	226,434	245,734
Materials and Supplies	130	550	550	602
Services and Charges	537	1,316	1,316	1,264
	216,854	228,300	228,300	247,600

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Engineering Design Services Program (6210):				
Personnel Services	176,789	181,417	181,417	190,689
Materials and Supplies	13,162	16,748	16,748	12,867
Services and Charges	1,252	2,085	2,085	6,570
Motorpool Charges	4,915	4,566	4,566	4,394
Maintenance	592	357	357	80
	196,710	205,173	205,173	214,600
Engineering Operations & Administration Program (6220):				
Personnel Services	496,480	478,711	478,711	502,306
Materials and Supplies	6,764	5,311	5,311	5,301
Services and Charges	18,424	24,646	24,646	24,431
Motorpool Charges	3,740	3,407	3,407	4,912
Maintenance	1,036	204	204	150
	526,444	512,279	512,279	537,100
Engineering Land Acquisition Program (6230):				
Personnel Services	94,305	82,200	82,200	62,500
Materials and Supplies	457	970	970	800
Services and Charges	320	830	830	1,000
Maintenance	500	0	0	0
	95,582	84,000	84,000	64,300
Engineering Public Construction Program (6240):				
Personnel Services	228,713	291,032	291,032	283,585
Materials and Supplies	11,182	12,373	12,373	12,325
Services and Charges	1,584	3,085	3,085	3,085
Motorpool Charges	19,841	21,058	21,058	19,405
Maintenance	500	0	0	0
	261,820	327,548	327,548	318,400
City Planning Program (6300):				
Personnel Services	372,038	385,679	385,679	457,724
Materials and Supplies	9,866	16,056	16,056	17,265
Services and Charges	23,976	32,145	32,145	23,585
Motorpool Charges	7,260	6,071	6,071	7,276
Maintenance	2,085	350	350	350
	415,225	440,301	440,301	506,200
Planning Commission Program (6305):				
Personnel Services	42,388	43,652	43,652	43,605
Services and Charges	648	13,798	13,798	2,095
	43,036	57,450	57,450	45,700

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Sustainability & Resilience Program (6310):				
Personnel Services	217,919	225,758	225,758	233,558
Materials and Supplies	1,025	1,850	1,850	2,000
Services and Charges	16,084	9,792	9,792	8,542
Maintenance	9,849	9,500	9,500	9,600
	244,877	246,900	246,900	253,700
Building Safety Program (6400):				
Personnel Services	425,500	469,287	469,287	537,649
Materials and Supplies	11,479	18,803	18,803	17,406
Services and Charges	16,299	26,258	26,258	28,570
Motorpool Charges	18,811	20,737	20,737	20,075
Maintenance	5,381	1,615	1,615	700
	477,470	536,700	536,700	604,400
Code Compliance Program (6420):				
Personnel Services	355,147	374,242	374,242	390,580
Materials and Supplies	7,834	10,930	10,930	10,774
Services and Charges	17,073	33,667	33,667	31,523
Motorpool Charges	13,753	12,261	12,261	14,623
	393,807	431,100	431,100	447,500
Total Community Planning & Engineering Activity:	$ 3,783,243	$ 4,132,430	$ 4,132,430	$ 4,200,700

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
General Fund (1010)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Parks & Recreation Activity:				
Swimming Pool Program (5210):				
Personnel Services	$ 86,774	$ 103,600	$ 103,600	$ 104,338
Materials and Supplies	11,091	14,329	14,329	14,136
Services and Charges	20,595	19,130	19,130	19,130
Motorpool Charges	1,177	750	750	1,312
Maintenance	7,503	4,091	4,091	4,284
	127,140	141,900	141,900	143,200
Parks Administration/Recreation Programs Program (5220):				
Personnel Services	478,033	486,445	486,445	493,296
Materials and Supplies	84,204	84,932	84,932	84,801
Services and Charges	99,872	129,134	129,134	117,754
Motorpool Charges	6,834	9,700	9,700	9,649
	668,943	710,211	710,211	705,500
Lake Maintenance Program (5250):				
Personnel Services	7,554	8,327	8,327	7,817
Materials and Supplies	2,495	2,311	2,311	2,311
Services and Charges	71,168	72,400	72,400	73,079
Motorpool Charges	454	282	282	513
Maintenance	951	1,180	1,180	1,180
	82,622	84,500	84,500	84,900
Parks Maintenance Program (5260):				
Personnel Services	338,208	379,997	379,997	428,416
Materials and Supplies	86,871	77,750	77,750	71,520
Services and Charges	174,209	227,650	227,650	251,746
Motorpool Charges	79,303	77,862	77,862	72,797
Cost allocation	(6,153)	(6,988)	(6,988)	(5,270)
Maintenance	90,554	111,399	111,399	112,591
	762,992	867,670	867,670	931,800
Yvonne Richardson Community Center Program (5280):				
Personnel Services	116,572	121,362	121,362	125,605
Materials and Supplies	9,699	7,265	7,265	7,130
Services and Charges	43,021	69,239	69,239	26,588
Motorpool Charges	1,294	938	938	1,482
Maintenance	1,276	3,145	3,145	2,995
	171,862	201,949	201,949	163,800
Total Parks & Recreation Activity:	$ 1,813,559	$ 2,006,230	$ 2,006,230	$ 2,029,200
Total Fund	$ 44,144,957	$ 41,666,127	$ 41,666,127	$ 41,366,000

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Street Fund (2100)

The **Street Fund** is primarily financed by two turnback revenues received from the State of Arkansas and the turnback monies received from the County Road Millage Tax. These monies are utilized to maintain and repair City streets, rights-of-way, drainage, traffic control and maintenance, and City owned sidewalks.

Street Fund Revenues

Revenues for Street Fund are forty-nine percent motor fuel taxes collected by the State of Arkansas (state turnback) and returned to the City on a per capita basis. Projections for 2016 are based on the per capita rate of $65.00 from the State and calculated based on the 2010 census population of 73,580. The City also receives $1.3 million in State Turnback from the State's half cent per gallon tax.

The City also receives 80% of the road millage levied by the Quorum Court on real and personal property located within the City. The current 2016 county levy is 1.1 mil, with a maximum of 3.0 mil.

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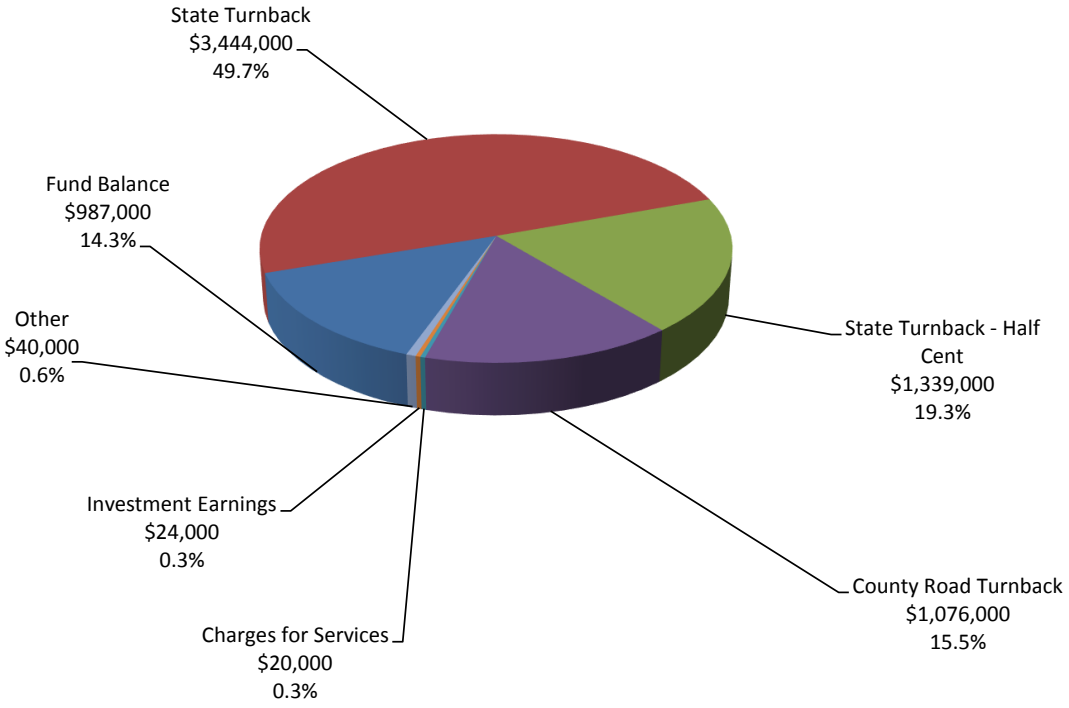
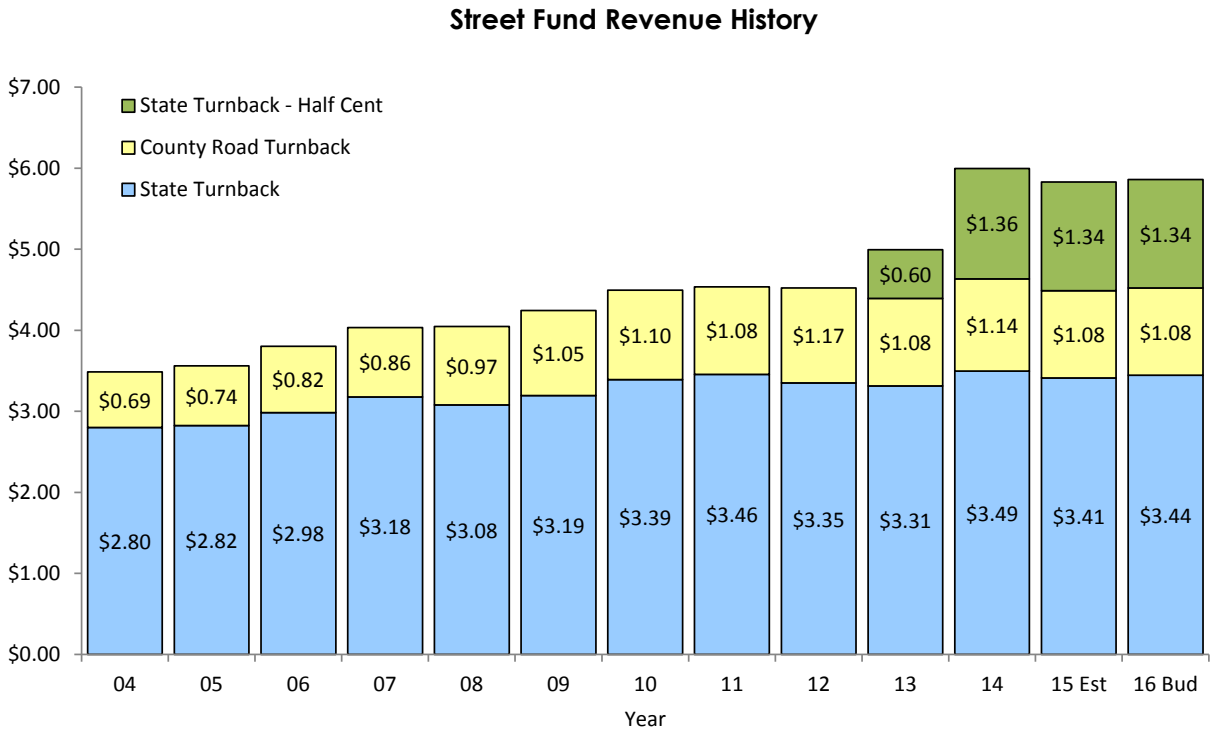
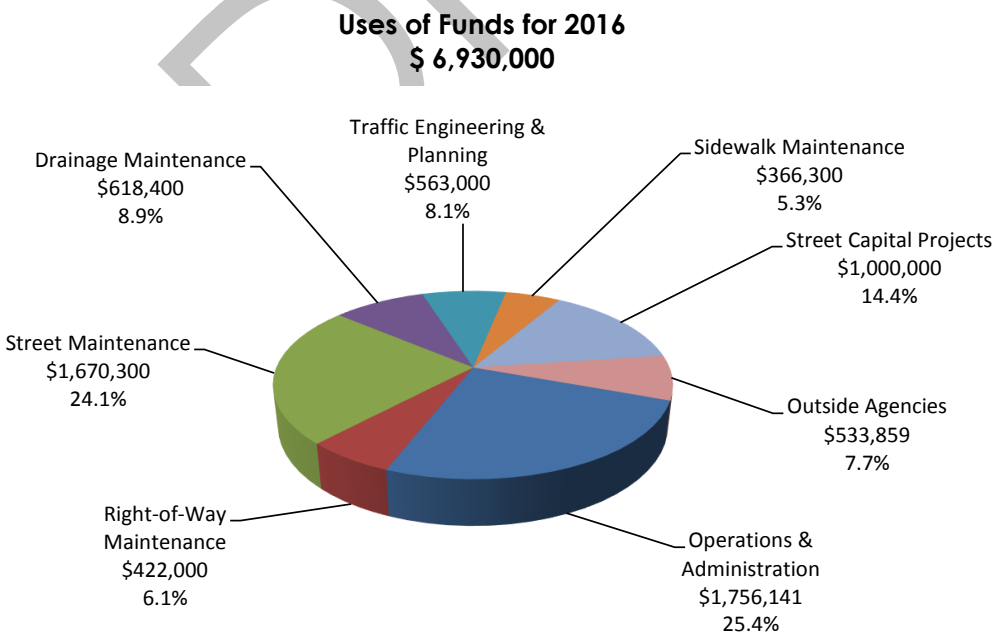
Sources of Funds for 2016
$ 6,930,000





Street Fund Expenses

The primary purpose of funds expended from the Street Fund relate to the maintenance, repair and construction of streets within the City of Fayetteville. Associated drainage maintenance activities as well as street sweeping are also programs supported by the Street Fund. There is $500,000 budgeted in sidewalk improvements in the street capital project as well as $500,000 for the Willow Bend Project.



City of Fayetteville, Arkansas
2016 Operating Budget
Street Fund (2100)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Intergovernmental (Grants)	$ 34,500	$ 0	$ 0	$ 0
State Turnback	3,494,994	3,464,000	3,412,400	3,444,000
State Turnback - Half Cent	1,362,674	1,349,000	1,339,000	1,339,000
County Road Turnback	1,138,805	1,072,000	1,076,100	1,076,000
Charges for Services	140,526	133,500	59,763	20,000
Investment Earnings	28,733	18,300	25,100	24,000
Other	32,097	39,168	40,472	40,000
Total Revenues	6,232,329	6,075,968	5,952,835	5,943,000
Expenses:				
Operations & Administration	1,534,233	1,906,866	1,906,866	1,756,141
Right-of-Way Maintenance	283,833	433,793	433,793	422,000
Street Maintenance	1,442,914	1,665,397	1,665,397	1,670,300
Drainage Maintenance	636,638	573,053	573,053	618,400
Traffic Engineering & Planning	581,209	597,867	597,867	563,000
Sidewalk Maintenance	315,844	317,759	317,759	366,300
Street Capital Projects	650,855	2,041,144	2,041,144	1,000,000
Outside Agencies	458,694	513,759	513,759	533,859
Transfer to Shop	12,000	0	0	0
Total Expenses	5,916,220	8,049,638	8,049,638	6,930,000
Income / (Loss)	$ 316,109	$ (1,973,670)	$ (2,096,803)	$ (987,000)
Total Budget	$ 5,916,220	$ 8,049,638	$ 8,049,638	$ 6,930,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 3,597,837	$ 3,913,946	$ 3,913,946	$ 1,817,143
Income / (Loss)	316,109	(1,973,670)	(2,096,803)	(987,000)
Ending Undesignated Fund Balance	$ 3,913,946	$ 1,940,276	$ 1,817,143	$ 830,143

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Street Fund (2100)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Transportation Services Activity:				
Operations & Administration Program (4100):				
Personnel Services	$ 584,235	$ 858,284	$ 858,284	$ 714,341
Materials and Supplies	33,326	38,488	38,488	39,688
Services and Charges	787,608	909,892	909,892	902,929
Motorpool Charges	10,513	13,868	13,868	19,878
Cost allocation	39,835	42,828	42,828	42,828
Maintenance	78,716	36,006	36,006	36,477
Transfers To Outside Entities	458,694	513,759	513,759	533,859
Capital	0	7,500	7,500	0
	1,992,927	2,420,625	2,420,625	2,290,000
Right-of-Way Maintenance Program (4110):				
Personnel Services	169,670	286,632	286,632	271,714
Materials and Supplies	24,447	40,277	40,277	42,277
Services and Charges	36	1,500	1,500	0
Motorpool Charges	89,359	103,484	103,484	106,109
Maintenance	321	1,900	1,900	1,900
	283,833	433,793	433,793	422,000
Street Maintenance Program (4120):				
Personnel Services	793,688	752,523	752,523	745,784
Materials and Supplies	314,284	326,510	326,510	307,137
Services and Charges	6,283	500	500	1,500
Motorpool Charges	950,686	1,108,664	1,108,664	1,137,134
Cost allocation	(657,997)	(536,764)	(536,764)	(535,219)
Maintenance	35,970	13,964	13,964	13,964
Operating Transfers Out	12,000	0	0	0
	1,454,914	1,665,397	1,665,397	1,670,300
Drainage Maintenance Program (4130):				
Personnel Services	400,674	324,072	324,072	350,362
Materials and Supplies	91,931	96,230	96,230	112,429
Services and Charges	2,473	6,750	6,750	4,750
Motorpool Charges	137,246	144,127	144,127	148,985
Maintenance	4,314	1,874	1,874	1,874
	636,638	573,053	573,053	618,400

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Street Fund (2100)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Traffic Engineering & Planning Program (5315):				
Personnel Services	389,550	326,638	326,638	303,010
Materials and Supplies	105,612	120,394	120,394	115,435
Services and Charges	1,877	2,000	2,000	2,000
Motorpool Charges	52,908	56,567	56,567	60,755
Maintenance	31,262	92,268	92,268	81,800
	581,209	597,867	597,867	563,000
Street Capital Projects Program (5500):				
Materials and Supplies	0	4,388	4,388	0
Services and Charges	0	431,270	431,270	0
Cost allocation	0	16,687	16,687	0
Maintenance	280,763	277,237	277,237	0
Capital	370,092	1,311,562	1,311,562	1,000,000
	650,855	2,041,144	2,041,144	1,000,000
Trail Construction Program (5520):				
Materials and Supplies	51,200	54,810	54,810	54,810
Motorpool Charges	185,106	186,608	186,608	225,505
Cost allocation	(236,306)	(241,418)	(241,418)	(280,315)
	0	0	0	0
Sidewalks Program (5530):				
Personnel Services	196,320	200,120	200,120	176,184
Materials and Supplies	27,196	30,762	30,762	59,762
Services and Charges	316	0	0	0
Motorpool Charges	106,385	97,564	97,564	145,041
Cost allocation	(18,295)	(16,687)	(16,687)	(16,687)
Maintenance	3,922	6,000	6,000	2,000
	315,844	317,759	317,759	366,300
Total Transportation Services Activity:	$ 5,916,220	$ 8,049,638	$ 8,049,638	$ 6,930,000
Total Fund	$ 5,916,220	$ 8,049,638	$ 8,049,638	$ 6,930,000

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Parking Fund (2130)

The **Parking Fund** accounts for funds received from meter revenues and parking lot rentals. Expenses for the maintenance and operation of parking lots and parking spaces are paid from this fund.

The Parking Fund is also used to pay debt service for the 2012 Parking Improvements Revenue Bond Issue. Payments for contractual services provided to the City by The Walton Arts Center are also made from the Parking Fund.

For 2016, this fund is expected to have an increase in fund balance of $102,000 based on a 20% increase in parking revenue generated by the new parking deck.

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City of Fayetteville, Arkansas
2016 Operating Budget
Parking Fund (2130)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Downtown District Parking Revenue	$ 538,111	$ 531,850	$ 575,525	$ 569,980
Entertainment District Parking Revenue	1,040,156	1,029,460	941,050	1,145,120
Investment Earnings	4,536	3,600	2,326	1,800
Other	(1,574)	1,090	465	1,100
Total Revenues	1,581,229	1,566,000	1,519,366	1,718,000
Expenses:				
Downtown District Parking	464,072	533,328	533,328	563,757
Entertainment District Parking	245,906	288,015	288,015	291,543
Spring Street Municipal Parking Deck	50,392	100,107	100,107	80,410
Transfer to Walton Arts Center	250,000	250,000	250,000	250,000
Principal Payment	143,722	97,424	97,424	0
Interest Expense	3,510	733	733	0
Parking Lot Improvements	18,445	97,582	97,582	70,000
Transfer to Parking Deck Bond	299,148	315,027	315,027	360,290
Transfer to Parking Deck Project	134,558	100,000	100,000	0
Total Expenses	1,609,753	1,782,216	1,782,216	1,616,000
Income / (Loss)	$ (28,524)	$ (216,216)	$ (262,850)	$ 102,000
Total Budget	$ 1,609,753	$ 1,782,216	$ 1,782,216	$ 1,616,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 271,002	$ 386,200	$ 386,200	$ 220,774
Income / (Loss)	(28,524)	(216,216)	(262,850)	102,000
Reduction of Interfund Loan Liability	143,722	97,424	97,424	0
Ending Undesignated Fund Balance	$ 386,200	$ 267,408	$ 220,774	$ 322,774

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Parking Fund (2130)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Transportation Services Activity:				
Off-Street Parking Program (9130):				
Personnel Services	$ 254,211	$ 263,892	$ 263,892	$ 269,237
Materials and Supplies	23,637	38,506	38,506	49,105
Services and Charges	82,975	74,018	74,018	80,423
Motorpool Charges	3,512	3,398	3,398	3,068
Cost allocation	0	8,364	8,364	8,364
Maintenance	35,548	49,150	49,150	52,125
Transfers To Outside Entities	64,189	96,000	96,000	101,435
Capital	18,445	97,582	97,582	70,000
	482,517	630,910	630,910	633,757
Entertainment District Parking Program (9131):				
Personnel Services	121,525	149,848	149,848	150,949
Materials and Supplies	11,089	9,838	9,838	10,938
Services and Charges	85,359	90,440	90,440	114,411
Motorpool Charges	6,048	6,740	6,740	4,601
Maintenance	21,885	31,149	31,149	10,644
Debt Service	147,232	98,157	98,157	0
Transfers To Outside Entities	250,000	250,000	250,000	250,000
Operating Transfers Out	433,706	415,027	415,027	0
	1,076,844	1,051,199	1,051,199	541,543
Spring Street Municipal Parking Deck Program (9132):				
Personnel Services	0	0	0	27,230
Services and Charges	50,392	100,107	100,107	51,120
Maintenance	0	0	0	2,060
Operating Transfers Out	0	0	0	360,290
	50,392	100,107	100,107	440,700
Total Transportation Services Activity:	$ 1,609,753	$ 1,782,216	$ 1,782,216	$ 1,616,000
Total Fund	$ 1,609,753	$ 1,782,216	$ 1,782,216	$ 1,616,000

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Community Development Block Grant Fund (2180)

The **Community Development Block Grant Fund** accounts for the community development grant funds received from the Federal Department of Housing and Urban Development. Amounts budgeted for 2015 represent the remaining portion of the 2015 entitlement expected to carry forward into the 2016 budget.

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City of Fayetteville, Arkansas
2016 Operating Budget
Community Development Block Grant Fund (2180)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Community Development Grant Funding	$ 576,790	$ 1,229,960	$ 1,229,960	$ 556,000
Other	7,467	1,697	1,697	0
CDBG Program Income	32,912	19,213	18,252	0
Total Revenues	617,169	1,250,870	1,249,909	556,000
Expenses:				
Administration & Planning	73,901	183,220	183,220	76,900
Housing Services	393,222	835,741	835,741	283,200
Redevelopment	44,717	155,969	155,969	54,400
Public Service	56,069	52,786	52,786	61,500
Public Facilities & Improvements	29,550	47,311	47,311	80,000
Total Expenses	597,459	1,275,027	1,275,027	556,000
Income / (Loss)	$ 19,710	$ (24,157)	$ (25,118)	$ 0
Total Budget	$ 597,459	$ 1,275,027	$ 1,275,027	$ 556,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 5,408	$ 25,118	$ 25,118	$ 0
Income / (Loss)	19,710	(24,157)	(25,118)	0
Ending Undesignated Fund Balance	$ 25,118	$ 961	$ 0	$ 0

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Community Development Block Grant Fund (2180)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Community Planning & Engineering Activity:				
Administration & Planning Program (4930):				
Personnel Services	$ 63,512	$ 68,309	$ 68,309	$ 64,830
Materials and Supplies	100	10,883	10,883	3,491
Other Services & Charges	10,289	104,028	104,028	8,579
	73,901	183,220	183,220	76,900
Housing Services Program (4940):				
Personnel Services	74,610	82,891	82,891	68,043
Materials and Supplies	6,566	9,993	9,993	3,428
Other Services & Charges	309,107	740,725	740,725	209,828
Motorpool Charges	2,939	2,132	2,132	1,901
	393,222	835,741	835,741	283,200
Redevelopment Program (4945):				
Personnel Services	18,625	62,947	62,947	46,281
Materials and Supplies	8,030	31,836	31,836	1,820
Other Services & Charges	13,819	56,301	56,301	702
Motorpool Charges	4,243	4,885	4,885	5,597
	44,717	155,969	155,969	54,400
Public Services Program (4970):				
Other Services & Charges	56,069	52,786	52,786	61,500
	56,069	52,786	52,786	61,500
Public Facilities & Improvements Program (4990):				
Other Services & Charges	29,550	47,311	47,311	80,000
	29,550	47,311	47,311	80,000
Total Community Planning & Engineering Activity:	$ 597,459	$ 1,275,027	$ 1,275,027	$ 556,000
Total Fund	$ 597,459	$ 1,275,027	$ 1,275,027	$ 556,000

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Special State Grants Fund (2230)

The **Special State Grants Fund** accounts for new grants which represent new grant programs funded by the State and will be budgeted and accounted for in this fund.

In 2013, a grant was received from the National Endowment of the Arts for a streetscape design project on School Avenue.

Draft

City of Fayetteville, Arkansas
2016 Operating Budget
Special State Grants Fund (2230)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Intergovernmental (Grants)	$ 65,946	$ 34,054	$ 34,054	$ 0
Total Revenues	65,946	34,054	34,054	0
Expenses:				
NEA School Street Grant	65,946	34,054	34,054	0
Total Expenses	65,946	34,054	34,054	0
Income / (Loss)	$ 0	$ 0	$ 0	$ 0
Total Budget	$ 65,946	$ 34,054	$ 34,054	$ 0

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 0	$ 0	$ 0	$ 0
Income / (Loss)	0	0	0	0
Ending Undesignated Fund Balance	$ 0	$ 0	$ 0	$ 0

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Special State Grants Fund (2230)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
NEA School Street Grant Program (8002):				
Services and Charges	$ 65,946	$ 34,054	$ 34,054	$ 0
	65,946	34,054	34,054	0
Total Citywide Activity:	$ 65,946	$ 34,054	$ 34,054	$ 0
Total Fund	$ 65,946	$ 34,054	$ 34,054	$ 0

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Energy Block Grant Fund (2240)

The **Energy Block Grant Fund** was received from the United States Department of Energy as part of the American Recovery and Reinvestment Act. These funds were used to develop several greenhouse gas (GHG) reduction projects. The only project that is currently active is the Community Revolving Loan Fund, which loaned money to three local non-profit organizations to complete energy conservation retrofits on their facilities. The non-profits are repaying these loans over a 10 year period. When the loans mature in 2022, the City may use the repaid funds for energy conservation or renewable energy projects on city facilities.

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City of Fayetteville, Arkansas
2016 Operating Budget
Energy Block Grant Fund (2240)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Investment Earnings	$ 1,694	$ 1,400	$ 1,367	$ 1,400
Other	20,788	20,600	20,739	20,600
Total Revenues	22,482	22,000	22,106	22,000
Expenses:				
Energy Block Grant	0	0	0	0
Total Expenses	0	0	0	0
Income / (Loss)	$ 22,482	$ 22,000	$ 22,106	$ 22,000
Total Budget	$ 0	$ 0	$ 0	$ 0

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 40,120	$ 62,602	$ 62,602	$ 84,708
Income / (Loss)	22,482	22,000	22,106	22,000
Ending Undesignated Fund Balance	$ 62,602	$ 84,602	$ 84,708	$ 106,708

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Energy Block Grant Fund (2240)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Energy Block Grant Program (9240):				
Materials and Supplies	$ 0	$ 0	$ 0	$ 0
	0	0	0	0
Total Fund	$ 0	$ 0	$ 0	$ 0

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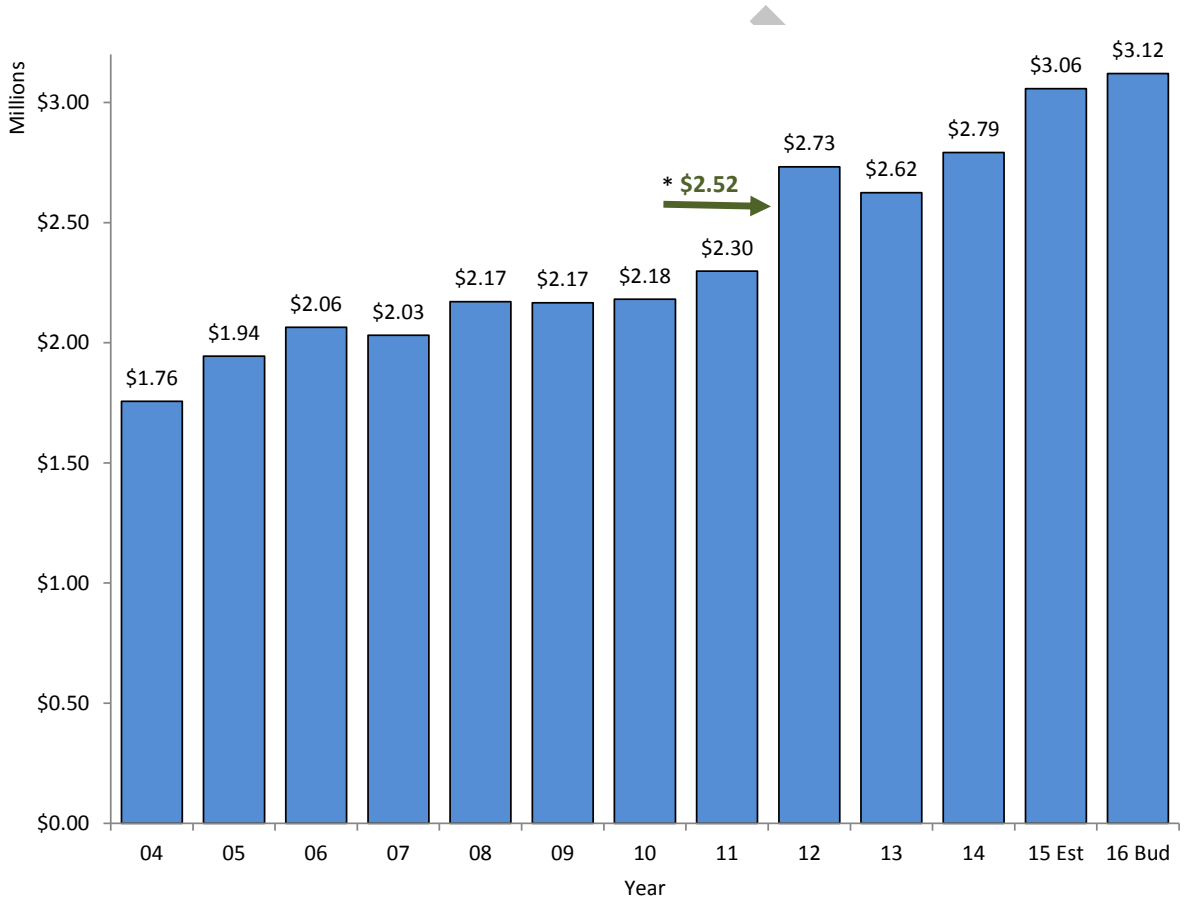
Parks Development Fund (2250)

The **Parks Development Fund** accounts for the revenue and expenditures of the Parks HMR tax approved by the voters in 1995. The $3.2 million in planned expenditures for 2016 includes $879,000 in capital improvements.

In 2010, a Citywide referendum was held and voters approved the use of these funds for capital projects and maintenance activities. The use of Park Development Funds for promotional activities is no longer permitted.

The HMR tax revenues are expected to grow approximately 2% in 2016 compared to estimated 2015.

Parks Development Fund
Hotel-Motel-Restaurant (HMR) Tax Revenue



* Actual collections for the 12 month period were $2,521,145. The amount of $2,732,283 is due to a one time change in account recognition basis used for the production of the 2012 financial statements. This resulted in the recognition of one extra month's collection of revenue in 2012.

City of Fayetteville, Arkansas
2016 Operating Budget
Parks Development Fund (2250)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Hotel, Motel, and Restaurant Taxes	$ 2,792,133	$ 2,749,000	$ 3,057,000	$ 3,120,000
Intergovernmental	0	50,000	50,000	0
Charges for Services	8,097	66,000	74,000	74,000
Greenspace Fees Contribution	467,059	706,357	706,355	0
Investment Earnings	50,913	24,000	42,500	36,000
Other	12,095	151,000	151,000	21,000
Transfer from General	0	40,000	40,000	0
Total Revenues	3,330,297	3,786,357	4,120,855	3,251,000
Expenses:				
Parks Development Program	1,771,911	2,084,500	1,936,828	2,186,000
Parks Development Capital	1,574,578	6,171,445	6,171,445	879,000
Parks Development Greenspace Capital	467,059	706,355	706,355	0
Transfer to Shop	0	0	0	90,000
Total Expenses	3,813,548	8,962,300	8,814,628	3,155,000
Income / (Loss)	$ (483,251)	$ (5,175,943)	$ (4,693,773)	$ 96,000
Total Budget	$ 3,813,548	$ 8,962,300	$ 8,814,628	$ 3,155,000

FUND BALANCE ANALYSIS				
Beginning Designated Fund Balance	$ 6,124,823	$ 5,641,572	$ 5,641,572	$ 947,799
Income / (Loss)	(483,251)	(5,175,943)	(4,693,773)	96,000
Ending Designated Fund Balance	$ 5,641,572	$ 465,629	$ 947,799	$ 1,043,799

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Parks Development Fund (2250)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Parks & Recreation Activity:				
Parks Development Program (9250):				
Personnel Services	$ 1,295,877	$ 1,562,983	$ 1,421,178	$ 1,636,294
Materials and Supplies	55,989	69,897	64,030	73,553
Services and Charges	72,635	78,290	78,290	87,064
Motorpool Charges	242,527	245,282	245,282	254,541
Cost allocation	87,948	94,548	94,548	94,548
Maintenance	16,935	20,000	20,000	20,000
Contingency/Savings	0	13,500	13,500	20,000
Operating Transfers	0	0	0	90,000
	1,771,911	2,084,500	1,936,828	2,276,000
Parks Development Capital Program (9255):				
Materials and Supplies	6,703	72,670	72,670	0
Services and Charges	856,108	198,100	198,100	0
Maintenance	12,548	9,670	9,670	0
Capital	699,219	5,891,005	5,891,005	879,000
	1,574,578	6,171,445	6,171,445	879,000
Parks Development Capital Greenspace Program (9256):				
Materials and Supplies	21,086	0	0	0
Services and Charges	445,852	0	0	0
Maintenance	121	0	0	0
Capital	0	706,355	706,355	0
	467,059	706,355	706,355	0
Total Parks & Recreation Activity:	$ 3,813,548	$ 8,962,300	$ 8,814,628	$ 3,155,000
Total Fund	$ 3,813,548	$ 8,962,300	$ 8,814,628	$ 3,155,000

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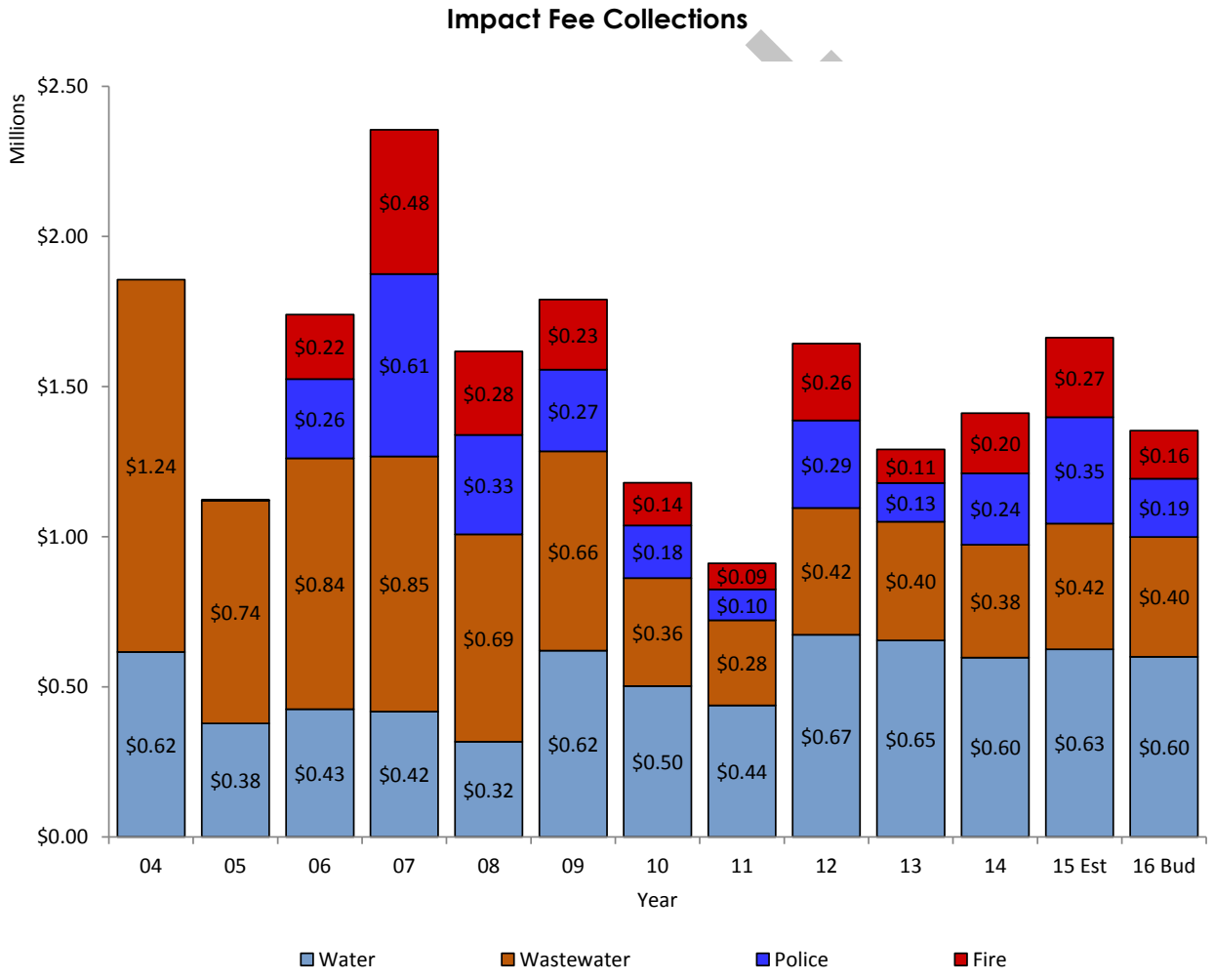
Impact Fee Fund (2300)

The **Impact Fee Fund** accounts for the revenues and expenditures related to the collection of the water, wastewater, police, and fire impact fees. The intent of impact fee requirements is to ensure new developments bear a proportionate share of the cost of capacity improvements and ensure that the proportional share does not exceed the costs of the demand for additional capacity that is reasonably attributable to providing these services and facilities to the use and occupancy of the new developments. Impact fees are expected to decline in 2016 as new construction is expected to falloff compared to 2015.

Special purchases from this fund in 2016 include a new fire truck to accommodate the new fire company being added in this budget as well as various vehicles and equipment needed for the new police officers also added in this budget.



City of Fayetteville, Arkansas
2016 Operating Budget
Impact Fee Fund (2300)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Water Impact Fee	$ 597,669	$ 492,800	$ 625,000	$ 600,000
Wastewater Impact Fee	375,360	382,000	419,000	399,000
Police Impact Fee	238,101	86,800	354,000	194,000
Fire Impact Fee	200,014	77,000	265,000	160,000
Investment Earnings	52,835	31,400	48,200	47,000
Total Revenues	1,463,979	1,070,000	1,711,200	1,400,000
Expenses:				
Wastewater Improvements	0	287,000	287,000	0
Police Improvements	0	201,140	201,140	92,000
Fire Improvements	0	282,838	282,838	644,000
Transfer to Water & Sewer	1,650,000	2,848,287	2,848,287	900,000
Transfer to Sales Tax Capital	0	78,569	78,569	0
Transfer to Shop	0	0	0	105,000
Total Expenses	1,650,000	3,697,834	3,697,834	1,741,000
Income / (Loss)	$ (186,021)	$ (2,627,834)	$ (1,986,634)	$ (341,000)
Total Budget	$ 1,650,000	$ 3,697,834	$ 3,697,834	$ 1,741,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 6,381,795	$ 6,195,774	$ 6,195,774	$ 4,209,140
Income / (Loss)	(186,021)	(2,627,834)	(1,986,634)	(341,000)
Ending Undesignated Fund Balance	$ 6,195,774	$ 3,567,940	$ 4,209,140	$ 3,868,140

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Impact Fee Fund (2300)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Impact Fee Expense Program (9300):				
Materials and Supplies	$ 0	$ 813	$ 813	$ 0
Capital	0	770,165	770,165	736,000
Operating Transfers	1,650,000	2,926,856	2,926,856	1,005,000
	1,650,000	3,697,834	3,697,834	1,741,000
Total Citywide Activity:	$ 1,650,000	$ 3,697,834	$ 3,697,834	$ 1,741,000
Total Fund	$ 1,650,000	$ 3,697,834	$ 3,697,834	$ 1,741,000

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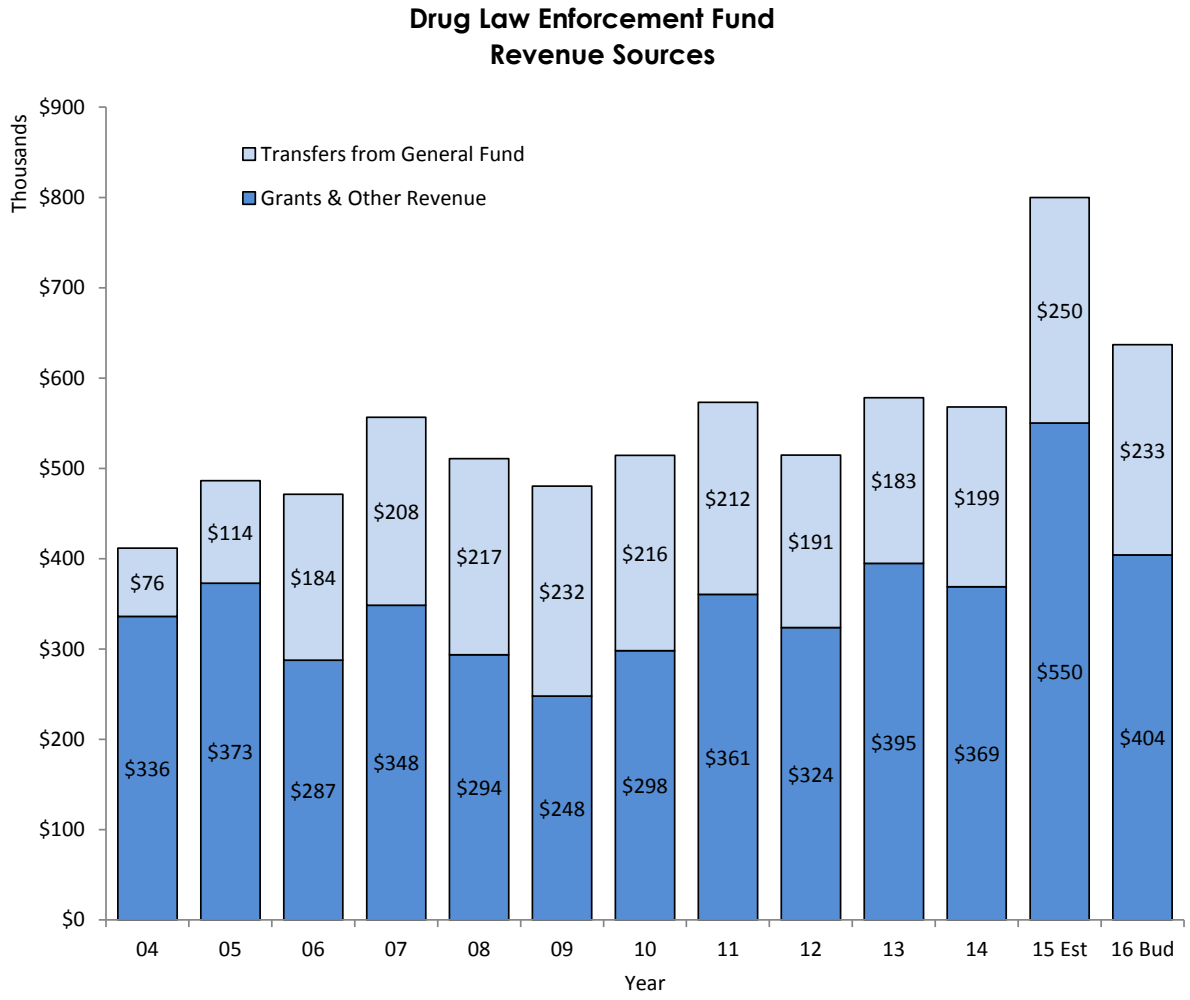
Drug Law Enforcement Fund (2930)

The **Drug Law Enforcement Fund** accounts for drug law enforcement grant funds received from the U.S. Department of Justice, passed through the State of Arkansas, in association with Washington County; the Cities of Springdale, Prairie Grove, Lincoln, Elm Springs, Farmington, Greenland, Goshen, Johnson, Elkins, and West Fork; and the Fourth Judicial Prosecuting Attorney.



City of Fayetteville, Arkansas
2016 Operating Budget
Drug Law Enforcement Fund (2930)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Drug Enforcement Grant	$ 347,208	$ 504,863	$ 523,414	$ 402,000
Charges for Services	0	2,000	2,000	2,000
Fines & Forfeitures	21,635	8,800	24,150	0
Other	172	0	671	0
Transfer from General	198,999	249,607	249,607	233,000
Total Revenues	568,014	765,270	799,842	637,000
Expenses:				
Drug Enforcement	559,806	799,842	799,842	637,000
Total Expenses	559,806	799,842	799,842	637,000
Income / (Loss)	$ 8,208	$ (34,572)	$ 0	$ 0
Total Budget	$ 559,806	$ 799,842	$ 799,842	$ 637,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 298,404	$ 306,612	$ 306,612	$ 306,612
Income / (Loss)	8,208	(34,572)	0	0
Ending Undesignated Fund Balance	$ 306,612	$ 272,040	$ 306,612	$ 306,612

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Drug Law Enforcement Fund (2930)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Police Activity:				
Drug Enforcement Program (2960):				
Personnel Services	$ 308,623	$ 462,198	$ 462,198	$ 394,141
Materials and Supplies	3,924	2,735	2,735	0
Services and Charges	214,434	317,334	317,334	242,859
Capital	32,825	17,575	17,575	0
	559,806	799,842	799,842	637,000
Total Police Activity:	$ 559,806	$ 799,842	$ 799,842	$ 637,000
Total Fund	$ 559,806	$ 799,842	$ 799,842	$ 637,000

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TIF Bond Fund (3370)

The **Tax Increment Financing (TIF) Bond Fund** accounts for the accumulation of resources for and the payment of bond debt incurred for TIF capital project expenditures.

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City of Fayetteville, Arkansas
2016 Operating Budget
TIF Bond Fund (3370)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Property Taxes	$ 129,381	$ 141,000	$ 131,300	$ 132,000
Investment Earnings	8	0	2	0
Total Revenues	129,389	141,000	131,302	132,000
Expenses:				
Principal Payment	65,000	73,801	70,000	70,000
Interest Expense	49,017	60,899	60,899	69,552
Professional Services	333	2,300	2,100	2,448
Paying Agent Fees	3,850	4,000	3,850	4,000
Total Expenses	118,200	141,000	136,849	146,000
Income / (Loss)	$ 11,189	$ 0	$ (5,547)	$ (14,000)
Total Budget	$ 118,200	$ 141,000	$ 136,849	$ 146,000

FUND BALANCE ANALYSIS				
Beginning Designated Fund Balance	$ 134,428	$ 145,617	$ 145,617	$ 140,070
Income / (Loss)	11,189	0	(5,547)	(14,000)
Ending Designated Fund Balance	$ 145,617	$ 145,617	$ 140,070	$ 126,070

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
TIF Bond Fund (3370)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
TIF Bonds Expense Program (9370):				
Services and Charges	$ 333	$ 2,300	$ 2,100	$ 2,448
Debt Service	117,867	138,700	134,749	143,552
	118,200	141,000	136,849	146,000
Total Citywide Activity:	$ 118,200	$ 141,000	$ 136,849	$ 146,000
Total Fund	$ 118,200	$ 141,000	$ 136,849	$ 146,000

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Parking Deck Bond Fund (3380)

The **Parking Deck Bond Fund** accounts for the accumulation of resources and the payment of bond debt incurred for the City's new municipal parking deck facility.

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City of Fayetteville, Arkansas
2016 Operating Budget
Parking Deck Bond Fund (3380)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Interest Income	$ 31	$ 0	$ 21	$ 10
Transfer from Parking	299,148	300,000	315,026	360,290
Total Revenues	299,179	300,000	315,047	360,300
Expenses:				
Principal Payment	120,000	120,000	120,000	150,000
Interest Expense	179,703	180,000	180,000	176,000
Total Expenses	299,703	300,000	300,000	326,000
Income / (Loss)	$ (524)	$ 0	$ 15,047	$ 34,300
Total Budget	$ 299,703	$ 300,000	$ 300,000	$ 326,000

FUND BALANCE ANALYSIS				
Beginning Designated Fund Balance	$ 277,144	$ 276,620	$ 276,620	$ 291,667
Income / (Loss)	(524)	0	15,047	34,300
Ending Designated Fund Balance	$ 276,620	$ 276,620	$ 291,667	$ 325,967

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Parking Deck Bond Fund (3380)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Parking Deck Bond Expense Program (9380):				
Debt Service	$ 299,703	$ 300,000	$ 300,000	$ 326,000
	299,703	300,000	300,000	326,000
Total Citywide Activity:	$ 299,703	$ 300,000	$ 300,000	$ 326,000
Total Fund	$ 299,703	$ 300,000	$ 300,000	$ 326,000

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HMR 2014 Bond Debt Service Fund (3390)

The **HMR 2014 Tax Bond Debt Service Fund** accounts for the amount dedicated to principal and interest payments required to service the 2014 HMR Bond Issue.

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City of Fayetteville, Arkansas
2016 Operating Budget
HMR 2014 Bond Debt Service Fund (3390)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Contribution from Advertising/Promotion	$ 62,213	$ 690,000	$ 741,710	$ 706,000
Transfer from Town Center	56,093	0	0	0
Investment Earnings	0	0	10	0
Proceeds from Bond Sales	681,600	0	0	0
Total Revenues	799,906	690,000	741,720	706,000
Expenses:				
Principal Payment	650,000	295,000	295,000	300,000
Interest Expense	5,192	364,875	364,875	399,512
Paying Agent Fees	0	15,125	15,125	6,488
Bond Issuance Cost	82,272	15,000	15,000	0
Total Expenses	737,464	690,000	690,000	706,000
Income / (Loss)	$ 62,442	$ 0	$ 51,720	$ 0
Total Budget	$ 737,464	$ 690,000	$ 690,000	$ 706,000

FUND BALANCE ANALYSIS				
Beginning Designated Fund Balance	$ 0	$ 62,442	$ 62,442	$ 114,162
Income / (Loss)	62,442	0	51,720	0
Ending Designated Fund Balance	$ 62,442	$ 62,442	$ 114,162	$ 114,162

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
HMR 2014 Bond Debt Service Fund (3390)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
HMR 2014 Bond Debt Service Expense Program (9390):				
Debt Service	$ 737,464	$ 690,000	$ 690,000	$ 706,000
	737,464	690,000	690,000	706,000
Total Citywide Activity:	$ 737,464	$ 690,000	$ 690,000	$ 706,000
Total Fund	$ 737,464	$ 690,000	$ 690,000	$ 706,000

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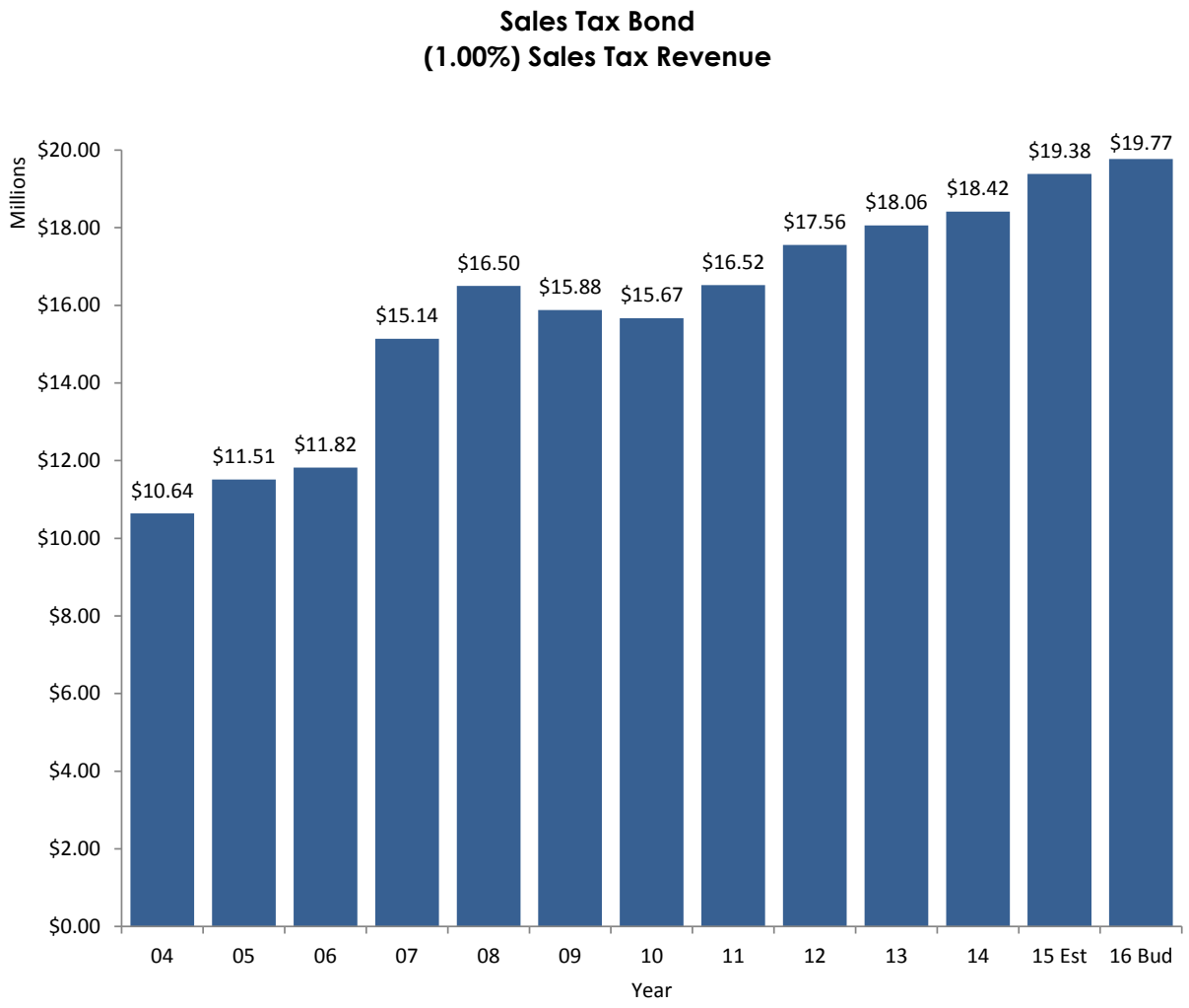
Sales Tax Bond Fund (3440)

The **Sales Tax Bond Fund** accounts for the accumulation of resources and the payment of bond debt incurred for the City's streets and trail system.



City of Fayetteville, Arkansas
2016 Operating Budget
Sales Tax Bond Fund (3440)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Sales Tax - City	$ 18,416,342	$ 18,626,000	$ 19,384,000	$ 19,771,000
Investment Earnings	424	0	600	0
Transfer from Sales Tax Construction	0	0	2	0
Total Revenues	18,416,766	18,626,000	19,384,602	19,771,000
Expenses:				
Principal Payment	16,588,056	14,954,283	14,954,283	16,564,199
Interest Expense	3,725,467	3,660,317	3,660,317	3,195,401
Professional Services	1,333	2,100	2,100	1,400
Paying Agent Fees	12,543	10,000	10,000	10,000
Total Expenses	20,327,399	18,626,700	18,626,700	19,771,000
Income / (Loss)	$ (1,910,633)	$ (700)	$ 757,902	$ 0
Total Budget	$ 20,327,399	$ 18,626,700	$ 18,626,700	$ 19,771,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 7,481,652	$ 5,571,019	$ 5,571,019	$ 6,328,921
Income / (Loss)	(1,910,633)	(700)	757,902	0
Ending Undesignated Fund Balance	$ 5,571,019	$ 5,570,319	$ 6,328,921	$ 6,328,921

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Sales Tax Bond Fund (3440)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Sewer Bonds - Expense Program (9440):				
Services and Charges	$ 1,333	$ 2,100	$ 2,100	$ 1,400
Debt Service	20,326,066	18,624,600	18,624,600	19,769,600
Operating Transfers	0	0	0	0
	20,327,399	18,626,700	18,626,700	19,771,000
Total Citywide Activity:	$ 20,327,399	$ 18,626,700	$ 18,626,700	$ 19,771,000
Total Fund	$ 20,327,399	$ 18,626,700	$ 18,626,700	$ 19,771,000

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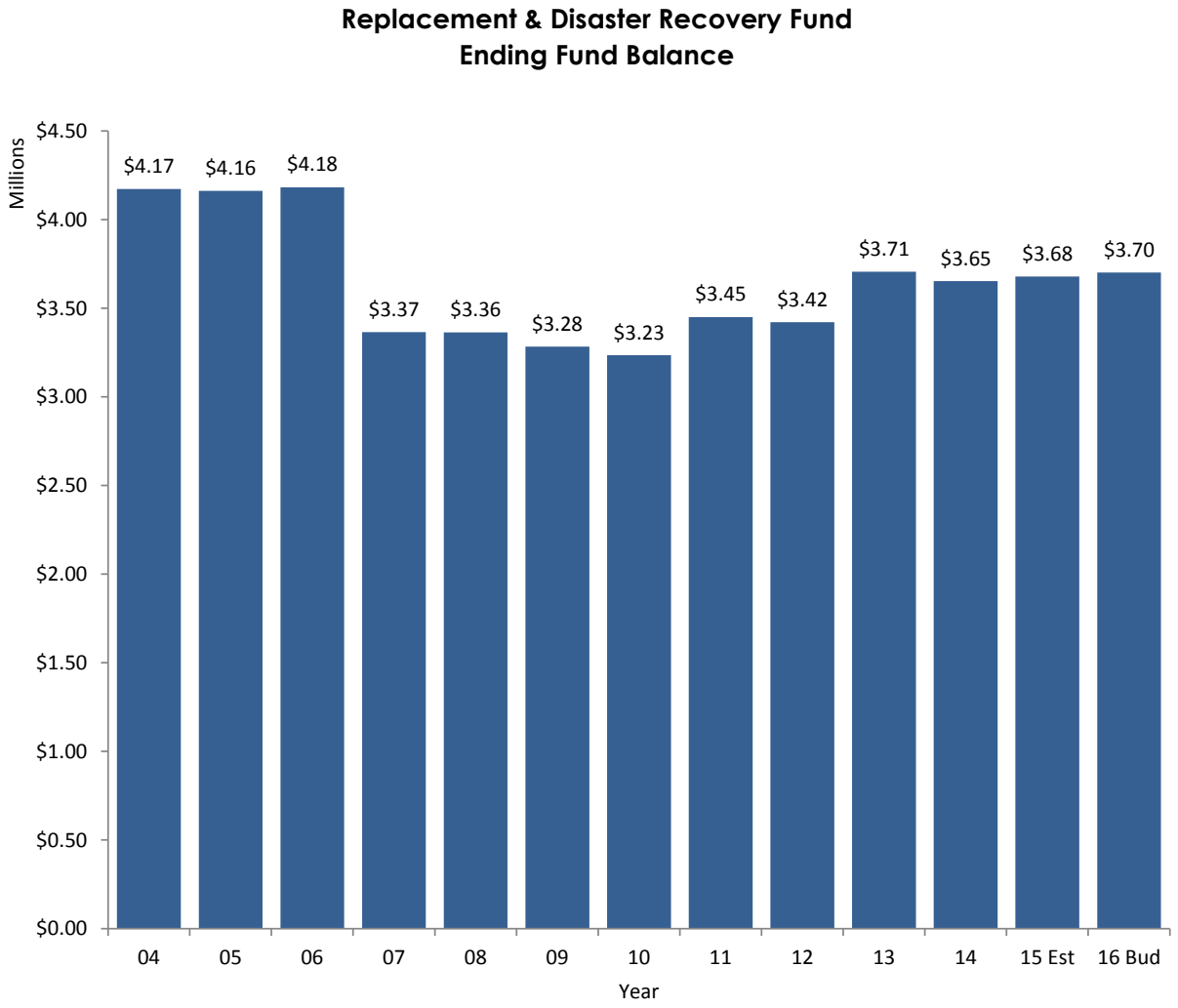
Replacement & Disaster Recovery Fund (4270)

The **Replacement & Disaster Recovery Fund** accounts for general government monies accumulated and used for the purchase of certain vehicles and equipment (primarily copiers). By policy, the fund attempts to maintain a reserve of three million dollars for disaster recovery.



City of Fayetteville, Arkansas
2016 Operating Budget
Replacement & Disaster Recovery Fund (4270)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Intergovernmental (Grants)	$ 53,992	$ 0	$ 100,741	$ 0
Replacement Copier Revenue	22,842	40,000	34,415	40,000
Investment Earnings	32,298	25,000	27,900	25,000
Other	716	0	252	0
Total Revenues	109,848	65,000	163,308	65,000
Expenses:				
Audit Expense	1,900	2,000	2,000	2,000
Replacement & Disaster Recovery (Other)	10,899	10,245	10,245	0
Fixed Assets	8,231	114,258	114,258	40,000
Vehicles & Equipment	0	9,885	9,885	0
Total Expenses	21,030	136,388	136,388	42,000
Income / (Loss)	$ 88,818	$ (71,388)	$ 26,920	$ 23,000
Total Budget	$ 21,030	$ 136,388	$ 136,388	$ 42,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 3,563,671	$ 3,652,489	$ 3,652,489	$ 3,679,409
Income / (Loss)	88,818	(71,388)	26,920	23,000
Ending Undesignated Fund Balance	$ 3,652,489	$ 3,581,101	$ 3,679,409	$ 3,702,409

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Replacement & Disaster Recovery Fund (4270)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Replacement Fund Expense Program (9270):				
Materials and Supplies	$ 10,899	$ 10,245	$ 10,245	$ 0
Services and Charges	1,900	2,000	2,000	2,000
Capital	8,231	124,143	124,143	40,000
	21,030	136,388	136,388	42,000
Total Citywide Activity:	$ 21,030	$ 136,388	$ 136,388	$ 42,000
Total Fund	$ 21,030	$ 136,388	$ 136,388	$ 42,000

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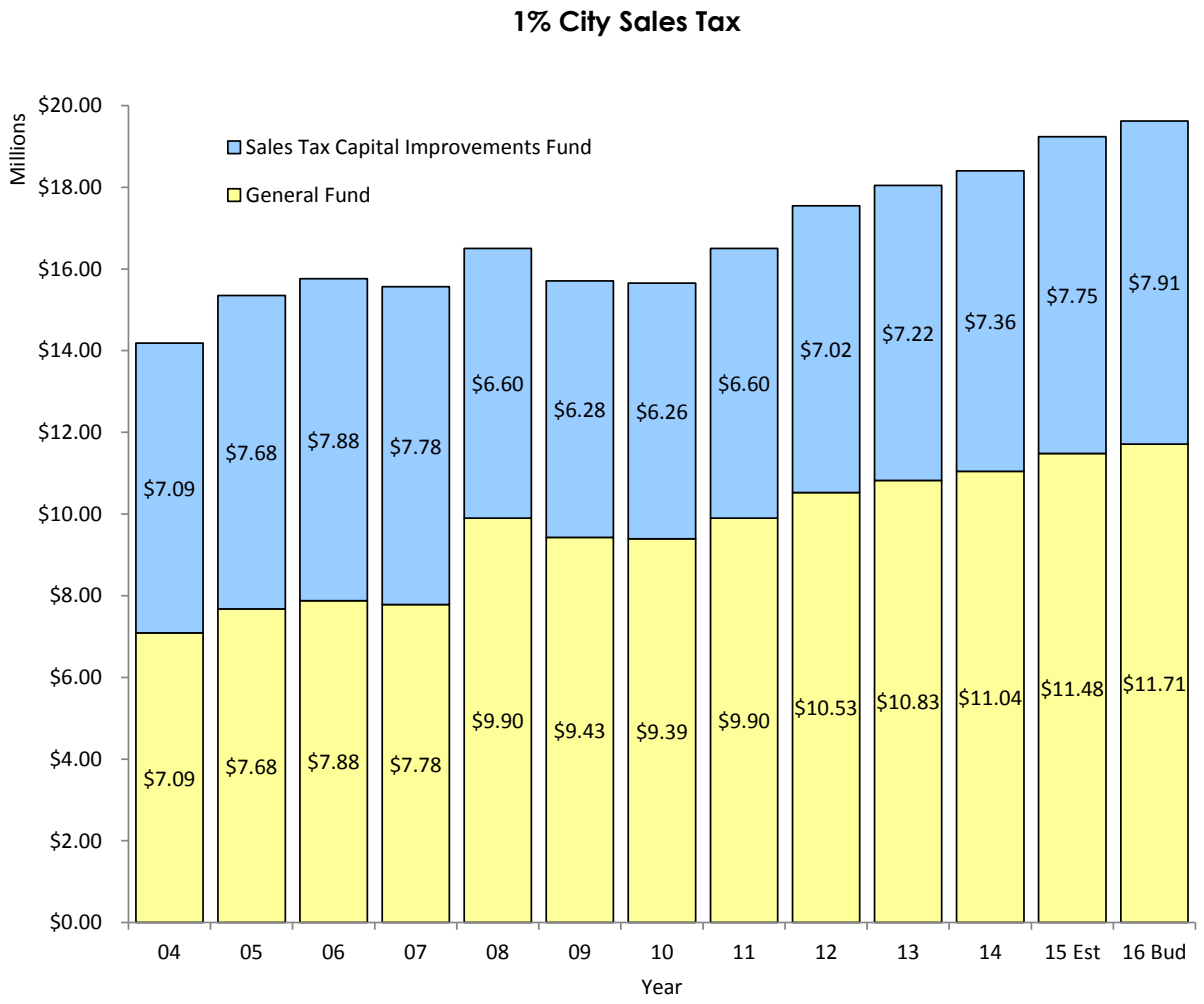
Sales Tax Capital Improvements Fund (4470)

The **Sales Tax Capital Improvements Fund** accounts for the revenue and expenditures of the City's sales and use tax which is used for acquisition and improvement projects as well as equipment additions and replacements that are included in the City's Five-Year Capital Improvements Program. The $7,982,000 in planned expenditures for 2016 provides for $7,974,000 in capital improvements.

The capital portion of City Sales Tax for 2016 is expected to be $156,000 over 2015 estimated collections. This is a percent increase of 2%.



City of Fayetteville, Arkansas
2016 Operating Budget
Sales Tax Capital Improvements Fund (4470)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Property Taxes	$ 6	$ 0	$ 0	$ 0
Sales Tax - City	7,361,993	7,461,000	7,751,000	7,907,000
Intergovernmental (Grants)	5,825,712	4,722,318	4,722,318	0
Charges for Services	352,811	372,906	365,906	0
Sidewalk Fees	12,083	0	3,780	0
Investment Earnings	43,647	32,000	65,900	56,000
Other	33,090	25,000	27,700	19,000
Transfer from General	2,713,706	124,872	112,034	0
Transfer from Impact Fee Fund	0	78,569	78,569	0
Total Revenues	16,343,048	12,816,665	13,127,207	7,982,000
Expenses:				
Audit Expense	7,300	8,000	8,000	8,000
Sales Tax Capital Improvements	11,709,684	21,163,515	21,163,515	7,974,000
Transfer to Parking Deck Project	75,000	0	0	0
Total Expenses	11,791,984	21,171,515	21,171,515	7,982,000
Income / (Loss)	$ 4,551,064	$ (8,354,850)	$ (8,044,308)	$ 0
Total Budget	$ 11,791,984	$ 21,171,515	$ 21,171,515	$ 7,982,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 4,286,286	$ 8,837,350	$ 8,837,350	$ 793,042
Income / (Loss)	4,551,064	(8,354,850)	(8,044,308)	0
Ending Undesignated Fund Balance	$ 8,837,350	$ 482,500	$ 793,042	$ 793,042

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Sales Tax Capital Improvements Fund (4470)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Sales Tax Capital Improvements Program (9470):				
Materials and Supplies	$ 896,037	$ 1,233,823	$ 1,233,823	$ 538,000
Services and Charges	2,038,844	3,799,044	3,799,044	191,000
Cost allocation	918,751	800,966	800,966	773,000
Maintenance	1,061,007	2,520,965	2,520,965	1,858,000
Transfers To Outside Entities	414,000	441,000	441,000	525,000
Capital	6,388,345	12,375,717	12,375,717	4,097,000
Operating Transfers Out	75,000	0	0	0
	11,791,984	21,171,515	21,171,515	7,982,000
Total Citywide Activity:	$ 11,791,984	$ 21,171,515	$ 21,171,515	$ 7,982,000
Total Fund	$ 11,791,984	$ 21,171,515	$ 21,171,515	$ 7,982,000

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City of Fayetteville, Arkansas
2016 Capital Budget
Sales Tax Capital Improvements Fund (4470)

Project Category	Project Title	Budgeted 2016
Bridge & Drainage Improvements	Other Drainage Improvements	$ 160,000
	Stormwater Quality Mgt/Nutrient Reduction	200,000
		360,000
Fire Improvements	Fire Apparatus Purchases	502,000
	Fire Facility Maintenance	125,000
		627,000
Information Technology Improvements	Document Management	35,000
	ERP Upgrade/Replacement	380,000
	Fayetteville-AR.gov Technical Improvements	20,000
	Geographic Information System (GIS)	35,000
	Hansen Version 8 Upgrade (Work Order Sys)	195,000
	Local Area Network (LAN) Upgrade	135,000
	Microcomputer / Printer Replacements	60,000
	Storage Area Network (SAN)	200,000
		1,060,000
Library Improvements	Library Computer Replacements	100,000
	Library Materials Purchases	425,000
		525,000
Other Capital Improvements	Animal Services Improvements	35,000
	Audit Expense	8,000
	Building Efficiency Improvements	40,000
	Building Improvements	129,000
	Comprehensive land Use Plan Update	100,000
	Digital Signage Implementation	15,000
	Parking Lot Improvements (City Employee)	10,000
	Planning Commission Tablet Replacements	6,000
	Telecommunications Systems Upgrades	10,000
	Television Center Equipment	50,000
	Video Production Digital Server & Archive Sys	120,000
	Wayfinding Regional Signage Program	65,000
		588,000

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Project Category	Project Title	Budgeted 2016
Parks & Recreation Improvements	Forestry and Habitat Improvement	62,000
	Lights of the Ozarks	23,000
	Park Paving Improvements	58,000
	Parks Safety and ADA	15,000
	Walker Park Senior Activity & Wellness Center	100,000
		258,000
Police Improvements	Employee Gym Equipment	10,000
	Police Building Improvements	25,000
	Police Bulletproof Vests & Ballistic Protection	13,000
	Police eTicket Server & Storage Area Network	44,000
	Police Network/Server Replacements	50,000
	Police Record Management System Imp.	150,000
	Police Specialized Equipment	21,000
	Police Take Home Vehicles	57,000
	Police Technology Improvements	25,000
	Police Unmarked Vehicles	83,000
	Police Weapon Replacement	14,000
		492,000
Street Improvements	Street/ROW/Intersection Cost Shares	100,000
		100,000
Trail Improvements	Trail Development	1,920,000
		1,920,000
Transportation Improvements	Drainage Maintenance	50,000
	In-House Pavement Improvements	1,852,000
	Traffic Signal Improvements	110,000
	Wireless Traffic Signal Control	40,000
		2,052,000
		$ 7,982,000

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Sales Tax Construction Bond Fund (4520)

The **Sales Tax Construction Bond Fund** accounts for the remaining bond proceeds for improvements to streets and trail construction pursuant to the 2006 referendum. Appropriations of these funds will be provided through the re-budget process which will be considered by the City Council during the first quarter of 2016.

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City of Fayetteville, Arkansas
2016 Operating Budget
Sales Tax Construction Bond Fund (4520)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Payments by Property Owners	$ 19,772	$ 0	$ 0	$ 0
Investment Earnings	2,410	2,000	1,802	1,800
Other	0	3,000	0	3,200
Total Revenues	22,182	5,000	1,802	5,000
Expenses:				
2006A Sales Tax Construction Expense	1,602,043	0	0	0
Street Sales Tax Construction (2009)	1,340,850	1,326,422	1,326,422	0
Street Sales Tax Construction (2013)	4,618,753	17,604,514	17,601,316	5,000
Transfer to Sales Tax Bond	0	2	2	0
Total Expenses	7,561,646	18,930,938	18,927,740	5,000
Income / (Loss)	$ (7,539,464)	$ (18,925,938)	$ (18,925,938)	$ 0
Total Budget	$ 7,561,646	$ 18,930,938	$ 18,927,740	$ 5,000

FUND BALANCE ANALYSIS				
Beginning Undesignated Fund Balance	$ 26,465,402	$ 18,925,938	$ 18,925,938	$ 0
Income / (Loss)	(7,539,464)	(18,925,938)	(18,925,938)	0
Ending Undesignated Fund Balance	$ 18,925,938	$ 0	$ 0	$ 0

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Sales Tax Construction Bond Fund (4520)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
2006A Sales Tax Construction Expense Program (9520):				
Services and Charges	$ 176	$ 0	$ 0	$ 0
Capital	1,601,867	0	0	0
Operating Transfers Out	0	2	2	0
	1,602,043	2	2	0
Street Sales Tax 2009 Program (9540):				
Services and Charges	18,186	0	0	0
Capital	1,322,664	1,326,422	1,326,422	0
	1,340,850	1,326,422	1,326,422	0
Street Sales Tax 2013 Program (9555):				
Services and Charges	724,629	1,007,352	1,007,352	5,000
Capital	3,894,124	16,597,162	16,593,964	0
	4,618,753	17,604,514	17,601,316	5,000
Total Citywide Activity:	$ 7,561,646	$ 18,930,938	$ 18,927,740	$ 5,000
Total Fund	$ 7,561,646	$ 18,930,938	$ 18,927,740	$ 5,000

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Parking Deck Project Fund (4560)

The **Parking Deck Project Fund** accounts for the bond proceeds issued to construct and equip a new parking deck facility with liner buildings within the City's entertainment district. This project was completed in the last quarter of 2015.

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City of Fayetteville, Arkansas
2016 Operating Budget
Parking Deck Project Fund (4560)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Payments from Walton Arts Center	$ 6,481	$ 907,921	$ 907,921	$ 0
Investment Earnings	7,138	3,000	16,079	0
Gain/Loss on Sale of Investments	(4,041)	0	0	0
Transfer from General	3,660,758	0	0	0
Transfer from Parking	134,558	100,000	100,000	0
Transfer from Sales Tax Capital	75,000	0	0	0
Total Revenues	3,879,894	1,010,921	1,024,000	0
Expenses:				
Audit Expense	0	3,000	3,000	0
Parking Deck Project	1,410,586	9,284,584	9,284,584	0
Total Expenses	1,410,586	9,287,584	9,287,584	0
Income / (Loss)	$ 2,469,308	$ (8,276,663)	$ (8,263,584)	$ 0
Total Budget	$ 1,410,586	$ 9,287,584	$ 9,287,584	$ 0

FUND BALANCE ANALYSIS

Beginning Designated Fund Balance	$ 5,867,007	$ 8,336,315	$ 8,336,315	$ 72,731
Income / (Loss)	2,469,308	(8,276,663)	(8,263,584)	0
Ending Designated Fund Balance	$ 8,336,315	$ 59,652	$ 72,731	$ 72,731

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Parking Deck Project Fund (4560)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Services and Charges	$ 435,858	$ 277,454	$ 277,454	$ 0
Cost allocation	1,942	3,887	3,887	0
Capital	972,786	9,006,243	9,006,243	0
	1,410,586	9,287,584	9,287,584	0
Total Citywide Activity:	$ 1,410,586	$ 9,287,584	$ 9,287,584	$ 0
Total Fund	$ 1,410,586	$ 9,287,584	$ 9,287,584	$ 0

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HMR 2014 Bond Capital Improvement Fund (4570)

The **HMR 2014 Bond Capital Improvement Fund** accounts for the bond proceeds issued for the purpose of paying a portion of the costs of expanding and renovating the Walton Arts Center and paying a portion of the costs of acquiring, constructing and equipping a regional park within the City.

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City of Fayetteville, Arkansas
2016 Operating Budget
HMR 2014 Bond Capital Improvement Fund (4570)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Investment Earnings	$ 126	$ 121	$ 900	$ 0
Proceeds from Bond Sales	10,961,191	0	0	0
Total Revenues	10,961,317	121	900	0
Expenses:				
Bond Issuance Cost	137,531	0	0	0
HMR 2014 - Regional Park Capital Project	0	3,642,656	3,642,656	0
HMR 2014 - WAC Capital Project	10,677	7,170,448	7,170,448	0
Total Expenses	148,208	10,813,104	10,813,104	0
Income / (Loss)	$ 10,813,109	$ (10,812,983)	$ (10,812,204)	$ 0
Total Budget	$ 148,208	$ 10,813,104	$ 10,813,104	$ 0

FUND BALANCE ANALYSIS				
Beginning Designated Fund Balance	$ 0	$ 10,813,109	$ 10,813,109	$ 905
Income / (Loss)	10,813,109	(10,812,983)	(10,812,204)	0
Ending Designated Fund Balance	$ 10,813,109	$ 126	$ 905	$ 905

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
HMR 2014 Bond Capital Improvement Fund (4570)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
HMR 2014 Regional Park Capital Project Program (9570):				
Debt Service	$ 92,145	$ 0	$ 0	$ 0
Capital	0	3,642,656	3,642,656	0
	92,145	3,642,656	3,642,656	0
HMR 2014 WAC Capital Project Program (9575):				
Debt Service	$ 45,386	$ 0	$ 0	$ 0
Capital	10,677	7,170,448	7,170,448	0
	56,063	7,170,448	7,170,448	0
Total Citywide Activity:	$ 148,208	$ 10,813,104	$ 10,813,104	$ 0
Total Fund	$ 148,208	$ 10,813,104	$ 10,813,104	$ 0

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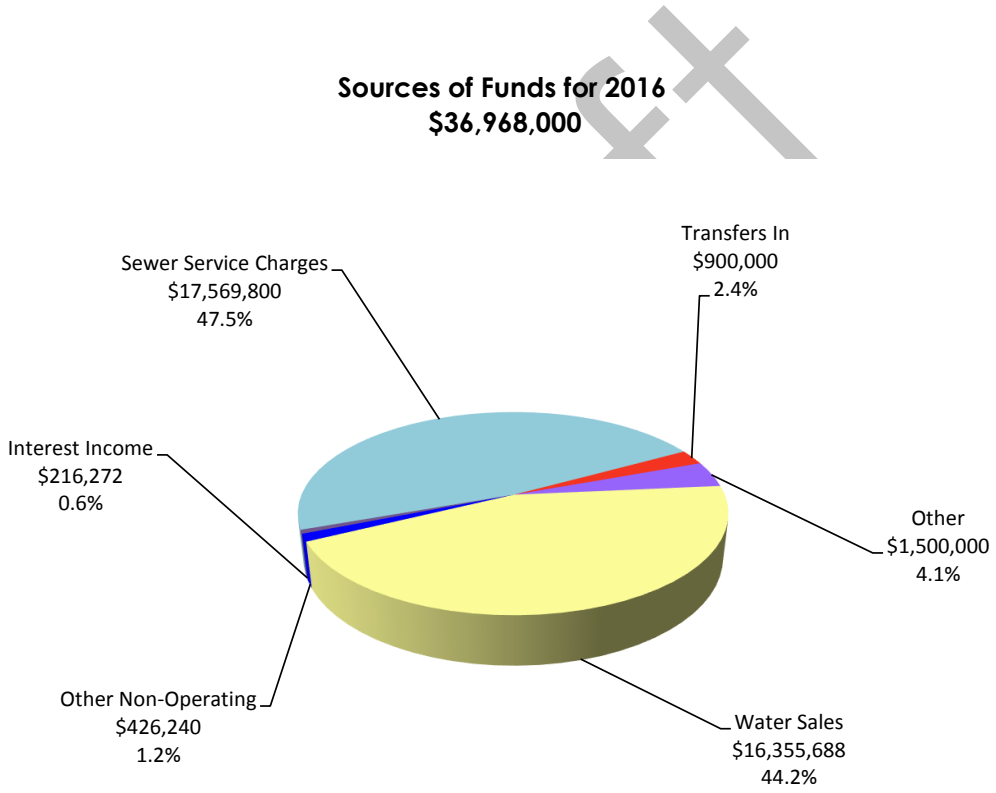
Water and Sewer Fund (5400)

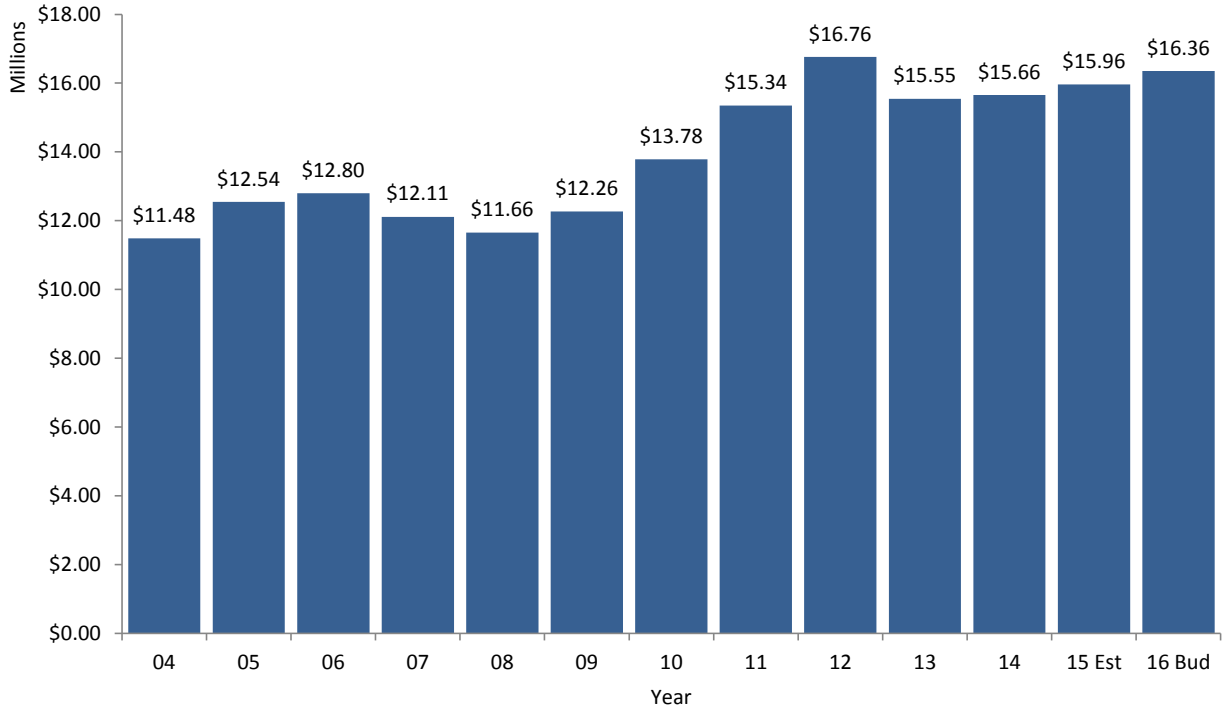
The **Water & Sewer Fund** accounts for the revenue sources as well as the operation and maintenance expenses of the City's water and sewer system. This includes water purchases from Beaver Water District, all water and sewer functions, the operation of the wastewater treatment plants, meter and backflow operations, and billing and collections. The 2016 Budget includes a significant amount in capital outlay at over $7.1 million.

Water & Sewer Fund Revenues

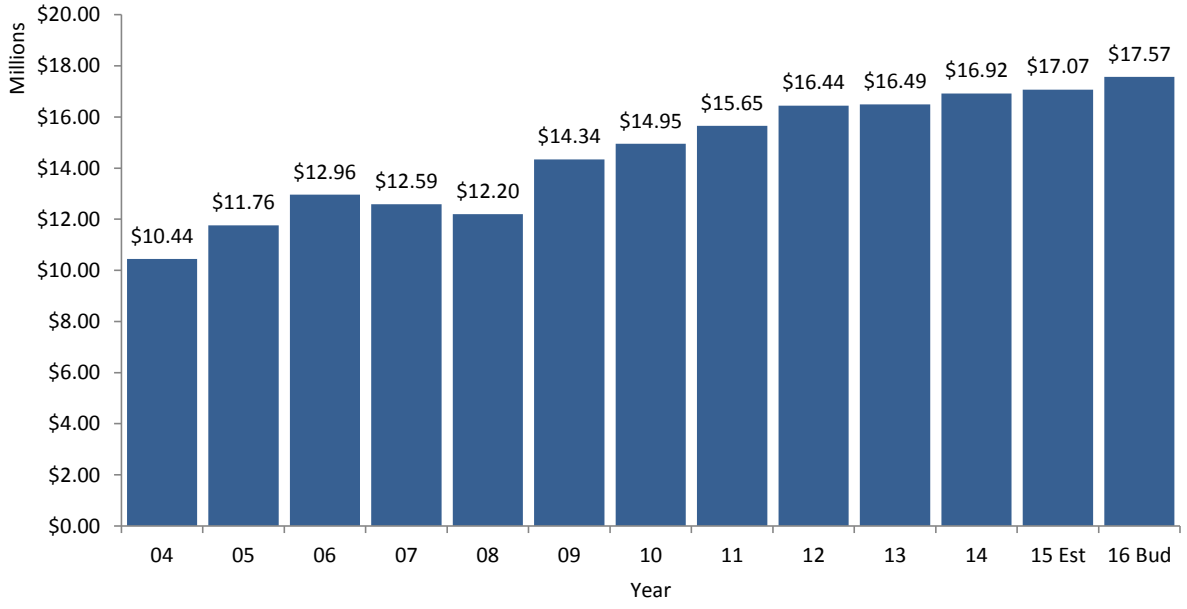
For 2016, the Water & Sewer Fund is projected to have an operating gain of $7,740,000 before capital expenditures and depreciation expense. System usage projections for 2016 are expected to be approximately the same as 2015.



Water Sales: Water sales revenue is based on metered customer usage of water and is one of the primary sources of revenue for the Water & Sewer Fund.



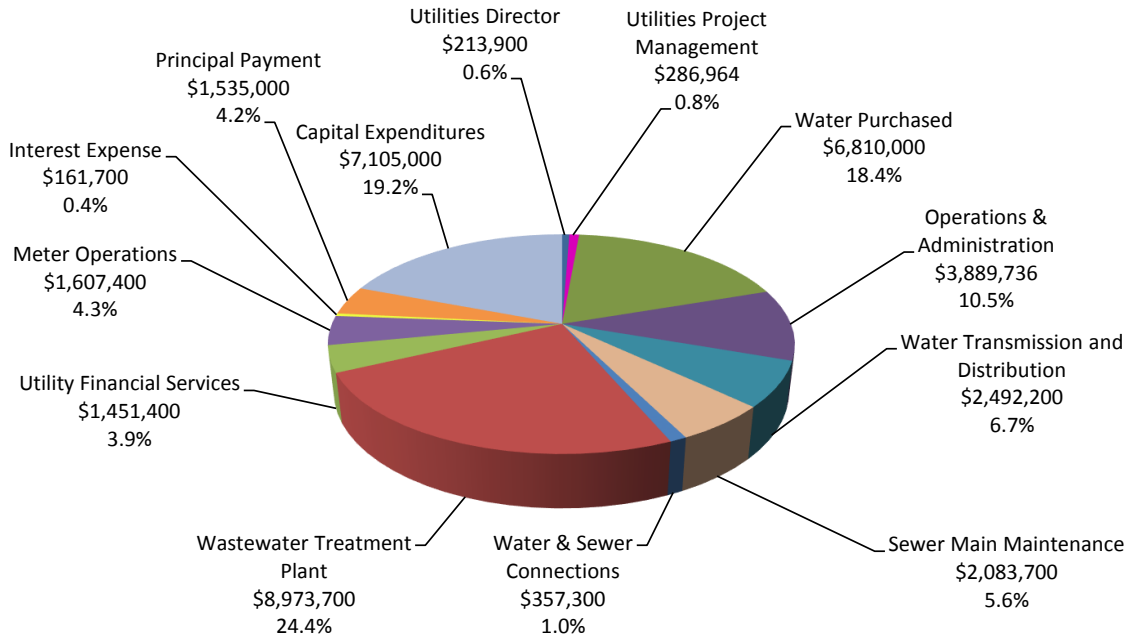
Sewer Charges: Sewer service charge revenue is based on metered customer usage of water and is the other primary source of revenue for the Water & Sewer Fund. The budgeted revenue for 2016 is projected to be $500,200 over estimated 2015.



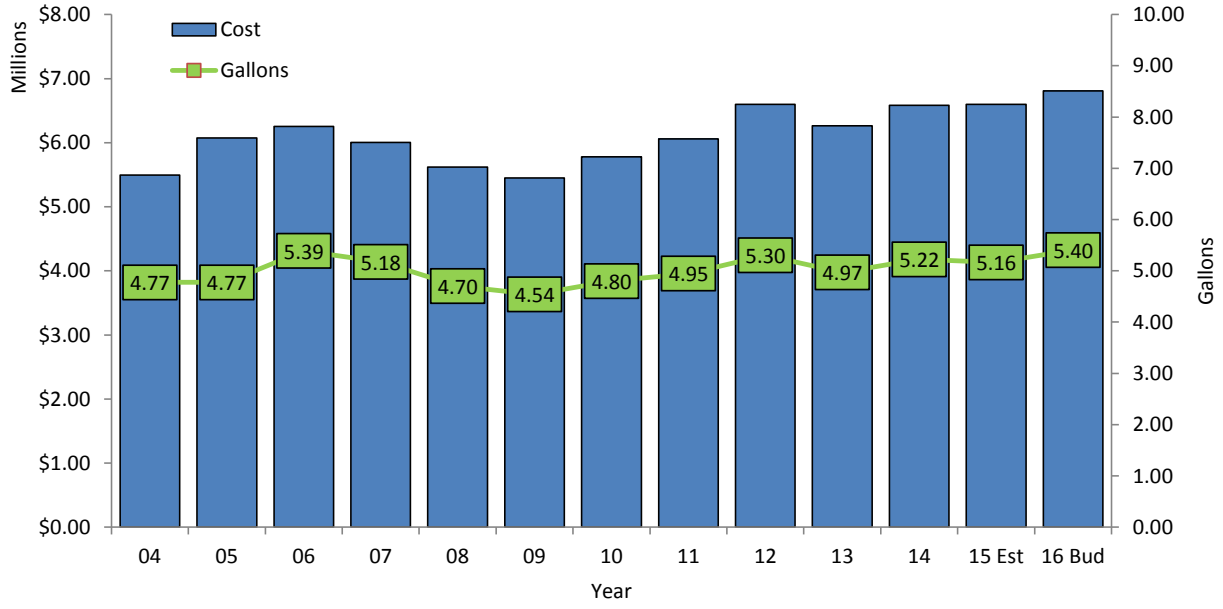
Water & Sewer Fund Expenses

The wastewater treatment plant operations budgeted for 2016 represents the largest expenditure in the fund at $9.0 million. This represents 24.4% of the total operating expenses. The water purchases are budgeted at $6.81 million, which represents 18.4% of total operating expenditures.

Use of Funds for 2016
$36,968,000



Water Purchases



City of Fayetteville, Arkansas
2016 Operating Budget
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Water Sales	$ 15,657,410	$ 15,430,460	$ 15,958,602	$ 16,355,688
Sewer Service Charges	16,916,305	16,365,500	17,069,600	17,569,800
Other	1,284,505	1,203,000	1,480,000	1,500,000
Interest Income	249,834	164,040	245,319	216,272
Other Non-Operating	558,906	439,000	460,870	426,240
Total Revenues	34,666,960	33,602,000	35,214,391	36,068,000
Expenses:				
Utilities Director	85,418	164,071	164,071	213,900
Utilities Project Management	246,506	473,575	473,575	286,964
Water Purchased	6,582,249	6,600,000	6,600,000	6,810,000
Operations & Administration	3,662,582	4,211,124	4,211,124	3,889,736
Water Transmission and Distribution	2,104,353	2,365,647	2,365,647	2,492,200
Sewer Main Maintenance	1,918,062	2,013,396	2,013,396	2,083,700
Water & Sewer Connections	332,785	365,125	365,125	357,300
Wastewater Treatment Plant	8,401,410	9,493,426	9,493,426	8,973,700
Utility Financial Services	1,314,705	1,373,554	1,373,554	1,451,400
Meter Operations	1,516,516	2,232,085	2,232,085	1,607,400
Interest Expense	363,390	169,670	169,670	161,700
Total Expenses	26,527,976	29,461,673	29,461,673	28,328,000
Budget Gain / (Loss) Before Capital	$ 8,138,984	$ 4,140,327	$ 5,752,718	$ 7,740,000
Non-Operating Revenues / (Expenses):				
Intergovernmental (Grants)	474,761	376,206	376,206	0
Gain/Loss Sale of Assets	55,237	0	0	0
Transfer from Impact Fee Fund	1,650,000	2,904,396	2,904,396	900,000
Principal Payment	(1,530,000)	(1,510,000)	(1,510,000)	(1,535,000)
Capital Expenditures	(4,514,933)	(23,387,054)	(23,387,054)	(7,105,000)
Transfer to Shop	0	(367,067)	(367,067)	0
Total Capital Revenues / (Expenses)	(3,864,935)	(21,983,519)	(21,983,519)	(7,740,000)
Budget Gain / (Loss)	$ 4,274,049	$ (17,843,192)	$ (16,230,801)	$ 0
Total Budget	$ 32,572,909	$ 54,725,794	$ 54,725,794	$ 36,968,000

Draft

City of Fayetteville, Arkansas
2016 Operating Budget
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 335,406,634	$ 339,038,196	$ 339,038,196	$ 336,765,432
Budget Gain / (Loss)	4,274,049	(17,843,192)	(16,230,801)	0
Plus: Gain Capital Expenditures	4,514,933	23,387,054	23,387,054	7,105,000
Plus: Gain W/S Connections	332,785	365,125	365,125	357,300
Plus: Capital Contribution	3,488,987	0	0	0
Plus: Bond Principal Payment	1,530,000	1,510,000	1,510,000	1,535,000
Less: Depreciation Expense	(10,509,192)	(10,985,849)	(11,304,142)	(11,356,771)
Ending Total Net Assets	$ 339,038,196	$ 335,471,334	$ 336,765,432	$ 334,405,961
NET ASSET ANALYSIS				
Net Investment in Capital Assets	$ 301,226,068	$ 315,137,273	$ 314,818,980	$ 312,102,209
Restricted for Prepaids/Debt Service	1,406,950	1,406,950	1,406,950	1,406,950
Unrestricted	36,405,178	18,927,111	20,539,502	20,896,802
Ending Total Net Assets	$ 339,038,196	$ 335,471,334	$ 336,765,432	$ 334,405,961

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Business-Type Activity:				
Utilities Director Program (1800):				
Personnel Services	$ 35,612	$ 117,529	$ 117,529	$ 163,927
Materials and Supplies	29	4,683	4,683	5,402
Services and Charges	23,701	9,410	9,410	11,442
Motorpool Charges	0	4,417	4,417	5,097
Cost allocation	26,076	28,032	28,032	28,032
	85,418	164,071	164,071	213,900
Utilities Financial Services Program (1810):				
Personnel Services	$ 843,664	$ 899,057	$ 899,057	$ 901,403
Materials and Supplies	62,547	74,000	74,000	74,000
Services and Charges	491,879	487,911	487,911	563,411
Cost allocation	(89,700)	(100,614)	(100,614)	(100,614)
Maintenance	6,315	13,200	13,200	13,200
	1,314,705	1,373,554	1,373,554	1,451,400
Meter Reading Program (1820):				
Personnel Services	827,146	908,252	908,252	855,842
Materials and Supplies	62,241	66,855	66,855	66,369
Services and Charges	15,657	18,310	18,310	18,310
Motorpool Charges	73,110	76,824	76,824	82,179
Cost allocation	78,528	84,420	84,420	84,420
Maintenance	3,159	8,294	8,294	8,280
	1,059,841	1,162,955	1,162,955	1,115,400
Meter Maintenance & Backflow Prevention Program (1830):				
Personnel Services	363,476	397,842	397,842	398,109
Materials and Supplies	14,798	38,259	38,259	38,759
Services and Charges	7,457	9,070	9,070	9,070
Motorpool Charges	18,276	18,035	18,035	18,802
Cost allocation	24,888	26,760	26,760	26,760
Maintenance	371	500	500	500
	429,266	490,466	490,466	492,000

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Meter Operations Capital Program (1840):				
Materials and Supplies	22,132	181,110	181,110	0
Services and Charges	0	213,028	213,028	0
Maintenance	5,277	184,526	184,526	0
Capital	60,905	916,570	916,570	570,000
Operating Transfers Out	0	367,000	367,000	0
	88,314	1,862,234	1,862,234	570,000
Water Purchased Program (3800):				
Services and Charges	6,582,249	6,600,000	6,600,000	6,810,000
	6,582,249	6,600,000	6,600,000	6,810,000
Operations & Administration Program (4000):				
Personnel Services	791,005	1,146,070	1,146,070	827,842
Materials and Supplies	104,213	139,872	139,872	142,661
Services and Charges	1,806,880	1,873,998	1,873,998	1,859,960
Motorpool Charges	16,130	12,737	12,737	15,826
Cost allocation	883,152	949,392	949,392	949,392
Maintenance	61,202	89,055	89,055	94,055
Debt Service	10,828	21,000	21,000	21,000
Capital	8,724	56,491	56,491	0
	3,682,134	4,288,615	4,288,615	3,910,736
Utilities Project Management Program (4020):				
Personnel Services	142,704	259,634	259,634	237,897
Materials and Supplies	4,689	10,608	10,608	10,608
Services and Charges	84,068	185,150	185,150	20,573
Motorpool Charges	6,866	5,183	5,183	4,886
Maintenance	8,179	13,000	13,000	13,000
	246,506	473,575	473,575	286,964
Water Distribution Maintenance Program (4310):				
Personnel Services	783,065	852,501	852,501	861,882
Materials and Supplies	629,245	708,009	708,009	718,559
Services and Charges	126,406	166,019	166,019	185,165
Motorpool Charges	310,356	334,284	334,284	410,602
Cost allocation	74,688	80,292	80,292	80,292
Maintenance	2,333	7,000	7,000	20,500
	1,926,093	2,148,105	2,148,105	2,277,000

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Water Storage & Pump Maintenance Program (4330):				
Personnel Services	141,857	146,223	146,223	148,427
Materials and Supplies	15,484	40,493	40,493	40,493
Services and Charges	623	2,000	2,000	0
Motorpool Charges	8,889	16,598	16,598	15,052
Cost allocation	9,696	10,428	10,428	10,428
Maintenance	1,711	1,800	1,800	800
	178,260	217,542	217,542	215,200
Sewer Mains Maintenance Program (4410):				
Personnel Services	1,073,283	1,110,361	1,110,361	1,129,167
Materials and Supplies	272,232	323,535	323,535	335,825
Services and Charges	78,086	71,754	71,754	71,954
Motorpool Charges	407,276	420,207	420,207	457,090
Cost allocation	77,832	83,664	83,664	83,664
Maintenance	9,353	3,875	3,875	6,000
Capital	0	200	200	0
	1,918,062	2,013,596	2,013,596	2,083,700
WWTP Administration & SCADA Program (5100):				
Materials and Supplies	0	1,073	1,073	1,073
Services and Charges	1,697,487	1,694,197	1,694,197	1,710,256
Maintenance	885	885	885	817
	1,698,372	1,696,155	1,696,155	1,712,146
WWTP East Side Operations Program (5110):				
Materials and Supplies	48,413	111,101	111,101	111,101
Services and Charges	3,658,699	3,823,568	3,823,568	3,829,565
Motorpool Charges	255,242	262,947	262,947	263,560
Cost allocation	47,820	51,408	51,408	51,408
Maintenance	64	11,153	11,153	8,153
	4,010,238	4,260,177	4,260,177	4,263,787
WWTP West Side Operations Program (5120):				
Materials and Supplies	36,862	99,655	99,655	99,655
Services and Charges	1,167,919	1,338,425	1,338,425	1,388,349
Motorpool Charges	67,108	56,515	56,515	56,339
Cost allocation	47,544	51,108	51,108	51,108
Maintenance	19	3,549	3,549	3,549
	1,319,452	1,549,252	1,549,252	1,599,000

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
WWTP Lab / IPP Program (5130):				
Services and Charges	465,245	489,099	489,099	505,111
	465,245	489,099	489,099	505,111
WWTP Lift Station Maintenance Program (5140):				
Materials and Supplies	11,447	39,969	39,969	39,969
Services and Charges	706,756	805,821	805,821	853,687
	718,203	845,790	845,790	893,656
Capital Water Mains Program (5600):				
Services and Charges	93,249	308,099	308,099	0
Capital	1,516,716	9,276,173	9,276,173	3,025,000
	1,609,965	9,584,272	9,584,272	3,025,000
Water & Sewer Connections Program (5620):				
Personnel Services	153,146	180,296	180,296	180,068
Materials and Supplies	77,649	97,050	97,050	97,050
Services and Charges	16,939	30,000	30,000	20,000
Motorpool Charges	70,190	42,158	42,158	45,686
Cost allocation	13,488	14,496	14,496	14,496
Maintenance	1,373	1,125	1,125	0
	332,785	365,125	365,125	357,300
Water Capital 2009 Bonds Program (5640):				
Services and Charges	0	9,659	9,659	0
	0	9,659	9,659	0
Sewer Mains Construction Program (5700):				
Services and Charges	201,159	1,566,538	1,566,538	0
Capital	1,406,077	6,302,242	6,302,242	2,000,000
	1,607,236	7,868,780	7,868,780	2,000,000
Sewer Capital 2009 Bonds Program (5740):				
Capital	133,584	0	0	0
	133,584	0	0	0

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Water & Sewer Fund (5400)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Wastewater Treatment Plant Capital Program (5800):				
Materials and Supplies	0	15,600	15,600	0
Services and Charges	59,461	296,909	296,909	0
Maintenance	130,439	340,444	340,444	0
Capital	1,094,519	4,951,082	4,951,082	1,510,000
Operating Transfers Out	0	67	67	0
	1,284,419	5,604,102	5,604,102	1,510,000
Debt Service Program (6800):				
Debt Service	1,882,562	1,658,670	1,658,670	1,675,700
	1,882,562	1,658,670	1,658,670	1,675,700
Total Business-Type Activity	$ 32,572,909	$ 54,725,794	$ 54,725,794	$ 36,968,000
Total Fund	$ 32,572,909	$ 54,725,794	$ 54,725,794	$ 36,968,000

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Recycling & Trash Collection Fund (5500)

The **Recycling & Trash Collection Fund** is responsible for the operation of the City's solid waste collection and disposal, transfer station, recycling program, and composting program. Revenues for the fund are obtained from fees levied for trash collection, recycling revenue, and container sales or leases. During the end of 2009, the operation of the transfer station, which had previously been contracted out, was brought in house. This budget reflects changes needed to continue that operation at the City. After capital expenditures, the fund will have a loss of $732,000. However, there are more than sufficient reserves to accommodate the expenditures.

Recycling & Trash Collection Fund Revenues

For 2016, the Recycling & Trash Collection Fund sources of funds are budgeted at $11,123,000. Solid Waste fees make up the largest source of revenue (74.0%).

Recycling Revenues

Recycling revenue includes the sale of materials collected at curbside and at the recycling centers. The estimated revenue for that program is $623,592 for 2016. Also, a portion of the solid waste fees are attributable to recycling activity. That portion is estimated to be approximately $1,540,000 for 2016.

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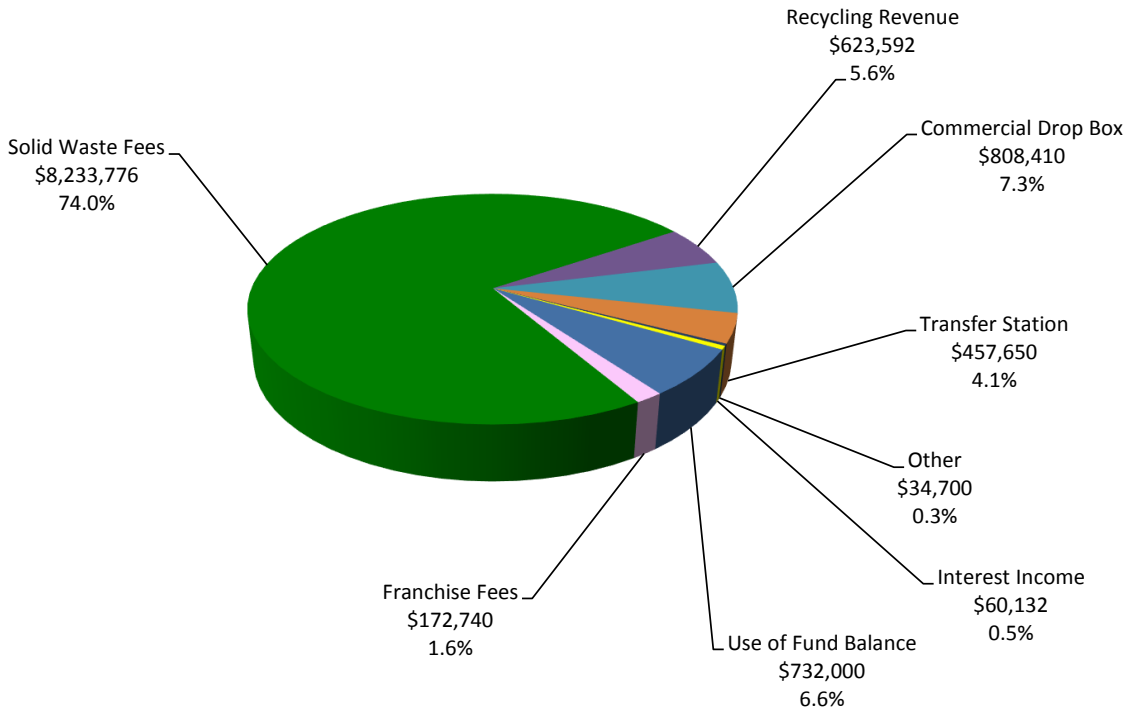
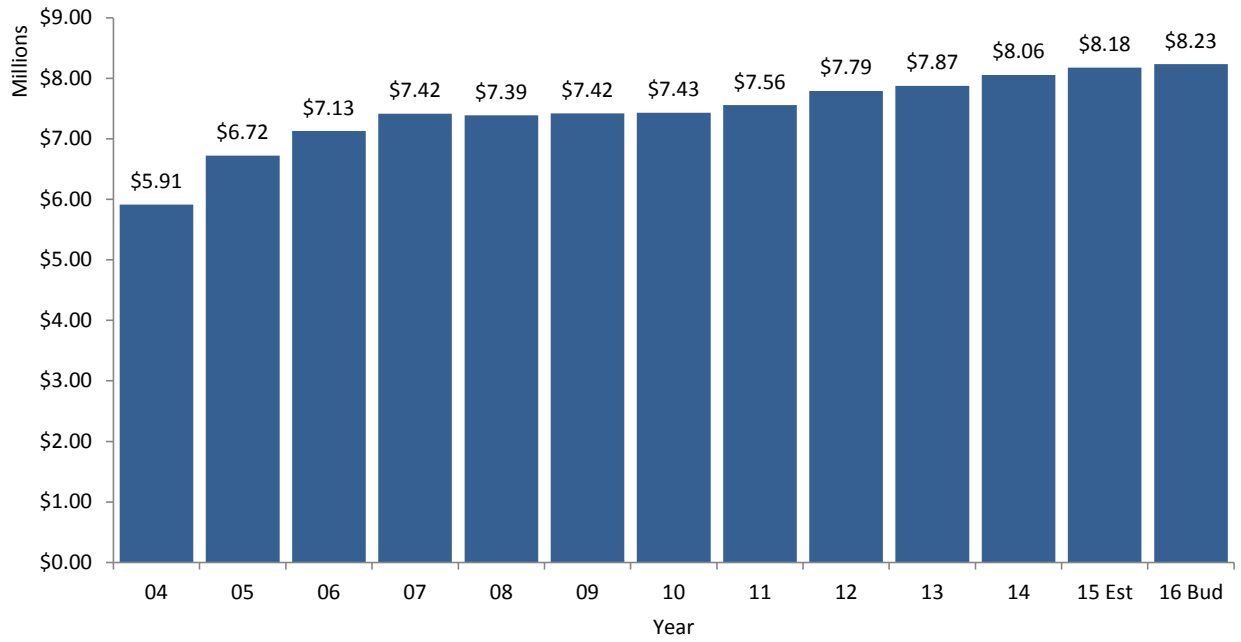
Sources of Funds for 2016
$11,123,000



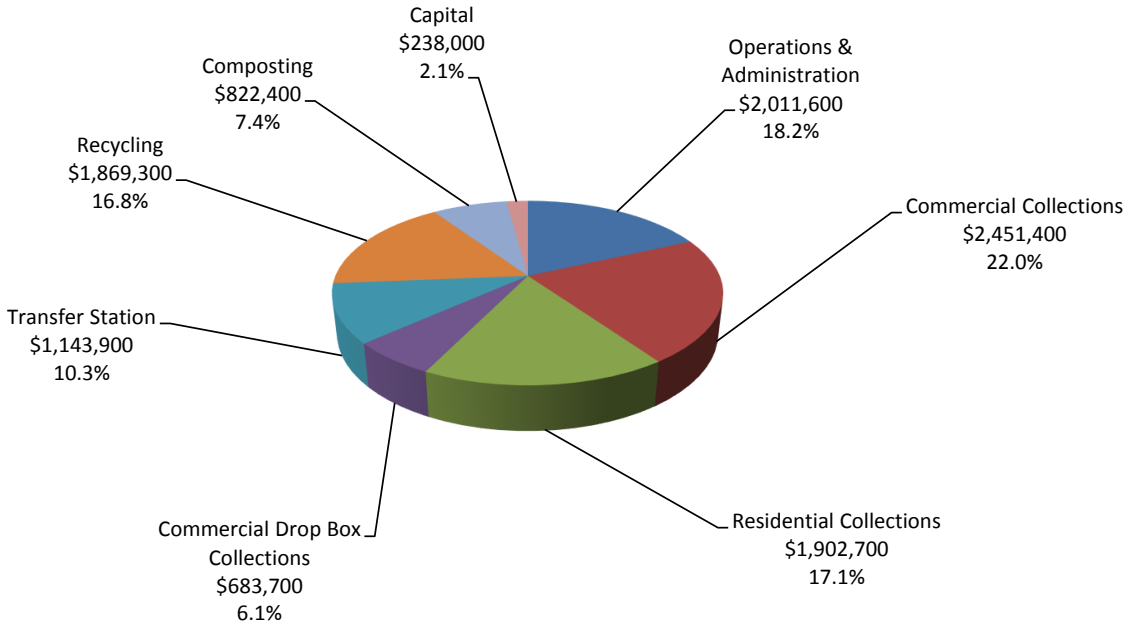
Solid Waste Fees: The 2015 revenue estimates are approximately $118,824 over 2014 actual collections. The 2016 revenues are projected to be slightly up compared to 2015 estimates.



Recycling & Trash Collection Fund Expenses

Expenses for the Recycling & Trash Collection Fund are budgeted at $11,123,000 for 2016. The commercial collections program and related activity make up the largest segment of the budget.

Use of Funds for 2016
$11,123,000



City of Fayetteville, Arkansas
2016 Operating Budget
Recycling & Trash Collection Fund (5500)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Franchise Fees	$ 209,389	$ 185,930	$ 195,016	$ 172,740
Solid Waste Fees	8,057,762	7,997,190	8,176,586	8,233,776
Recycling Revenue	658,675	606,060	623,192	623,592
Commercial Drop Box	735,634	650,530	817,240	808,410
Transfer Station	410,262	388,700	488,483	457,650
Other	37,423	37,300	35,709	34,700
Interest Income	72,800	54,290	61,400	60,132
Total Revenues	10,181,945	9,920,000	10,397,626	10,391,000
Expenses:				
Operations & Administration	1,849,181	2,164,509	2,164,509	2,011,600
Commercial Collections	2,250,150	2,544,778	2,544,778	2,451,400
Residential Collections	1,933,591	1,976,414	1,976,414	1,902,700
Commercial Drop Box Collections	548,514	696,630	696,630	683,700
Transfer Station	920,420	992,937	992,937	1,143,900
Recycling	1,900,016	1,895,621	1,895,621	1,869,300
Composting	649,572	769,222	769,222	822,400
Solid Waste Projects	31,484	251,884	251,884	0
Total Expenses	10,082,928	11,291,995	11,291,995	10,885,000
Budget Gain / (Loss) Before Capital	$ 99,017	$ (1,371,995)	$ (894,369)	$ (494,000)
Non-Operating Revenues / (Expenses):				
Intergovernmental (Grants)	35,501	63,838	63,838	0
Capital Expenditures	(370,101)	(4,428,262)	(4,428,262)	(238,000)
Total Capital Revenues / (Expenses)	(334,600)	(4,364,424)	(4,364,424)	(238,000)
Budget Gain / (Loss)	$ (235,583)	$ (5,736,419)	$ (5,258,793)	$ (732,000)
Total Budget	$ 10,453,029	$ 15,720,257	$ 15,720,257	$ 11,123,000

Draft

City of Fayetteville, Arkansas
2016 Operating Budget
Recycling & Trash Collection Fund (5500)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 12,188,655	$ 11,817,890	$ 11,817,890	$ 10,487,149
Budget Gain / (Loss)	(235,583)	(5,736,419)	(5,258,793)	(732,000)
Plus: Gain Capital Expenditures	370,101	4,428,262	4,428,262	238,000
Less: Depreciation Expense	(505,283)	(812,244)	(500,210)	(966,128)
Ending Total Net Assets	$ 11,817,890	$ 9,697,489	$ 10,487,149	$ 9,027,021
NET ASSET ANALYSIS				
Net Investment in Capital Assets	$ 3,273,755	$ 6,889,773	$ 7,201,807	$ 6,473,679
Unrestricted	8,544,135	2,807,716	3,285,342	2,553,342
Ending Total Net Assets	$ 11,817,890	$ 9,697,489	$ 10,487,149	$ 9,027,021

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Recycling & Trash Collection Fund (5500)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Business-Type Activity:				
Operations & Administration Program (5000):				
Personnel Services	$ 610,271	$ 772,130	$ 772,130	$ 635,563
Materials and Supplies	38,636	60,363	60,363	62,743
Services and Charges	729,201	781,830	781,830	786,419
Motorpool Charges	11,072	14,149	14,149	13,371
Cost allocation	410,796	441,600	441,600	441,600
Maintenance	49,205	94,237	94,237	71,704
Debt Service	0	200	200	200
	1,849,181	2,164,509	2,164,509	2,011,600
Commercial Collections Program (5010):				
Personnel Services	633,449	682,164	682,164	644,619
Materials and Supplies	167,132	332,067	332,067	342,047
Services and Charges	715,433	769,133	769,133	765,290
Motorpool Charges	662,021	687,958	687,958	624,988
Cost allocation	67,404	72,456	72,456	72,456
Maintenance	4,711	1,000	1,000	2,000
	2,250,150	2,544,778	2,544,778	2,451,400
Residential Collections Program (5020):				
Personnel Services	614,301	648,307	648,307	623,981
Materials and Supplies	170,155	225,652	225,652	215,563
Services and Charges	382,129	402,559	402,559	396,753
Motorpool Charges	718,850	646,440	646,440	612,947
Cost allocation	47,868	51,456	51,456	51,456
Maintenance	288	2,000	2,000	2,000
	1,933,591	1,976,414	1,976,414	1,902,700
Commercial Drop Box Collections Program (5030):				
Personnel Services	117,669	151,252	151,252	144,669
Materials and Supplies	77,499	149,631	149,631	53,645
Services and Charges	265,975	304,515	304,515	404,020
Motorpool Charges	77,777	76,488	76,488	66,622
Cost allocation	9,060	9,744	9,744	9,744
Maintenance	534	5,000	5,000	5,000
	548,514	696,630	696,630	683,700

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Recycling & Trash Collection Fund (5500)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Transfer Station Program (5040):				
Personnel Services	112,254	110,941	110,941	113,752
Materials and Supplies	15,991	18,346	18,346	18,346
Services and Charges	741,148	784,636	784,636	947,120
Motorpool Charges	46,403	72,762	72,762	58,430
Cost allocation	3,024	3,252	3,252	3,252
Maintenance	1,600	3,000	3,000	3,000
	920,420	992,937	992,937	1,143,900
Recycling Program (5060):				
Personnel Services	968,778	970,627	970,627	946,136
Materials and Supplies	186,590	253,111	253,111	221,502
Services and Charges	144,525	125,300	125,300	124,550
Motorpool Charges	504,247	437,199	437,199	467,597
Cost allocation	87,732	94,308	94,308	94,308
Maintenance	8,144	15,076	15,076	15,207
Capital	10,023	0	0	0
	1,910,039	1,895,621	1,895,621	1,869,300
Composting Program (5070):				
Personnel Services	322,405	366,060	366,060	382,840
Materials and Supplies	63,853	60,801	60,801	64,301
Services and Charges	2,361	1,900	1,900	2,400
Motorpool Charges	230,914	307,777	307,777	340,175
Cost allocation	29,940	32,184	32,184	32,184
Maintenance	99	500	500	500
	649,572	769,222	769,222	822,400
Solid Waste Projects Program (5080):				
Materials and Supplies	21,014	215,562	215,562	0
Services and Charges	276,008	644,068	644,068	0
Capital	94,540	3,820,516	3,820,516	238,000
	391,562	4,680,146	4,680,146	238,000
Total Business-Type Activity	$ 10,453,029	$ 15,720,257	$ 15,720,257	$ 11,123,000
Total Fund	$ 10,453,029	$ 15,720,257	$ 15,720,257	$ 11,123,000

Draft

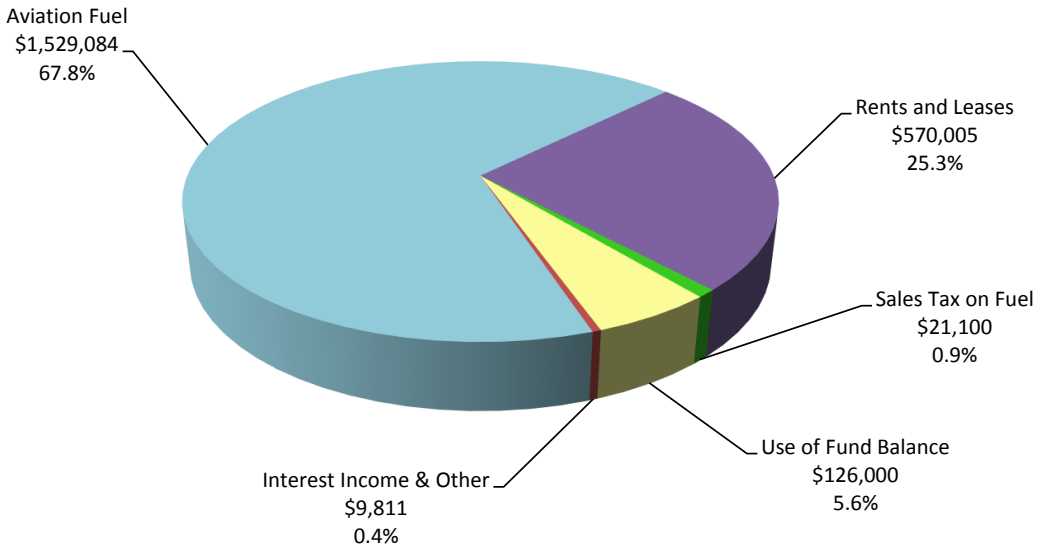
Airport Fund (5550)

The **Airport Fund** provides for the operation and maintenance of the City's municipal airport, Drake Field. The Airport Fund's revenue is generated from FBO fuel sales and rents and leases. In 2016, the Airport Fund is projected to use reserves of $126,000. Of that amount $57,000 is for capital expenditures for which the division will request grants.

Airport Fund Revenues

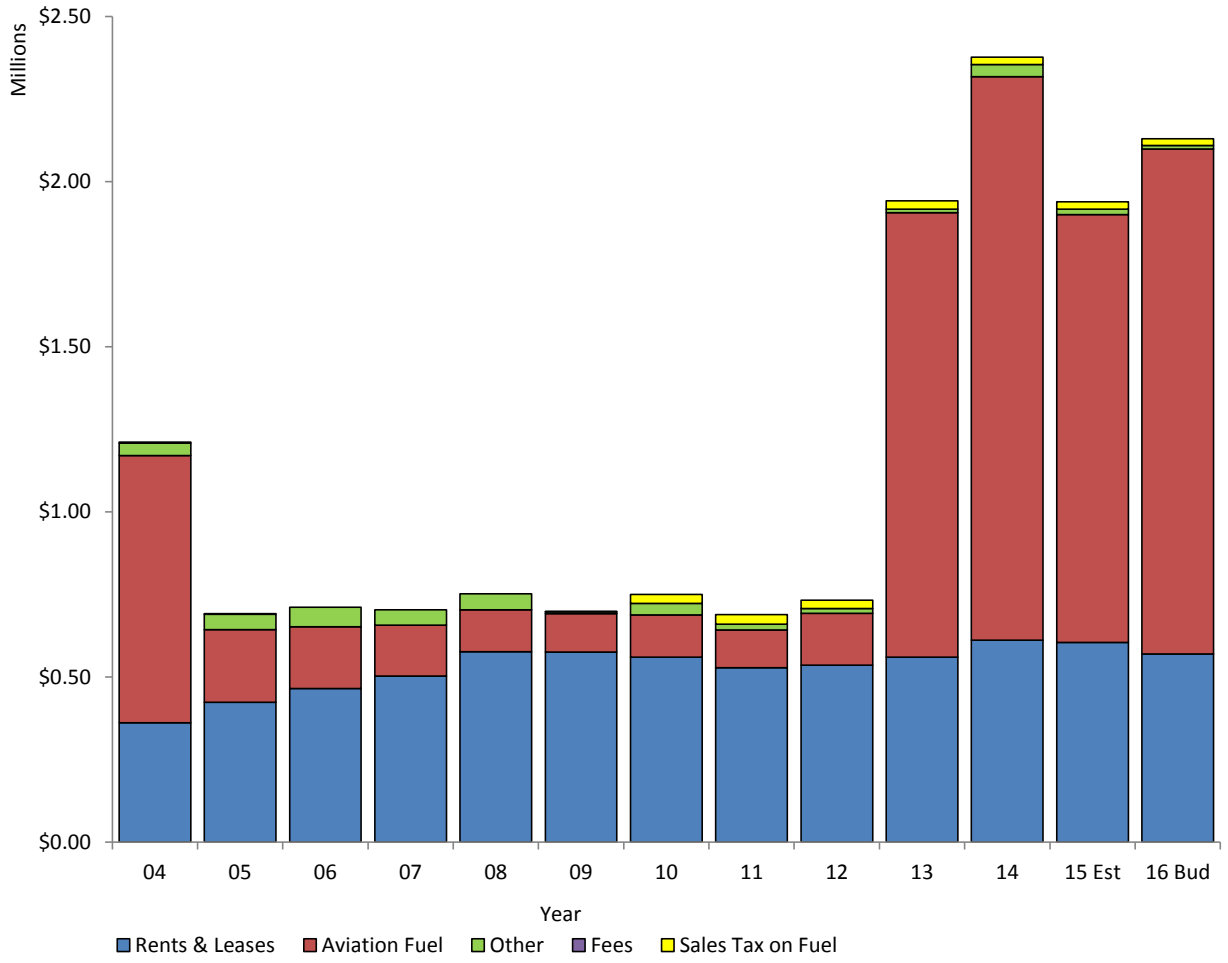
For 2016, the Airport Fund sources of funds are budgeted at $2,256,000. Aviation Fuel revenue is projected to be $1,529,084 or 67.8% of the total revenue, as the City took over Fixed Based Operations in March of 2013. Rents and Leases make up the second largest source of revenue (25.3%).

Sources of Funds for 2016
$2,256,000



Total Operating Revenue

This chart shows all of the Airport Fund's operating revenues by type. Primary revenues are comprised of Fuel Sales and Rents and Leases. During the fourth quarter of 2001, the City took over the Fixed Based Operator (FBO) functions and sold aviation fuel as it became a General Aviation airport. The selling of fuel continued until the last part of 2005 when the City contracted the operation of the FBO to an external company. The City again took over running the Fixed Based Operations (FBO) in March of 2013. Due to the FBO, Aviation Fuel has become the major source of revenue. A portion of the airport terminal building is leased to two pilot training schools, the U.S. Post Office and several other business operations.



City of Fayetteville, Arkansas
2016 Operating Budget
Airport Fund (5550)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Sales Tax - County	$ 11,092	$ 10,850	$ 10,353	$ 10,100
Sales Tax - City	11,546	11,300	11,079	11,000
Rents & Leases	611,846	584,500	604,802	570,005
Aviation Fuel	1,705,873	1,710,544	1,295,286	1,529,084
Other	33,650	8,440	12,535	6,000
Interest Income	3,073	2,366	4,400	3,811
Total Revenues	2,377,080	2,328,000	1,938,455	2,130,000
Expenses:				
Airport Administration	369,765	439,212	439,212	419,048
Airport Maintenance	201,493	277,890	277,890	247,800
Airport Operations	1,587,896	1,626,431	1,352,003	1,511,497
Airport Capital Expense	52,616	179,372	150,872	0
General Fund Loan Interest	5,126	5,125	5,125	5,125
General Fund Loan Principal	14,245	15,530	15,530	15,530
Total Expenses	2,231,141	2,543,560	2,240,632	2,199,000
Budget Gain / (Loss) Before Capital	$ 145,939	$ (215,560)	$ (302,177)	$ (69,000)
Non-Operating Revenues / (Expenses):				
Intergovernmental (Grants)	28,140	663,544	663,544	0
Gain/Loss Sale of Assets	2,087	0	1,397	0
Capital Expenditures	(11,252)	(1,051,143)	(727,597)	(57,000)
Total Capital Revenues / (Expenses)	18,975	(387,599)	(62,656)	(57,000)
Budget Gain / (Loss)	$ 164,914	$ (603,159)	$ (364,833)	$ (126,000)
Total Budget	$ 2,242,393	$ 3,594,703	$ 2,968,229	$ 2,256,000

Draft

City of Fayetteville, Arkansas
2016 Operating Budget
Airport Fund (5550)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 11,622,698	$ 10,415,773	$ 10,415,773	$ 9,750,537
Budget Gain / (Loss)	164,914	(603,159)	(364,833)	(126,000)
Plus: Gain Capital Expenditures	11,252	1,051,143	727,597	57,000
Plus: Bond Principal Payment	14,245	15,530	15,530	15,530
Less: Depreciation Expense	(1,397,336)	(1,376,540)	(1,043,530)	(1,132,285)
Ending Total Net Assets	$ 10,415,773	$ 9,502,747	$ 9,750,537	$ 8,564,782
NET ASSET ANALYSIS				
Net Investment in Capital Assets	$ 9,946,933	$ 9,621,536	$ 9,631,000	$ 8,555,715
* Unrestricted	468,840	(118,789)	119,537	9,067
Ending Total Net Assets	$ 10,415,773	$ 9,502,747	$ 9,750,537	$ 8,564,782

* A long term interfund loan from the General Fund is recorded as a liability but not deducted from net investments in capital assets which is in keeping with Generally Accepted Accounting Principles (GAAP). However, the approximant amount of that liability is $160,500 as of September 2015 which could be considered a part of unrestricted net assets.

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Airport Fund (5550)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Business-Type Activity:				
Airport Administration Program (3940):				
Personnel Services	$ 145,463	$ 216,237	$ 216,237	$ 179,988
Materials and Supplies	4,227	6,951	6,951	9,271
Services and Charges	208,461	209,649	209,649	222,982
Motorpool Charges	3,699	1,611	1,611	2,043
Cost allocation	7,915	4,764	4,764	4,764
Debt Service	19,371	20,655	20,655	20,655
	389,136	459,867	459,867	439,703
Airport Maintenance Program (3950):				
Personnel Services	95,096	160,339	160,339	131,416
Materials and Supplies	10,790	17,678	17,678	19,214
Services and Charges	5,327	8,682	8,682	6,642
Motorpool Charges	30,317	27,571	27,571	28,708
Maintenance	59,963	63,620	63,620	61,820
	201,493	277,890	277,890	247,800
Airport Operations Program (3955):				
Personnel Services	258,468	264,586	264,586	255,672
Materials and Supplies	1,232,336	1,217,416	942,988	1,114,591
Services and Charges	78,352	115,157	115,157	105,384
Motorpool Charges	3,534	3,601	3,601	3,756
Cost allocation	0	3,744	3,744	3,744
Maintenance	15,206	21,927	21,927	28,350
	1,587,896	1,626,431	1,352,003	1,511,497
Airport Capital Expense Program (3960):				
Materials and Supplies	29,529	1,470	1,470	0
Services and Charges	23,087	159,692	131,192	0
Maintenance	0	18,210	18,210	0
Capital	11,252	1,051,143	727,597	57,000
	63,868	1,230,515	878,469	57,000
Total Business-Type Activity	$ 2,242,393	$ 3,594,703	$ 2,968,229	$ 2,256,000
Total Fund	$ 2,242,393	$ 3,594,703	$ 2,968,229	$ 2,256,000

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Town Center and Parking Facility Fund (5600)

The **Town Center and Parking Facility Fund** accounts for the Town Center Building and the associated special obligation debt.

These bonds were refunded in 2014 with the remaining debt of $650,000 transferred to the HMR 2014 Bond Debt Service Fund (3390), a governmental activity.

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City of Fayetteville, Arkansas
2016 Operating Budget
Town Center Fund (5600)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Contribution from Advertising/Promotion	$ 564,183	$ 0	$ 0	$ 0
Total Revenues	564,183	0	0	0
Expenses:				
Audit Expense	600	0	0	0
Principal Payment	625,000	0	0	0
Interest Expense	45,929	0	0	0
Town Center Expense	1,905	0	0	0
Paying Agent Fees	11,617	0	0	0
Transfer to HMR Debt	56,093	0	0	0
Equity Transfer	3,803,159	0	0	0
Total Expenses	4,544,303	0	0	0
Budget Gain / (Loss)	$ (3,980,120)	$ 0	$ 0	$ 0
Total Budget	$ 4,544,303	$ 0	$ 0	$ 0
ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 3,661,587	$ 0	$ 0	$ 0
Budget Gain / (Loss)	(3,980,120)	0	0	0
Plus: Bond Principal Payment	625,000	0	0	0
Less: Depreciation Expense	(306,467)	0	0	0
Ending Total Net Assets	$ 0	$ 0	$ 0	$ 0
NET ASSET ANALYSIS				
Net Investment in Capital Assets	$ 0	$ 0	$ 0	$ 0
Unrestricted	0	0	0	0
Ending Total Net Assets	$ 0	$ 0	$ 0	$ 0

Note: Ending net assets represent investments in the Town Center building and attached garage.

Draft

City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Town Center Fund (5600)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Town Center Expense Program (9600):				
Services and Charges	$ 2,505	$ 0	$ 0	$ 0
Debt Service	682,546	0	0	0
Operating Transfers	3,859,252	0	0	0
	4,544,303	0	0	0
Total Citywide Activity	$ 4,544,303	$ 0	$ 0	$ 0
Total Fund	$ 4,544,303	$ 0	$ 0	$ 0

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Police Pension Fund (6800)

The **Police Pension Fund** accounts for the accumulation of resources for the pension benefit payments to qualified police personnel. Operations of this fund are controlled by the Police Pension Board. Revenues include insurance premium tax distributions, a special City property tax, and special fees and forfeitures.

Draft

City of Fayetteville, Arkansas
2016 Operating Budget
Police Pension Fund (6800)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Property Taxes	$ 525,620	$ 552,000	$ 529,000	$ 548,000
State Insurance Turnback	222,299	221,400	227,371	227,371
Fines & Forfeitures	101,596	100,090	126,800	126,129
Investment Earnings	193,756	178,510	202,842	124,500
Gain/Loss on Sale of Investments	513,762	0	122,521	0
Gain/Loss in Fair Value of Investments	(355,917)	0	0	0
Other	5,368	0	4,070	0
Total Revenues	1,206,484	1,052,000	1,212,604	1,026,000
Expenses:				
Audit Expense	3,500	3,500	3,500	3,500
Professional Services	103	0	0	0
Bank Service Charges	77	725	725	800
Benefit Payments	1,602,776	1,606,525	1,606,525	1,569,450
Materials and Supplies	52	250	250	250
Total Expenses	1,606,508	1,611,000	1,611,000	1,574,000
Budget Gain / (Loss)	$ (400,024)	$ (559,000)	$ (398,396)	$ (548,000)
Total Budget	$ 1,606,508	$ 1,611,000	$ 1,611,000	$ 1,574,000

ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 7,538,313	$ 7,138,289	$ 7,138,289	$ 6,739,893
Budget Gain / (Loss)	(400,024)	(559,000)	(398,396)	(548,000)
Ending Total Net Assets	$ 7,138,289	$ 6,579,289	$ 6,739,893	$ 6,191,893

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Police Pension Fund (6800)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Police Pension Expense Program (9800):				
Materials and Supplies	$ 52	$ 250	$ 250	$ 250
Services and Charges	1,606,456	1,610,750	1,610,750	1,573,750
	1,606,508	1,611,000	1,611,000	1,574,000
Total Citywide Activity	$ 1,606,508	$ 1,611,000	$ 1,611,000	$ 1,574,000
Total Fund	$ 1,606,508	$ 1,611,000	$ 1,611,000	$ 1,574,000

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Fire Pension Fund (6810)

The **Fire Pension Fund** accounts for the accumulation of resources for the pension benefit payments to qualified fire personnel. Operations of this fund are controlled by the Fire Pension Board. Revenues include the proceeds of a special City property tax and insurance premium tax distributions from the State.

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City of Fayetteville, Arkansas
2016 Operating Budget
Fire Pension Fund (6810)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Property Taxes	$ 525,620	$ 552,000	$ 529,000	$ 548,000
State Insurance Turnback	287,844	301,300	284,738	284,738
Investment Earnings	110,629	98,700	128,720	88,262
Gain/Loss on Sale of Investments	144,876	0	209,397	0
Gain/Loss in Fair Value of Investments	101,905	0	0	0
Other	366	0	4	0
Total Revenues	1,171,240	952,000	1,151,859	921,000
Expenses:				
Audit Expense	3,500	3,500	3,500	3,500
Professional Services	0	3,000	3,000	3,000
Bank Service Charges	50	150	150	150
Benefit Payments	1,414,657	1,428,123	1,428,123	1,419,084
Materials and Supplies	0	100	100	139
Services and Charges	250	127	127	127
Total Expenses	1,418,457	1,435,000	1,435,000	1,426,000
Budget Gain / (Loss)	$ (247,217)	$ (483,000)	$ (283,141)	$ (505,000)
Total Budget	$ 1,418,457	$ 1,435,000	$ 1,435,000	$ 1,426,000

ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 4,624,856	$ 4,377,639	$ 4,377,639	$ 4,094,498
Budget Gain / (Loss)	(247,217)	(483,000)	(283,141)	(505,000)
Ending Total Net Assets	$ 4,377,639	$ 3,894,639	$ 4,094,498	$ 3,589,498

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Fire Pension Fund (6810)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Citywide Activity:				
Fire Pension Expense Program (9810):				
Materials and Supplies	$ 0	$ 100	$ 100	$ 139
Services and Charges	1,418,457	1,434,900	1,434,900	1,425,861
	1,418,457	1,435,000	1,435,000	1,426,000
Total Citywide Activity	$ 1,418,457	$ 1,435,000	$ 1,435,000	$ 1,426,000
Total Fund	$ 1,418,457	$ 1,435,000	$ 1,435,000	$ 1,426,000

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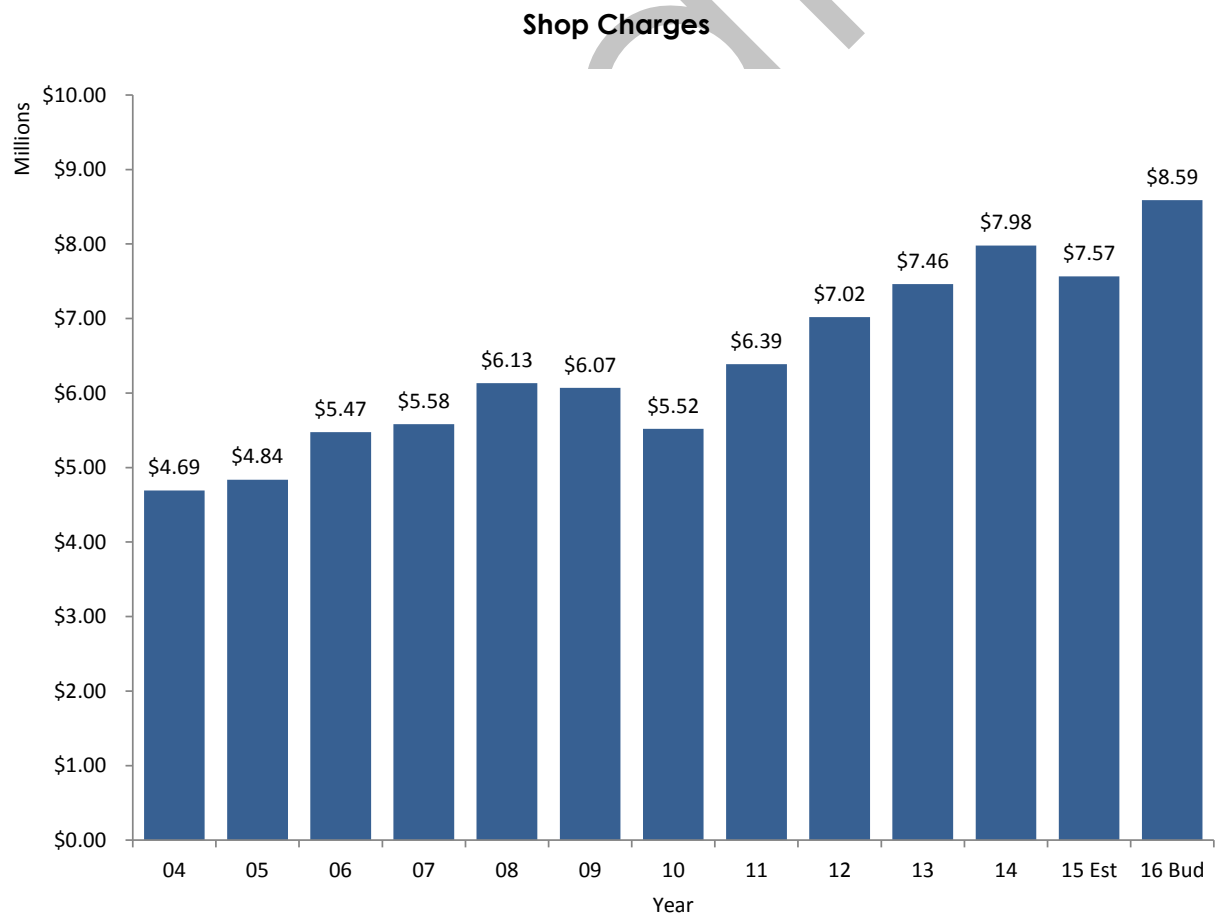
Shop Fund (9700)

The **Shop Fund** is an internal service fund that provides for all the acquisition and maintenance of equipment and vehicles utilized by the City's operating divisions. The Shop Fund's source of revenue is from charges to other City operating funds based on equipment and vehicle usage. Increases in 2016 operational costs can be attributed to additional parts and supply purchases, fuel expense, insurance, and contract services for repairs that cannot be performed by staff. These operational increases are a result of fleet expansions and increased equipment usage. On a cash basis, revenues will equal expenditures after capital for 2016.

Shop Fund Revenues

Shop Charges (Replacement Charges, Motorpool and Maintenance Charges, Shop Overhead Charges, Shop Overhead Insurance Charges, and Fuel Charges) as a whole make up 99.0% of total Shop Fund. These revenues are budgeted at $8,590,476 for 2016. These can be broken down in components as follows. The Replacement Charges ($4,267,500) is the amount Fleet Operations collects to purchase replacement vehicles and equipment. Motorpool and Maintenance Charges ($1,805,340), Shop Overhead Charges ($589,440) and Shop Overhead Insurance Charges ($170,196) are the monthly fees user divisions pay to the Shop Fund for the on-going maintenance that is provided for the life of the vehicles and equipment. Fuel Charges ($1,758,000) represents revenue received from charging out the cost of gasoline to the user divisions.



City of Fayetteville, Arkansas
2016 Operating Budget
Shop Fund (9700)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Revenues:				
Maintenance Charges	$ 41,408	$ 27,600	$ 27,955	$ 27,600
Fuel Charges	1,561,433	1,758,000	967,979	1,758,000
Replacement Charges	4,005,711	4,188,780	4,114,677	4,267,500
Motor Pool Charges	1,663,099	1,812,960	1,754,501	1,777,740
Shop Overhead Charges	564,848	556,920	537,752	589,440
Shop Overhead Insurance	144,701	167,040	162,963	170,196
Shop Rental Pool Revenue	13,810	18,000	11,385	17,300
Other	53,127	0	19,815	17,000
Interest Income	59,165	36,700	65,900	65,224
Total Revenues	8,107,302	8,566,000	7,662,927	8,690,000
Expenses:				
Vehicle Maintenance	2,768,703	3,083,138	3,052,191	3,036,459
Gasoline/Diesel Expense	1,492,797	1,693,210	943,779	1,701,541
Total Expenses	4,261,500	4,776,348	3,995,970	4,738,000
Budget Gain / (Loss) Before Capital	$ 3,845,802	$ 3,789,652	$ 3,666,957	$ 3,952,000
Non-Operating Revenues / (Expenses):				
Gain/Loss Sale of Assets	901,810	0	163,365	0
Transfer from General	18,000	2,500	2,500	57,000
Transfer from Street	12,000	0	0	0
Transfer from Parks Development	0	0	0	90,000
Transfer from Impact Fee Fund	0	0	0	105,000
Transfer from Water & Sewer	0	367,000	364,985	0
Capital Expenditures	(3,195,967)	(7,467,625)	(7,467,625)	(4,204,000)
Total Capital Revenues / (Expenses)	(2,264,157)	(7,098,125)	(6,936,775)	(3,952,000)
Budget Gain / (Loss)	$ 1,581,645	$ (3,308,473)	$ (3,269,818)	$ 0
Total Budget	$ 7,457,467	$ 12,243,973	$ 11,463,595	$ 8,942,000

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City of Fayetteville, Arkansas
2016 Operating Budget
Shop Fund (9700)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
ESTIMATED CHANGE IN NET ASSETS				
Beginning Total Net Assets	$ 19,657,487	$ 21,471,578	$ 21,471,578	$ 22,410,252
Budget Gain / (Loss)	1,581,645	(3,308,473)	(3,269,818)	0
Plus: Gain Capital Expenditures	3,195,967	7,467,625	7,467,625	4,204,000
Less: Depreciation Expense	(2,963,521)	(3,825,272)	(3,259,133)	(4,063,921)
Ending Total Net Assets	$ 21,471,578	$ 21,805,458	$ 22,410,252	$ 22,550,331
NET ASSET ANALYSIS				
Net Investment in Capital Assets	$ 14,154,096	$ 17,796,449	$ 18,362,588	$ 18,502,667
Unrestricted	7,317,482	4,009,009	4,047,664	4,047,664
Ending Total Net Assets	$ 21,471,578	$ 21,805,458	$ 22,410,252	$ 22,550,331

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City of Fayetteville, Arkansas
2016 Operating Budget (Category Summary)
Shop Fund (9700)

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
Transportation Services Activity:				
Vehicle Maintenance Program (1910):				
Personnel Services	$ 1,057,510	$ 1,150,137	$ 1,150,137	$ 1,135,635
Materials and Supplies	2,338,952	2,627,107	1,846,729	2,636,398
Services and Charges	445,741	510,812	510,812	512,521
Motorpool Charges	57,371	56,778	56,778	55,280
Cost allocation	318,468	342,348	342,348	342,348
Maintenance	37,876	55,818	55,818	55,818
Capital	0	21,000	21,000	10,000
	4,255,918	4,764,000	3,983,622	4,748,000
Capital Expense Program (1920):				
Materials and Supplies	4,714	85	85	0
Services and Charges	868	3,263	3,263	0
Maintenance	0	30,000	30,000	0
Capital	3,195,967	7,446,625	7,446,625	4,194,000
	3,201,549	7,479,973	7,479,973	4,194,000
Total Transportation Services Activity	$ 7,457,467	$ 12,243,973	$ 11,463,595	$ 8,942,000
Total Fund	$ 7,457,467	$ 12,243,973	$ 11,463,595	$ 8,942,000

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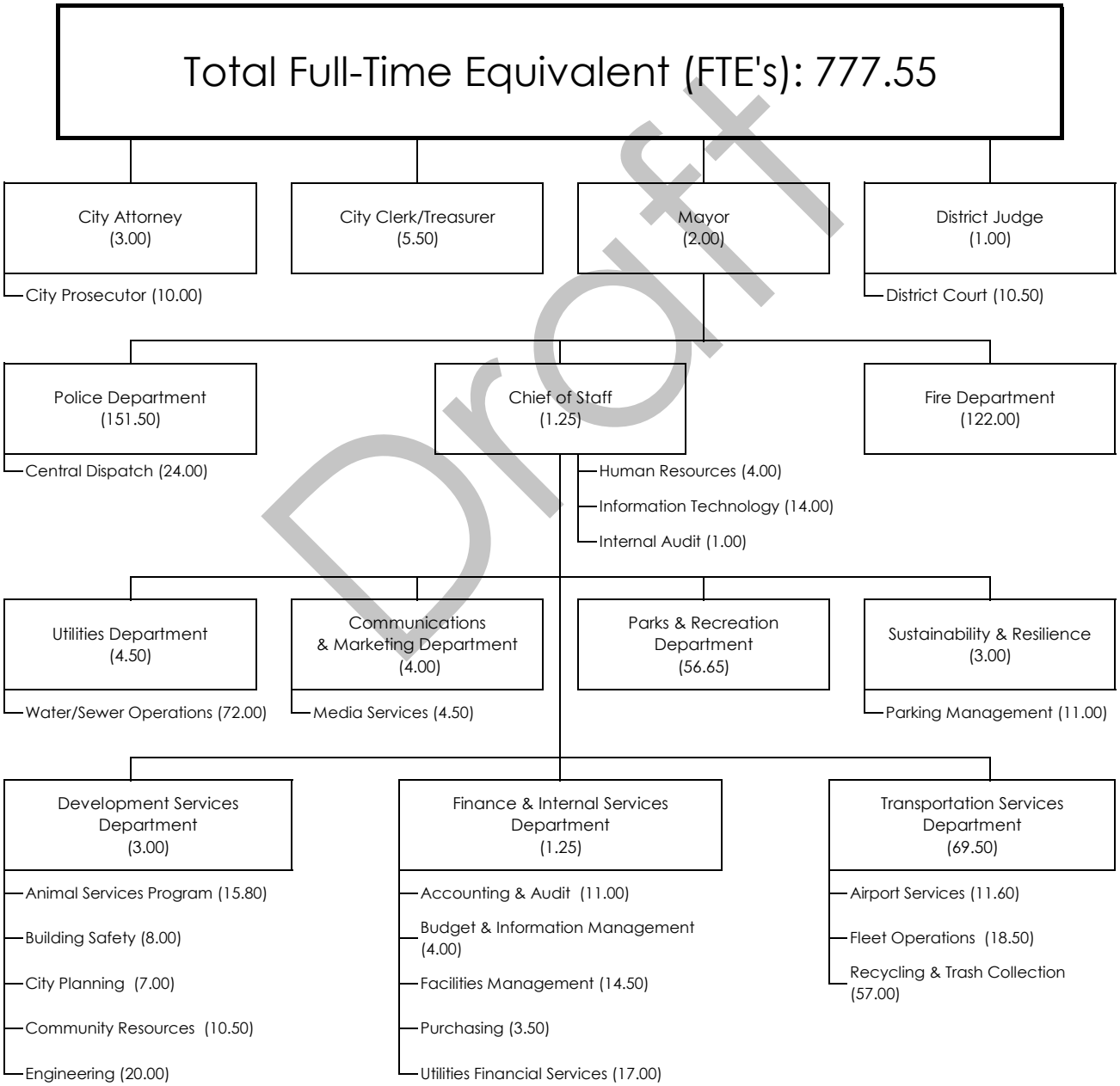
The Personnel Summary table below shows the authorized full-time equivalent (FTE) listing for the City of Fayetteville by Organization Chart.

The subsequent pages provide a summary and a detail listing of personnel by Funding Source and Activity.



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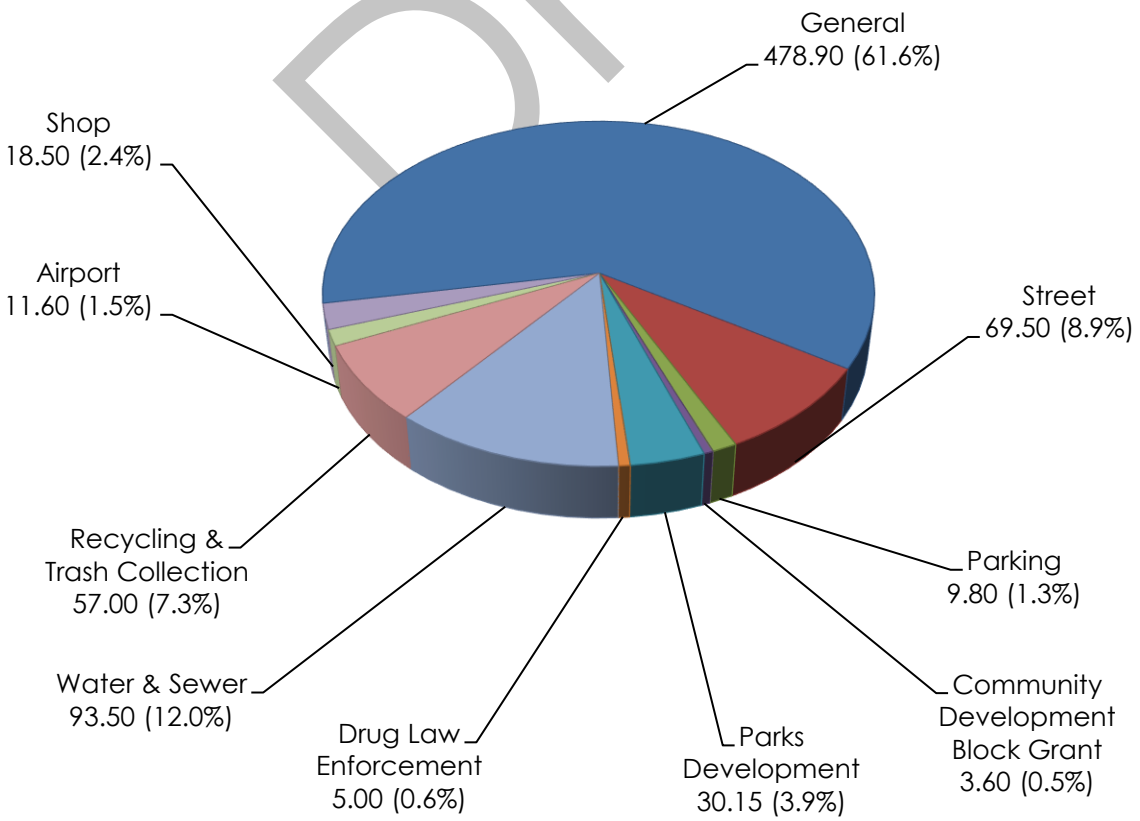
City of Fayetteville, Arkansas
Personnel Summary by Funding Source
Full-Time Equivalent Basis

Fund	Budgeted 2014	Budgeted 2015	Budgeted 2016
1010 - General	469.20	467.70	478.90
2100 - Street	68.50	69.50	69.50
2130 - Parking	8.80	9.80	9.80
2180 - Community Development Block Grant	3.85	3.60	3.60
2250 - Parks Development	27.35	29.35	30.15
2930 - Drug Law Enforcement	4.00	5.00	5.00
5400 - Water & Sewer	93.50	93.50	93.50
5500 - Recycling & Trash Collection	57.00	57.00	57.00
5550 - Airport	12.60	12.60	11.60
9700 - Shop	18.50	18.50	18.50
Total	763.30	766.55	777.55

Full-Time Equivalent Basis by Fund
(777.55 FTE'S)



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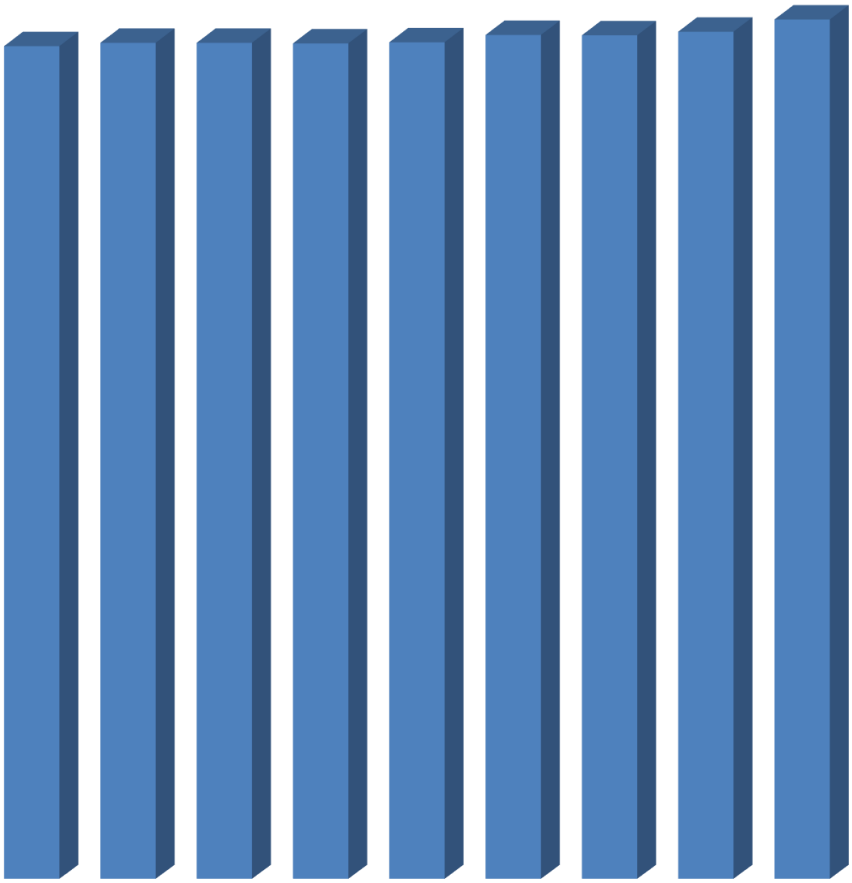
City of Fayetteville, Arkansas
Personnel History by Funding Source (2008-2016)



Fund	2008	2009	2010	2011	2012	2013	2014	2015	2016
General	482.33	482.33	480.13	470.55	470.60	471.50	469.20	467.70	478.90
Street	68.50	68.50	68.50	68.50	68.50	68.50	68.50	69.50	69.50
Parking	1.00	1.00	3.50	6.00	7.00	6.80	8.80	9.80	9.80
Community Development Block Grant	4.75	4.75	4.55	4.55	4.55	3.85	3.85	3.60	3.60
Parks Development	21.85	21.85	21.85	27.40	27.35	27.35	27.35	29.35	30.15
Drug Law Enforcement	4.00	4.00	4.00	4.00	4.00	4.00	4.00	5.00	5.00
Water & Sewer	91.50	93.50	93.50	93.50	93.50	93.50	93.50	93.50	93.50
Recycling & Trash Collection	55.60	56.60	56.00	57.00	57.00	57.00	57.00	57.00	57.00
Airport	5.50	5.50	6.00	6.00	6.00	12.60	12.60	12.60	11.60
Shop	18.50	18.50	18.50	18.50	18.50	18.50	18.50	18.50	18.50
Total	753.53	756.53	756.53	756.00	757.00	763.60	763.30	766.55	777.55
Change from Prior Year	1.00	3.00	-	(0.53)	1.00	6.60	(0.30)	3.25	11.00

City of Fayetteville, Arkansas
Personnel Summary by Funding Source / Program

Fund / Program	Budgeted 2014	Budgeted 2015	Budgeted 2016
1010 - GENERAL FUND:			
0150 - Mayor's Administration	2.00	2.00	2.00
0210 - City Attorney	3.00	3.00	3.00
0310 - City Prosecutor	9.00	9.00	10.00
0400 - District Judge	1.00	1.00	1.00
0550 - Communications	3.00	3.00	4.00
0600 - Media Services	4.25	4.50	4.50
0700 - Chief of Staff	1.25	1.25	1.25
1100 - Chief Financial Officer	1.25	1.25	1.25
1210 - Human Resource Operations	5.00	5.00	4.00
1310 - Accounting & Audit	11.00	11.00	11.00
1330 - Budget & Information Management	4.00	4.00	4.00
1360 - Internal Audit	1.00	1.00	1.00
1380 - Utilities Management	2.20	2.20	1.20
1410 - General Maintenance	8.00	8.00	7.50
1420 - Janitorial	6.50	6.50	7.00
1510 - City Clerk/Treasurer	5.50	5.50	5.50
1610 - Purchasing	3.50	3.50	3.50
1710 - Information Technology	14.00	14.00	9.00
1720 - Geographic Information Systems	-	-	5.00
2010 - Criminal Cases	5.50	5.50	5.50
2020 - Probation & Fine Collection	0.50	0.50	0.50
2030 - Small Claims & Civil Cases	4.50	4.50	4.50
2600 - Central Dispatch	24.00	24.00	24.00
2710 - Animal Patrol/Emergency Response	5.50	5.50	5.50
2720 - Animal Shelter	8.30	8.30	8.30
2730 - Veterinarian/Clinic	2.00	2.00	2.00
2900 - Police Support Services	36.00	36.00	35.00
2940 - Police Patrol	106.00	105.00	111.50
3010 - Fire Prevention	5.00	5.00	5.00
3020 - Fire Operations	107.00	107.00	115.00
3030 - Fire Training	2.00	2.00	2.00
5210 - Swimming Pool	4.35	4.35	4.35
5220 - Parks Administration/Recreation Programs	7.70	7.70	7.75
5250 - Lake Maintenance	0.15	0.15	0.15
5260 - Parks Maintenance	12.10	11.10	11.25
5280 - Yvonne Richardson Community Center	3.00	3.00	3.00
6200 - Development Services Director	3.00	3.00	3.00
6210 - Engineering Design Services	5.00	5.00	5.00
6220 - Engineering Operations & Administration	8.00	8.00	8.00
6230 - Engineering Land Acquisition	2.00	2.00	2.00
6240 - Engineering Public Construction	5.00	5.00	5.00

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Fund / Program	Budgeted 2014	Budgeted 2015	Budgeted 2016
6300 - City Planning	8.00	8.00	7.00
6310 - Sustainability & Resilience	3.00	3.00	3.00
6400 - Building Safety	9.50	9.50	8.00
6420 - Code Compliance	6.65	6.90	6.90
	469.20	467.70	478.90
2100 - STREET FUND:			
4100 - Operations & Administration	9.00	9.00	9.00
4110 - Right-of-Way Maintenance	4.00	6.00	6.00
4120 - Street Maintenance	20.00	19.00	19.00
4130 - Drainage Maintenance	10.00	10.00	10.00
5315 - Traffic Engineering & Planning	6.00	6.00	6.00
5520 - Trail Construction	9.50	9.50	9.50
5530 - Sidewalks	10.00	10.00	10.00
	68.50	69.50	69.50
2130 - PARKING FUND:			
9130 - Off-Street Parking	4.30	4.30	4.30
9131 - Entertainment District Parking	4.50	4.50	4.50
9132 - Spring Street Municipal Parking Deck	-	1.00	1.00
	8.80	9.80	9.80
2180 - COMMUNITY DEVELOPMENT BLOCK GRANT FUND:			
4930 - Administration & Planning	1.05	1.05	1.05
4940 - Housing Services	1.80	1.55	1.55
4945 - Redevelopment	1.00	1.00	1.00
	3.85	3.60	3.60
2250 - PARKS DEVELOPMENT FUND:			
9250 - Parks Development	27.35	29.35	30.15
	27.35	29.35	30.15
2930 - DRUG LAW ENFORCEMENT FUND:			
2960 - Drug Enforcement	4.00	5.00	5.00
	4.00	5.00	5.00

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City of Fayetteville, Arkansas
Personnel Summary by Funding Source / Program

Fund / Program	Budgeted 2014	Budgeted 2015	Budgeted 2016
5400 - WATER & SEWER FUND:			
1800 - Utilities Director	1.50	1.50	1.50
1810 - Utilities Financial Services	17.00	17.00	17.00
1820 - Meter Reading	15.00	15.00	15.00
1830 - Meter Maintenance & Backflow Prevention	6.00	6.00	6.00
4000 - Operations & Administration	11.00	11.00	11.00
4020 - Utilities Project Management	3.00	3.00	3.00
4310 - Water Distribution Maintenance	15.35	15.35	15.35
4330 - Water Storage & Pump Maintenance	2.00	2.00	2.00
4410 - Sewer Mains Maintenance	19.35	19.35	19.35
5620 - Water & Sewer Connections	3.30	3.30	3.30
	93.50	93.50	93.50
5500 - RECYCLING & TRASH COLLECTION FUND:			
5000 - Operations & Administration	5.00	5.00	5.00
5010 - Commercial Collections	11.50	11.50	11.50
5020 - Residential Collections	10.00	10.00	10.00
5030 - Commercial Drop Box Collections	2.50	2.50	2.50
5040 - Transfer Station	2.50	2.50	2.50
5060 - Recycling	18.50	18.50	18.50
5070 - Composting	7.00	7.00	7.00
	57.00	57.00	57.00
5550 - AIRPORT FUND:			
3940 - Airport Administration	3.00	3.00	3.00
3950 - Airport Maintenance	3.00	3.60	2.60
3955 - Airport Operations	6.60	6.00	6.00
	12.60	12.60	11.60
9700 - SHOP FUND:			
1910 - Vehicle Maintenance	18.50	18.50	18.50
	18.50	18.50	18.50
Total Positions - Citywide	763.30	766.55	777.55

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City of Fayetteville, Arkansas
Personnel Variation Summary (2016)

Fund / Division	Title	Additions / (Reductions) Active	Frozen	Total
2016 BUDGET - POSITION CHANGES:				
General Fund				
Budget & Information Mgt.	Budget Analyst[1]	1.00	(1.00)	-
Building Safety	Inspector - Residential[2]	1.00	(1.00)	-
	Inspections Clerk[13]	-	(1.50)	(1.50)
Central Dispatch	Dispatcher I[3]	1.00	(1.00)	-
City Planning	Planner - Current Planning[4]	1.00	(1.00)	-
	Permit Clerk[13]	-	(1.00)	(1.00)
City Prosecutor	City Prosecutor Investigator[5]	1.00	-	1.00
Facilities Management	Custodian (Part Time)[6]	0.50	-	0.50
	Construction & Contract Mgr [13]	-	(0.50)	(0.50)
Fire	Firefighters[7]	10.00	(1.00)	9.00
	Battalion Chief (Safety/Supply)[8]	1.00	(1.00)	-
Human Resources	Benefits Administrator [13]	-	(1.00)	(1.00)
Information Technology	Database Administrator [13]	-	(1.00)	(1.00)
Parks & Recreation	Maintenance Worker II - Parks[9]	1.00	(1.00)	-
Police	Police Officer[10]	7.00	-	7.00
	Secretary / Transcriptionist [13]	-	(1.50)	(1.50)
Parks Development Fund				
Parks & Recreation	Maintenance Worker II - Parks[11]	1.00	(1.00)	-
	Maintenance Worker III - Parks[12]	1.00	-	1.00
Aviation Fund				
Aviation	Maintenance Worker III[13]	-	(1.00)	(1.00)
		26.50	(15.50)	11.00

POSITION FTE RECONCILIATION

2015 BUDGET - ADOPTED		749.80	15.50	765.30
Parking	Parking Attendants[14]	1.00	-	1.00
Media Services	Video Recording Equip Op[15]	0.25	-	0.25
2015 BUDGET - AMENDED		751.05	15.50	766.55
2016 CHANGES		26.50	(15.50)	11.00
2016 BUDGET - PROPOSED		777.55	0.00	777.55

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NOTES TO THE PERSONNEL VARIATION SUMMARY

1. A Budget Analyst (FTE 1.00) is being unfrozen in the Budget & Information Management Division in the 2016 Budget. This position is funded out of the General Fund.

2. An Inspector - Residential (FTE 1.00) is being unfrozen in the Building Safety Division in the 2016 Budget. This position is funded out of the General Fund.

3. A Dispatcher I (FTE 1.00) is being unfrozen in the Central Dispatch Division in the 2016 Budget. This position is funded out of the General Fund.

4. A Planner - Current Planning (FTE 1.00) is being unfrozen in the City Planning Division in the 2016 Budget. This position is funded out of the General Fund.

5. A City Prosecutor Investigator (FTE 1.00) is being added to the City Prosecutor Division in the 2016 Budget. This position is funded out of the General Fund.

6. A Custodian (Part Time) (FTE 0.50) is being added to the Facilities Management Division in the 2016 Budget. This position is funded out of the General Fund.

7. Firefighters (FTE 10.00) are being added/unfrozen to the Fire Department in the 2016 Budget. These positions are funded out of the General Fund.

8. A Battalion Chief (Safety/Supply) (FTE 1.00) is being unfrozen in the Fire Department in the 2016 Budget. This position is funded out of the General Fund.

9. A Maintenance Worker II - Parks (FTE 1.00) is being unfrozen in the Parks & Recreation Division in the 2016 Budget. This position is funded out of the General Fund.

10. Police Officers (FTE 7.00) are being added to the Police Department in the 2016 Budget. These positions are funded out of the General Fund.

11. A Maintenance Worker II - Parks (FTE 1.00) is being unfrozen in the Parks & Recreation Division in the 2016 Budget. This position is funded out of the Parks Development Fund.

12. A Maintenance Worker III - Parks (FTE 1.00) is being added to the Parks & Recreation Division in the 2016 Budget. This position is funded out of the Parks Development Fund.

13. Removal of remaining frozen positions Citywide (FTE 7.50). If needed in the future, a new personnel request will be submitted.

14. Parking Attendants (FTE 1.00) were added to the Parking & Telecommunications Division by City Council at the October 6th, 2015 meeting. These positions are funded out of the Parking Fund.

15. A Video Recording Equipment Operator (Part Time) (FTE 0.25) was added to the Media Services Division by City Council at the October 6th, 2015 meeting. This position is funded out of the General Fund.

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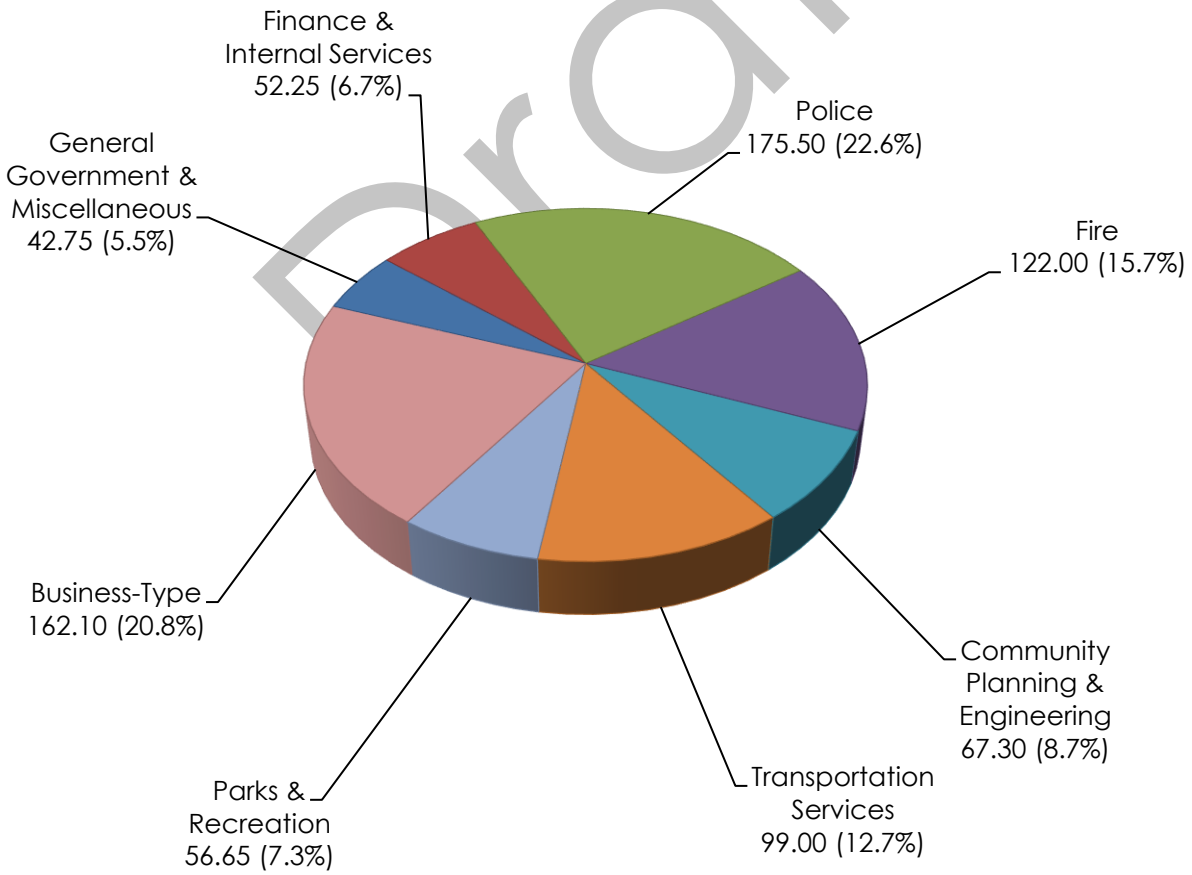
City of Fayetteville, Arkansas
Personnel Summary by Activity
Full-Time Equivalent Basis

Activity	Budgeted 2014	Budgeted 2015	Budgeted 2016
General Government & Miscellaneous	40.50	40.75	42.75
Finance & Internal Services	53.25	53.25	52.25
Police	170.00	170.00	175.50
Fire	114.00	114.00	122.00
Community Planning & Engineering	69.80	69.80	67.30
Transportation Services	98.00	100.00	99.00
Parks & Recreation	54.65	55.65	56.65
Business-Type	163.10	163.10	162.10
Total	763.30	766.55	777.55

Full-Time Equivalent Basis by Activity
(777.55 FTE'S)



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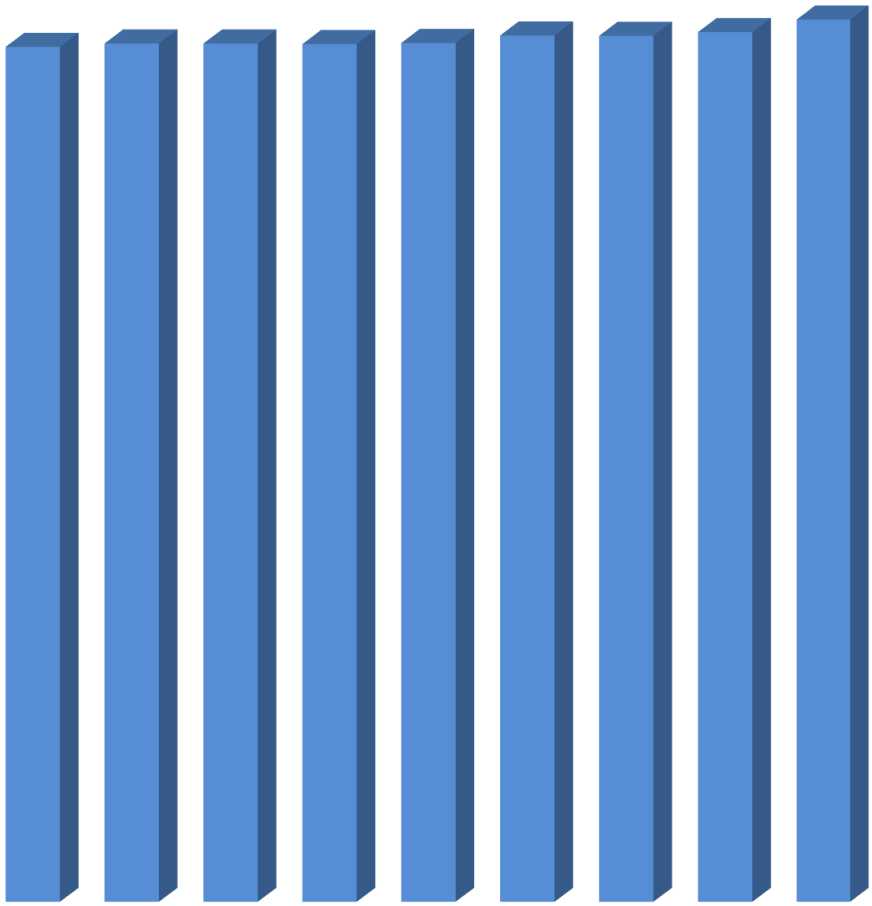
City of Fayetteville, Arkansas
Personnel History by Activity (2008-2016)



Activity	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Government	41.40	41.40	41.50	41.50	41.50	41.50	40.50	40.75	42.75
Finance & Internal Services	53.25	53.25	53.25	52.75	52.75	52.75	53.25	53.25	52.25
Police	171.63	171.63	171.63	171.60	171.60	171.60	170.00	170.00	175.50
Fire	114.00	114.00	114.00	114.00	114.00	114.00	114.00	114.00	122.00
Community Planning/Engineering	73.30	73.30	70.30	70.30	70.30	70.30	69.80	69.80	67.30
Transportation Services	93.50	93.50	96.00	95.00	96.00	96.00	98.00	100.00	99.00
Parks & Recreation	53.35	53.35	54.35	54.35	54.35	54.35	54.65	55.65	56.65
Business-Type	153.10	156.10	155.50	156.50	156.50	163.10	163.10	163.10	162.10
Total	753.53	756.53	756.53	756.00	757.00	763.60	763.30	766.55	777.55
Change from Prior Year	1.00	3.00	-	(0.53)	1.00	6.60	(0.30)	3.25	11.00

City of Fayetteville, Arkansas
Personnel Summary by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
GENERAL GOVERNMENT & MISCELLANEOUS ACTIVITY:			
Mayors Administration Division	2.00	2.00	2.00
City Attorney Division	3.00	3.00	3.00
City Prosecutor Division	9.00	9.00	10.00
City Clerk/Treasurer Division	5.50	5.50	5.50
Fayetteville District Court Division	11.50	11.50	11.50
Chief of Staff Division	1.25	1.25	1.25
Internal Audit Division	1.00	1.00	1.00
Communications & Marketing Division	3.00	3.00	4.00
Media Services Division	4.25	4.50	4.50
Total General Government & Miscellaneous Activity	40.50	40.75	42.75
FINANCE & INTERNAL SERVICES ACTIVITY:			
Chief Financial Officer Division	1.25	1.25	1.25
Accounting & Audit Division	11.00	11.00	11.00
Facilities Management Division	14.50	14.50	14.50
Budget & Information Management Division	4.00	4.00	4.00
Human Resources Division	5.00	5.00	4.00
Information Technology Division	14.00	14.00	14.00
Purchasing Division	3.50	3.50	3.50
Total Finance & Internal Services Activity	53.25	53.25	52.25
POLICE ACTIVITY:			
Police Division	146.00	146.00	151.50
Central Dispatch Division	24.00	24.00	24.00
Total Police Activity	170.00	170.00	175.50
FIRE ACTIVITY:			
Fire Division	114.00	114.00	122.00
Total Fire Activity	114.00	114.00	122.00
COMMUNITY PLANNING & ENGINEERING ACTIVITY:			
Sustainability & Resilience Division	3.00	3.00	3.00
Development Services Division	3.00	3.00	3.00
Engineering Division	20.00	20.00	20.00
City Planning Division	8.00	8.00	7.00
Community Resources Division	10.50	10.50	10.50
Building Safety Division	9.50	9.50	8.00
Animal Services Division	15.80	15.80	15.80
Total Community Planning & Engineering Activity	69.80	69.80	67.30

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City of Fayetteville, Arkansas
Personnel Summary by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
TRANSPORTATION SERVICES ACTIVITY:			
Transportation Services Division	68.50	69.50	69.50
Fleet Operations Division	18.50	18.50	18.50
Parking Management Division	11.00	12.00	11.00
Total Transportation Services Activity	98.00	100.00	99.00
PARKS & RECREATION ACTIVITY:			
Parks & Recreation Division	54.65	55.65	56.65
Total Parks & Recreation Activity	54.65	55.65	56.65
BUSINESS-TYPE ACTIVITY:			
Utilities Financial Services Division	17.00	17.00	17.00
Utilities Director Division	4.50	4.50	4.50
Water & Sewer Maintenance Division	72.00	72.00	72.00
Recycling & Trash Collection Division	57.00	57.00	57.00
Airport Services Division	12.60	12.60	11.60
Total Business-Type Activity	163.10	163.10	162.10
Total Positions - Citywide	763.30	766.55	777.55

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Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
GENERAL GOVERNMENT & MISCELLANEOUS ACTIVITY:			
Mayors Administration Division:			
Mayor	1.00	1.00	1.00
Mayor's Office Administrator	1.00	1.00	1.00
	2.00	2.00	2.00
City Attorney Division:			
City Attorney	1.00	1.00	1.00
Assistant City Attorney	1.00	1.00	1.00
Paralegal City Attorney's Office	1.00	1.00	1.00
	3.00	3.00	3.00
City Prosecutor Division:			
Prosecuting Attorney	1.00	1.00	1.00
Deputy City Prosecutor	1.00	1.00	1.00
Office Manager - Hot Check Administrator	1.00	1.00	1.00
City Prosecutor Investigator	-	-	1.00
Senior Legal Assistant	2.00	2.00	2.00
Legal Assistant	1.00	1.00	1.00
Hot Check Program Clerk	1.00	1.00	1.00
Secretary - Prosecutor's Office	1.00	1.00	1.00
Law Clerk	1.00	1.00	1.00
	9.00	9.00	10.00
City Clerk/Treasurer Division:			
City Clerk / Treasurer	1.00	1.00	1.00
Document Management Manager	1.00	1.00	1.00
Deputy City Clerk	1.00	1.00	1.00
Senior Clerk - Codifier	1.00	1.00	1.00
Senior Secretary - City Clerk	1.00	1.00	1.00
Records Clerk	0.50	0.50	0.50
	5.50	5.50	5.50
Fayetteville District Court Division:			
District Judge	1.00	1.00	1.00
District Court Administrator	1.00	1.00	1.00
Court Services Officer	0.50	0.50	0.50
Lead Court Clerk	1.00	1.00	1.00
Deputy Court Clerk II	2.00	2.00	2.00
Deputy Court Clerk	6.00	6.00	6.00
	11.50	11.50	11.50

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
Chief of Staff Division:			
Chief Of Staff	1.00	1.00	1.00
Administrative Assistant Mayor's Office	0.25	0.25	0.25
	1.25	1.25	1.25
Internal Audit Division:			
Internal Auditor	1.00	1.00	1.00
	1.00	1.00	1.00
Communications & Marketing Division:			
Communications & Marketing Director	1.00	1.00	1.00
Website Content Manager	-	-	1.00
Community Outreach Coordinator	1.00	1.00	1.00
Administrative Assistant Mayor's Office	1.00	1.00	1.00
	3.00	3.00	4.00
Media Services Division:			
Director Of Media Services	1.00	1.00	1.00
Video Production Technician	2.25	2.00	2.00
Programing Coordinator	1.00	1.00	1.00
Video Recording Equipment Operator	-	0.50	0.50
	4.25	4.50	4.50
Total General Government & Miscellaneous Activity	40.50	40.75	42.75

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
FINANCE & INTERNAL SERVICES ACTIVITY:			
Chief Financial Officer Division:			
Chief Financial Officer	1.00	1.00	1.00
Administrative Assistant Mayor's Office	0.25	0.25	0.25
	1.25	1.25	1.25
Accounting & Audit Division:			
Accounting Director	1.00	1.00	1.00
Accounting Manager - Investment & Cash	1.00	1.00	1.00
Accounting Manager - Payroll & Pension	1.00	1.00	1.00
Contract Grant Financial Accountant	1.00	1.00	1.00
Fixed Assets / Investment Coordinator	1.00	1.00	1.00
Accountant - Revenues	1.00	1.00	1.00
Accountant - Payroll	1.00	1.00	1.00
Accounting Clerk - Payables	1.00	1.00	1.00
Accounting Clerk - Receivable	1.00	1.00	1.00
Accounting Clerk - Cash	1.00	1.00	1.00
Accounting Clerk - Data Entry	1.00	1.00	1.00
	11.00	11.00	11.00
Facilities Management Division:			
Construction & Contract Manager	1.00	1.00	0.50
Facilities & Building Construction Manager	-	1.00	1.00
Building Maintenance Supervisor	1.00	-	-
HVAC Technician	1.00	1.00	1.00
Crew Leader - Building Services	1.00	1.00	1.00
Crew Leader - Building Maintenance	1.00	1.00	1.00
Building Maintenance Worker II	1.00	1.00	1.00
Operations Assistant - Building Maintenance	1.00	1.00	1.00
Building Maintenance Worker I	1.00	1.00	1.00
Custodian	6.50	6.50	7.00
	14.50	14.50	14.50

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
Budget & Information Management Division:			
Budget Director	1.00	1.00	1.00
Senior Research Analyst	1.00	1.00	1.00
Financial Analyst - Budget	1.00	1.00	1.00
Budget Analyst	1.00	1.00	1.00
	4.00	4.00	4.00
Human Resources Division:			
Human Resources Director	1.00	1.00	1.00
Senior Human Resources Officer	1.00	1.00	1.00
Benefits Administrator	2.00	2.00	1.00
Human Resources Assistant	1.00	1.00	1.00
	5.00	5.00	4.00
Information Technology Division:			
Information Technology Director	1.00	1.00	1.00
Infrastructure Manager	-	1.00	1.00
Senior Programmer / Analyst	1.00	1.00	1.00
Network Engineer	1.00	1.00	1.00
Business Systems Analyst	1.00	2.00	2.00
GIS Coordinator	1.00	1.00	1.00
Systems Administrator	1.00	-	-
Database Administrator	2.00	1.00	-
Systems Analyst	1.00	-	-
Technical Support Specialist	-	2.00	2.00
GIS Analyst	-	1.00	1.00
Telecommunications Engineer	-	-	1.00
GIS Technician	4.00	3.00	3.00
Help Desk Analyst	1.00	-	-
	14.00	14.00	14.00
Purchasing Division:			
Purchasing Manager	1.00	1.00	1.00
Purchasing Agent	1.00	1.00	1.00
Purchasing Technician	1.00	1.00	1.00
Purchasing Clerk	0.50	0.50	0.50
	3.50	3.50	3.50
Total Finance & Internal Services Activity	53.25	53.25	52.25

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Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
POLICE ACTIVITY:			
Police Division:			
Police Chief	1.00	1.00	1.00
Deputy Chief Of Police	1.00	1.00	1.00
Police Captain	3.00	3.00	3.00
Support Services Manager	1.00	1.00	1.00
Police IT Manager	1.00	1.00	1.00
Police Lieutenant	5.00	5.00	5.00
Systems Analyst	1.00	1.00	1.00
Assistant Support Services Manager	1.00	1.00	1.00
Police Sergeant	15.00	15.00	15.00
Police Corporal	58.00	53.00	54.00
Property / Evidence Manager	1.00	1.00	1.00
Evidence Technician	2.00	2.00	2.00
Senior Crime Scene Technician	1.00	1.00	1.00
Records Coordinator	1.00	1.00	1.00
Police Officer	37.00	42.00	48.00
Senior Police Support Specialist	2.00	3.00	3.00
Police Support Specialist	6.50	5.50	5.50
Senior Secretary - Police	4.00	4.00	3.00
Police Clerk	2.00	2.00	2.00
Transcriptionist	1.50	1.50	1.00
Police Clerk Imaging	0.50	0.50	0.50
Park Patrol	0.50	0.50	0.50
	146.00	146.00	151.50
Central Dispatch Division:			
Dispatch Manager	1.00	1.00	1.00
Assistant Dispatch Manager	1.00	1.00	1.00
Dispatch Shift Supervisor	2.00	2.00	2.00
Dispatch Trainer	2.00	2.00	2.00
Dispatcher III	6.00	6.00	6.00
Dispatcher II	1.00	2.00	2.00
Dispatcher I	11.00	10.00	10.00
	24.00	24.00	24.00
Total Police Activity	170.00	170.00	175.50

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
FIRE ACTIVITY:			
Fire Division:			
Fire Chief	1.00	1.00	1.00
Assistant Fire Chief	2.00	2.00	2.00
Battalion Chief	5.00	6.00	6.00
Fire IT Systems Analyst	1.00	-	-
Fire Captain	35.00	34.00	34.00
Financial Analyst - Fire	1.00	1.00	1.00
Website Content Manager	-	1.00	-
Driver / Operator / Firefighter	27.00	27.00	27.00
Firefighter	40.00	40.00	49.00
Life Safety Education Specialist	1.00	1.00	1.00
Fire Administrative Secretary	1.00	1.00	1.00
	114.00	114.00	122.00
Total Fire Activity	114.00	114.00	122.00

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Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
COMMUNITY PLANNING & ENGINEERING ACTIVITY:			
Sustainability & Resilience Division:			
Sustainability & Resilience Director	1.00	1.00	1.00
Planner - Long Range	1.00	1.00	1.00
Sustainability Project Coordinator	1.00	1.00	1.00
	3.00	3.00	3.00
Development Services Division:			
Development Services Director	1.00	1.00	1.00
Development Services Administrator	1.00	1.00	1.00
Business License Clerk	1.00	1.00	1.00
	3.00	3.00	3.00
Engineering Division:			
City Engineer	1.00	1.00	1.00
Development & Construction Manager	1.00	1.00	1.00
Engineering Design Manager	1.00	1.00	1.00
Staff Engineer	2.00	3.00	3.00
Trails Coordinator	1.00	1.00	1.00
Surveyor	1.00	1.00	1.00
Land Agent II	1.00	1.00	1.00
Staff Engineer Unlicensed	2.00	1.00	1.00
Land Agent I	1.00	1.00	1.00
CAD Drafter	2.00	2.00	2.00
PW Sidewalk / ADA Administrator	1.00	1.00	1.00
PW Projects Inspector	4.00	4.00	4.00
Land Survey Technician	1.00	1.00	1.00
Engineering Services Coordinator	1.00	1.00	1.00
	20.00	20.00	20.00
City Planning Division:			
City Planning Director	1.00	1.00	1.00
Senior Planner	1.00	1.00	1.00
Planner - Current Planning	2.00	2.00	2.00
Planning Technician - Current Planning	1.00	1.00	1.00
Residential Permits Coordinator	1.00	1.00	1.00
Development Coordinator	1.00	1.00	1.00
Permit Clerk	1.00	1.00	-
	8.00	8.00	7.00

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
Community Resources Division:			
Community Services Director	1.00	1.00	1.00
Community Resources Administrator	-	1.00	1.00
CDBG Programs Administrator	1.00	-	-
Code Compliance Administrator	1.00	1.00	1.00
Project Coordinator Community Resources	1.00	1.00	1.00
Senior Code Compliance Officer	-	1.00	1.00
Administrative Assistant - Community Resources	1.00	1.00	1.00
CDBG Programs Technician	1.00	1.00	1.00
Code Compliance Officer	4.00	3.00	3.00
CDBG Programs Assistant	0.50	0.50	0.50
	10.50	10.50	10.50
Building Safety Division:			
Building Safety Director	1.00	1.00	1.00
Plans Examiner - Building Official	1.00	1.00	1.00
Inspector - Commercial & Residential	2.00	2.00	2.00
Inspector - Residential	3.00	3.00	3.00
Commercial Permits Coordinator	1.00	1.00	1.00
Inspections Clerk	1.00	1.00	-
Clerk Typist	0.50	0.50	-
	9.50	9.50	8.00
Animal Services Division:			
Veterinarian	1.00	1.00	1.00
Animal Services Superintendent	1.00	1.00	1.00
Animal Services Program Manager	1.00	1.00	1.00
Animal Services Programs Administrator	1.00	1.00	1.00
Animal Services Officer	3.00	3.00	3.00
Animal Services Technician	2.00	2.00	2.00
Shelter Attendant	6.80	6.80	6.80
	15.80	15.80	15.80
Total Community Planning & Engineering Activity	69.80	69.80	67.30

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Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
TRANSPORTATION SERVICES ACTIVITY:			
Transportation Services Division:			
Transportation Services Director	1.00	1.00	1.00
Management Accounting Coordinator	1.00	1.00	1.00
Assistant Transportation Manager	2.00	2.00	2.00
Senior Field Operations Supervisor	2.00	-	-
Senior Field Operations Supervisor - Concrete	-	1.00	1.00
Traffic Control Supervisor	1.00	1.00	1.00
Field Operations Supervisor - Transportation	2.00	2.00	2.00
Financial Coordinator - Transportation Services	1.00	1.00	1.00
Traffic Signal Technician	3.00	3.00	3.00
Crew Leader - Transportation	1.00	3.00	3.00
Transportation Facility Maintenance Worker	1.00	1.00	1.00
Construction Lead Worker	8.00	7.00	7.00
Traffic Technician	2.00	2.00	2.00
Operations Assistant - Transportation	3.00	3.00	3.00
Construction Maintenance Worker IV	3.00	2.00	2.00
Maintenance Worker IV - Asphalt	4.00	5.00	5.00
Maintenance Worker IV - Concrete	1.00	1.00	1.00
Maintenance Worker IV - Drainage	4.00	4.00	4.00
Maintenance Worker IV - Right Of Way	1.00	1.00	1.00
Maintenance Worker IV - Trails	1.00	2.00	2.00
Maintenance Worker III - Transportation	21.00	21.00	21.00
Maintenance Worker I - Transportation	5.50	5.50	5.50
	68.50	69.50	69.50
Fleet Operations Division:			
Fleet Operations Superintendent	1.00	1.00	1.00
Fleet Services Support Manager	1.00	1.00	1.00
Fleet Operations Supervisor	1.00	1.00	1.00
Lead Equipment Mechanic	2.00	2.00	2.00
Fleet Warranty & Materials Coordinator	1.00	1.00	1.00
Equipment Mechanic III	3.00	3.00	3.00
Automotive Parts Specialist	1.00	1.00	1.00
Equipment Mechanic II	2.00	3.00	3.00
Equipment Mechanic I	5.00	4.00	4.00
Fleet Operations Clerk	1.00	1.00	1.00
Equipment Maintenance Worker	0.50	0.50	0.50
	18.50	18.50	18.50

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Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
Parking Management Division:			
Parking Manager	1.00	1.00	1.00
Telecommunications Engineer	1.00	1.00	-
Field Operations Supervisor - Parking	1.00	1.00	1.00
Parking Enforcement Officer	4.00	4.00	4.00
Account Clerk Parking	2.00	2.00	2.00
Parking Attendant	2.00	3.00	3.00
	11.00	12.00	11.00
Total Transportation Services Activity	98.00	100.00	99.00

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
PARKS & RECREATION ACTIVITY:			
Parks & Recreation Division:			
Parks & Recreation Director	1.00	1.00	1.00
Parks Maintenance Superintendent	1.00	1.00	1.00
Park Planning Superintendent	1.00	1.00	1.00
Recreation Superintendent	1.00	1.00	1.00
Park Planner II	1.00	1.00	1.00
Parks Maintenance Supervisor	1.00	1.00	1.00
Horticulturist	2.00	1.75	1.75
Park Planner	1.00	1.00	1.00
Urban Forester	2.00	2.00	2.00
Volunteer & Community Programs Coordinator	1.00	1.00	1.00
Financial Coordinator - Parks & Recreation	1.00	1.00	1.00
YRCC Director	1.00	1.00	1.00
Crew Leader - Athletic Fields	1.00	1.00	1.00
Recreation Programs Manager Soccer	1.00	1.00	1.00
Park Facilities Maintenance Worker	2.00	2.00	2.00
Crew Leader - Forestry Services	1.00	1.00	1.00
Crew Leader - Grounds Maintenance	1.00	1.00	1.00
Recreation Programs Manager Softball	1.00	1.00	1.00
Recreation Programs Manager Youth Softball & Camp	1.00	1.00	1.00
Crew Leader - Turf	1.00	1.00	1.00
Recreation Programs Manager Special Events	-	1.00	1.00
YRCC Program Coordinator	1.00	1.00	1.00
Operations Assistant - Parks & Recreation	-	1.00	1.00
Horticultural Assistant II	2.00	3.00	3.00
Senior Secretary - Parks & Recreation	1.00	-	-
Maintenance Worker IV - Parks	5.00	5.00	5.00
YRCC Recreation Program Assistant II	0.80	0.60	0.60
Maintenance Worker III - Parks	4.00	4.00	5.00
Maintenance Worker I - Parks	4.25	3.50	3.50
Maintenance Worker I - Urban Forestry	0.50	0.50	0.50
Pool Manager	0.35	0.35	0.35
Assistant Pool Manager	0.40	0.40	0.40
YRCC Recreation Assistant	0.20	0.40	0.40
Camp Counselor	1.00	1.00	1.00
Recreation Site Supervisor	0.95	0.95	0.95
Lifeguard	2.87	2.87	2.87
Pool Cashier	0.33	0.33	0.33
	54.65	55.65	56.65
Total Parks & Recreation Activity	54.65	55.65	56.65

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Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
BUSINESS-TYPE ACTIVITY:			
Utilities Financial Services Division:			
Billing & Collections Manager	1.00	1.00	1.00
Senior Financial Analyst - Utilities	1.00	1.00	1.00
Billing & Collections Coordinator	1.00	1.00	1.00
Senior Customer Service Rep Utilities	1.00	1.00	1.00
Senior Customer Service Rep Billing	2.00	2.00	2.00
Senior Customer Service Rep Cashier	1.00	1.00	1.00
Customer Service Representative II	-	1.00	1.00
Customer Service Representative I	10.00	9.00	9.00
	17.00	17.00	17.00
Utilities Director Division:			
Utilities Director	1.00	1.00	1.00
Utilities Technical & Design Team Leader	1.00	1.00	1.00
Construction & Contract Manager	1.00	1.00	1.00
Administrative Assistant Mayor's Office	0.50	0.50	0.50
Project Coordinator Utilities	1.00	1.00	1.00
	4.50	4.50	4.50
Water & Sewer Maintenance Division:			
Water & Sewer Operations Manager	1.00	1.00	1.00
Assistant Water & Sewer Operations Manager	1.00	1.00	1.00
Meter Services Supervisor	1.00	1.00	1.00
Technical Services Supervisor	1.00	1.00	1.00
Water & Sewer Field Maintenance Supervisor	2.00	2.00	2.00
Field Service Representative	3.00	3.00	3.00
Lead Warehouse Attendant	1.00	1.00	1.00
Pump & Tank Technician	3.00	3.00	3.00
GIS Technician - Water & Sewer	1.00	1.00	1.00
Meter Operations Assistant	1.00	1.00	1.00
Backflow Prevention Operations Assistant	1.00	1.00	1.00
Crew Leader - W/S License	12.00	12.00	12.00
Office Manager - Water & Sewer	1.00	1.00	1.00
Backflow Prevention Technician	1.00	1.00	1.00
Water Field Service Representative	3.00	3.00	3.00
Maintenance Worker IV - W/S Licensed	5.00	3.00	3.00
Meter Maintenance Technician	3.00	3.00	3.00
Water & Sewer Operations Clerk	2.00	2.00	2.00
Warehouse Attendant Water & Sewer	2.00	2.00	2.00
Meter Reader	9.00	9.00	9.00
Maintenance Worker IV - W/S No License	5.00	7.00	7.00
Maintenance Worker III - Water & Sewer	13.00	13.00	13.00
	72.00	72.00	72.00

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City of Fayetteville, Arkansas
Personnel Detail by Activity & Division

Activity / Division / Title	Budgeted 2014	Budgeted 2015	Budgeted 2016
Recycling & Trash Collection Division:			
Recycling & Trash Collection Director	1.00	1.00	1.00
Solid Waste Operations Supervisor	1.00	1.00	1.00
Waste Reduction Coordinator	1.00	1.00	1.00
Solid Waste Commercial Representative	1.00	1.00	1.00
Office Manager - Solid Waste	1.00	1.00	1.00
Crew Leader II - Solid Waste	1.00	1.00	1.00
Crew Leader - Solid Waste	2.00	2.00	2.00
Relief Driver	4.00	4.00	4.00
Recycling Attendant	2.00	2.00	2.00
Route Driver	38.00	38.00	38.00
Maintenance Worker III - Recycling & Trash	1.00	1.00	1.00
Secretary - Solid Waste	2.00	2.00	2.00
Scale House Attendant	1.00	1.00	1.00
Solid Waste Facility Maintenance Worker	1.00	1.00	1.00
	57.00	57.00	57.00
Airport Services Division:			
Airport Director	1.00	1.00	1.00
Financial Coordinator - Airport	1.00	1.00	1.00
Flight Line Operations Supervisor	1.00	1.00	1.00
Lead Maintenance Worker - Airport	1.00	1.00	1.00
Flight Line Operations Technician	4.00	4.00	4.00
Airport Maintenance Worker III	2.00	2.00	1.00
Airport Administrative Assistant	1.00	1.00	1.00
Airport Customer Service Representative	1.60	1.00	1.00
Maintenance Worker I - Airport	-	0.60	0.60
	12.60	12.60	11.60
Total Business-Type Activity	163.10	163.10	162.10
Total Positions - Citywide	763.30	766.55	777.55

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CITY OF FAYETTEVILLE, ARKANSAS
CAPITAL IMPROVEMENTS PROGRAM

Since 1988, the City of Fayetteville has produced a five year Capital Improvements Program (CIP). The CIP examines the infrastructure and capital needs of the City for the next five years. The CIP is reviewed and updated biennially to reflect the changing needs of the community and changes in available funding for financing capital projects. The CIP should be considered as a financial planning tool that lists the City's capital improvement projects and schedules the projects for funding and implementation. The CIP should also be considered one of the primary policy making instruments utilized by the Mayor and City Council. The City's practice has been to adopt the CIP for the forthcoming five year period and then incorporate the projects for the following two years into the next two budget processes.

The subsequent pages provide a summary of the 2016 Capital Improvements Program listed by improvement area, followed by a listing of the capital projects which the City plans for 2016.

2016 Capital Improvements (By Funding Source) Compared to Approved CIP

Project Description	2016 Projects 2015-2019 CIP	2016 Proposed Budget
2100 - Street Fund:		
Sidewalk Improvements	$ 1,000,000	$ 500,000
Willow Bend Development Cost Share	500,000	500,000
	1,500,000	1,000,000
2130 - Parking Fund:		
Meadow Street Parking Deck Improvements	20,000	20,000
Parking Lot Improvements & Overlays	25,000	25,000
Spring Street Parking Deck Improvements	25,000	25,000
	70,000	70,000
2250 - Parks Development Fund:		
Community Park Improvements	459,000	459,000
Gulley Park Land Acquisition	270,000	270,000
Natural Surface Trail Development	0	150,000
Regional Park Development	120,000	0
	849,000	879,000
2300 - Impact Fee Fund:		
Fire Impact Improvements	83,000	644,000
Police Impact Improvements	92,000	197,000
Wastewater Impact Improvements	400,000	400,000
Water Impact Improvements	500,000	500,000
	1,075,000	1,741,000

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2016 Capital Improvements (By Funding Source) Compared to Approved CIP

Project Description	2016 Projects 2015-2019 CIP	2016 Proposed Budget
4470 - Sales Tax Capital Improvements Fund:		
Animal Services Improvements	35,000	35,000
Audit Expense	8,000	8,000
Building Efficiency Improvements	40,000	40,000
Building Improvements	129,000	129,000
Comprehensive Land Use Plan Update	100,000	100,000
Digital Signage Implementation	15,000	15,000
Document Management	15,000	35,000
Drainage Maintenance	50,000	50,000
Employee Gym Equipment	10,000	10,000
ERP Upgrade/Replacement	200,000	380,000
Fayetteville-AR.gov Technical Improvements	20,000	20,000
Fire Apparatus Replacements	432,000	502,000
Fire Facility Maintenance	125,000	125,000
Fire Information Technology Updates	40,000	0
Firefighting Safety Equipment	30,000	0
Forestry & Habitat Improvements	62,000	62,000
Geographic Information System (GIS)	55,000	35,000
Hansen Version 8 Upgrade (Workorder System)	195,000	195,000
In-House Pavement Improvements	1,852,000	1,852,000
Library Computer Replacements	100,000	100,000
Library Materials Purchases	425,000	425,000
Lights of the Ozarks	23,000	23,000
Local Area Network (LAN) Upgrade	135,000	135,000
Microcomputer / Printer Replacements	60,000	60,000
Other Drainage Improvements	160,000	160,000
Park Paving Improvements	58,000	58,000
Parking Lot Improvements (City Employee)	10,000	10,000
Parks Safety and ADA	15,000	15,000
Planning Commission Tablet Replacements	6,000	6,000
Police Building Improvements	25,000	25,000
Police Bulletproof Vests & Ballistic Protection	13,000	13,000
Police eTicket Equipment Replacement	44,000	44,000
Police Network/Server Replacements	50,000	50,000
Police Records Management System	150,000	150,000
Police Specialized Equipment	21,000	21,000
Police Take Home Vehicles	57,000	57,000
Police Technology Improvements	25,000	25,000
Police Unmarked Vehicles	83,000	83,000

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2016 Capital Improvements (By Funding Source) Compared to Approved CIP

Project Description	2016 Projects 2015-2019 CIP	2016 Proposed Budget
Police Virtual Server & Storage Area Network	180,000	0
Police Weapon Replacement	14,000	14,000
Sidewalk Improvements	250,000	0
Storage Area Network (SAN)	200,000	200,000
Stormwater Quality Management	200,000	200,000
Street ROW / Intersection / Cost Sharing	100,000	100,000
Telecommunication Systems Upgrades	10,000	10,000
Television Center Equipment	50,000	50,000
Traffic Signal Improvements	110,000	110,000
Trail Development	1,500,000	1,920,000
Video Production Digital Server & Archive System	120,000	120,000
Walker Park Senior Activity & Wellness Center	100,000	100,000
Wayfinding Regional Signage Program	65,000	65,000
Wireless Traffic Signal Control	40,000	40,000
	7,812,000	7,982,000
5400 - Water & Sewer Fund:		
Backflow Prevention Assemblies	10,000	10,000
Building Improvements - WWTP	30,000	30,000
Filter Cell Replacement - WWTP	1,000,000	1,000,000
Phosphorus Standards Management	50,000	50,000
Plant Pumps & Equipment - WWTP	305,000	305,000
Sanitary Sewer Rehabilitation	2,000,000	2,000,000
Upgrade/Replace Lift Stations - WWTP	125,000	125,000
Utilities Financial Services Improvements	20,000	20,000
Utilities Technology Improvements	20,000	20,000
Water & Sewer Building & Office Improvements	50,000	50,000
Water/Sewer Impact Fee Cost Sharing	200,000	200,000
Water Meters	325,000	325,000
Water System Rehabilitation & Replacement	1,825,000	1,825,000
Water/Sewer Equipment Expansions	145,000	145,000
Water/Sewer Relocations - Bond Projects	1,000,000	1,000,000
	7,105,000	7,105,000
5500 - Solid Waste Fund:		
Solid Waste Compactors	138,000	138,000
Solid Waste Containers	100,000	100,000
	238,000	238,000

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2016 Capital Improvements (By Funding Source) Compared to Approved CIP

Project Description	2016 Projects 2015-2019 CIP	2016 Proposed Budget
5550 - Airport Fund:		
Airport Boiler Improvements	25,000	25,000
Airport Lighting Improvements	20,000	20,000
Airport Self Serve Station Upgrade	12,000	12,000
	57,000	57,000
9700 - Shop Fund:		
Fleet - Backhoes / Loaders	504,000	511,000
Fleet - Construction Equipment	255,000	255,000
Fleet - Light / Medium Utility Vehicles	901,000	933,000
Fleet - Heavy Utility Vehicles	384,000	396,000
Fleet - Other Vehicles / Equipment	772,000	734,000
Fleet - Police / Passenger Vehicles	286,000	482,000
Fleet - Recycling/Trash Vehicles/Equipment	755,000	755,000
Fleet - Tractors / Mowers	85,000	128,000
	3,942,000	4,194,000
	$ 22,648,000	$ 23,266,000

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CITY OF FAYETTEVILLE, ARKANSAS
CAPITAL IMPROVEMENTS PROGRAM DIRECTIONAL INFORMATION

Introduction

The Capital Improvements Program (CIP) for the City of Fayetteville examines the infrastructure and capital needs of the City for the next five years. The CIP will be reviewed and updated on an annual basis to reflect the changing needs of the community and changes in available monies for financing capital projects. The City's philosophy concerning the use of the CIP is that it should be considered as a financial planning tool that lists the City's capital improvement projects, places the projects in a priority order, and schedules the projects for funding and implementation. The CIP should be considered as a major policy tool for the Mayor and City Council.

Capital Improvement Policy

The CIP is approached as a valuable tool to be used in the development of responsible and progressive financial planning. The program is developed in accordance with the financial policies of the City. The policies and the CIP form the basis for making various annual capital budget decisions and support the City's continued commitment to sound, long-range financial planning and direction. The City's official Capital Improvements Policy is as follows:

- The City will prepare a biennial update of a five year CIP, which will provide for the orderly maintenance, replacement, and expansion of capital assets.

- The CIP will identify long-range capital projects and capital improvements of all types, which will be coordinated with the annual operating budget to maintain full utilization of available sources.

- When preparing the CIP, the City will seek to identify all viable capital projects and capital improvements required during the subsequent five year period. These projects and improvements will be prioritized by year and by funding source. Every attempt will be made to match projects and improvements with available funding sources. Future operating costs associated with a project or an improvement will also be given consideration in the establishment of priorities.

- The City will seek Federal, State, and other funding to assist in financing capital projects and capital improvements.

- The City will incorporate the reasonable findings and recommendations of the City's Boards, Commissions, Committees, and Citizens' task forces as they relate to capital projects and improvements.

- The City will seek input on the establishment of projects and project priorities from the public through hearings at committee and ward meetings.

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What Projects Are in the CIP

Projects and their cumulative component areas totaling $10,000 or more should be included in the CIP. Projects costing less than $10,000 are not considered capital and are normally funded through program operating budgets. Projects that cost between $5,000 and $10,000 are handled through the operating budget.

Projects in the CIP can include:

- obligations for labor and materials and contractors involved in completing a project
- acquisition of land or structures
- engineering or architectural services, professional studies, or other administrative costs
- expenses for City vehicles and equipment
- renovating or expanding City facilities, grounds, or equipment

Financing

The City finances capital improvements on essentially a pay-as-you-go basis utilizing revenue from the 1% City sales tax originally adopted in 1993, the 1% Parks Development (Hotel, Motel, Restaurant) sales tax adopted in 1996, and operating revenues from the Airport, Shop, Water & Sewer, and Recycling & Trash Collection funds. The 1% City Sales Tax revenue is divided between General Fund operations and capital. The current split for 2015, which began with the 2008 budget, is 60% for General Fund and 40% for Sales Tax Capital Improvements Fund. Until 2008, the split as established in 2003 was equal. Prior to June 2003, the revenue was divided 75% for Sales Tax Capital Improvements Fund and 25% for General Fund. In addition, long-term debt is considered and utilized only when the City faces a project that is of such importance and sufficient financial magnitude as to warrant a bond issue.

The CIP is not a financing document in and of itself. Rather, the CIP is utilized as a planning document that places projects in the annual budget whereby funds are appropriated for them by the City Council. Prior to actual initiation of project work, required contracts are presented to the Mayor or City Council, as appropriate, for final approval of expending funds.

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Project Cost Determination

All projects are costed using a "Basis of Cost Estimate" table that provides the estimated basis used for the requested funds. If two or more basis of cost estimates is used to calculate a funding request, the estimate that represents the majority of the estimated funds is used.

Basis of Cost Estimate Table for CIP 2015-2019
Cost of Comparable Facility or Equipment
Rule of Thumb Indicator, Unit Costs
Cost Estimated by Engineer, Architect, or Vendor
Preliminary Estimate
Ball Park "Guesstimate"

Priority Selection of Projects

The CIP will rely on priorities defined by the Mayor, City Council, and City staff. As always, criteria such as government imposed mandates, usefulness to the community, and impact on operational expenses will be reviewed in establishing priorities. A priority is assigned to each project by year and by funding source. Projects for which no funding is anticipated to be available will be placed on an "Unfunded Projects List," which will identify the cost of the project. This list identifies the project as being viable, but one for which no funding is presently available. Unfunded projects may be funded if actual revenue is above projected revenue, if costs on funded projects are below budget, or if another funding source is identified.

The Parks and Recreation Advisory Board, Airport Board, City Council Street Committee, City Council Water & Sewer Committee, and City Council Equipment Committee meetings all provide committee and public input and guidance regarding parks, streets, bridge and drainage improvements, water and sewer improvements, and equipment purchases planned for the next five years.

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City of Fayetteville, Arkansas
2016 Capital Projects
Summary by Project Category

Project Category	Sales Tax Capital Improvement Fund	Special Revenue Funds	Enterprise Funds	Shop Fund	Total
Airport Improvements	$ 0	$ 0	$ 57,000	$ 0	$ 57,000
Bridge & Drainage Improvements	360,000	0	0	0	360,000
Fire Improvements	627,000	644,000	0	0	1,271,000
Information Technology Improvements	1,060,000	0	0	0	1,060,000
Library Improvements	525,000	0	0	0	525,000
Parking Improvements	0	70,000	0	0	70,000
Other Capital Improvements	588,000	0	0	0	588,000
Parks & Recreation Improvements	258,000	879,000	0	0	1,137,000
Police Improvements	492,000	197,000	0	482,000	1,171,000
Recycling & Trash Collection Improvements	0	0	238,000	755,000	993,000
Street Improvements	100,000	0	0	0	100,000
Trail Improvements	1,920,000	0	0	0	1,920,000
Transportation Improvements	2,052,000	1,000,000	0	0	3,052,000
Vehicles & Equipment	0	0	0	2,957,000	2,957,000
Wastewater Treatment Improvements	0	0	1,510,000	0	1,510,000
Water & Sewer Improvements	0	900,000	5,170,000	0	6,070,000
Water & Sewer Services Improvements	0	0	425,000	0	425,000
	$ 7,982,000	$ 3,690,000	$ 7,400,000	$ 4,194,000	$ 23,266,000

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

Funding Source / Category / Division	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019	Total 2015-2019
2100 - STREET:						
Transportation Improvements						
Engineering (D610)						
Willow Bend Development Cost Share	$ 500,000	$ 500,000	$ 0	$ 0	$ 0	$ 1,000,000
Transportation (D800)						
Sidewalk Improvements	750,000	1,000,000	1,500,000	1,500,000	1,500,000	6,250,000
Winter Weather Operations Center	400,000	0	0	0	0	400,000
	1,650,000	1,500,000	1,500,000	1,500,000	1,500,000	7,650,000
Transportation - Total	1,650,000	1,500,000	1,500,000	1,500,000	1,500,000	7,650,000
2130 - PARKING:						
Other Capital Improvements						
Parking & Telecommunications (D840)						
Parking Lot Improvements and Overlays	25,000	25,000	25,000	25,000	25,000	125,000
Spring Street Parking Deck Improvements	25,000	25,000	25,000	25,000	25,000	125,000
Meadow Street Parking Deck Improvements	20,000	20,000	20,000	20,000	20,000	100,000
	70,000	70,000	70,000	70,000	70,000	350,000
Parking - Total	70,000	70,000	70,000	70,000	70,000	350,000
2250 - PARKS DEVELOPMENT:						
Parks & Recreation Improvements						
Parks & Recreation (D460)						
Regional Park Development	217,000	120,000	120,000	0	0	457,000
Community Park Improvements	0	459,000	550,000	789,000	821,000	2,619,000
Gulley Park Land Acquisition	0	270,000	130,000	0	0	400,000
	217,000	849,000	800,000	789,000	821,000	3,476,000
Parks Development - Total	217,000	849,000	800,000	789,000	821,000	3,476,000
2300 - IMPACT FEE:						
Fire Improvements						
Fire Department (D300)						
Fire Impact Fee Improvements	80,000	83,000	86,000	89,000	92,000	430,000
	80,000	83,000	86,000	89,000	92,000	430,000
Police Improvements						
Police (D200)						
Police Impact Fee Improvements	90,000	92,000	94,000	96,000	98,000	470,000
	90,000	92,000	94,000	96,000	98,000	470,000
Water & Sewer Improvements						
Utilities Director (D900)						
Wastewater Impact Fee Improvements	400,000	400,000	400,000	400,000	400,000	2,000,000
Water Impact Fee Improvements	500,000	500,000	500,000	500,000	500,000	2,500,000
	900,000	900,000	900,000	900,000	900,000	4,500,000
Impact Fee - Total	1,070,000	1,075,000	1,080,000	1,085,000	1,090,000	5,400,000
4470 - SALES TAX CAPITAL IMPROVEMENTS:						
Bridge & Drainage Improvements						
Engineering (D610)						
Stormwater Quality Management	200,000	200,000	200,000	200,000	200,000	1,000,000
Other Drainage Improvements	160,000	160,000	160,000	160,000	160,000	800,000
	360,000	360,000	360,000	360,000	360,000	1,800,000
Fire Improvements						
Fire Department (D300)						
Fire Apparatus Replacements	432,000	432,000	1,347,000	865,000	924,000	4,000,000
Fire Mobile Radios	36,000	0	0	0	0	36,000
Firefighter Safety Equipment	0	30,000	38,000	8,000	17,000	93,000
Fire Facility Maintenance	125,000	125,000	125,000	150,000	150,000	675,000
Fire Information Technology Updates	50,000	40,000	40,000	40,000	20,000	190,000
	643,000	627,000	1,550,000	1,063,000	1,111,000	4,994,000

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

Funding Source / Category / Division	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019	Total 2015-2019
Information Technology Improvements						
Information Technology (D440)						
Local Area Network (LAN) Upgrades	135,000	135,000	125,000	125,000	150,000	670,000
Storage Area Network (SAN)	70,000	200,000	40,000	40,000	40,000	390,000
Microcomputer / Printer Replacements	87,000	60,000	75,000	60,000	75,000	357,000
Geographic Information System (GIS)	75,000	55,000	60,000	75,000	60,000	325,000
ERP Upgrade/Replacement	200,000	200,000	0	0	0	400,000
AccessFayetteville Technical Improvement	20,000	20,000	20,000	20,000	20,000	100,000
Document Management	45,000	15,000	15,000	20,000	20,000	115,000
Desktop Management System	30,000	0	0	0	0	30,000
Hansen Version 8 Upgrade	0	195,000	0	0	0	195,000
Web Security Filtering	35,000	0	0	0	0	35,000
	697,000	880,000	335,000	340,000	365,000	2,617,000
Library Improvements						
Library (D150)						
Library Materials Purchases	406,000	425,000	489,000	506,000	524,000	2,350,000
Library Computer Replacements	35,000	100,000	30,000	109,000	98,000	372,000
	441,000	525,000	519,000	615,000	622,000	2,722,000
Other Capital Improvements						
Animal Services (D650)						
Animal Services Improvements	35,000	35,000	5,000	0	0	75,000
Accounting & Audit (D510)						
Audit Expense	8,000	8,000	8,000	8,000	8,000	40,000
Facilities Management (D530)						
Building Improvements	125,000	129,000	132,000	136,000	140,000	662,000
City Clerk/Treasurer (D130)						
City Clerk Document Management Equipment	44,000	0	45,000	0	0	89,000
City Planning (D620)						
Comprehensive Land Use Plan Update	0	100,000	0	0	0	100,000
Planning Commission Tablet Replacements	0	6,000	0	0	0	6,000
Development Services (D600)						
Wayfinding Regional Signage Program	60,000	65,000	0	0	0	125,000
Media Services (D710)						
Television Center Digital Conversion	100,000	0	0	0	0	100,000
City Hall Audio-Visual Renovation	100,000	0	0	0	0	100,000
Video Production Digital Server & Archive System	0	120,000	0	0	0	120,000
Television Center Equipment	50,000	50,000	50,000	50,000	50,000	250,000
Digital Signage Implementation	15,000	15,000	0	0	0	30,000
Mayors Administration (D100)						
Woolsey Homestead Historic Restoration Project	70,000	0	120,000	90,000	0	280,000
Parking & Telecommunications (D840)						
Telecommunication Systems Upgrades	35,000	10,000	20,000	20,000	20,000	105,000
Parking Lot Improvements (City Employee)	10,000	10,000	10,000	10,000	10,000	50,000
Sustainability & Resilience (D410)						
Building Efficiency Improvements	40,000	40,000	40,000	40,000	40,000	200,000
	692,000	588,000	430,000	354,000	268,000	2,332,000
Parks & Recreation Improvements						
Parks & Recreation (D460)						
Tree Escrow	74,000	0	0	0	0	74,000
Parks Safety and ADA	15,000	15,000	15,000	15,000	15,000	75,000
Forestry and Habitat Improvement	30,000	62,000	34,000	32,000	26,000	184,000
Park Paving Improvements	0	58,000	58,000	58,000	58,000	232,000
Parks & Recreation Master Plan	0	0	0	0	200,000	200,000
Lake Improvements	0	0	0	250,000	0	250,000
Lights of the Ozarks	23,000	23,000	23,000	23,000	23,000	115,000
Walker Park Senior Activity and Wellness Center	25,000	100,000	150,000	0	0	275,000
	167,000	258,000	280,000	378,000	322,000	1,405,000

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

Funding Source / Category / Division	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019	Total 2015-2019
Police Improvements						
Police (D200)						
Police Bulletproof Vests & Ballistic Protection	52,000	13,000	10,000	23,000	62,000	160,000
Police Weapon Replacement	8,000	14,000	40,000	0	0	62,000
Police Building Improvements	35,000	25,000	25,000	75,000	25,000	185,000
Police Unmarked Vehicles	78,000	83,000	83,000	54,000	102,000	400,000
Police Records Management System Improvements	150,000	150,000	0	0	0	300,000
Police Technology Improvements	15,000	25,000	25,000	75,000	25,000	165,000
Police Network/Server Replacements	68,000	50,000	0	0	32,000	150,000
Police Mobile Video System Replacement	35,000	0	210,000	0	38,000	283,000
Police Specialized Equipment	21,000	21,000	8,000	40,000	242,000	332,000
Employee Gym Equipment	7,000	10,000	10,000	10,000	10,000	47,000
Police Automated External Defibrillator (AED)	41,000	0	0	0	0	41,000
Police Take Home Vehicles	0	57,000	60,000	62,000	65,000	244,000
Radio System Replacement - Citywide	0	0	0	700,000	200,000	900,000
Police Virtual Server & Storage Area Network	0	180,000	0	0	0	180,000
Police eTicket Equipment Replacement	0	44,000	0	0	0	44,000
Police Equipment Replacement	0	0	10,000	0	10,000	20,000
Central Dispatch Improvements	0	0	165,000	0	0	165,000
Police K9 Replacement	0	0	0	12,000	12,000	24,000
Police Radio Replacement	0	0	0	0	42,000	42,000
Police Mobile Computer Terminal Replacement	0	0	0	0	225,000	225,000
	510,000	672,000	646,000	1,051,000	1,090,000	3,969,000
Street Improvements						
Engineering (D610)						
Street ROW / Intersection / Cost Sharing	350,000	100,000	100,000	100,000	100,000	750,000
	350,000	100,000	100,000	100,000	100,000	750,000
Trail Improvements						
Transportation Services (D800)						
Trail Development	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Lake Fayetteville Trailhead (BGSO)	190,000	0	0	0	0	190,000
Mud Creek Trail Lighting	250,000	0	0	0	0	250,000
	1,940,000	1,500,000	1,500,000	1,500,000	1,500,000	7,940,000
Transportation Improvements						
Transportation Services (D800)						
In-House Pavement Improvements	1,692,000	1,852,000	2,207,000	2,316,000	2,433,000	10,500,000
Sidewalk Improvements	0	250,000	0	0	0	250,000
Traffic Signal Improvements	110,000	110,000	110,000	110,000	150,000	590,000
Wireless Traffic Signal Control	40,000	40,000	40,000	40,000	0	160,000
Drainage Maintenance	50,000	50,000	50,000	50,000	50,000	250,000
	1,892,000	2,302,000	2,407,000	2,516,000	2,633,000	11,750,000
Sales Tax Capital Improvements - Total	7,692,000	7,812,000	8,127,000	8,277,000	8,371,000	40,279,000
5400 - WATER & SEWER:						
Wastewater Treatment Improvements						
Utilities Director (D900)						
Phosphorus Standards Management	50,000	50,000	50,000	50,000	50,000	250,000
Wastewater Treatment Plant (D930)						
W.W.T.P. Building Improvements	410,000	30,000	45,000	30,000	30,000	545,000
Plant Pumps and Equipment - W.W.T.P	270,000	305,000	295,000	405,000	355,000	1,630,000
Upgrade and Replace Lift Stations - W.W.T.P	67,000	125,000	130,000	50,000	100,000	472,000
Filter Cell Replacement - W.W.T.P	1,000,000	1,000,000	1,000,000	1,000,000	0	4,000,000
	1,797,000	1,510,000	1,520,000	1,535,000	535,000	6,897,000

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

Funding Source / Category / Division	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019	Total 2015-2019
Water & Sewer Improvements						
Water & Sewer Maintenance (D910)						
Sewer Rehabilitation - Ramsey/Overcrest	2,340,000	0	0	0	0	2,340,000
Sanitary Sewer Rehabilitation	1,000,000	2,000,000	1,500,000	1,500,000	1,500,000	7,500,000
Water/Sewer Relocations - Bond Projects	1,300,000	1,000,000	500,000	500,000	500,000	3,800,000
Water/Sewer Equipment Expansions	150,000	145,000	168,000	21,000	20,000	504,000
Water Storage & Pump Station Maintenance	85,000	0	0	0	0	85,000
Water System Rehabilitation/Replacement	2,095,000	1,825,000	2,055,000	1,885,000	2,065,000	9,925,000
Water Impact Fee Cost Sharing Projects	275,000	200,000	200,000	200,000	200,000	1,075,000
	7,245,000	5,170,000	4,423,000	4,106,000	4,285,000	25,229,000
Water & Sewer Services Improvements						
Utilities Financial Services (D520)						
Utilities Financial Services Improvements	20,000	20,000	20,000	20,000	20,000	100,000
Utilities Technology Improvements	12,000	20,000	20,000	20,000	30,000	102,000
Water & Sewer Maintenance (D910)						
Water Meters	315,000	325,000	325,000	325,000	325,000	1,615,000
Water/Sewer Building and Office Improvements	170,000	50,000	50,000	50,000	50,000	370,000
Water & Sewer Rate/Operations Study	30,000	0	170,000	0	0	200,000
Backflow Prevention Assemblies	10,000	10,000	10,000	10,000	10,000	50,000
	557,000	425,000	595,000	425,000	435,000	2,437,000
Water & Sewer - Total	9,599,000	7,105,000	6,538,000	6,066,000	5,255,000	34,563,000
5500 - RECYCLING & TRASH COLLECTION:						
Recycling & Trash Collection Improvements						
Recycling & Trash Collection (D920)						
RTC Office & Trans Station Exp	1,500,000	0	0	0	0	1,500,000
Container Maintenance Building Upgrade	25,000	0	0	0	0	25,000
Trash Collection Containers	100,000	100,000	50,000	50,000	50,000	350,000
Trash Collection Compactors	134,000	138,000	142,000	146,000	150,000	710,000
	1,759,000	238,000	192,000	196,000	200,000	2,585,000
Recycling & Trash Collection - Total	1,759,000	238,000	192,000	196,000	200,000	2,585,000
5550 - AIRPORT:						
Aviation Improvements						
Aviation (D810)						
Airport Lighting Improvements	20,000	20,000	20,000	20,000	0	80,000
Airport Boiler Improvements	25,000	25,000	25,000	0	0	75,000
Airport Fire Sprinkler Repl White Hangar	75,000	0	0	0	0	75,000
Airport Self Serve Station Upgrade	0	12,000	0	0	0	12,000
Airport Roof Replacements	110,000	0	0	0	0	110,000
	230,000	57,000	45,000	20,000	0	352,000
Airport - Total	230,000	57,000	45,000	20,000	0	352,000
9700 - SHOP:						
Vehicles & Equipment Improvements						
Fleet Operations (D830)						
Fleet - Police / Passenger Vehicles	346,000	286,000	232,000	294,000	295,000	1,453,000
Fleet - Recycling & Trash Collection Vehicles	860,000	755,000	990,000	1,166,000	792,000	4,563,000
Fleet - Construction Equipment	356,000	255,000	140,000	260,000	0	1,011,000
Fleet - Backhoes / Loaders	593,000	504,000	389,000	0	102,000	1,588,000
Fleet - Heavy Utility Vehicles	386,000	384,000	664,000	278,000	280,000	1,992,000
Fleet - Tractors / Mowers	375,000	85,000	243,000	257,000	364,000	1,324,000
Fleet - Light / Medium Utility Vehicles	568,000	901,000	517,000	510,000	530,000	3,026,000
Fleet - Other Vehicles / Equipment	233,000	772,000	709,000	474,000	360,000	2,548,000
	3,717,000	3,942,000	3,884,000	3,239,000	2,723,000	17,505,000
Shop - Total	3,717,000	3,942,000	3,884,000	3,239,000	2,723,000	17,505,000
All Funding Sources - Total	$ 26,004,000	$ 22,648,000	$ 22,236,000	$ 21,242,000	$ 20,030,000	$ 112,160,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Street Fund (2100)	
Transportation Improvements (5520)	
Sidewalk Improvements (02053): This project is to provide funding to improve the connectivity of the sidewalk system by constructing new and repairing existing sidewalks.	$ 500,000
Willow Bend Development Cost Share (15001): This project will fund a cost share with an affordable housing project, to provide up to $1 million towards the cost of street and drainage infrastructure in the project.	500,000
Total Street Fund Projects:	1,000,000
Parking Fund (2130)	
Parking Improvements (9130)	
Meadow Street Parking Deck Improvements (15004): This project is for the ongoing maintenance of the Meadow Street Parking Deck that is a 19-year old parking garage located directly behind the Chancellor Hotel.	20,000
Parking Lot Improvements and Overlays (06001): The City currently has 12 public parking lots and one municipal parking deck located in the Downtown Business District and the Entertainment District. The surface lots are all asphalt lots that periodically require general maintenance such as crack seal, seal coat, re-striping, pot hole patching, and bumper block replacement. These lots also require a complete asphalt overlay on a less frequent basis. This parking maintenance program provides routine maintenance and improvements in rotation for these lots as needed.	25,000
Spring Street Parking Deck Improvements (15003): This project is for the ongoing maintenance of the new parking deck currently being constructed on Spring Street.	25,000
Total Parking Fund Projects:	70,000
Parks Development Fund (2250)	
Parks Development Capital (9255)	
Community Park Improvements (13001): This project will update and expand facilities within community parks to better serve citizens. Scheduled for 2016 is the remodel of the historical rock house and restrooms and replacing the basketball court and playground at Wilson Park.	459,000
Gulley Park Land Acquisition (14017): This project is for the remaining funds due on the purchase of 11 acres adjacent to Gulley Park. With the addition of this land, Gulley Park will be 38 acres. A public meeting will be held in the future to determine the citizen's desires for development of this property.	270,000
Natural Surface Trail Development (16010): This project is to expand the natural surface trail system within city parks such as Kessler Mountain, Mount Sequoyah, etc. This project will be used to match outside funding sources.	150,000
Total Parks Development Fund Projects:	879,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Impact Fee Fund (2300)	
Fire Improvements	
Fire Impact Improvements (07003): The purpose of this project is to accumulate funding for fire projects that are associated with the increase in developments throughout the City. The funding for this project comes from impact fees collected from developments. Included is an expansion fire apparatus for the addition of a new fire company.	644,000
Police Improvements	
Police Impact Improvements (07001): The purpose of this project is to accumulate funding for police projects that are associated with the increase in developments throughout the City. The funding for this project comes from impact fees collected from developments. Included in 2016 are three expansion units: Two patrol units and one motorcycle.	197,000
Water & Sewer Improvements	
Wastewater Impact Improvements (07004): The purpose of this project is to accumulate funding for wastewater projects that are associated with the increase in developments throughout the City. The funding for this project comes from impact fees collected from developments.	400,000
Water Impact Improvements (07002): The purpose of this project is to accumulate funding for water projects that are associated with the increase in developments throughout the City. The funding for this project comes from impact fees collected from developments.	500,000
Total Impact Fee Fund Projects:	1,741,000
Sales Tax Capital Improvements Fund (4470)	
Bridge & Drainage Improvements:	
Other Drainage Improvements (02108): This project provides funding for drainage projects needed to mitigate flooding, repair and upgrade existing systems, cost share with developments when applicable, provide funding for storm drainage materials for use in projects constructed by in-house crews, etc. Current funds in this project will be used for a large drainage project that has been prioritized in the Washington/Willow Historic District to mitigate a long unresolved flooding issue. The estimated cost of this project is $1 million. Future funding will be accumulated where possible for additional large drainage projects.	160,000
Stormwater Quality Management (02097): This is an ongoing project that includes activities required to comply with the City's National Pollutant Discharge Elimination System (NPDES) Permit that is administered by the Arkansas Department of Environmental Quality. The funding is also used for other stormwater projects that focus on improving water quality in accordance with the City's Nutrient Reduction Plan, including stream restoration projects, funding for water quality groups, and project management and administration.	200,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Fire Improvements	
Fire Apparatus Replacements (03019): This project is for the planned replacement of fire apparatus. The Fire Department has experienced a dramatic increase in emergency call volume which is impacting the replacement cycle for the fleet. The general industry standard guideline is for a fire engine to serve on the front line for seven (7) years and in the reserve fleet for three (3) years for a total of 10 years of reliable service. For a Ladder truck or aerial apparatus, the guideline is to serve for 10 years on the front line and five (5) years in the reserve fleet. This timeline is subject to change with the consideration of other factors such as maintenance cost, hours of operation, call volume, downtime, and number of miles.	502,000
Fire Facility Maintenance (02006): This project allows for necessary repairs to the Fire Department's existing fire stations, office locations, and facilities. Repairs include but are not limited to roofing, plumbing or drainage repairs and replacements, remodeling, fencing, driveway replacements, generators, stability assessments, fire escape replacements, and structural repairs.	125,000
Information Technology Improvements	
Document Management (02094): This project is to add additional scanners and licenses as new applications are added to the Electronic Document Management System (EDMS). Each year several new applications are added to the system. Users that need to scan and index documents require a license.	35,000
ERP Upgrade/Replacement (13008): This project is for the upgrading/replacing of the current Financial, Human Resources, and Utility Billing system with a commercial Enterprise Resource Planning (ERP) system. The City's current system was purchased in 1992 and has reached its end of life.	380,000
Fayetteville-AR.gov Technical Improvements (04047): This project provides funding for expansion, enhancements, third party application integration, promotion, and maintenance of the City of Fayetteville's website. Fayetteville-AR.gov utilizes a hosted Content Management System (CMS) that is configured and maintained by a third party. The CMS allows end users to add, edit, and approve the content that is displayed on the website.	20,000
Geographic Information System (GIS) (02055): This project is to upgrade and expand the City's base GIS computer hardware, software, and data collection systems to accommodate growth in the system's applications and user base. Geographic Information Systems (GIS) are organized collections of computer hardware, software, geographic data, and personnel designed to efficiently capture, store, update, manipulate, analyze, and display all forms of geographically referenced information. This system provides necessary information for planning, engineering, Hansen, and public utility projects. Additionally, GIS provides applications to assist many city divisions including Police, Fire, Transportation, and Parks & Recreation.	35,000

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Project Title & Description	2016 Budget
Hansen Version 8 Upgrade (Workorder System) (16003): This project is to upgrade the City's existing Hansen software to the latest version. Hansen/Infor Version 8, released in 2004, is a ground up re-write of software applications utilizing Microsoft.Net technology with zero legacy code. Hansen 8 provides many enhancements over the existing version 7. The Hansen 8 software portion of the upgrade is free because the City is a current maintenance customer. The expense is associated with professional services required to setup and migrate existing data and application to the new version. Hansen originally set a 2010 expiration date which supports the version of Hansen applications that is currently running, but that date was retracted when Hansen was purchased by Info Technologies. No new expiration date has been set, but development on the current version has stopped. This upgrade requires Hansen services to re-write the City's custom applications and migrate data.	195,000
Local Area Network (LAN) Upgrade (02056): This project is to upgrade and expand the City's Local Area Network (LAN)/Network infrastructure. The LAN is used by all divisions in the City across thirty locations connecting approximately 850 devices. While most components of the LAN are on a three to five year lifecycle, consideration is given to increases in the system's user base and advances in technology that create a need for hardware and operating system upgrades. In the next five years, most of the existing servers, switches, and other network hardware will be replaced. Staff also has plans to add technology that will increase the speed and reliability of the different aspects of the LAN. Specifically, redundant and/or battery protected power supplies for all infrastructure equipment, a separate network for backups, network management and testing tools, WAN optimization hardware, additional monitoring and alerting, and tools to help manage and deploy security policy.	135,000
Microcomputer / Printer Replacements (02057): This project is for the replacement of failing and outdated personal computers (PC's), printers, and monitors. In order to make use of increased functionality of new PC software, PC hardware must be continuously evaluated and updated. This project will fund the continued rollout of virtual desktops allowing a standardized desktop to be deployed across the City.	60,000
Storage Area Network (SAN) (09031): This project provides storage for the City's increasing data needs. In order to provide fast, reliable access to data, a centralized enterprise class storage system is required. As the City utilizes technology and applications to increase efficiencies and productivity, more data is produced. This project expands on an existing enterprise class storage system with a major upgrade in 2016.	200,000
Library Improvements	
Library Computer Replacements (04004): This project is to provide new and/or upgraded technology infrastructure and services to library staff and patrons. Technology replacement cycle is typically five (5) years or less depending upon utilization. The project includes but is not limited to: all personal computing stations (staff and public); circulating technology equipment including laptops, iPads, and DVD players; server infrastructure; 88 cameras; 55 phones; networking equipment; Starr Island learning stations consisting of six touch screen systems; and various pieces of trending digital equipment for a patron technology innovation center/maker space.	100,000

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Project Title & Description	2016 Budget
Library Materials Purchases (02049): This project provides library materials including fiction, non-fiction, reference, music and video cd's, and periodicals. Fiction and non-fiction materials are provided in hardback and ebook formats. The total library material collection size is approximately 270,000 items with items added on a monthly basis. The Fayetteville Public Library seeks to provide a collection of materials that is commensurate with benchmark cities (Lawrence, Kansas; Ames, Iowa; Champaign, IL.; Denton Texas; and, Iowa City, Iowa) as well as the national average for cities 50,000 to 99,000. During 2012 and 2013 over 1.3 million items were checked out. Additionally, library collections are moving more toward digital materials which places more pressure on the materials budget.	425,000
Other Capital Improvements	
Animal Services Improvements (14002): This project is for improvements to the kennel building and to replace the entire exterior fence line at the Animal Shelter. The kennel building improvements include replacing five (5) rusted exterior door frames, replacing the back and front chain-link kennel cage doors with stainless steel doors (36 doors total), and to purchase and install an industrial dishwasher. The fence has many repaired holes as well as trees growing through it. New fencing will ensure the safety and containment of sheltered animals. This project will also provide for the installation of stainless steel cages in the clinic to be utilized for the isolation of animals as needed and will replace the plastic cages that have been in use for 20 years.	35,000
Audit Expense (47038):	8,000
Building Efficiency Improvements (15009): This project is for improvements of energy efficiency, weatherization and water conservation to city facilities and includes the repair and replacement of inefficient HVAC equipment, lighting upgrades, insulation, window repair/replacement, and water efficiency projects. Energy assessments may need to be performed on several buildings to identify the scope of specific projects.	40,000
Building Improvements (02046): This project consists of the repair and replacement of damaged and worn roofs and HVAC systems and provides for other improvements such as remodels to city owned buildings.	129,000
Comprehensive Land Use Plan Update (16001): This project is for a five year update of the comprehensive land use plan, City Plan 2035. A majority of the existing plan will be retained and one or two new major elements will be added. One new element will be to create a vision for Fayetteville to become a world-class community over the next 25 years that attracts and retains creativity and entrepreneurship while respecting and enhancing the natural and historic resources of the City. Other new topics for potential inclusion in the plan include energy, health, food security, resiliency, and historic and natural resources. Research, an extensive public participation process, and including new elements in the plan identified above will be primarily facilitated by consultants. The public participation process will include a combination of focus groups, public workshops, and a charrette-type of engagement process. City staff will assist in updating the overall plan.	100,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Digital Signage Implementation (15007): This project is to purchase digital signs for every point of public contact in a City building such as City Administration, Police Department, District Court, Animal Shelter, etc. Digital signage is a cost-effective means by which the City can communicate to the public timely and relevant information. Digital signage allows information and messages to be easily changed and updated, helping ensure accuracy and immediacy. The displays offer many advantages over printed posters, handbills and permanent signs because the information can be changed quickly and easily, there is no waste so paper costs are reduced and distribution costs are minimal.	15,000
Parking Lot Improvements (City Employee) (11004): This project is for ongoing improvements to City employee lots that are not utilized by the general public.	10,000
Planning Commission Tablet Replacements (16005): This project is to purchase nine (9) computer tablets to replace the Planning Commission's iPads (version 1) that were purchased in late 2011. The iPads are projected to need replacement after approximately five years.	6,000
Television Center Equipment (02061): This project is to replace and upgrade equipment at the Television Center. This equipment includes production technology, studio equipment, lighting, sound, signal processing, telecasting equipment, etc. The Center also provides small equipment support for the audio/visual needs of the Administration and replacement of needed equipment when necessary, such as projectors, screens, PA systems, and other A/V support equipment.	50,000
Telecommunication Systems Upgrades (04001): This project is for system upgrades, additional equipment and new software features that become available for users. These funds will also cover additional licenses needed for users adding onto various modules such as the paging system, recording system, etc.	10,000
Video Production Digital Server & Archive System (16009): This project is to install the equipment necessary for the City to have a duplicate archive of all meetings and non-meeting programming and establish storage, backup, and archive systems that will automatically duplicate both the working video storage and the video archives off-site at the City's data center. Meeting video and other programming is being stored and archived on DVD discs which are stored at the Television Center. A duplicate archive or backups of the discs does not exist. With over 7,000 DVDs, a catastrophic event at the Television Center could destroy the archive and the City would lose nearly 20 years of meeting recordings and other programming.	120,000
Wayfinding Regional Signage Program (13013): This project continues the Regional Wayfinding Signage Program. The program originally started with a grant from the Walton Family Foundation and continued with CIP/A&P Commission funding in 2013. The wayfinding signage program provides visitors and residents with a cohesive wayfinding sign experience through vehicular and pedestrian signs throughout the City, coordinated with seven (7) other cities in Northwest Arkansas. Wayfinding programs guide travelers to major public civic, cultural, visitor, and recreational destinations, therefore this program is of economic benefit for citizens and visitors. The success of the first two phases of this program have resulted in approximately 20 new locations requested to be signed by elected officials and citizens. Private funding and other public funding sources will be sought to facilitate the full project.	65,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Parks & Recreation Improvements	
Forestry and Habitat Improvements (15012): This project is for tree plantings and replacements in areas where trees are damaged such as on boulevards and in areas where old trees are being lost in parks. In addition, funding is requested for median right-of-way tree replacements for Hwy 265, Garland Avenue, Van Ache, and Rupple Road. Median replacements are for the first three years after planting assuming 15% mortality rate over three years. The Celebration of Trees, which is required for the City's Tree City USA designation, is funded annually from this project. Additionally, habitat restoration projects such as the Lake Fayetteville prairie restoration, are funded in this project. Habitat improvements are intended to restore or complement existing natural areas as well as reduce maintenance. Funds in this project are also used for the annual operational motor pool cost for a stump grinder and chipper.	62,000
Lights of the Ozarks (02001): The Lights of the Ozarks display is an extremely popular annual event that takes place from Thanksgiving to New Year's Eve. Approximately 500,000 lights are displayed around the downtown square where an estimated 300,000 people come to view the display.	23,000
Park Paving Improvements (16004): This project will be used to overlay and/or replace existing interior roads and parking areas. Many of the parks are aging and pavement surfaces are deteriorating. Priorities have historically been to replace and upgrade facilities, however the infrastructure is beginning to fail in some areas and is in need of repair. This project will repave approximately 3,300 square yards of surfacing per year. The first project will be to repave Wilson Park interior drives which are broken up and have potholes.	58,000
Parks Safety & ADA (15011): This project will be used to bring previous projects into ADA compliance such as swings, play equipment, and sidewalk connections. Additionally, funds are used to address safety hazards that may occur over time.	15,000
Walker Park Senior Activity and Wellness Center (15010): This project will add space to the Walker Park Senior Activity and Wellness Center's kitchen area by moving inner walls and updating kitchen equipment such as commercial ovens, fryers and refrigeration. The Walker Park Senior Activity and Wellness Center feeds almost 300 people per day including the Hillcrest Towers Congregate and Home Delivered Meals, Fayetteville Meals On Wheels program and the Elizabeth Richardson Center. The existing kitchen is unable to accommodate the amount of food preparation required to adequately serve the senior population. The center is requesting a kitchen expansion and renovation.	100,000
Police Improvements	
Employee Gym Equipment (13028): This project is to upgrade and replace older, outdated equipment at the City's gym. Ongoing maintenance of the equipment and facility are vital to the health and wellness of city employees. An updated gym supports the City Wellness Committee's effort to provide a convenient and reliable place to exercise, decreases lost work time due to injury or illness, and minimizes potential increases in health insurance premiums for the City and its employees.	10,000
Police Building Improvements (02047): This project is for major repairs of the Police Department's building including but not limited to security door lock systems, major plumbing and electrical issues, roof repairs and replacement, minor re-models for the police facility, and buildings at the radio tower sites and warehouse.	25,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Police Bulletproof Vests & Ballistic Protection (13011): 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 a 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.	13,000
Police eTicket Equipment Replacement (16006): This project provides for the replacement of obsolete hand-held computers and thermal citation printers.	44,000
Police Network/Server Replacements (14008): This project is for the scheduled replacement of obsolete core and edge network switches and to replace all the modem and routers that support ongoing Police Department operations. The switches provide connectivity between all desktop computers and records management servers. Upgrades, updates, and technical support for the switch hardware/firmware are no longer available after five years of operation. The modem/routers provide a secure, wireless network connection from the mobile data terminals to the department's internal network and Global Positioning System (GPS) tracking data to central dispatch's Automatic Vehicle Location (AVL) system.	50,000
Police Records Management System (14009): This project replaces the police records management system that has been in use since 1998 and includes integrated computer aided dispatch (CAD), law enforcement records, fire records, and a mobile data system. Costs include data conversion, implementation costs and hardware/software upgrades.	150,000
Police Specialized Equipment (02062): This project is to replace outdated and/or malfunctioning equipment used during police operations. Examples of this equipment include traffic control equipment, bicycle replacement, wireless remote surveillance cameras, crisis negotiation throw phone, portable speed display signs for use in school zones, radar units, a total station system for accident reconstruction, tasers, and other items used in police operations. This type of project is necessary to the efficient, ongoing, and safe operations of the Police Department. The purchase of two hybrid UTV's to patrol the City's multi-use trails and a self-contained, temporary surveillance system that provides an additional measure of monitoring and safety for officers and the public in trouble spots, collisions, inclement weather, special events and traffic flow problems were unfunded.	21,000

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Project Title & Description	2016 Budget
Police Take Home Vehicles (16007): This project is to expand the take-home vehicle program. Eligibility for this program is based on an officer's seniority and requirement that he/she resides within the city limits. Benefits include: 1) The presence of marked patrol vehicles have a positive effect on crime prevention and community policing efforts and residents feel safer. 2) Take-home vehicles last longer due to officers' sense of ownership and the vehicles are not being used 24/7 by several officers. 3) Officers with take-home vehicles are more readily available to respond to an emergency or critical incident. 4) Officers utilizing take-home vehicles will not need to spend approximately a half hour every shift loading and unloading required equipment and performing inspections for damage and contraband. 5) A take-home vehicle program is excellent for recruitment and retention of police officers and it allows the Department to compete with neighboring agencies in Springdale, Rogers, and Bentonville.	57,000
Police Technology Improvements (06002): This is an ongoing project for the replacement of obsolete or malfunctioning department desktop computers, software, printers, and other peripheral equipment.	25,000
Police Unmarked Vehicles (06003): This project is to purchase unmarked vehicles that are a necessity for an effective Police Department. The Department utilizes unmarked vehicles for a variety of tasks including: gathering intelligence for investigation of narcotics, theft, vandalism, domestic terrorism, and civil disobedience; conducting pre-raid intelligence for the deployment of the Emergency Response Team; conducting alcohol enforcement patrols; and any activity that must be kept covert to be effective. The Department is recommending a three year replacement for vehicles used in undercover capacities and a five year replacement for vehicles used in an unmarked capacity. During undercover investigations, the same vehicles are used to affect arrests and to conduct surveillance making it necessary to replace these vehicles more often.	83,000
Police Weapon Replacement (15013): This project is to replace some of the equipment on the rifles used by the Emergency Response Team. In 2016, six (6) patrol rifles will need to be replaced. The Police Department will need to replace the handguns of all the officers in the department. The handguns are showing signs of wear and the Department has started to replace some of the internal parts of the weapons to maintain the accuracy and reliability. The Police Department has a ten year replacement schedule and the handguns will need to be replaced in 2017. These weapons need to be replaced and maintained as scheduled to ensure officers have reliable equipment to perform required duties.	14,000
Street Improvements	
Street ROW/Intersection/Cost Sharing (02116): This project provides funding for developer cost shares to complete street improvements associated with developments that are necessary but are not the full responsibility of the developer and provides for construction of miscellaneous street projects.	100,000
Trail Improvements	
Trail Development (02016): This project is to provide funding to increase production of the trails program. Funding provides resources for new trail development and asphalt replacement on existing trails.	1,920,000

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Project Title & Description	2016 Budget
Transportation Improvements	
Drainage Maintenance (11021): This project will fund drainage projects as needed.	50,000
In-House Pavement Improvements (02052): This project provides resources for the systematic overlay of existing streets and includes curb cuts, curb and guttering, pavement striping, and preparation costs for overlays. The goal of this project is to overlay a minimum of nine (9) miles of asphalt each year. Overlaying each street within a 15 year cycle is intended to optimize the longevity of roadways and minimize significant maintenance requirements resulting in fewer complete renovations at a substantially greater cost. Micro surfacing has been introduced as a pavement preservation method to extend the life of existing asphalt streets and providing maintenance of an additional six (6) miles of surface.	1,852,000
Traffic Signal Improvements (02063): This project provides funding for the installation of new traffic signals, upgrades, replacement of UPS back-up system batteries and the reflective sign material mandated by the latest version of the FHWA Manual on Uniform Traffic Control (MUTCD). All these functions are to enhance the safety and movement of pedestrians and vehicles throughout the City. New signal locations are determined as warranted by specific guidelines contained in the MUTCD. Upgrades are to provide for more efficient operation by reduced travel time/delay, decreased exhaust emissions and increased safety. The UPS system requires complete replacement of all batteries every four years to remain reliable in the event of power interruptions. The sign material is to meet the minimum levels of reflectivity set forth in the MUTCD for night time visibility.	110,000
Wireless Traffic Signal Control (15018): This project is ongoing and provides funding for the implementation of a wirelesses ethernet communication system for traffic signals (both data and video). Currently 20 intersections are on-line in this system with 11 more scheduled to be added this year.	40,000
Total Sales Tax Capital Improvements Fund Projects:	7,982,000

Water & Sewer Fund (5400)

Meter Operations Capital (1840)	
Backflow Prevention Assemblies (02066): This project is for installation and/or replacement of backflow prevention assemblies on city facilities to meet requirements for city ordinances and the Arkansas Department of Health regulations.	10,000
Utilities Financial Services Improvements (03038): This project is for various improvements in office hardware, software, communications, computers, safety features, and office configuration. Examples of specific improvements include the purchase of advanced communications capability to improve customer service and employee efficiency. This project should leverage technological improvements.	20,000
Utilities Technology Improvements (15019): The purpose of this project is to upgrade technology in the Utilities Financial Services Office. This will include hardware and software for customer swipe and pay stations at each of the cash registers and a new customer counter, kiosks and software for customer self service applications, and a camera surveillance system.	20,000

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Project Title & Description	2016 Budget
Water Meters (02065): This project is for the replacement of old water meters that are no longer repairable, expansion meters for new water service, and for purchasing new meters with technological advancements over older style meters. The hand held and remote style meter reading mechanisms will be replaced in addition to the meters themselves.	325,000
Water & Sewer Building and Office Improvements (15020): This project is for structural maintenance, repair, and replacement of the existing water/sewer operations building and also any water/sewer operations office improvements that need to be done.	50,000
Water/Sewer Equipment Expansions (13019): This project is for expansion equipment for the Water/Sewer Operations Division. The list includes a tandem axle dump truck, leak detection equipment, a bulldozer, an upgraded inventory bar code system, a boring machine, a powered wheel barrel, a light tower, skid steer attachments, new equipment to meet evolving stormwater regulations, and other equipment as identified through time.	145,000
Capital Water Mains (5600)	
Water/Sewer Impact Fee Cost Sharing (04039): This project involves all cases where impact fees are used to cost share with and thus supplement other funding sources to increase capacity in either the water distribution, pumping and storage system or the wastewater collection and treatment system.	200,000
Water/Sewer Relocations - Bond Projects (11011): This project is for various water and sewer relocations for street bond and other transportation projects where the street bond fund does not have sufficient funds to cover the utility relocations. Projects are to be paid first from any remaining water/sewer revenue bond funds, if available. Capacity increases should be paid from impact fee funds, if available.	1,000,000
Water System Rehabilitation & Replacement (12009): This project provides for upgrading, replacing, or rehabilitating existing water infrastructure consisting of water storage, pumping, and distribution assets system wide. Specific work will be determined based on the need to stop leaks, reduce water loss, increase local or area flow and/or pressure in areas with insufficient capacity, in order to meet current and projected future domestic, commercial, and industrial flow, and fire flow demands. Projects may create loops, purchase easements, and replace or rehabilitate existing pipes, pump stations, and/or storage assets. This project may use water/sewer funds, impact fees and cost shares where appropriate.	1,825,000
Sewer Mains Construction (5700)	
Sanitary Sewer Rehabilitation (02017): This project analyzes, repairs, upgrades, and replaces sewer collection system components to ensure adequate capacity and reduce storm and ground water flows entering the system. Rehabilitation is required system wide and increases the capacity of the overall system by reducing demand used by infiltration and inflow. This project includes replacing, lining, and bursting existing sewer mains and manholes, upgrading lift stations, installing some main extensions and relief lines/capacity upgrades, upgrading the system model, purchasing easements, and sanitary sewer evaluation studies. As this may include capacity increases, impact fees may be spent.	2,000,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
WWTP Capital (5800)	
Building Improvements - W.W.T.P. (02032): This project is for structural maintenance, repair, and replacement of the existing buildings or parts of the buildings at both wastewater treatment plants.	30,000
Filter Cell Replacement - W.W.T.P. (15023): This project is to replace part of the filtration system that removes suspended solids from the partially treated wastewater effluent before it is disinfected. The new filter cells will remove more suspended solids, thus increasing the clarity of water discharged to the White River as well as reducing disinfection costs. The existing system was installed at the Noland WWTP in 1988 and has become increasingly difficult and costly to operate and maintain.	1,000,000
Phosphorus Standards Management (10027): This project supports efforts by the City operating independently or as part of a regional Northwest Arkansas team relating to phosphorus and other potential changes to stream standards, water quality standards and regulations, and wastewater discharge requirements. Some of the funds may be paid into regional efforts coordinated through Northwest Arkansas Regional Planning, the Northwest Arkansas Council, or other similar cooperative efforts.	50,000
Plant Pumps and Equipment - W.W.T.P. (02069): This project allows WWTP personnel to adapt to the needs of each season and year and still maintain compliance. Many pieces of the WWTP equipment are essential to the wastewater treatment process. The equipment may suffer catastrophic failure and become unusable with little advance warning. The plant cannot operate and continue to produce permit complying effluent without adequate equipment.	305,000
Upgrade/Replace Lift Stations - W.W.T.P. (02068): This project is to maintain the lift stations for the wastewater treatment plants. The lift stations provide a vital function in the overall treatment of wastewater. The stations are exposed to extreme wear conditions and must be upgraded routinely. Additionally, new developments within the City increases the flow to various stations requiring additional or higher capacity equipment.	125,000
Total Water & Sewer Fund Projects:	7,105,000

Recycling & Trash Collection Fund (5500)

Recycling & Trash Collection Improvements	
Solid Waste Compactors (10001): This project is for the purchase of compactors. The drop box program utilizes compactor boxes to efficiently handle solid waste from large quantity generators. Compactor boxes decrease the frequency of collection and are serviced with existing drop box trucks. Aesthetics are improved by having a compactor as opposed to multiple dumpsters to service.	138,000
Solid Waste Containers (15025): This project is for the purchase of 20, 30, and 40 cubic yard open top containers.	100,000
Total Solid Waste Fund Projects:	238,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Airport Fund (5550)	
Aviation Improvements	
Airport Boiler Improvements (15027): This project will replace one of the outdated boilers with new equipment as the Drake Field Airport currently has two boilers that are nearing the end of their useful life. The other boiler would remain as a back-up. Preliminary estimates for a new 94% efficient 1.5 MMBTU boiler are $50,000 - $75,000. The project is eligible for a $6,000 incentive from Source Gas. The new boiler would save approximately 2,000 therms or $1,200 per year (not including maintenance costs).	25,000
Airport Lighting Improvements (15026): This project will replace outdated and inefficient lighting at Drake Field Airport in multiple locations. Walk-thru assessments were performed to identify possible energy efficiency and opportunities. New LED lighting was noted for the tarmac, parking lot, T-hangers, FBO hanger and roadway Lighting. The lighting improvements are eligible for $22,500 worth of utility incentives. The estimated energy savings for the installation of all recommended upgrades is approximately $12,000 per year. The additional benefit of completing these lighting upgrades is reduction in maintenance costs of the outdated lighting.	20,000
Airport Self Serve Station Upgrade (13026): This project will provide for replacing the existing fuel dispensers with two new digital meter/dispensers. The purpose of the project is to modernize the existing facility with newer more reliable technology. The existing pump cabinets are marginally functional. There are ongoing issues with the accuracy of the old-style mechanical computer. Updated equipment would be desirable for reliability, functionality and facility appearance.	12,000
Total Airport Fund Projects:	57,000
Shop Fund (9700)	
Fleet Operations Capital (1920)	
Fleet - Backhoes / Loaders (02076): The purpose of this project is to replace obsolete or high maintenance construction equipment which is no longer suited for regular line service. Replacements for 2016 include two backhoes and two loaders.	511,000
Fleet - Construction Equipment (02077): The purpose of this project is to replace obsolete or high maintenance construction equipment which is no longer suited for regular line service. Replacements for 2016 include three excavators.	255,000
Fleet - Light / Medium Utility Vehicles (02078): The purpose of this project is to replace obsolete or high maintenance vehicles which are no longer suited for regular service. Replacements for 2016 include 21 trucks. This project includes a truck expansion unit purchased from the Parks Development Fund.	933,000
Fleet - Heavy Utility Vehicles (02079): The purpose of this project is to replace obsolete or high maintenance vehicles which are no longer suited for regular service. Replacements for 2016 include three dump trucks.	396,000

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City of Fayetteville, Arkansas
2016 Capital Budget

Project Title & Description	2016 Budget
Fleet - Other Vehicles / Equipment (02080): The purpose of this project is to replace obsolete or high maintenance vehicles and equipment which are no longer suited for regular service. Replacements for 2016 include one vibratory roller, four snow plows, one concrete saw, one sewer jetter, one UTV, one chipper/shredder, one sweeper, and three trailers.	734,000
Fleet - Police / Passenger Vehicles (02081): The purpose of this project is to replace obsolete or high maintenance vehicles which are no longer suited for service. Replacements for 2016 include one small SUV, three police vehicles, and six mid-size utility vehicles. This project includes the purchase of four expansion units being purchased from other funds. Three police units are being purchased from Impact Fees Fund and one Fire unit from General fund.	482,000
Fleet - Recycling/Trash Vehicles/Equipment (02082): The purpose of this project is to replace obsolete or high maintenance vehicles which are no longer suited for service. Replacements for 2016 include one container carrier truck, two recycling trucks, and one front load trash truck.	755,000
Fleet - Tractors / Mowers (02083): The purpose of this project is to replace obsolete or high maintenance vehicles which are no longer suited for service. Replacements for 2016 include one spreader and two zero turn mowers. This project includes the purchase of an expansion mower from the Parks Development Fund.	128,000
Total Shop Fund Projects:	4,194,000
Total Capital Improvements Program - 2016 Projects	$ 23,266,000

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City of Fayetteville's Debt Position

The City of Fayetteville has established a practice and policy of paying for all capital projects and capital improvements on a pay-as-you-go basis using current revenues, whenever possible. If a project or improvement is of sufficient size and need that it cannot be financed with current revenues, long-term debt will be recommended. The basis for this policy is that the City has maintained a commitment to infrastructure improvement and maintenance. The City also considers the cost versus the benefits of debt financing. A recommendation is made only when the benefits outweigh the costs. The City's debt policy also states that the City will attempt to refinance outstanding debt if a determination is made that the City will benefit by reduced interest expense over the remaining life of the bonds.

Like most municipalities, the City of Fayetteville borrows funds through tax exempt municipal bonds. The City carefully analyzes each proposed bond issue to determine the need for the improvement, its useful life, and current and future revenues available to provide debt service. Existing debt service requires resources from both general governmental resources and enterprise fund resources.

Bond Ratings

The City's debt policy says that the communications will be maintained with the bond rating agencies and that the City will continue to strive for improvements in the City's bond rating. Such communications are vitally important because generally speaking, the higher rating a city has the lower the interest rate that must be paid. As such, the City will periodically confer with the rating agencies to update them on the financial status of the City.

The following schedule briefly describes the ratings provided by Standard & Poor for municipal bonds.

Standard & Poor's Credit Ratings for Municipal Bonds

Ratings	Description
AAA	Best quality, extremely strong capacity to pay principal and interest.
AA	High quality, very strong capacity to pay principal and interest.
A	Upper medium quality, and strong capacity to pay principal and interest.
BBB	Medium grade quality, adequate capacity to pay principal and interest.
BB and Lower	Speculative quality, low capacity to pay principal and interest.

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Description of Outstanding Bonds

Special Obligation Bonds

Property Tax Increment Interest Accretion Bonds (Highway 71 East Square Redevelopment District No. 1 Project), Series 2005 (Not Rated): The bonds are special obligations of the City payable solely from the Property Tax Increment of the District and monies in the funds and accounts established under the Indenture. The proceeds of the bonds were issued for the purpose of financing the costs of acquisition of certain real property within the City, the demolition of existing structures thereon, site preparation in connection therewith and the construction of sidewalk and crosswalk improvements. The original issue amount was $3,725,000.

Sales and Use Tax Capital Improvement Bonds, Series 2006A (AA-): The bonds are special obligations of the City secured by and payable solely from receipts from a one-quarter and a three-quarter of a one percent citywide sales and use tax. The proceeds of the bonds are for the purpose of financing a portion of the costs of certain improvements to the City's wastewater treatment plants, sewerage and related facilities, to certain City streets, and to the City's trail system. The original issue amount was $50,000,000.

Sales and Use Tax Capital Improvement Bonds, Series 2007A (AA-): The bonds are special obligations of the City secured by and payable solely from receipts from a one-quarter and a three-quarter of a one percent citywide sales and use tax. The proceeds of the bonds are for the purpose of financing the costs of certain improvements to the City's wastewater treatment plants, sewerage, and related facilities. The original issue amount was $14,340,000.

Sales and Use Tax Capital Improvement Bonds, Series 2009A (AA-): The bonds are special obligations of the City secured by and payable solely from receipts from a one-quarter and a three-quarter of a one percent citywide sales and use tax. The proceeds of the bonds are for the purpose of financing a portion of the costs of certain improvements to City streets and to the City's trail system. The original issue amount was $11,250,000.

Sales and Use Tax Capital Improvement Bonds, Series 2013 (AA-): The bonds are special obligations of the City secured by and payable solely from receipts from a one-quarter and a three-quarter of a one percent citywide sales and use tax. The proceeds of the bonds are for the purpose of financing a portion of the costs for certain street improvements. The original issue amount was $22,750,000.

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Revenue Bonds

Hotel, Motel & Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014 (A+): These bonds are special obligations of the City and were issued for the purpose of paying a portion of the costs of redeeming all of the outstanding Hotel & Restaurant Gross Receipts Tax Refunding Bonds, Series 2003 Bonds, paying a portion of the costs of expanding and renovating the Walton Arts Center and paying a portion of the costs of acquiring, constructing and equipping a regional park within the City. The bonds are payable solely from amounts received by the City from a 1% Hotel & Restaurant Gross Receipts tax. The original issue amount was $10,980,000.

Parking Revenue Improvement Bonds, Series 2012 (Not Rated): The bonds are payable solely from the net parking revenues. The bonds do not constitute an indebtedness of the City within the meaning of any constitutional or statutory debt limitation or restriction. The issuance of the Series 2012 Bonds shall not directly, indirectly or contingently obligate the City to levy or pledge any taxes whatsoever or to make any appropriation for the payment of the Series 2012 Bonds. The original issue amount was $6,220,000.

Water & Sewer System Refunding, Series 2012 (AA+): The bonds are payable solely from the net revenues derived from the operation of Fayetteville's water and sewer system. The proceeds of the bonds were used to refund Series 2002B water and sewer system bonds. The refunding was issued to take advantage of lower interest rates, to restructure existing bond covenants, and to mitigate any interest risk on the variable interest rate of the Series 2000B bond issue. The original issue amount was $3,665,000.

Water & Sewer System Refunding, Series 2014 (AA+): The bonds are payable solely from the net revenues derived from the operation of Fayetteville's water and sewer system. The proceeds of the bonds were used to refund Series 2009 water and sewer system bonds. The refunding was issued to take advantage of lower interest rates, to restructure existing bond covenants, and to mitigate any interest risk on the variable interest rate of the Series 2009 bond issue. The original issue amount was $6,330,000.

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City of Fayetteville, Arkansas
Bonds Outstanding
December 31, 2015

Description	Outstanding			
	Bond Issue	Due Dates	Interest Rates	Amount
Special Obligation Bonds				
Tax Increment Interest Accretion Bonds	2005	2006-2029	6.500%	$ 3,060,000
Sales and Use Tax Capital Improvement Bonds, Series 2006A	2006	2006-2021	3.00-5.00%	37,990,000
Sales and Use Tax Capital Improvement Bonds, Series 2007A	2007	2007-2024	4.20-4.47%	10,475,000
Sales and Use Tax Capital Improvement Bonds, Series 2009A	2009	2015-2021	3.00-3.85%	8,365,000
Sales and Use Tax Capital Improvement Bonds, Series 2013	2013	2015-2024	2.00-3.18%	19,400,000
				79,290,000
Revenue Bonds				
Parking Revenue Improvement Bonds, Series 2012	2012	2013-2037	1.00-3.63%	5,920,000
HMR Tax Bonds 2014 Debt Service Series 2014	2014	2015-2039	2.00-3.00%	10,685,000
Water & Sewer System Refunding, Series 2012	2012	2012-2017	1.00-2.00%	1,450,000
Water & Sewer System Refunding, Series 2014	2014	2014-2020	2.00-5.00%	5,360,000
				23,415,000
				$ 102,705,000

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City of Fayetteville, Arkansas
2016 Debt Service Payment Schedule

Description	Bond Issue	Outstanding Principal	Outstanding Interest	Outstanding Total
Special Obligation Bonds				
Sales and Use Tax Capital Improvement Bonds, Series 2006A	2006	$ 6,485,000	$ 1,732,125	$ 8,217,125
Sales and Use Tax Capital Improvement Bonds, Series 2007A	2007	980,000	519,206	1,499,206
Sales and Use Tax Capital Improvement Bonds, Series 2009A	2009	1,495,000	320,725	1,815,725
Sales and Use Tax Capital Improvement Bonds, Series 2013	2013	0	623,345	623,345
		9,030,000	3,195,401	11,602,056
Revenue Bonds				
Parking Revenue Improvement Bonds, Series 2012	2012	150,000	172,120	322,120
HMR Tax Bonds 2014 Debt Service Series 2014	2014	300,000	399,512	699,512
Water & Sewer System Refunding, Series 2012	2012	715,000	29,000	744,000
Water & Sewer System Refunding, Series 2014	2014	820,000	203,750	1,023,750
		1,985,000	804,382	2,789,382
		$ 11,015,000	$ 3,999,783	$ 14,703,111

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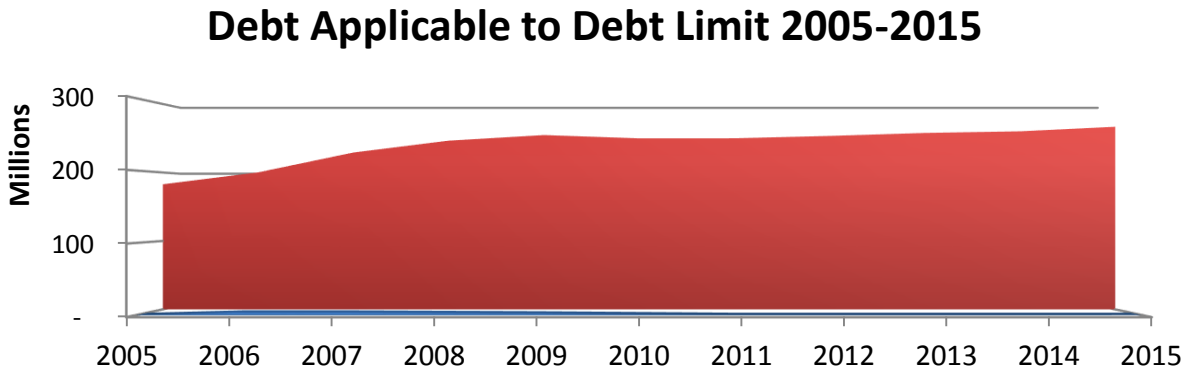
City of Fayetteville, Arkansas
Computation of Legal Debt Margin
December 31, 2015

General Obligation Debt Limit

Debt margin is a calculation based on the assessed value of property located within the City limits. The debt limit is established by state statute and is limited to 20% of assessed value.

2015 Assessed Value		$ 1,333,934,687	*
Debt Limit - 20% of Assessed Value		266,786,937	
General Obligation Bonds Payable	$ -		
Less: Debt Service Fund	-		
Total Debt Applicable to Debt Limit		-	
Legal Debt Margin		$ 266,786,937	



Enterprise Fund Debt Limit (Revenue Bond Debt)

Enterprise fund debt is established by the cash flow for each enterprise fund. For example, the Water & Sewer Fund must be able to generate sufficient cash flows to meet normal operating and capital, as well as provide sufficient resources to meet the annual debt service requirements. Prior to issuing enterprise fund bonds, an analysis of current revenues and expenses is conducted to determine the revenues required to support a bond issue.

Special Obligation Bond Debt Limit

Special obligation bond debt is limited by the maximum amount of the special source (such as sales tax) can generate within terms of bond covenants.

** Note: The assessed value does not include City utilities.*

City of Fayetteville, Arkansas
Total Debt to Maturity Schedule - All Funds
December 31, 2016

Maturity Year	Principal Amount: Beginning Balance	Principal Amount: Additions	Principal Amount: Reductions	Principal Amount: Ending Balance	Interest	Annual Debt Requirement
2016	104,054,328	0	11,015,000	93,039,328	3,999,783	15,014,783
2017	91,690,000	0	11,460,000	80,230,000	3,586,647	15,046,647
2018	80,230,000	0	12,005,000	68,225,000	3,024,421	15,029,421
2019	68,225,000	0	12,510,000	55,715,000	2,507,147	15,017,147
2020	55,715,000	0	11,570,000	44,145,000	1,964,233	13,534,233
2021	44,145,000	0	5,615,000	38,530,000	1,658,591	7,273,591
2022	38,530,000	0	7,615,000	30,915,000	1,291,182	8,906,182
2023	30,915,000	0	8,910,000	22,005,000	1,031,518	9,941,518
2024	22,005,000	0	7,340,000	14,665,000	833,190	8,173,190
2025	14,665,000	0	650,000	14,015,000	467,601	1,117,601
2026	14,015,000	0	650,000	13,365,000	429,232	1,079,232
2027	13,365,000	0	670,000	12,695,000	406,086	1,076,086
2028	12,695,000	0	695,000	12,000,000	381,780	1,076,780
2029	12,000,000	0	3,710,000	8,290,000	11,963,130	15,673,130
2030	8,290,000	0	745,000	7,545,000	329,942	1,074,942
2031	7,545,000	0	780,000	6,765,000	298,048	1,078,048
2032	6,765,000	0	815,000	5,950,000	264,592	1,079,592
2033	5,950,000	0	850,000	5,100,000	228,738	1,078,738
2034	5,100,000	0	885,000	4,215,000	190,456	1,075,456
2035	4,215,000	0	930,000	3,285,000	150,472	1,080,472
2036	3,285,000	0	960,000	2,325,000	115,847	1,075,847
2037	2,325,000	0	1,000,000	1,325,000	80,018	1,080,018
2038	1,325,000	0	650,000	675,000	49,688	699,688
2039	675,000	0	675,000	0	25,312	700,312
	$ 104,054,328	$ 0	$ 102,705,000	$ 1,349,328	$ 35,277,652	$ 137,982,652

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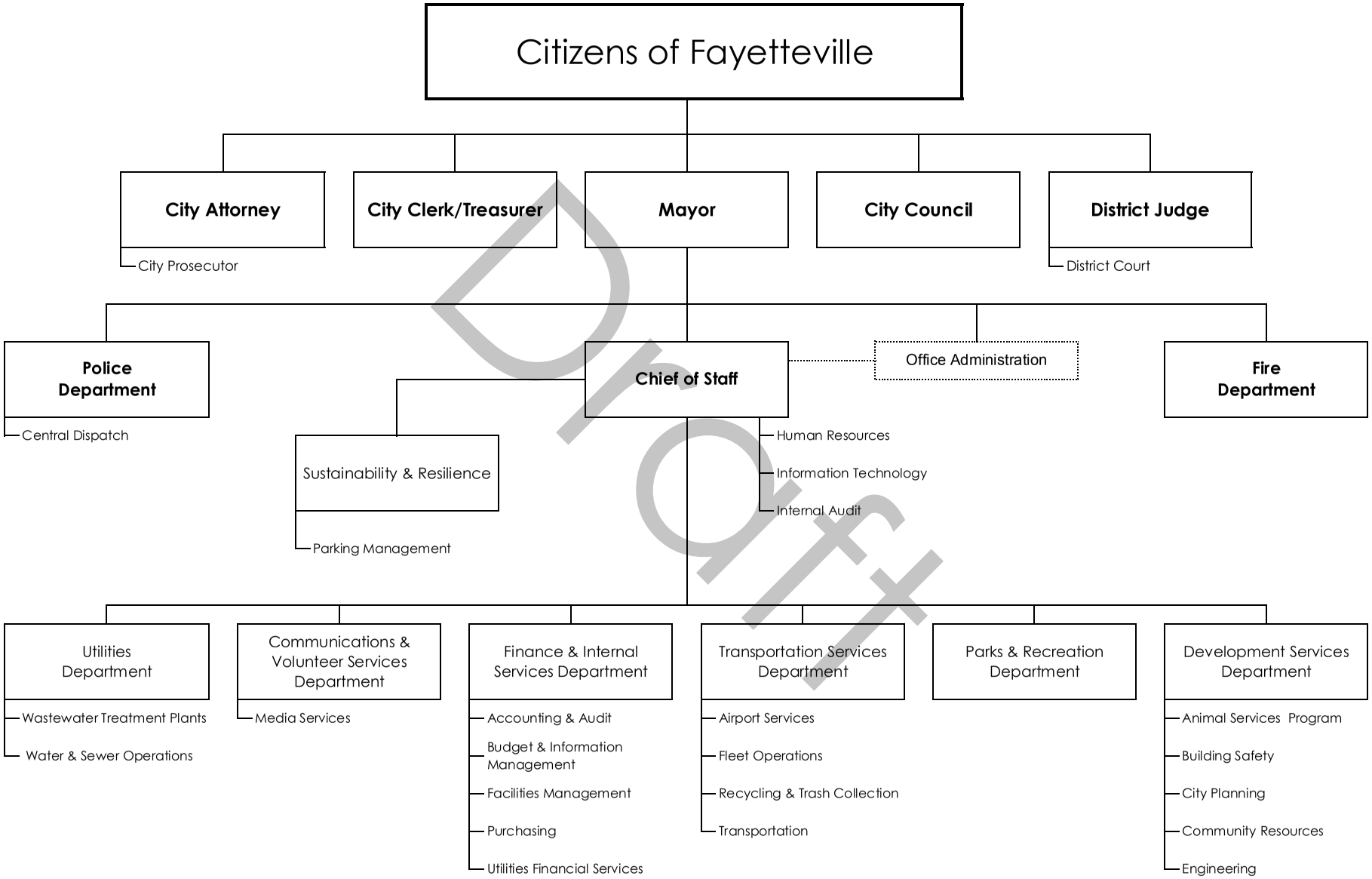
City of Fayetteville, Arkansas

Organizational Chart



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Officials of the City of Fayetteville, Arkansas

Elected Officials

Mayor	Lioneld Jordan	479.575.8330	mayor@fayetteville-ar.gov
Ward 1, Position 1	Adella Gray	479.442.4958	Ward1_pos1@fayetteville-ar.gov
Ward 1, Position 2	Sarah Marsh	479.442.3095	Ward1_pos2@fayetteville-ar.gov
Ward 2, Position 1	Mark Kinion	479.521.7632	Ward2_pos1@fayetteville-ar.gov
Ward 2, Position 2	Matthew Petty	479.442.5536	Ward2_pos2@fayetteville-ar.gov
Ward 3, Position 1	Justin Tennant	479.973.5202	Ward3_pos1@fayetteville-ar.gov
Ward 3, Position 2	Martin W. Schoppmeyer, Jr.	479.442.3535	Ward3_pos2@fayetteville-ar.gov
Ward 4, Position 1	John La Tour	479.442.4612	Ward4_pos1@fayetteville-ar.gov
Ward 4, Position 2	Alan Long	479.442.5415	Ward4_pos2@fayetteville-ar.gov
City Attorney	Kit Williams	479.575.8313	kwilliams@fayetteville-ar.gov
City Clerk/Treasurer	Sondra Smith	479.575.8323	City_clerk@fayetteville-ar.gov
District Judge	William A. Storey	479.587.3590	wstorey@fayetteville-ar.gov

Management Staff

Executive Staff

Chief of Staff	Don Marr	479.575.8330	dmarr@fayetteville-ar.gov
Police Chief	Greg Tabor	479.587.3565	police@fayetteville-ar.gov
Fire Chief	David Dayringer	479.575.8365	fire@fayetteville-ar.gov

Senior Department Directors

Chief Financial Officer	Paul A. Becker	479.575.8330	pbecker@fayetteville-ar.gov
Communications & Marketing Director	Susan Norton	479.575.8330	snorton@fayetteville-ar.gov
Development Services Director	Jeremy Pate	479.575.8265	jpate@fayetteville-ar.gov
Parks & Recreation Director	Connie Edmonston	479.444.3471	parks_and_recreation@fayetteville-ar.gov
Sustainability & Resilience Director	Peter Nierengarten	479.575.8272	pnierengarten@fayetteville-ar.gov
Transportation Services Director	Terry Gulley	479.575.8228	transportation@fayetteville-ar.gov
Utilities Director	Tim Nyander	479.575.8330	tnylander@fayetteville-ar.gov

Division Heads

Accounting Director	Marsha Hertweck	479.575.8281	accounting@fayetteville-ar.gov
Airport Director	John Roscoe	479.718.7642	jroscoe@fayetteville-ar.gov
Billing & Collection Manager	Cheryl Partain	479.521.1258	cpartain@fayetteville-ar.gov
Budget Director	Kevin Springer	479.575.8347	budget_research@fayetteville-ar.gov
Building Safety Director	Mark Whitaker	479.575.8252	cwhitaker@fayetteville-ar.gov
City Engineer	Chris Brown	479.575.8206	engineering@fayetteville-ar.gov
City Prosecutor	Casey Jones	479.575.8377	cjones@fayetteville-ar.gov
Community Resources Director	Yolanda Fields	479.575.8260	community_services@fayetteville-ar.gov
Director of Media Services	Doug Bankston	479.444.3434	dbankston@fayetteville-ar.gov
Dispatch Manager	Kathy Stocker	479.587.3555	police@fayetteville-ar.gov
District Court Administrator	Dena Stockalper	479.587.3591	district_court@fayetteville-ar.gov
Facilities & Building Construction Mgr.	Wade Abernathy	479.575.8363	wabernathy@fayetteville-ar.gov
Fleet Operations Superintendent	Jesse Beeks	479.444.3495	fleet@fayetteville-ar.gov
Human Resources Director	Brenda Reed	479.575.8278	human_resources@fayetteville-ar.gov
Information Technology Director	Keith Macedo	479.575.8320	kmacedo@fayetteville-ar.gov
Internal Auditor	Leslie Smith	479.575.8261	lsmith@fayetteville-ar.gov
Parking Manager	Vacant	479.575.8280	parking@fayetteville-ar.gov
Purchasing Manager	Peggy Vice	479.575.8256	purchasing@fayetteville-ar.gov
Recycling & Trash Collection Director	Jeff Coles	479.575.8398	solid_waste@fayetteville-ar.gov
Water & Sewer Operations Manager	Mark Rogers	479.575.8386	mrogers@fayetteville-ar.gov

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City of Fayetteville, Arkansas
2016 Operating Budget
Outside Agency Funding

	Actual 2014	Budgeted 2015	Estimated 2015	Budgeted 2016
General Fund (1010):				
Fayetteville Boys & Girls Club	$ 215,175	$ 215,175	$ 215,175	$ 225,000
Public Access Provider Your Media	105,000	105,000	105,000	153,570
AAANWA (Senior Center)	74,314	84,514	84,514	101,205
Arkansas Air & Military Museum	14,500	14,500	14,500	23,650
*NWA Regional Planning	40,469	51,506	51,506	51,506
*Central Emergency Medical Service	270,000	270,000	270,000	455,895
Total General Fund	719,458	740,695	740,695	1,010,826
Street Fund (2100):				
Ozark Regional Transit	300,000	300,000	300,000	300,000
Razorback Transit	158,694	213,759	213,759	233,859
Total Street Fund	458,694	513,759	513,759	533,859
Total Outside Agency Funding	$ 1,178,152	$ 1,254,454	$ 1,254,454	$ 1,544,685

* These Outside Agencies Have Interlocal Governmental Agreements.

Draft

LISTING OF ACRONYMS

A&P ..... Advertising & Promotion
ADA ..... Americans with Disabilities Act
ADEQ ..... Arkansas Department of Environmental Quality
ADH ..... Arkansas Department of Health
AED ..... Automated External Deliberator
AEP ..... Arkansas Electric Power
AHTD ..... Arkansas Highway Transportation Department
ARFF ..... Aircraft Rescue Fire Fighting
A/V ..... Audio/Visual
AVL ..... Automatic Vehicle Location
CAD ..... Computer Aided Design
CAFR ..... Comprehensive Annual Financial Report
CALEA ..... Commission on Accreditation for Law Enforcement Agencies
CAT ..... Community Access Television
CDBG ..... Community Development Block Grant
CIP ..... Capital Improvements Program
CMS ..... Content Management System
COLA ..... Cost of Living Adjustment
CPI ..... Consumer Price Index
CPR ..... Cardiovascular Pulmonary Resuscitation
CPU ..... Central Processing Unit
DDS ..... Data Security Standards
DOT ..... Department of Transportation
DTF ..... Drug Task Force
DVD ..... Digital Versatile Disc
DWI ..... Driving While Intoxicated
ECM ..... Enterprise Content Management
EDMS ..... Electronic Document Management System
EMS ..... Emergency Medical Services
EMT ..... Emergency Medical Technician
EPA ..... Environmental Protection Agency
ERP ..... Enterprise Resource Planning
ERS ..... Emergency Response Station
ERT ..... Emergency Response Team
FAA ..... Federal Aviation Administration
FAR ..... Federal Aviation Regulation
FASB ..... Financial Accounting Standards Board
FBO ..... Fixed Based Operator
FCC ..... Federal Communication Commission
FEDC ..... Fayetteville Economic Development Council
FEMA ..... Federal Emergency Management Agency
FHWA ..... Federal Highway Administration
FOIA ..... Freedom of Information Act
FTE ..... Full-Time Equivalent
GA ..... General Aviation
GAAP ..... Generally Accepted Accounting Principles
GASB ..... Governmental Accounting Standards Board
GFOA ..... Government Finance Officers Association

Draft

LISTING OF ACRONYMS, (continued)

GHG ..... Greenhouse Gas
GIS ..... Geographic Information System
GPS ..... Global Positioning System
HIRL ..... High Intensity Runway Lights
HMI ..... Human Machine Integration
HMR ..... Hotel/Motel Restaurant Tax
HOME ..... HOME Grant Program
HUD ..... Housing & Urban Development
HVAC ..... Heating, Ventilation, and Air Conditioning
IPP ..... Industrial Pretreatment Program
ISO ..... International Standards Organization
IT ..... Information Technology
LAN ..... Local Area Network
LED ..... Light Emitting Diode
LOPFI ..... Local Police and Fire Retirement
MCT ..... Mobile Computer Terminal
MDT ..... Mobile Data Terminal
MGD ..... Million Gallons per Day
MLK ..... Martin Luther King
MRF ..... Materials Recovery Facility
MUTCD... ..... Manual on Uniform Traffic Control Devices
MVR ..... Mobile Video Recorder
NPDES ..... National Pollutant Discharge Elimination System
NWA ..... Northwest Arkansas
NWACC ..... Northwest Arkansas Community College
NWAEDD ..... Northwest Arkansas Economic Development District
O&M ..... Operation & Maintenance
ORT ..... Ozark Regional Transit
PA ..... Public Address
PAPI ..... Precision Approach Path Indicator
PC ..... Personal Computer
PCI ..... Payment Card Industry
PO ..... Purchase Order
PRAB. ..... Parks & Recreation Advisory Board
RFP ..... Request for Proposals
ROW ..... Right-of-Way
RTC ..... Recycling & Trash Collection
RTU ..... Remote Terminal Units
SAN ..... Storage Area Network
SCADA ..... Supervisory Control & Data Acquisition
SQL ..... Structured Query Language
SSRS ..... SQL Server Reporting Services
SUV ..... Sport Utility Vehicle
TIF ..... Tax Increment Financing
TSS ..... Total Suspended Solids
UDC ..... Unified Development Code
UPS ..... Uninterruptable Power Supply

Draft

LISTING OF ACRONYMS, (continued)

USACE ..... United States Army Corps of Engineers
UTV ..... Utility Task Vehicle
UV ..... Ultra Violet
W&S, W/S ..... Water & Sewer
WAN ..... Wide Area Network
WSIP ..... Wastewater System Improvements Project
WWT ..... Wastewater Treatment
WWTP ..... Wastewater Treatment Plant
W/WW ..... Water/Wastewater
YRCC ..... Yvonne Richardson Community Center

Draft

GLOSSARY

ACCOUNTING SYSTEM. Records and procedures that discover, record, classify, and report information on the financial position and operations of a governmental unit or any of its funds.

ACCRUAL. Revenue and expenses are recorded when they are incurred.

AD VALOREM. A basis for levy of taxes upon property based on value.

AGENCY FUND. A fund consisting of resources received and held by the governmental unit as an agent for others.

APPROPRIATION. An authorization granted by the board to incur liabilities for specific purposes.

ASSETS. Probable future economic benefits obtained or controlled by a particular entity as a result of past transactions or events.

BALANCED BUDGET. A budget balanced by fund, means the total anticipated revenues are equal to or exceed the budgeted expenditures for that fund.

BOND. A written promise to pay a specified sum of money, called the face value or principal amount, at a specified date or dates in the future, called the maturity date(s), together with periodic interest at a specified rate.

BOND DISCOUNT. The excess of the face value of a bond over the price for which it is acquired or sold.

BOND PREMIUM. The excess of the price at which a bond is acquired or sold over its face value.

BONDED DEBT. The portion of indebtedness represented by outstanding bonds.

BUDGET. A financial operating plan consisting of estimates of proposed expenditures for a given period and the proposed means of financing them.

BUDGET CONTROL. The control or management of the approved Budget for the purpose of keeping expenditures within the limitations of available appropriations and available revenues.

BUDGET DOCUMENT. The instrument used by the budget-making authority to present a comprehensive financial program to the appropriating body.

BUDGET MESSAGE. A general discussion of the budget as presented in writing by the Mayor to the City Council. The message contains an explanation of the principal budget items and recommendations regarding the financial policy for the coming year.

CAPITAL BUDGET. This budget deals with large expenditures for capital items normally financed by borrowing. Usually capital items have long-range returns, useful life spans, are relatively expensive, and have physical presence such as buildings, roads, sewage systems, etc.

CAPITAL IMPROVEMENT. Any property, asset, or improvement with an estimated value greater than five thousand dollars, and estimated life or usefulness of one or more years, including land, interest therein and including constructions, enlargements, and renovations.

Draft

CAPITAL IMPROVEMENT PROGRAM. An approach or technique for identifying and forecasting capital outlay decisions that a government expects to make over a five year period.

CAPITAL OUTLAY. Expenditures that result in the acquisition of or addition to fixed assets.

CAPITAL PROJECTS FUND. A fund created to account for all resources to be used for the acquisition or construction of designated fixed assets.

CASH. Legal tender or coins that can be used in exchange for goods, debt, or services. This includes the value of assets that can be converted into cash immediately

CONSTRUCTION WORK IN PROGRESS. The cost of construction work that has been started but not yet completed and placed in service.

CONTINGENCY FUND. Funds set aside for unforeseen expenses of uncertain amounts or funds set aside for identified expenses, such as salary increases, but for which amounts are uncertain.

CONTRACTUAL SERVICE. An agreement to perform a service or task by external organizational units. A group of accounts which cover the above as well as travel and training and other miscellaneous services.

DEBT SERVICE. The amount of money necessary to pay interest on an outstanding debt, the principal of maturing bonds, and required contributions to a sinking fund for term bonds.

DEBT SERVICE FUND. A governmental type fund used to account for accumulations of resources that are restricted, committed, or assigned to expenditures for principal and interest.

DEMAND. Demand is the external factor that demonstrates the "need" for a program. Demand data enables decision-makers to adjust services and costs to respond to changes in direction for the service.

DEPARTMENT. Departments are the major organizational subdivisions. They have a broad overall purpose. In the City of Fayetteville organization structure, each department is comprised of one or more divisions.

DEPRECIATION. Expiration in the service life of fixed assets, attributable to wear and tear, deterioration, action of the physical elements, inadequacy, and obsolescence.

DESIGNATED FUND. Funds created to account for assets set aside for a specific purpose.

DIVISION. Divisions are the major functional sub-divisions and correspond roughly to the departmental hierarchy used by the City. Each Division reports to one or more departments.

EFFECTIVENESS. Effectiveness data enables decision-makers to see that quality does not suffer as productivity increases, and that constituents are satisfied with services.

ENCUMBRANCE. An account used to record the estimated amount of contracts, salary commitments and purchase orders that are chargeable to an appropriation.

Draft

ENTERPRISE FUND. A fund established to finance and account for the acquisition, operation, and maintenance of governmental facilities and services which are entirely or predominantly self-supporting by user charges.

EXPENDITURE. Under the current financial resources measurement focus (modified accrual basis), decreases in net financial resources not classified as other uses.

EXPENSE. An outflow of resources that results in the consumption of net assets by the entity during the reporting period..

FIDUCIARY FUND. Any fund held by a governmental unit as an agent or trustee.

FISCAL YEAR. A 12-month period of time to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations.

FIXED ASSET. Long-term assets that are intended to be held or used, such as land, buildings, machinery, furniture, and other equipment. Fixed assets depreciate.

FRANCHISE TAX. Fees levied on a corporation in return for granting a privilege sanctioning a monopoly or permitting the use of public property, usually subject to regulation set by the governing body.

FULL-TIME EQUIVALENT POSITION (FTE). A part-time position converted to the decimal equivalent of a full-time position based on 2,080 hours per year. For example, a summer lifeguard working for four months, or 690 hours, would be equivalent to .33 of a full-time position.

FUND. A fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities, or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

FUND BALANCE. Fund equity of a fund or in Governmental Funds, the amount assets exceed liabilities. Unrestricted Fund Balances are available for appropriation.

FUND EQUITY. The excess of assets over liabilities. A portion of the equity may be reserved, restricted or designated; the remainder is undesignated Fund Balance.

GENERAL FUND. A fund used to account for all transactions of a governmental unit that are not accounted for in another fund.

GOAL. A goal is a statement of desired conditions to be maintained or achieved through the efforts of an organization. Actual total achievement may be impossible, but the goal is a standard against which to measure progress toward ideal conditions. A goal is a definition of results toward which the work of the organization is directed.

GOVERNMENTAL FUND. A generic classification of funds sued to account for activities primarily supported by taxes, grants, and similar revenue sources.

Draft

GRANT. A contribution by one governmental unit to another unit. The contribution is usually made to aid in the support of a specified function or for the acquisition or construction of fixed assets.

INCOME. A term used to represent the excess of revenues earned over the expenses incurred in carrying on an enterprise operation.

INTERGOVERNMENTAL REVENUE. Revenue from other governments. Grants, entitlements, and shared revenues are types of intergovernmental revenue.

INTERNAL SERVICE FUND. A fund established to finance and account for services and commodities furnished by a designated department to other departments. Amounts expended by the fund are reestablished from either operating earnings or by transfers from other funds.

INVESTMENT. Securities held for the production of income in the form of interest and dividends.

LIABILITY. Probable future sacrifices of economic benefits arising from present obligations of a particular entity to transfer assets or provide services to other entities in the future as a result of past transactions or events.

LINE-ITEM. A detailed classification of an expense or expenditure classified by object within each Division.

LONG-TERM DEBT. Debt with a maturity of more than one year after the date of issuance.

MODIFIED ACCRUAL BASIS. Governmental funds use the modified accrual basis of accounting. Revenues are recognized in the period in which they become both available and measurable. Expenditures are recognized at the time a liability is incurred.

NET INCOME. A term used in governmental enterprise to designate the excess of total revenues over total expenses.

NONOPERATING EXPENSE. Proprietary fund expenses incurred in performance of activities not directly related to supplying the basic service by a governmental enterprise.

NONOPERATING INCOME. Proprietary fund income that is not derived from the basic operations of such enterprises.

OBJECT CODE. Expenditure classification according to the types of items purchased or services obtained; for example, personnel services, materials and supplies, contractual service, and capital.

OBJECTIVE. An objective is a decision about the amount of progress to be made within a specified period of time. It states in measurable and quantitative terms the results to be achieved within a specified time and plans the incremental steps to achieve the goal.

OPERATING TRANSFER. Legally authorized interfund transfers from a fund receiving revenue to the fund that makes expenditures.

Draft

ORDINANCE. A formal legislative enactment by the governing board of a municipality. If it is not in conflict with any higher form of law, such as a state statute or constitutional provision, it has the full force and effect of law within the boundaries of the municipality to which it applies.

PERFORMANCE BUDGET. A budget which relates appropriations to work loads. By featuring unit measures, performance budgets are believed to express official and citizen interest in the managerial value of efficiency.

PERFORMANCE MEASURES. Performance measures provide a means of identifying the level of service provided. Performance measures include a measurement of Demand, Workload, Productivity, and Effectiveness.

PROGRAM. Operating units within a Division. Each program represents a specific type of activity within its Division aimed at providing a service for which the City is responsible.

PROGRAM BUDGET. A budget which relates appropriations to goals. Budget makers practicing this approach strive to appropriate sums to non-organization, goal-oriented cost centers. Program budgeting is believed to express official and citizen interest in planning and in the effective use of resources.

PROGRAM OBJECTIVES. A program objective is a decision about the amount of progress to be made within a specified period of time in reducing the gap between real conditions and the ideal conditions described in the Program Description. It states in measurable quantitative terms the results to be achieved within a specified time and plans the incremental steps to achieve them.

PRODUCTIVITY. Unit cost (productivity data) enables decision-makers to measure efficiency, as opposed to total expenditures. Productivity unit costs can also be used to quickly estimate the cost of adding more service or savings realized from reductions in service.

PROPRIETARY FUND. Sometimes referred to as "income-determination" or "commercial-type" funds. Examples are enterprise and internal service funds.

RESERVE. An account that records a portion of the fund equity that must be segregated for some future use and which is not available for further appropriation or expenditure.

RETAINED EARNINGS. The accumulated earnings of an enterprise or internal service fund that have been retained in the fund and that are not reserved for any specific purpose.

REVENUE. Additions to fund financial resources other than from interfund transfers and debt issue proceeds.

SPECIAL REVENUE FUND. A fund established to account for revenues from specific taxes or other earmarked revenue sources that by law are designated to finance particular functions or activities of government.

TAX. A compulsory charge levied by a governmental unit for the purpose of raising revenue. These revenues are used to pay for services or improvements provided for the general public benefit.

Draft

UNRESERVED FUND BALANCE. The amount remaining in a fund that is not reserved for some future use and which is available for further appropriation or expenditure.

USER CHARGE. A charge levied against users of a service or purchasers of a product of an enterprise or internal service funds.

WORKLOAD. Workload data answers the question about how much service is being provided, as well as how output is meeting service demand. Workload data is also the basis, along with total expenditures, for unit cost or productivity indicators.

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City of Fayetteville, Arkansas

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

Meeting Agenda - Tentative Agenda

Tuesday, November 10, 2015

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent:

A. 1 2014-0515

APPROVAL OF THE OCTOBER 30, 2015 SPECIAL CITY COUNCIL MEETING MINUTES.

A. 2 2015-0514

OFFICE DEPOT, INC.:

A RESOLUTION TO APPROVE A CONTRACT WITH OFFICE DEPOT, INC. FOR THE PURCHASE OF OFFICE SUPPLIES PURSUANT TO A WESTERN STATES CONTRACTING ALLIANCE-NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS COOPERATIVE PURCHASING AGREEMENT

Attachments: 2015-0514, Office Depot, Inc.

A. 3 2015-0511

CONTECH ENGINEERED SOLUTIONS, LLC:

A RESOLUTION TO AWARD BID NO. 15-58 AND AUTHORIZE THE PURCHASE OF A PREFABRICATED STEEL TRAIL BRIDGE FROM CONTECH ENGINEERED SOLUTIONS, LLC IN THE AMOUNT OF $87,126.00 PLUS APPLICABLE TAXES FOR INSTALLATION ON THE TOWN BRANCH TRAIL OVER TOWN BRANCH CREEK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $19,124.16

Attachments: 2015-0511 Town Branch Trail Bridge Award

A. 4 2015-0512

COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA:

A RESOLUTION TO APPROVE A CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF $153,570.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2016, CONTINGENT ON APPROVAL OF THE 2016 ANNUAL CITY BUDGET

Attachments: Public Access Provider Contract 2016_Legistar3

A. 5 2015-0505

2015 ADEQ BOSTON MOUNTAIN RECYCLING GRANT:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2015 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF $8,000.00 FOR THE PURCHASE OF PUBLIC SPACE RECYCLING CONTAINERS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: SRP Public Space Recycling Containers Boston Mountain 2015

BA Public Space Recycling Containers Boston Mountain 2015

B. Unfinished Business:

B. 1 2015-0495

TREE PRESERVATION AREA VACATION FOR CRAIN AUTOMOTIVE:

A RESOLUTION TO REJECT THE RECOMMENDATION OF THE URBAN FORESTER WHO DETERMINED THAT THE TREE PRESERVATION AND MITIGATION AREAS IN EASEMENTS AND DEDICATIONS AGREED TO AND SIGNED BY THE OWNER/DEVELOPER ON JUNE 25, 2014, SHOULD NOT BE VACATED OR CHANGED BY A NEW DEVELOPMENT PROPOSAL FOR THIS ACREAGE

Attachments: 2015-0495 Crain Automotive Tree Preservation Vacation

At the November 3, 2015 City Council meeting, this resolution was tabled to the November 17, 2015 City Council meeting.

C. New Business:

C. 1 2015-0509

SPECIAL NEEDS ASSISTANCE PROGRAMS GRANTS (SNAP):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $414,161.00 RECOGNIZING SPECIAL NEEDS ASSISTANCE PROGRAM GRANT REVENUE, AND TO AUTHORIZE THE ADDITION OF 2.0 TEMPORARY FULL TIME EQUIVALENT POSITIONS TO THE COMMUNITY RESOURCES DIVISION TO HIRE CASE MANAGERS TO PROVIDE HOUSING SERVICES FOR HOMELESS FAYETTEVILLE RESIDENTS

Attachments: Agenda Packet Legistar Item 2015-0509
SNAP Grants BA Form - Legistar

C. 2 2015-0485

RZN 15-5196 (3422 N. COLLEGE AVE./SCOTT PLAZA):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5196 FOR APPROXIMATELY 0.57 ACRES LOCATED AT 3422 N. COLLEGE AVENUE FROM R-O, RESIDENTIAL-OFFICE TO C-1, NEIGHBORHOOD COMMERCIAL

Attachments: 15-5196 CC EXHIBITS
15-5196 CC DOCUMENTS

C. 3 2015-0516

VAC 15-5204 (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES):

AN ORDINANCE TO APPROVE VAC 15-5204 SUBMITTED BY INFILL GROUP, INC. FOR PROPERTY LOCATED AT 722 S. LOCUST AVENUE TO VACATE PORTIONS OF ALLEY AND STREET RIGHTS-OF-WAY

Attachments: 15-5204 CC EXHIBITS
15-5204 CC DOCUMENTS

C. 4 2015-0515

AMEND § 150.02 PURPOSE:

AN ORDINANCE TO AMEND § 150.02 **PURPOSE** OF THE UNIFIED DEVELOPMENT CODE BY ENACTING FURTHER LANGUAGE

Attachments: 15-5195 EX A
15-5195 CC reports

C. 5 2015-0513

AMEND CHAPTERS 160, 161 AND 167:

AN ORDINANCE TO AMEND § 160.01 **ESTABLISHMENT OF DISTRICT**, § 161.10 **DISTRICT RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE**, AND TABLE 1 **MINIMUM CANOPY REQUIREMENTS** OF § 167.04 **TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT**, ALL WITHIN THE UNIFIED DEVELOPMENT CODE

Attachments: 15-5093 Amend CCreports

C. 6 2015-0469

AMEND CHAPTER 97 PARKS AND RECREATION:

AN ORDINANCE TO AMEND CHAPTER 97 **PARKS AND RECREATION** OF THE FAYETTEVILLE CITY CODE TO ALLOW TWENTY FOUR (24) HOUR ACCESS TO SHARED USE PAVED TRAILS; TO ADD LEASH REQUIREMENTS FOR ANIMALS IN CERTAIN PARKS; TO PROHIBIT CERTAIN ACTIVITIES IN PARKS INCLUDING UNAUTHORIZED VEHICLE OPERATION, USE OF PADDLE BOARDS ON CITY LAKES, AND SHOOTING OF MODEL ROCKETS; TO PROVIDE FOR CERTAIN ACTIVITIES IN PARKS INCLUDING CAMPING, HORSEBACK RIDING, LIMITED VENDING AT PARK EVENTS, AND POSTING OF TEMPORARY SIGNS; AND TO MAKE OTHER TECHNICAL REVISIONS

Attachments: Exhibit A - Proposed Chapter 97

Legistar Packet - Chapter 97

C. 7 2015-0463

AMEND § 73.04 RIDING ON ROADWAYS AND BICYCLE PATHS AND § 73.05 RIDING ON SIDEWALKS:

AN ORDINANCE TO AMEND § 73.04 **RIDING ON ROADWAYS AND BICYCLE PATHS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON ROADWAYS AND BICYCLE PATHS, AND TO AMEND § 73.05 **RIDING ON SIDEWALKS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS

Attachments: CC packet - Bicycle Ordinance Amendments

Bicycle Ordinance Package CC Memo - Amendment Package w out Map

C. 8 2015-0462

VULNERABLE ROAD USERS PROTECTION:

A RESOLUTION TO AFFIRM THE CITY'S PERSISTENT EFFORTS AND LENGTHY COMMITMENT TO ALTERNATIVE AND ACTIVE TRANSPORTATION INFRASTRUCTURE, ROAD AND TRAIL SAFETY AND THE PROTECTION OF ALL VEHICULAR AND VULNERABLE ROAD USERS

Attachments: CC packet vulnerable road users

C. 9 2015-0517

ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM:

A RESOLUTION TO ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM

Attachments: 2016 Proposed Budget_2015_0517.pdf

D. City Council Agenda Session Presentations:

E. City Council Tour:

F. Announcements:

G. 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.

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0514

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: A. 2

OFFICE DEPOT, INC.:

A RESOLUTION TO APPROVE A CONTRACT WITH OFFICE DEPOT, INC. FOR THE PURCHASE OF OFFICE SUPPLIES PURSUANT TO A WESTERN STATES CONTRACTING ALLIANCE-NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS COOPERATIVE PURCHASING AGREEMENT

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 contract with Office Depot, Inc., a copy of which is attached to this Resolution, for the purchase of office supplies pursuant to a Western States Contracting Alliance-National Association of State Procurement Officials cooperative purchasing agreement.

City of Fayetteville Staff Review Form

2015-0514

Legistar File ID

Nov. 17th, 2015

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

Peggy Vice	10/30/2015	Purchasing / Finance & Internal Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends approval to enter into an agreement with Office Depot, Inc. on the WSCA-NASPO Cooperative Purchasing Program.

Budget Impact:

Various	Various
Account Number	Fund
Various	Various
Project Number	Project Title

Budgeted Item?	NA	Current Budget	$	-
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	No	Item Cost	$	-
Budget Adjustment Attached?	No	Budget Adjustment		
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments: This contract will be utilized by all divisions in the City on an as needed basis.

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor and City Council

THRU: Paul Becker, Finance & Internal Services Director

FROM: Peggy Vice, Purchasing Manager

DATE: October 29, 2015

SUBJECT: Office Depot – Office Supply Contract

RECOMMENDATION:
Staff recommends approval to enter into an agreement with Office Depot, Inc. on the WSCA-NASPO Cooperative Purchasing Program.

BACKGROUND:
In 2015, the City budgeted $259,571 in all funds for office supplies, paper products, copy paper, etc. Office supplies are purchased from several different sources including Walmart, Sam's Club, Staples and others. At least two thirds of purchases for the last few years have been from the Arkansas State Contract with Office Depot; however, in May 2014, the State changed their contract to continue utilizing Office Depot but with Goddess Products, Inc. handling the customer service, payment and website portion of the contract.

DISCUSSION:
In the eighteen months the City has been under the Goddess Products, Inc. contract we've had adverse experiences with their website. Searching and placing orders is not user friendly. Order history is difficult to access and difficult to impossible to access and print invoice copies. When City employees initiate an order they receive three inadequate invoices before obtaining a final invoice with sales tax which is necessary for appropriate spending documentation. The City has experienced an unfortunate step back in technology by utilizing Goddess Products, Inc. and does not have functionality previously available from Office Depot.

The Purchasing Department has received numerous requests from City users to go back to dealing directly with Office Depot Inc. There is no disadvantage changing and the contract has been competitively bid; therefore, the City will return to favorable competitive pricing, next day free delivery and the ability to place orders on Office Depot's user friendly website.

BUDGET/STAFF IMPACT:
Office supplies are budgeted in each department and division as required.

Attachments:
Participating Agreement with Office Depot, Inc.

PARTICIPATING ADDENDUM
WSCA-NASPO COOPERATIVE PURCHASING PROGRAM
OFFICE SUPPLIES & SERVICES, Toner, Paper, Recycled-Content/Green Products and other miscellaneous products.
Administered by the State of Oregon (hereinafter "Lead State")

MASTER AGREEMENT
Office Depot, Inc.
Master Agreement No: PA 5737
(hereinafter "Contractor")

And

City of Fayetteville, Arkansas
(hereinafter "Participating State/Entity")

1. Scope: This addendum covers the *Office Supplies and Services Master Agreement* led by the State of Oregon for use by state agencies and other entities located in the Participating **State/Entity** authorized by that state's statutes to utilize **state/entity** contracts with the prior approval of the state's chief procurement official. The Participating Addendum Effective Date shall be November 2, 2015.

2. Participation: Use of specific WSCA-NASPO cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use **state/entity** contracts are subject to the prior approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

3. Participating State/Entity Modifications or Additions to Master Agreement: (These modifications or additions apply only to the actions and relationships within the Participating Entity)

a. Web Item Assortment
As part of this Addendum, the Contractor may add the products not part of the Office Depot catalog or the SP Richards Catalog, but set forth on www.officedepot.com on the "Pricing Date" (the "Assortment"). Pricing for such items will be as follows:
On a date within the period commencing ten (10) days prior to the start of each calendar quarter and ending ten (10) days after the start of the each calendar quarter (the "Pricing Date"), the Contractor shall take a "snapshot" of the regular sales pricing on www.officedepot.com (promotions excluded) for each item in the Assortment. Pricing for the items in the Assortment shall be fixed for the calendar quarter at two percent (2%) off of the regular sales price (promotions excluded) set forth on www.officedepot.com on the Pricing Date.
Notwithstanding anything contained herein to the contrary, price reductions do not apply to gift cards and warranties, clearance items and promotional items, including, but not limited to, Instant Savings, Coupon Savings, Mail-In Savings, and Bundled Savings.

b. Custom Paper Pricing

1. Contractor shall have the right to lower pricing for those items within Product Category 32, Including Copy Paper, and that are listed on Exhibit A attached hereto.
2. Prices for items specified on Exhibit A shall go into effect on the Participating Addendum Effective Date and shall be a fixed price that is lower than the "List Minus" pricing that is available to the Participating Entity under the terms of the Participating Addendum (the "Adjusted Pricing"). The Adjusted Pricing will be modified based upon market conditions and will remain in effect until such time as:
    a. Contractor provides a minimum of thirty (30) days written notice (email included) of any price changes- either up or down.
    b. Such price changes are not in excess of the "List Minus" prices that is available to the State under the Participating Addendum.

4. Lease Agreements: **"Reserved"**

5. Primary Contacts: The primary contact individuals for this Participating Addendum are
as follows (or their named successors):

Contractor

Name	Jim Chatfield
Address	6600 N. Military Trail, Boca Raton, FL 33496
Telephone	503-781-2970
Fax	503-781-2970
E-mail	jim.chatfield@officedepot.com

Participating Entity

Name	City of Fayetteville, Arkansas
Address	113 W Mountain Fayetteville, AR 72701
Telephone	479-575-8220
Fax	479-575-8257
E-mail	pvice@Fayetteville-ar.gov

6. Subcontractors: All Office Depot, Inc. dealers and resellers authorized in the State of Arkansas, as shown on the dedicated Office Depot, Inc. cooperative contract) website, are approved to provide sales and service support to participants in the WSCA-NASPO Master Price Agreement. The Office Depot, Inc. dealer's participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement.

7. Orders: Any Order placed by a Participating Entity or Purchasing Entity for a Product and/or Service available from this Master Agreement shall be deemed to be a sale under

EXECUTION COPY

(and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the Order agree in writing that another contract or agreement applies to such Order.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating State/Entity: City of Fayetteville, Arkansas	Contractor: Office Depot, Inc.
By:	By: Chris McEntee
Name:	Name: Chris McEntee
Title:	Title: Vice President
Date:	Date: 10-21-15

Office Depot Inc. Reviewed By: JSW LEGAL

For questions on executing a participating addendum, please contact:

WSCA-NASPO

Cooperative Development Coordinator	Tim Hay
Telephone	503-428-5705
E-mail	thay@wsca-naspo.org

☐ **Check the Box if Participating State/Entity is an existing customer purchasing from the OfficeMax platform**

[Please email fully executed PDF copy of this document to PA@wsca-naspo.org to support documentation of participation and posting in appropriate data bases]

EXHIBIT A

SKU	Description	UOM	QPU	Addendum Adjusted Pricing
196679	PAPER,X-9 FSC,8.5X11,20LB,10CA	CA	10	$ 39.99
275474	PAPER,COPY,XEROX,8.5X11,10/CT	CT	10	$ 39.99
309418	PAPER,HAMM,GW100,COPY,CASE	CT	5000	$ 56.99
348037	PAPER,COPY,OD,CASE,10-REAM	CA	10	$ 34.29
348045	PAPER,COPY,OD,CASE,LEGAL,10RM	CA	10	$ 51.99
456529	PAPER,RECYCLED,50%,10/CA	CT	10	$ 47.99
495200	PAPER,COPY,8.5X11,3HP,104BR	CA	10	$ 42.99
526415	PAPER,FSC,EARTHCHOICE,CASE	CA	10	$ 45.99
680017	PAPER,LTR,20#,RECY,MULTI	CA	10	$ 45.99
711021	PAPER,COPY,RECYCLED,3HP,8.5X11	CA	10	$ 43.99
777432	PAPER,HP,20#,RECY,LTR,10/CA	CA	10	$ 49.38
942363	PAPER,BOISE ASPN,30%RCY,LGL,WH	CA	10	$ 58.88
125115	PAPER,SPLOX,LTR,2500 SHT/CASE	CA	2500	$ 19.99
222202	PAPER,30% REC,OD,CASE,5-REAM	CA	5	$ 21.59
250983	PAPER,COPY,OD,8.5X11,5/CA,WHT	CA	5	$ 20.99
536648	PAPER,COPY,OD,11X17,5CA,104BRT	CA	5	$ 42.99
398140	PAPER,RECYCLED,92 BRT,WE	CA	10	$ 47.57
534217	PAPER,XERO,3HP,WE,8.5X11	CA	10	$ 44.99
273646	PAPER,COPY,WHITE TOP,10/CA	CA	10	$ 34.29
940593	PAPER,MULTIPURP,OD,CASE	CA	10	$ 37.54

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0511

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: A. 3

CONTECH ENGINEERED SOLUTIONS, LLC:

A RESOLUTION TO AWARD BID NO. 15-58 AND AUTHORIZE THE PURCHASE OF A PREFABRICATED STEEL TRAIL BRIDGE FROM CONTECH ENGINEERED SOLUTIONS, LLC IN THE AMOUNT OF $87,126.00 PLUS APPLICABLE TAXES FOR INSTALLATION ON THE TOWN BRANCH TRAIL OVER TOWN BRANCH CREEK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $19,124.16

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 awards Bid No. 15-58 and authorizes the purchase of a prefabricated steel trail bridge from Contech Engineered Solutions, LLC in the amount of $87,126.00 plus applicable taxes for installation on the Town Branch Trail over Town Branch Creek.

Section 2. That the City Council of the City of Fayetteville, Arkansas further approves a project contingency in the amount of $19,124.16 in the event that the Federal Emergency Management Agency requires an extension of the bridge length because of flood impact requirements.

City of Fayetteville Staff Review Form

2015-0511

Legistar File ID

November 17th, 2014

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

Matt Mihalevich	9/19/2014	Engineering / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approval of the purchase of a prefabricated steel trail bridge from Contech Engineered Solutions, LLC in the amount of $87,126.00 plus sales tax of $8,494.79 for a total purchase price of $95,620.79 and approval of a 20% contingency in the amount of $19,124.16 using bid #15-58 for installation over the Town Branch Creek west of South Garland Ave along the new Town Branch Trail extension.

Budget Impact:

4470.9470.5814.05	Trail Development / Sales Tax Capital Imp.
Account Number	Fund
02016.1403	Town Branch Trail (Greathouse-Razorback)
Project Number	Project Title

Budgeted Item?	Yes	Current Budget	$	442,154.45
		Funds Obligated	$	273,315.79
		Current Balance	$	168,838.66
Does item have a cost?	Yes	Item Cost	$	95,620.79
Budget Adjustment Attached?	NA	Budget Adjustment		
		Remaining Budget	$	73,217.87

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17TH 2015

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
Chris Brown, City Engineer

FROM: Matt Mihalevich, Trails Coordinator

DATE: November 3rd, 2015

SUBJECT: **2015-0511 - Town Branch Trail Bridge Purchase**

RECOMMENDATION:
Approval of the purchase of a prefabricated steel trail bridge from Contech Engineered Solutions, LLC in the amount of $87,126.00 plus sales tax of $8,494.79 for a total purchase price of $95,620.79 and approval of a 20% contingency in the amount of $19,124.16 using bid #15-58 for installation over the Town Branch Creek west of South Garland Ave along the new Town Branch Trail extension.

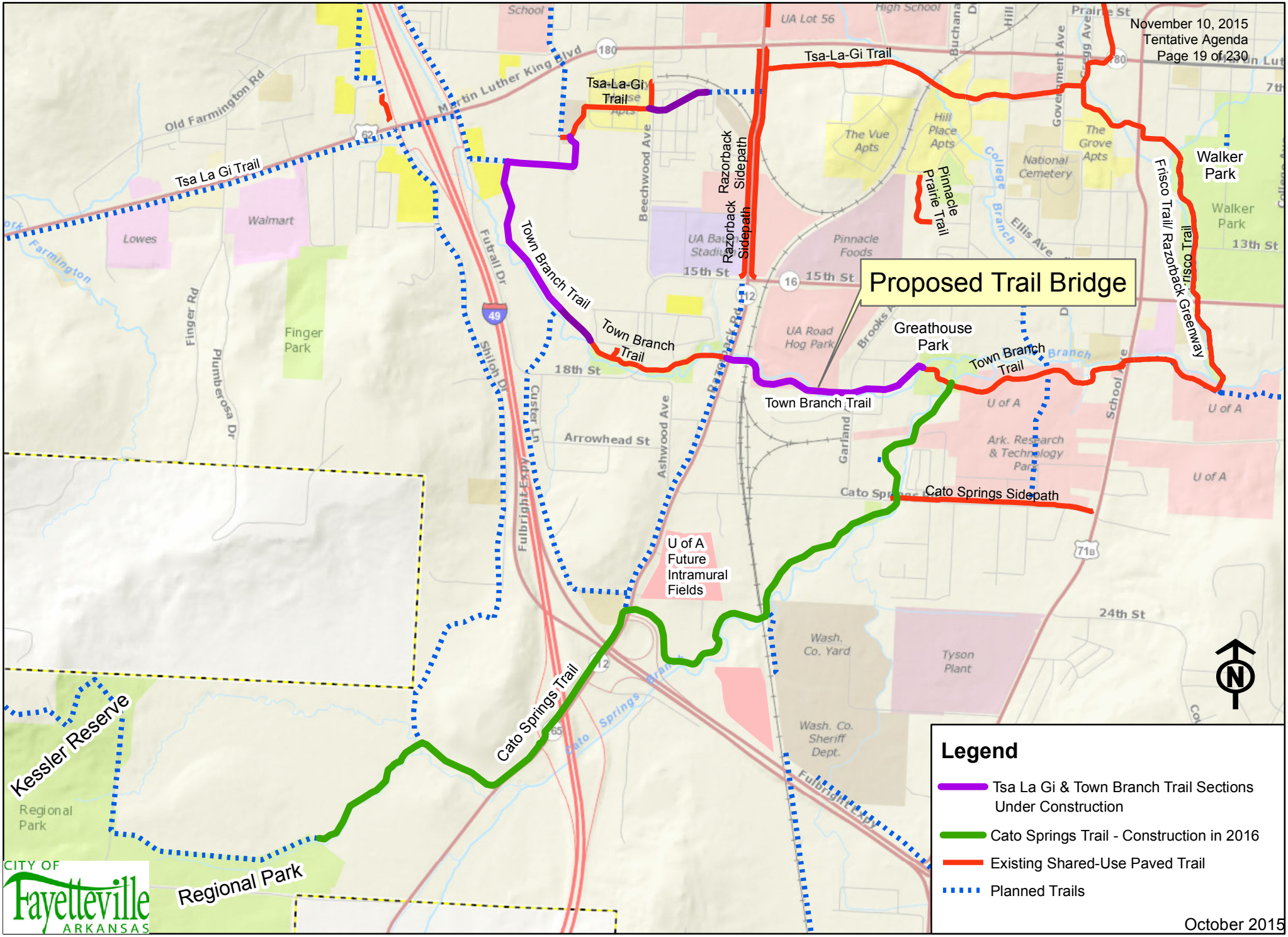
BACKGROUND:
The city in-house trail construction crew has been working on a 1.2 mile long extension of the Town Branch Trail from Greathouse Park west to Hollywood Ave. Just west of South Garland Avenue the trail must cross the Town Branch Creek. A bridge has been designed for this location and competitively bid.

DISCUSSION:
The trail bridge will be 100 feet in length and constructed of maintenance free weathering steel to match the other trail bridges throughout the city. In addition, the bridge will have a large bowstring arch for enhanced aesthetic. A 20% contingency has been requested with this bridge due to the very small chance that the bridge length will need to be extended to meet the requirements of the flood impact determined by FEMA. If required, a change order will be issued to lengthen the bridge utilizing the 20% contingency.

BUDGET/STAFF IMPACT:
Three bidders responded to the request for formal bids, Contech Engineered Solutions, LLC was low bidder – see attached bid tabulation. Funding for the bridge purchase has been budgeted through the Trail Development Capital Improvement Program. Half of the funding for the Town Branch Trail is provided through a grant from the Walton Family Foundation.

Attachments:

Staff Review Form	Bid Tabulation 15-58
Town Branch Trail Map	Contech Engineered Solutions, LLC - Purchase Requisition



Town Branch and Cato Springs Trails

CITY OF Fayetteville ARKANSAS

Bid: 15-58
10/28/2015
2:00 PM
City of Fayetteville

Bid 15-58, Town Branch Trail

DESCRIPTION	QTY	BIDDER		
		Art Thurson Inc	Big R Manufacturing LLC/ dba Big R Bridge	Contech Engineered Solutions LLC
100 foot simple span bowstring arch truss with underhung floor beam bridge and 45 degree skewed ends	1	$ 102,800.00	$ 102,634.00	$ 87,126.00
Mfg/Model Bid		*Anderson-Art Thureson Inc/Bow-truss*	*Big R Bridge/Underhung*	*Contech/Continental Keystone*

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED: P. Vice

P. Vice, Purchasing Manager

Carolyn Pep
Witness

10-28-15
Date

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: **10/30/2015**

P.O Number:

Vendor #: **22613**

Vendor Name: **Contech Engineered Solutions, LLC**

Mail ☑ Yes ☐ No

Legistar#: 2015-0511

Address:

FOB Point:

Taxable ☑ Yes ☐ No

Expected Delivery Date:

City:

State:

Zip Code:

Ship to code: **104**

Quotes Attached ☐ Yes ☑ No

Requester: **Matt Mihalevich / grg**

Requester's Employee #: **3062**

Extension: **3489**

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #
1	**Town Branch Trail Bridge**	**1**	**LOT**	**87,126.00**	**$87,126.00**	**4470.9470.5814.05**	**02016.1403**		
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:
Per Bid 15-58 and Res No ____

Subtotal:	**$87,126.00**
Tax:	**$8,494.79**
Total:	**$95,620.79**

Approvals:

Mayor: _____

Department Director:_____

Purchasing Manager: _____

Chief Financial Officer: _____

Budget Director: _____

IT Director:_____

Dispatch Manager:_____

Utilities Manager:_____

Other:_____

Revised 6/18/2014

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0512

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: A. 4

COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA:

A RESOLUTION TO APPROVE A CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF $153,570.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2016, CONTINGENT ON APPROVAL OF THE 2016 ANNUAL CITY 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 contract, a copy of which is attached to this Resolution, with Community Access Television, Inc. d/b/a Your Media in the amount of $153,570.00 for the provision of public access television services and the operation of the public access television channel through 2016, contingent on approval of the 2016 annual city budget.

City of Fayetteville Staff Review Form

2015-0512

Legistar File ID

11/17/15

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

Doug Bankston	10/28/15	Communications & Marketing / Communications & Marketing Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approve a contract in the amount of $153, 570 for the period of one (1) year between the City and Community Access Television, Inc. d/b/a Your Media to provide Public Access Television services for the year 2016, contingent on approval of the 2016 annual city budget and work program..

Budget Impact:

1010.6600.5713.00	General
Account Number	Fund
40901.4003	
Project Number	Project Title

Budgeted Item?	NA	Current Budget	$	153,570.00
		Funds Obligated	$	-
		Current Balance	$	153,570.00
Does item have a cost?	NA	Item Cost		
Budget Adjustment Attached?	NA	Budget Adjustment		
		Remaining Budget	$	153,570.00

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 15, 2015

TO: Mayor Jordan and City Council

THRU: Don Marr, Chief of Staff
Susan Norton, Director of Communications

FROM: Douglas Bankston, Director of Media Services

DATE: October 28, 2015

SUBJECT: Community Access Television, Inc. (d/b/a Your Media) Contract for 2016.

RECOMMENDATION:
Approval of the attached contract between the City of Fayetteville and Community Access Television, Inc. (d/b/a Your Media) in the amount of $153,570 to provide Public Access Television services from January 1, 2016, through December 31, 2016, contingent on approval of the 2016 annual city budget and work program.

BACKGROUND:
Community Access Television, Inc. (d/b/a Your Media), is being recommended to be the City's Public Access provider for the term from January 2016 through December 2020.
This is a request for a contract for fiscal year 2016, with a potential renewal for up to four additional one-year terms.

DISCUSSION:
Public Access Television Services Provider RFP 15-12 received one response from Community Access Television, Inc. d/b/a Your Media. Your Media is the current Public Access provider. City Staff met with staff of Your Media to discuss any proposed changes to the Public Access services contract. Your Media requested a funding increase to address its staff structure in order to better serve the citizens of Fayetteville and City of Fayetteville Governmental Departments. For the previous four years, the Public Access service provider contract has been $105,000 with no funding increase. For 2016, a funding increase of $48,570 to $153,570 raises staff salaries to a more competitive market level with some benefits, allows Your Media to better retain skilled staff, increases the Director of Education to a full-time staff position, and creates a small production team fund that allows for more video coverage of local community events to be telecast on Public Access Television. The contract also allows for a 3% per year cost of living increase (based on salaries alone) for up to four years. This cost of living increase and increase in salaries brings the positions and salaries more on par with comparable City positions. Other than the funding increase, there were no significant changes to the contract. Staff is confident that the funding increase will allow Your Media to improve staff efficiency and improve the services provided to the citizens of Fayetteville. On October 27, 2015, the Telecommunications Board unanimously recommended approval of the Community Access Television, Inc. (d/b/a Your Media) Contract for 2016.

BUDGET/STAFF IMPACT:
The total cost of this contract is $153,570.00. This amount is included in the proposed 2016 Budget to be approved by the City Council.

ATTACHMENTS:
Staff Review Form
Staff Memo
Contract for Public Access Services

CONTRACT BETWEEN CITY OF FAYETTEVILLE, ARKANSAS
AND
COMMUNITY ACCESS TELEVISION
d/b/a Your Media
A 501-C-3 NONPROFIT ORGANIZATION

AGREEMENT

This Agreement is made this 1st day of January, 2016, by and between the City of Fayetteville, a municipal corporation ("City"), and Community Access Television, Inc., a nonprofit corporation, dba Your Media ("Your Media") who agree as follows:

PURPOSE AND INTENT

1. The purpose of Public Access Television in Fayetteville is to provide an opportunity for users and others to produce and telecast television programming in a first-come, first-served, content-neutral, non-discriminatory manner, in accordance with the First Amendment, and to provide training in the techniques of video production for Public Access Television.
2. The City of Fayetteville is accorded a Public Access Television channel by television services providers with which it holds agreements, or pursuant to Arkansas law.
3. The City of Fayetteville desires to provide support for the operation of Public Access Television in Fayetteville.
4. This contract for Public Access Television services is contingent upon the City retaining a Public Access Television channel, either through agreements with television services providers or pursuant to Arkansas law.
5. The City has determined it will provide support for the operation and programming of its Public Access Television channel and it will provide physical space and equipment at the City of Fayetteville Television Center, located at 101 W. Rock Street, Fayetteville.
6. The City of Fayetteville provides financial support through General Fund Revenue allocations for operational contract services, building and facilities, approximately 3,000 square feet of space, utilities, repairs, maintenance, custodial services and capital expenditures for facilities, studios and equipment.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

SECTION 1. DEFINITIONS

For the purposes of this contract, the following definitions will be established:

Class: An organized, regularly scheduled, interactive teaching session that is focused on a particular subject and lead by an employee qualified to teach the subject.
Curriculum: A documented plan of teaching in which subject matter and class sessions are described in a detailed syllabus, including specific topics, teaching methods, schedules and methods of student evaluation.
Inside Program: A program produced utilizing Television Center equipment.
Outside Program: A program produced not utilizing Television Center equipment.
Producer: An individual who creates, owns, controls or is responsible for the content of a television program.
Programming: Video and/or audio material that is organized in a particular fashion as determined by a producer and distributed through one or more means to an audience.
Program Requestor: A user who requests a program to be telecast on the Public Access Television channel.
Public Access User (user): An individual who is allowed to use the services provided by Fayetteville Public Access Television by meeting one or more of the following criteria:

- A resident of Fayetteville
- A student at the University of Arkansas or Fayetteville Public Schools
- An employee of a public institution (or branch thereof) or non-profit organization that is based in Fayetteville

Resident of Fayetteville: An individual who resides within the city limits of Fayetteville. Residency may be documented by producing a current City of Fayetteville utility bill, a rental contract, a driver's license, or a government-issued photo ID that contains name and address.
Trainee: A resident of Fayetteville who is currently enrolled in a class offered by Fayetteville Public Access Television.
Television: Video programming that is distributed through any one or more wide-area distribution methods, such as Video On Demand, Web site embedding, cable, IPTV, Web streaming, over-the-air broadcast, etc.
Workshop: An organized, non-regular interactive teaching session which covers a particular topic of interest to the participants, usually lead by an expert in the subject matter.

SECTION 2: GENERAL PROVISIONS

All services described in this contract and provided to the public by Your Media will be provided free of charge to Public Access Users (users) or others who were qualified users as of December 31, 2015. Your Media will not require, solicit, or accept any compensation of any kind, beyond that agreed upon in this contract and provided by the City, in return for providing the services described herein, unless otherwise stipulated in this contract.

Your Media shall not provide any services or engage in any activity not described in this contract, with or without compensation, that utilizes equipment, facilities, or resources owned or controlled by the City of Fayetteville, without the expressed written consent of the City, or as stipulated in this contract.

Your Media may charge a fee for the following items or activities utilizing equipment, facilities or resources owned or controlled by the City of Fayetteville:

1. Training workshops and seminars that are conducted utilizing City of Fayetteville resources.
2. The sale of blank recording media.
3. Transfer and/or duplication services.
4. Other small items, such as t-shirts or other promotional items, as approved by the City of Fayetteville Communications Director.
5. Video production services. If production services are provided, the following conditions apply:
    a. These services and activities will be referred to as "contract production".
    b. All programming produced through contract production activity must be telecast on the Public Access Television channel.
    c. Contract production may include studio production activity at the Television Center and related activity, including pre- and post-production.
    d. Your Media shall charge rates adequate to cover the basic costs of production. Service rates will be reviewed and approved by the Director of Media Services on an annual basis.
    e. Your Media will utilize a standard contract document for each agreement to provide contract production services. This contract document will be approved by the Director of Media Services.
    f. All fees charged for providing contract production services will be collected at the point Your Media delivers the final product for which it was contracted.
    g. All monies collected for providing production services will be utilized to support Fayetteville Public Access services or capital improvements as approved by the City Council and following applicable City of Fayetteville policies and procedures.

6. In addition to charging a fee for services described above, Your Media may generate revenue utilizing equipment, facilities, or resources owned or controlled by the City of Fayetteville through:
    a. Fundraising activities designed to raise funds to support the operations or capital improvements of the Public Access channel.
    b. Acquisition of grants or awards dedicated to support the operations or capital improvements of the Public Access channel.

If Your Media generates or collects any revenue through activities as allowed in this contract, or otherwise approved by the City, utilizing equipment, facilities, or resources owned or controlled by the City of Fayetteville, Your Media will ensure:

1. All monies collected for such services will be deposited into and all checks shall be made payable to the "Trust Account of Community Access Television, Inc." which shall contain only those funds.
2. Your Media's manager shall ensure proper accounting of all such revenues collected and shall report such accounting monthly to the Director of Media Services.
3. All funds within the "Trust Account of Community Access Television, Inc." may only be expended through City Council Resolution authorizing the receipt of funds into the Television Center budget and approving any necessary Budget Adjustments. Normal bank fees related directly to the use of this trust account may be paid with trust account funds without prior authorization.
4. Proper accounting and records of services provided, fees charged and monies collected for services will be kept by Your Media, in a manner approved by the Director of Media Services.

The City of Fayetteville provides the services described herein as a public service to the users for non-commercial use. Your Media will not allow any equipment, facilities, or resources owned or controlled by the City to be used to generate revenue for any private company, group, organization, or individual with the following exceptions:

1. Your Media may produce, or allow to be produced, televised fund-raising programs or activities for 501(c)3, non-profit organizations that directly provide services to the users. These programs are limited to one (1) per organization per contract year.
2. Your Media may produce or conduct one (1) fund-raising program or activity for itself that is televised, or produces programming that is televised, on the Public Access Channel.
3. Televised fund-raising programs or activities may not exceed twenty-four (24) hours of continuous programming or activity, or, if not continuous programming, exceed seven (7) contiguous days of duration.
4. Fund-raising activities may not disrupt the normal operations of the Television Center. Questions regarding disruption will be determined by the Director of Media Services.
5. Fund-raising messages may not be displayed over other programming without the expressed written consent of the program owner.

6. The on-air bulletin/message board and the Short Takes program may be used by 501(c)3 non-profit organizations to announce or publicize activities of their organizations that generate revenue for their organizations or programs.

Ownership title to all capital acquisition, supplies, material, or any other property purchased with funds received under this Contract is vested with the City, and possession of such property shall, upon termination of the Contract, revert to the City unless otherwise provided for by the City in writing. Any equipment secured through fund-raising efforts to benefit the Public Access Television channel shall remain the property of the City's Television Center. Any funds or revenue secured through fund-raising efforts to benefit the Public Access Television channel shall be remitted to the City.

All policies, procedures, information, and execution of the services and responsibilities described in this contract shall be subject to approval by the Director of Media Services. Your Media will not make changes or revisions to any policy, procedure, or method of work directly related to the services described herein without the prior approval of the Director of Media Services.

In exchange for the funding provided by the City to Your Media, pursuant to this Agreement, Your Media shall provide the following services and report progress in each area to the Telecommunications Board and the City as defined in this contract:

SECTION 3: SCOPE OF SERVICES

PROVIDE EQUITABLE CHANNEL AVAILABILITY AND PROGRAMMING SERVICES TO USERS ON A FIRST-COME, FIRST-SERVED, CONTENT-NEUTRAL, AND NON-DISCRIMINATORY BASIS.

The City of Fayetteville provides airtime on the Public Access Television channel as a public service to users. Your Media will not require, solicit, or accept any compensation of any kind, beyond that agreed upon in this contract and provided by the City, in return for telecasting any programming on the Public Access Television channel. It is expected that all programming that is produced utilizing City of Fayetteville Television Center equipment or facilities will be telecast on the Public Access channel.

Your Media will:

1. Maintain a process whereby users may request programming to be telecast on the Public Access Television channel. This process is subject to approval by the Director of Media Services.
2. Ensure individuals requesting programs to be telecast by Your Media on the Public Access Television channel are users, as defined in Section 1.
3. Require requestors to sign an affidavit warranting that the program they are requesting to be telecast does not contain:
    a. any violation of any Federal, State or local statute or ordinance relating to obscenity; or
    b. any material that is an unlawful invasion of privacy; or
    c. any use of material which violates copyright law;

Such a statement does not relieve Your Media of its duty to prevent further telecast of programming that does not meet the stipulations contained herein, as such programming comes to its knowledge.

4. Ensure programming is not commercial in nature. Commercial programming is defined as: "Programming that contains direct appeals to purchase commercial goods or services; promotes the activities of for-profit groups, organizations, or individuals; contains any call to action or solicitation to purchase a product or patronize a business; any use of superlatives in describing a product, service, or business; any direct comparison to other products, or direct comparisons to unnamed products; any price or value information; or any inducements to buy."
5. Require program requestors to provide Your Media with expressed, written consent of the program's owner for the program to be telecast on Fayetteville's Public Access Television channel. Your Media will maintain a copy of all such permissions on file.
6. Maintain a decision-making process and criteria for the scheduling of programming that will ensure the protection of 1st Amendment rights of program requestors while ensuring programming does not violate Federal, State, or local laws or ordinances. The process and criteria are subject to approval by the Director of Media Services. At a minimum, the process and criteria will:

   a. Utilize program type definitions as included in Section 1 and define other program types as necessary (i.e. one-time, series, date-sensitive, etc.).
   b. Define scheduling priority of program types.
   c. Define a priority conflict-resolution process.
   d. Establish criteria for defining "mature-audience"-type programming.
   e. Ensure program requestors are informed of "mature-audience"-type programming criteria and sign an affidavit categorizing a requested program as "mature-audience"-type programming if appropriate.
   f. Define day-parts of the programming schedule that are appropriate for "mature-audience"-type programming.
   g. Define the program scheduling process.
7. Program the automated telecast system to ensure the telecast of programming on the Public Access Television channel 24 hours per day/7 days per week.
8. Manage the program scheduling process in such a manner that ensures no more than seven (7) days elapse between the submission of a new program and its first scheduled telecast.
9. Manage the programming schedule in such a manner that the on-air bulletin/message board constitutes no more than 15% of the total weekly air time.
10. Publish and distribute to the public a current program schedule weekly. The schedule will, at a minimum, be published in the following media:
    a. The Public Access Television channel's on-air bulletin/message board.
    b. The Public Access Television channel's web site.
    c. A publicly accessible bulletin board at the Television Center.
    d. Your Media's email address list that is maintained as an opt-in list in the central records database.

    The schedule will also be made available for publication by other media outlets that wish to do so.

<u>Your Media will not:</u>

1. Exercise any control of the content of programming, with the following exceptions:
   a. Programs that are produced solely by Your Media staff for the purposes of communicating information about the Public Access Television channel or itself.
   b. Portions of "open-studio" program content created by Your Media (i.e. opens, closes, bumpers, etc.).
   c. The on-air bulletin/message board.
   d. Programming that is produced as a result of classroom/training/studio laboratory production activity that is conducted by Your Media.
2. Schedule for further telecast any programming that has been found to violate any Federal, State, or local statute or ordinance. Your Media staff will bring any possible violations immediately to the attention of the Executive Director and the Director of Media Services as they become known to them, either through complaint or observation. The Director of Media Services will make an initial determination regarding the status of the programming. An email message is sufficient for notification. Questions regarding the legality of any programming should initially be directed to the Director of Media Services.

3. Schedule for further telecast any programming that has been found in violation of any policy of Your Media or the City, including, but not limited to, a violation of the affidavit of copyright; the affidavit of ownership; the affidavit of redistribution rights; or the affidavit of "mature audience" content; each of which is included in the telecast request process. Your Media staff will bring any possible violations immediately to the attention of the Executive Director and the Director of Media Services as these violations become known to them, either through complaint or observation. The Director of Media Services will make an initial determination regarding the status of the programming. An email message is sufficient for notification.

The City reserves the right to approve the content of any program telecast on the Public Access Television channel that in any way indicates or implies it has originated directly from the Public Access Television channel or its management. The Director of Media Services will determine if programming meets such criteria.

PROGRAM SPONSORSHIP

Program producers and owners may accept sponsors for programming they produce for telecast on the Public Access Television channel. Program sponsorship must adhere to the following:

1. The following may be identified as a program sponsor:
    a. Corporations or Divisions or Subsidiaries of Corporations
    b. Endowments and Foundations
    c. Individuals
2. General Rules for Acceptability
    a. The sponsor may not exercise editorial control over the content of any portion of programming telecast on the Public Access Television channel.
    b. The public must not perceive that the sponsor has editorial control over the content of any portion of programming telecast on the Public Access Television channel.
    c. The public must not conclude that any programming on the Public Access Television channel promotes sponsors' products, services or other business interests.
    d. Product placement in programming in exchange for sponsor support is prohibited.
3. Rules for Display of Sponsor Credits
    a. All sponsor credits must identify the sponsor by name and/or logo.
    b. Sponsor credits may not include:
        i. Any call to action or solicitation to purchase a product, i.e. any use of "you" or "your"; or slogans such as "Get Met. It Pays."
        ii. Superlatives, i.e. "…the most intelligent car ever built."
        iii. Direct comparisons, i.e. "…when a Cadillac just isn't good enough."
        iv. Price or value information
        v. Inducements to buy, i.e. "six months free service when you buy"
    c. Toll-free numbers or Web site addresses are acceptable if their purpose is only for the viewer to receive more information, and not to solicit sales.
    d. Sponsor credits may not exploit or take unfair advantage of the child audience for children's programming.

e. Sponsor credits may not create the perception that there is a connection between the program content and the sponsor's products or services.
f. Sponsor credits may only be displayed at the beginning and/or end of a program.
g. Program content may not be interrupted to provide sponsor credit.
h. No one sponsor credit may exceed fifteen 15 seconds in length. No single program may have a sequence of sponsor credits that exceeds sixty (60) seconds in length.
i. Credits for in-kind goods and/or services are acceptable but they must appear in context with normal production credits and may incorporate brands or logos.

PROVIDE TELEVISION STUDIO PRODUCTION SERVICES FOR USERS ON A FIRST-COME, FIRST-SERVED, NON-DISCRIMINATORY BASIS

Your Media will:

1. Produce a weekly program ("Short Takes") of no less than 30 minutes and no more than one hour in length that provides an open-studio opportunity for users to express their views, present information, or perform; not to exceed five minutes per person.
    a. The "Short Takes" program is owned and controlled by the City of Fayetteville.
    b. Your Media will conduct two (2) separate studio sessions of one (1) hour each during which users may record their "Short Takes" segments. The schedule of studio sessions is subject to approval of the Director of Media Services.
    c. All participants and residents appearing on the "Short Takes" program will be provided a document that informs them that what is presented on the Short Takes program must conform to all guidelines for other programming telecast on the Public Access Television channel.
2. Produce programming for the users utilizing studio production laboratory sessions.
    a. Content of programming produced in studio laboratory sessions will be the responsibility of the producer requesting the production services.
    b. All technical aspects of production will be under the control and responsibility of Your Media.
    c. Producers requesting production services utilizing the studio laboratory sessions will be notified that they will be working in a classroom/training environment. The experience of the participants in the class will be priority.
    d. Your Media will not charge any production fees for programming produced in studio laboratory sessions.
    e. Studio laboratory sessions may not be used to produce series programming.
    f. Production slots in the studio laboratory sessions will be scheduled on a first-come, first-served basis. A producer may not schedule more than one session at a time.
3. Produce and telecast an electronic community bulletin/message board for residents to announce events or other information.

4. Produce and telecast a disclaimer at random times during the program schedule, no fewer than six (6) times per day, which contains the following message in both video and audio format: "Fayetteville Public Access Television is a public service provided by the City of Fayetteville to help residents exercise their First Amendment Rights. The views and opinions expressed on this channel are not necessarily those of the staff or management of Fayetteville Public Access Television or the City of Fayetteville."

EDUCATE FAYETTEVILLE RESIDENTS IN THE PRODUCTION AND DISTRIBUTION OF NON-COMMERCIAL TELEVISION PROGRAMMING

Your Media will provide training and technical support for users so they may learn the techniques and details of video production and television programming distribution.

Your Media will:

1. Create and implement a training curriculum that emphasizes technical proficiency and production quality. The curriculum will contain at least 3 core classes in the subjects of:
   a. Basic Field Production
   b. Basic Video Editing
   c. Basic Studio Production/Crew Positions

   And at least 3 advanced classes in the subjects of:
   a. Advanced Field Production
   b. Advanced Video Editing
   c. Advanced Studio Production

   The syllabus for each class will be available on the Fayetteville Public Access Television web site.
2. Offer a minimum of six (6) free classes a week taught by Your Media staff in various disciplines of video production and programming distribution.
   a. At least three (3) classes each week must be in the core subjects.
   b. At least two (2) classes each week must be in the advanced subjects.
   c. The studio production laboratory does not count toward the total of required classes.
3. Conduct a studio production laboratory session at least once per week that provides a "hands-on" training environment for students in Studio Production classes.
4. Create student evaluation criteria and methods that allow students to demonstrate proficiency in training both in writing and through practical application.
5. Require a minimum level of proficiency, as approved by the Director of Media Services, to achieve a passing grade in classes.
6. Maintain records of student performance and evaluations.
7. Provide training and development resources, and technical support, in addition to regular classes, to users while they are engaged in training or production activities.
8. Provide technical and production consultation to users who are producing outside programs.
9. Offer training in the use of all available methods of television programming distribution.
10. Ensure that instructors maintain a minimum level of competence in the operation of equipment, as approved by the Director of Media Services. This can be demonstrated through industry certification or actual demonstration of skills to the Director of Media Services or their designee. If an instructor fails to meet a minimum level of competence,

they will be prohibited from teaching any classes or workshops until such time as they have demonstrated to the Director of Media Services, or his/her designee, they have achieved that level.

11. Create and publish a monthly schedule of classes and workshops, a minimum of 30 calendar days prior to conducting the classes. The schedule will, at a minimum, be published in the following media:
    a. The Public Access Television channel's on-air bulletin board.
    b. The Public Access Television channel's web site.
    c. A publicly accessible bulletin board at the Television Center.
    d. Your Media's email address list that is maintained as an opt-in list in the central records database.
    e. Made available for publication in other media that wish to do so.
12. Ensure Your Media staff stays current with emerging technologies through professional development that includes technical training.
13. Provide reports on training and education activity as required by the City.

PROVIDE EQUAL ACCESS TO TELEVISION PRODUCTION EQUIPMENT AND FACILITIES TO ALL USERS ON A FIRST-COME, FIRST-SERVED, CONTENT-NEUTRAL, NON-DISCRIMINATORY BASIS.

The City of Fayetteville provides video production equipment and facilities as a public service to the users so they may learn and apply the skills and techniques of television production. Your Media will not require, solicit or accept any compensation of any kind, beyond that agreed upon in this contract and provided by the City, in return for the opportunity for residents to use any video production equipment or facilities provided by the City of Fayetteville.

The City of Fayetteville Director of Media Services is responsible for the use designation of equipment and facilities within the Television Center. Your Media is responsible for the management of equipment and facilities designated for use by the public and designated for use by Your Media staff in the execution of the services described herein.

Your Media will:

1. Maintain accurate and detailed inventory records of all equipment designated for use by the public and use by Your Media staff.
2. Assist City staff in maintaining accurate and detailed inventory records of all equipment in the Television Center.
3. Maintain accurate and detailed records of the identification and use of all equipment that is designated for use by the public.
4. Maintain accurate and detailed records and identification of users to check-out or utilize equipment designated for use by the public. Each record will contain, at a minimum, the user's name, address, telephone number, the area(s) in which they are qualified, and the expiration date of their qualification(s). A photocopy of the documentation of residency must be included.

5. Implement a plan to determine, either by elapsed time or demonstrated proficiency, the need for a qualified user to re-take any classes to maintain their qualification to use equipment or facilities of the Television Center.
6. Maintain a reservation system and procedure for qualified users to be able to reserve the use of equipment and facilities designated for public use.
7. Maintain check-in and check-out procedures for equipment and facilities designated for public use.
8. Design and utilize procedures and checklists that will ensure equipment is checked for full functionality upon return by a user. Records will be kept of the condition of equipment on check-out and return.
9. Perform minor repairs, maintenance and upkeep of equipment and facilities as directed by City staff.
10. Actively monitor the use of editing and studio facilities.
11. Ensure that a staff member who is fully qualified in the operation of all equipment or facilities available for public use is present and available at all times to any resident who is using, or wishes to use, any equipment or facilities designated for public use.

Your Media will not:

1. Allow, or continue to allow, the use of any equipment or facilities owned or controlled by the City of Fayetteville and provided for the use of the public or Your Media under this contract to be utilized in any way that may violate any Federal, State, or local law.

MAINTAIN A PROGRAM LIBRARY AND MANAGE ARCHIVE/PROGRAM RIGHTS

The City is committed to the preservation of Fayetteville's culture, history and legacy. This is demonstrated, in part, by support of the preservation of the programs and material telecast on the Public Access Television channel.

Producers will retain all rights to any program material or programming they create. All producers requesting their program to be telecast on the Public Access Television channel must sign a statement granting the City of Fayetteville non-exclusive rights for distribution and re-distribution of the program, either in whole or in part, as the City determines necessary. In the case of a resident who requests the telecast of a program, either in whole or in part, to which they do not hold the copyright, the resident will provide expressed, written consent from the program's owner granting the City of Fayetteville non-exclusive rights for distribution and re-distribution of the program, either in whole or in part, as the City determines necessary.

Your Media will create and maintain the necessary documentation, affidavits and statements, subject to the approval of the Director of Media Services, to be included in any forms used to document the request for the telecast of programming.

1. Your Media will maintain a program library containing copies of all inside and outside programs telecast on the Public Access Television channel.
2. Your Media will maintain a program library database of all programs telecast on the Public Access Television channel.

3. Your Media will ensure the library and program library database are maintained in an easily accessible manner.
4. Physical recording media containing programming for telecast on the Public Access Television channel shall become property of the City.
5. Your Media will ensure programs are archived on DVD media, unless otherwise determined by the Director of Media Services.
6. Under no circumstances will Your Media remove, or allow to be removed, any program materials or media from the Public Access Television channel program library or program library database, without the prior approval of the Director of Media Services.

CONDUCT OUTREACH AND COMMUNICATION ACTIVITIES WITH THE PUBLIC

1. Your Media will manage a procedure whereby residents can communicate their views or complaints regarding the programming or operations of the Public Access Television channel to Your Media and the City. All complaints or comments, from whatever source or however communicated, must be immediately communicated to the Director of Media Services. After a resident makes a complaint, either verbally or in writing, the public access outsourced provider manager, or designee, will follow this procedure:
    a. Document the complaint, recording:
        i. Date.
        ii. Time.
        iii. Nature of the complaint.
        iv. As many details as possible to facilitate the investigation of the complaint.
        v. Contact information of the complainant, if available.
    b. Immediately communicate the complaint to the Director of Media Services.
    c. Immediately communicate to the complainant their complaint is being investigated, and they will receive a determination, in writing, regarding their complaint within 3 business days.
    d. Provide a written response to the complainant detailing the investigation of their complaint, any findings thereof, and any action taken by the management of Your Media in response to the complaint. The response will also contain a statement that the complainant may appeal, in writing, any determination or action to the City of Fayetteville Telecommunications Board, c/o City of Fayetteville Television Center, 101 W. Rock Street, Fayetteville.
    e. Provide a copy of all correspondence and other pertinent materials to the Director of Media Services.
2. The management, staff, or members of the Board of Directors of Your Media will not identify the Public Access Television channel in any way, either expressed or implied, as belonging to, owned by, or controlled by Your Media.
3. The management, staff, or members of the Board of Directors of Your Media will not identify the City of Fayetteville Television Center, or the equipment contained therein, or any portion thereof, in any way, either expressed or implied, as belonging to, owned by, or controlled by Your Media.
4. The management, staff or members of the Board of Directors of Your Media will not identify themselves or their organization in any way, either expressed or implied, as "The City of Fayetteville" or as representing the City of Fayetteville.

5. In all communication from Your Media, the Public Access Television channel will be referred to and identified as "Fayetteville Public Access Television".
6. In all communication from Your Media, the entire production facility will be referred to as "The City of Fayetteville Television Center" or "The Television Center", as appropriate.
7. Your Media will maintain a process for effective communication with, and coordination among, all affected City programs, City staff, and the Telecommunications Board.
8. Your Media will conduct a consistent community outreach effort designed to recruit new producers and trainees.
9. Your Media will provide information to the entire community about the nature and role of public access television; educate the community about the opportunities available for training, production and programming; and encourage groups and individuals to participate in training classes and production experiences.
10. Your Media will maintain a Fayetteville Public Access Television-branded web site for the promotion of Public Access Television services and the education of the public that includes, at a minimum, current information regarding program, production and class schedules; policies and procedures; class syllabi; and an internet forum for exchange of information between the City, Your Media, producers and trainees. Your Media may include a link to their organization's web site.
11. The City will provide one (1) bulletin board in a publicly accessible area of the Television Center for the use of Your Media. Information posted on the bulletin board must meet at least <u>one</u> of the following criteria:
    a. It is information from the City or public access operator regarding policies, procedures or regulations
    b. It is a request by a producer to recruit help for video productions
    c. It is a request to recruit producers for specific video production projects
    d. It is information directly related to the programming of the public access channel
    e. It is information directly related to opportunities for training and development in television production
    f. It is information that promotes:
        i. The City of Fayetteville
        ii. A non-profit, 501(c)3 organization that serves the citizens of Fayetteville
        iii. A government organization that serves the citizens of Fayetteville
    g. It is information that informs the public of an event or program sponsored by:
        i. The City of Fayetteville
        ii. A non-profit, 501(c)3 organization that serves the citizens of Fayetteville
        iii. A government organization that serves the citizens of Fayetteville

    Information shall not be posted on bulletin boards unless it meets <u>all</u> of the following criteria:
    a. It shall not contain any type of direct appeal to purchase commercial goods or services, or promote the for-profit activities of individuals, groups or organizations
    b. It shall not contain any depiction of libelous, obscene, indecent or violent material
    c. It shall not be information campaigning for or in support of any political candidate or ballot issue

d. It shall be no larger than standard "letter" sized paper, 8 ½" x 11"
e. It shall be legible
f. It shall not be a personal message or communication

All other bulletin boards in the Television Center are reserved for use by employees of the City or Your Media.

GENERAL ADMINISTRATION AND COMMUNICATION

Your Media will administer the activities and responsibilities described herein in compliance with all applicable Federal, State, or local laws, ordinances, rules, and regulations and within any and all agreements, rules, or regulations of any television programming distribution service or provider utilized to perform the activities or responsibilities described herein.

All communication between the City and Your Media with regard to contractual matters or operations of the Television Center will be directed through the Director of Media Services, or any other such representative as may be appointed by the City, and Your Media's duly appointed representative.

1. Your Media will develop, maintain, and enforce operational policies that assure for staff and users decorum and a professional working environment at the City of Fayetteville Television Center consistent with other City offices.
2. Your Media will abide by and enforce all policies, rules, and regulations regarding the use of the Television Center. The Director of Media Services is responsible for developing and publishing policies, procedures, rules, and regulations regarding the use of the Television Center facility and equipment. The Director of Media Services will make available to all users of the facility a reference manual that will contain all policies, procedures, rules, and regulations regarding the operation of the Public Access Television channel and the City of Fayetteville Television Center. The City reserves the right to exclude users or staff of Your Media from the Television Center for violations of policies, procedures, rules, and regulations.
3. The City shall make three telephone lines available for Your Media's business use.
4. Your Media shall be responsible for reimbursing the City for its own long distance telephone calls.
5. The City is not required to provide hardware and/or software for the establishment or maintenance of systems for the purpose of public internet access.
6. Your Media shall be responsible for the maintenance and repair of the hardware or software of computers installed for the office use of Your Media.
7. The City shall provide access to the Internet for Your Media at the same level provided to the Television Center. Your Media will be responsible for any access requirements above the level provided to the Television Center.
8. The City shall be responsible for the payment of the Television Center utilities, routine building and grounds maintenance and maintenance of the structure.
9. Your Media may use the City's current copier/printer at the Television Center for a charge of $.039 per page. If the City upgrades the copier/printer located in the Television

Center, Your Media shall pay an adjusted charge per page, up to, but not to exceed the standard rate charged to City Departments and Divisions as determined annually.

10. Copier/printer maintenance costs will be paid by the City.
11. All business conducted and information maintained by Your Media or the Your Media Board of Directors in the execution of this contract is subject to the terms of the Arkansas Freedom of Information Act (FOIA).
12. Your Media will create an operations, training, and production schedule that maintains convenient business hours as well as a class schedule that allows producers to become certified through a combination of day, evening, and weekend classes. At a minimum Your Media will:
    a. Provide service to the users, a minimum of forty-five (45) hours per week through a minimum of five (5) days of operation.
    b. Create a schedule that provides service for a minimum of four (4) hours per scheduled operation day.
    c. Provide a staff member in the lobby to greet the public whenever the Television Center is open to the public.
    d. Observe all City Holiday closings and follow City of Fayetteville policies regarding closing for inclement weather.

    Your Media and the Director of Media Services will agree upon the operations schedule and Your Media will not vary from the agreed upon schedule without prior approval of the Director of Media Services.
13. Your Media shall submit monthly, quarterly, and annual reports, as defined by the Director of Media Services, on the execution of the activities and responsibilities described herein. Monthly reports shall be due by the 10th of the following month, or, if the 10th is not a regular business day, the next business day following the 10th. No contract payments will be made to Your Media while any required report is incomplete or overdue.
14. Your Media agrees to provide the City with a monthly financial report, due by the 10th of the following month, detailing:
    a. Expenditures of funds provided Your Media from the City
    b. Sources and amounts of other revenue generated from Public Access service activity
    c. Any other expenditures related to Public Access service activity

    The report shall be prepared by an independent certified public accountant, based on a modified accrual or cash basis method, summarizing activity during the preceding month and year to date. Said report shall include income and balance sheet statements.
15. Quarterly reports shall contain, but not be limited to:
    i) Financial reports, detailing:
        (a) Expenditures of funds provided Your Media from the City
        (b) Sources and amounts of other revenue generated from Public Access service activity
        (c) Any other expenditures related to Public Access service activity
    ii) Training reports, detailing:
        (a) Training activity provided users
        (b) Training activity for staff
        (c) Class and workshop activity

iii) Certification activity
    (a) Certification of residents
        1. Number of new users qualified to use equipment
        2. Number of new outside producers
    (b) Certification of staff
iv) Production activity
    (a) Production activity of users
    (b) Production activity of staff
v) Equipment Utilization
vi) Feedback and Complaints
vii) Programming reports
    (a) Itemization of programs telecast by:
        1. Inside programs
        2. Outside programs
    (b) Itemization of program requestors by:
        1. Inside programs
        2. Outside programs
    (c) Quantity of new and repeat inside programs
    (d) Quantity of new and repeat outside programs
    (e) Quantity of new program requestors
viii) Details of activity engaged in by Your Media to promote Fayetteville Public Access Television

16. In addition to the monthly, quarterly and annual reports, the following special reports and information shall be provided to the Director of Media Services:

    a. Reports of stolen, missing or damaged equipment within one (1) working day of learning of each occurrence; and
    b. Requests for changes in any policies or procedures that affect any services described herein; and
    c. All corporate documents, including but not limited to Your Media's by-laws, policies, articles of incorporation, certification of compliance with affirmative action plan and EEO standards, and a list of Board members; and
    d. At any reasonable time and as often as the Telecommunications Board or the City may deem necessary, Your Media shall make available to them, or any of their authorized representatives, within three (3) business days, all of Your Media's records related to all matters covered by this Agreement and shall permit the Telecommunications Board or the City to audit, examine, make excerpts and copies of such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to or deemed pertinent to matters covered by this Contract; and
    e. During the term of this Contract, Your Media shall cause to be delivered to the Telecommunications Board and the City copies of all notices of meetings of its Board of Directors, setting forth the time and place thereof. Such notice shall be delivered in a timely manner to give adequate notice and shall also include an agenda; and

f. Minutes of all meetings, if taken, and materials distributed in meetings of Your Media's Board of Directors, or committees thereof, shall be submitted to the Telecommunications Board and the City; and

Your Media will, upon request of the City, make available all supporting documentation and data relating to any reports required by this Contract or requested by the City.

PERFORMANCE EVALUATION

1. A performance evaluation will be conducted quarterly by the Director of Media Services to assess Your Media's effectiveness in providing the services described herein.
2. The City and Your Media may agree upon periodic performance measures. These measures will be documented as Addendum A of this contract.
3. Your Media will provide a method for receiving feedback, comments, input and suggestions from the public. This communication will be made available to the Director of Media Services as part of the quarterly evaluation process.
4. The Director of Media Services will immediately communicate to Your Media any violations of this contract as may come to his/her attention so that Your Media may have an opportunity to correct such violations in a timely manner.
5. Quarterly evaluations will be communicated to the Telecommunications Board, consistent with the process for oversight as specified in the Telecommunications Board Ordinance.

CONTRACT PERIOD

The contract period will be from January 1, 2016 until December 31, 2016. Either party may cancel this contract at any time with a thirty (30) day written notice. This contract may be renewed by the parties per year for up to four additional one-year terms.

FUNDING

The City hereby agrees to pay Your Media the monthly sum of $12,797.50 for services performed under the terms of this contract. Each monthly payment will be remitted on or before the 15th day of each month, beginning January 15, 2016, unless Your Media fails to comply with the expressed terms of this contract. The City reserves the right to withhold contract payments to Your Media unless Your Media is deemed in full compliance with the contract or until all contract violations are corrected. For any future renewal period up to four additional one-year terms, payments to Your Media shall be increased by the amount required to fund salary increases of three percent (3%).

LEGAL AUTHORITY

Your Media assures and guarantees that it possesses the legal authority to enter into this Agreement. Further, that the person or persons signing and executing this Agreement on behalf of Your Media have been fully authorized by Your Media to execute this Agreement. That such authority is evidenced pursuant to a proper, appropriate and official motion and resolution, which was passed and approved specifically to enter into this Agreement and shall legally bind Your Media to all the terms, performances, and provisions here set forth. A copy of such resolution shall be provided upon execution of this Agreement. The City may exercise its right to either temporarily suspend or permanently terminate this Agreement if there is a dispute as to the legal

authority of Your Media or the person signing the Agreement. The City shall not be obligated to pay Your Media for any performance of the provisions of this Agreement after the City has suspended or terminated this Agreement as provided in this Section.

PERSONNEL
Your Media shall adequately staff the Public Access operation to meet the services and duties outlined in this agreement. Both City staff and Your Media staff will be expected to work together in a cooperative manner within the Television Center. Personnel policies shall be established by Your Media and shall be available for examination by the City.

Upon termination of any employee from either the City or Your Media, it is understood that any violation of policy or procedure serious enough to require termination is also grounds for exclusion from the Television Center.

EQUAL OPPORTUNITY
Your Media shall comply with all applicable equal opportunity, affirmative action, and ADA laws or regulations, including those of the City of Fayetteville.

INSURANCE
Your Media shall obtain and keep in force during the term of this agreement a policy of public liability and property damage insurance. Your Media shall provide continued proof of coverage in its quarterly reports. The coverage, at a minimum, shall be in the following amounts:

General Liability

1. General Aggregate	$1,000,000
2. Products/Completed Oper. Aggr.	$1,000,000
3. Each Occurrence	$100,000
4. Fire Damage (any one fire)	$50,000
5. Medical Expense (any one person)	$5,000

Worker's Compensation for all employees as required by Arkansas Statute.

Bonding: Your Media shall obtain a fidelity bond covering all persons handling funds received or disbursed and/or signing or co-signing checks to disburse funds under this agreement, within 10 days of the contract execution. The fidelity bond shall be in an amount equal to 10% of the city grant award or $5,000, whichever is less. Your Media shall furnish the city proof of an adequate fidelity bond prior to the first payment of funds under this agreement.

POLITICAL/SECTARIAN ACTIVITY
Your Media shall not initiate or sponsor political or religious programming. Your Media shall not engage in any political activity. Your Media shall not directly produce any programs nor participate in any activities that establish or promote any religion or prohibit the free exercise thereof.

HOLD HARMLESS

It is expressed, understood and agreed by both parties that the City is contracting with Your Media as an independent contractor and that as such, Your Media shall save and hold the City, its officers, agents, and employees harmless from all liability of any nature of any kind, including costs and expenses for, or on account of, any claims, audit exceptions, demands, suits or damages of any character whatsoever resulting from injuries or damages sustained by persons or property, resulting in whole or in part from the performance or omission of any employee, agent or representative of Your Media. This Agreement shall not be construed in any manner or form as a waiver of that Tort Immunity as set out under Arkansas Law.

CONFLICT OF INTEREST

Your Media covenants that neither it nor any member of its Board of Directors currently has any interest or shall acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. Your Media further covenants that in the performance of this Agreement no person having such interest shall be employed or appointed as a member of its Board of Directors.

Your Media further covenants that no member of its Board of Directors or its staff or employees shall possess any interest in or use their position for a purpose that is or gives the appearance of being motivated by desire for private gain for themselves or others, particularly those with which they have family, business, or other ties.

No officer, member, or employee of the City and no member of its governing body who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this Agreement shall participate in any decision relating to the Agreement which affects his or her personal interest or the interest of any corporation, partnership, or association in which he has a personal financial direct or indirect interest; or have any personal financial interest, direct or indirect, in this Agreement or the proceeds thereof.

CONTRACT ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties hereto, and any prior agreement, whether written or oral, shall have no force or effect. Any subsequent agreements will have no effect unless properly executed in writing and recorded as an addendum to this Agreement.

SEVERABILITY

If any section, subsection, sentence, clause, phrase, or word of this agreement is held to be invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or word will be deemed as a separate, distinct and independent provision, and such holding will not affect the validity of the remaining provisions of this agreement.

COMMUNITY ACCESS TELEVISION
d/b/a YOUR MEDIA

By: _____

Print: Daniel A. Robinson

Title: Executive Director, YOUR MEDIA

ATTEST:

By: _____

Print: Jamey McGaugh

Title: Board Chair

CITY OF FAYETTEVILLE, ARKANSAS

By: _____
Lioneld Jordan, Mayor

ATTEST:

By: _____
Sondra Smith, City Clerk

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0505

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: A. 5

2015 ADEQ BOSTON MOUNTAIN RECYCLING GRANT:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2015 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF $8,000.00 FOR THE PURCHASE OF PUBLIC SPACE RECYCLING CONTAINERS, 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 acceptance of a 2015 Arkansas Department of Environmental Quality grant through the Boston Mountain Solid Waste District in the amount of $8,000.00 for the purchase of public space recycling containers.

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

City of Fayetteville Staff Review Form

2015-0505

Legistar File ID

November 17th, 2015

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

Brian Pugh	10/30/2015	Recycling & Trash Collection / Transportation Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approve a resolution authorizing the acceptance of a 2015 Boston Mountain Recycling Grant for $8,000 for Public Space Recycling Containers and approving a budget adjustment.

Budget Impact:

5500.5080.5227.00	Recycling and Trash Collections
Account Number	Fund
31505.1501	Boston Mountain Recycling District Grant
Project Number	Project Title

Budgeted Item?	No	Current Budget	$	-
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	Yes	Item Cost	$	8,000.00
Budget Adjustment Attached?	Yes	Budget Adjustment	$	8,000.00
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17TH, 2015

To: Fayetteville City Council

Thru: Jeff Coles, Recycling and Trash Collections Director

From: Brian Pugh, Waste Reduction Coordinator

Date: October 30th, 2015

SUBJECT: Approve a resolution authorizing the acceptance of 2015 Boston Mountain Recycling Grant for $8,000 for Public Space Recycling Containers and approving a budget adjustment.

RECOMMENDATION:
Staff recommends approving a resolution authorizing the acceptance of a 2015 Boston Mountain Recycling Grant for $8,000 for Public Space Recycling Containers and approving a budget adjustment to accept the funds and allocate them into a capital project. The Legistar number for applying for this grant is 2015-0344 which was a non-agenda item asking for the Mayor's signature.

BACKGROUND:
The Arkansas Department of Environmental Quality receives money generated from fees collected at landfills and distributes funds back to the regional solid waste districts to fund recycling grants. The Boston Mountain Solid Waste District issues recycling grants through approval of the Boston Mountain Solid Waste Board and the City has benefited from these grants in the past. The Boston Mountain Solid Waste District compiled the grant pre applications and approved them at the August Board meeting. ADEQ has released the grant funds to Boston Mountain and is now ready to disburse funds.

DISCUSSION:
This grant will be used to purchase public space recycling containers for use in public areas and city parks. There are currently 50 recycling containers placed in service in City parks and the new parking deck. The Recycling and Trash Collection Division has been working with the Parks and Recreation Division to identify other areas in Fayetteville that can utilize the recycling containers. The recycling containers utilize icons and graphics in addition to descriptions focusing on bottles and cans for recycling and the bags are picked up by the Parks and Parking Management staff and delivered to the recycling center where they are sorted and recycled.

BUDGET IMPACT

The recycling grant award is not a matching grant, so no City funds are obligated with this request. Funds are needed to cover freight and taxes as grant funds cannot be used for those expenses. There is sufficient funding in 5500.5060.5225.00, Recycling Containers, to cover this expense. The budget adjustment is attached to recognize the grant revenue and add it to the Recycling Container ADEQ Grant budget.

Attachments:
Award notice from Boston Mountain and signed Grant Application

Boston Mountain
SOLID WASTE DISTRICT

September 26, 2015

City of Fayetteville
Attn: Brian Pugh
1560 S. Happy Hollow Road
Fayetteville, AR 72701

RE: Boston Mountain Solid Waste District 2015 Recycling Grant Award
Grantee: City of Fayetteville
Grant Number: FY15-05
Grant Name: Recycling Equipment
Amount Awarded: $ 8000

Congratulations! We are excited to notify you of your grant award.

Below are some details of the program:

- All grant funds must be spent within three years of date awarded.
- All grant funded projects must be started before you are eligible to apply for recycling grants in the next year grant round.

Grant Reimbursement Requirements

- A detailed invoice
- A warrant, check copy, and/or credit card receipt. Showing proof of payment.
- For equipment purchased: make, model, serial or VIN number, and physical address of where equipment will be housed.
- Reference Grant Number on all submittals.
- Can be submitted electronically or in paper form.

Grant Issues Requiring Board Approval

- Any changes in grants. (Grant Change Order)
- If you choose to trade, sell, or scrap equipment previously purchased with grants funds.

All forms related to the grant program are available online. Bostonmountain.org →Resources → Grants

The District would like to thank you for all of the great grant applications and project proposals submitted this year. We have enclosed a copy of your final signed grant application. We look forward to working with you on your future solid waste management programs!

Sincerely,

Robyn Reed
Director
Boston Mountain Solid Waste District

Enclosure

11398 Bond Road
Prairie Grove, Arkansas 72753
p 479.846.3005 f 479.846.4614
bostonmountain.org

Recycling Grant Application

Boston Mountain
SOLID WASTE DISTRICT

Grant Name: Park Recycling Containers $8,000

APPLICANT: CITY OF FAYETTEVILLE	**CONTACT: BRIAN PUGH**
ADDRESS: 1560 S. HAPPY HOLLOW ROAD	**CITY: FAYETTEVILLE**
COUNTY: WASHINGTON	**ZIP CODE: 72701PASSWORD**
PHONE: (479) 718-7685	**E-MAIL: BPUGH@FAYETTEVILLE-AR.GOV**

PROJECT TYPE (CATEGORY)	GRANT FUNDS REQUESTED	MATCHING FUNDS COMMITTED	TOTAL PROJECT COST
RECYCLING EQUIPMENT	$10,000	0	$10,000

Select only one category

- Administrative
- Recycling Equipment
- Composting
- Planning
- Recycling Programs
- Education
- Transfer Station with Recycling
- Material Recovery Facility
- Waste Reduction Activities

1. **Other than Recycling Grant funds,** how are expenses for the continuation of this project to be funded (including maintenance, repairs, labor and operating expenses)? **The collection of materials from the recycling containers will be picked up through various City Divisions depending on location of the recycling container. Any repairs or other expenses related to the recycling containers will be covered in the operating budget for the Recycling and Trash Collection Division.**

Grant Number: FY15-05

2. **Who will manage the finances of this grant and how may s/he be contacted?** (Who is responsible for maintaining records of income and expenses related to this grant?) **Brian Pugh – contact information listed above.**

Please provide as detailed information as possible about your proposed recycling grant project. The more information and detail you are able to provide the better understanding the reviewers will have of your project. For questions regarding eligible applicants and/or grant projects please refer to the Boston Mountain Solid Waste District: Recycling Grant Program Guidelines 2014.

All items must be completed and returned to the Boston Mountain Solid Waste District (District) by the close of business ***August 1, 2014****. Electronic or paper copies are acceptable.*

APPLICATION CHECKLIST:

- ☐ Representative attend pre-application meeting
- ☐ Complete Project Summary and Budget Narrative
- ☐ Completed grant application signed by authorizer representative
- ☐ Submitted to Boston Mountain Solid Waste District by August 1st.

PROJECT DESCRIPTION & BUDGET

- *Limit to a two page narrative.*
- *Include any dimensions for facilities, equipment brochures, drawings, pictures, etc.*
- *For construction projects (including building modifications, parking lots and fencing), please tell us who owns the property.*

Applicants should provide an overview of the proposed project, what will be purchased, the project's purpose and scope and the specific methods and technologies that will be incorporated to implement the project. The summary should include a timeline in narrative form for the major project implementation events including securing of permits and/or licenses, construction of facilities and completion of service contracts. Include the specific material or initiative being targeted and projected tons or capacity rating forecasted. How do you keep the public informed about the recycling, waste reduction and educational opportunities provided by your program? Applicants should demonstrate the financial and operational rationale for the requested funding and provide supporting information. State how the proposed project supports the strategic and educational goals of the District and State solid waste management plans.

Include a detailed budget.

Narrative-

In 2014 and 2015 the City purchased 50 outdoor public space recycling containers for the Fayetteville Public Square, Gary Hampton Park, Walker Park, and Lewis Soccer field for the collection of bottles and cans from these public spaces. The bins were selected based on their effectiveness to make recycling simple using visual graphics to convey correct use of the bins. The bins also have space for display panels to help market the recycling program and also efforts with Keep Fayetteville Beautiful. The bins have proven successful in collecting materials from these public spaces and the desire is to add additional bins to other City Parks and public spaces to continue efforts to portray recycling in public spaces. The entire $10,000 would be spent on the purchase of the bins.

MINIMUM CONDITIONS OF RECYCLING GRANTS

GRANT RECIPIENTS AGREE TO:

- Comply with the guidelines and requirements of the *Boston Mountain Solid Waste District: Recycling Grant Program Guidelines*
- Actively develop a recycling program, as outlined in the grant application, and expend all grant funds in the three (3) years following the date of the grant award by the District.
- Actively seek to market or reuse the materials diverted under the recycling program from deposition in landfills in the period of three (3) years following the date of the grant award by the department.
- Start prior year grant project before August 1st, the date pre-applications for the next grant round are due to the department.
- Use facilities or equipment purchased with grant funds no less than 50 percent of the time on the purposes specified in the grant application.
- Ensure all applicable federal, state and local permits and licenses have been obtained.
- Use any interest earned on grant funds exclusively for recycling programs consistent with the District's Solid Waste Management Plan.
- Maintain an orderly accounting system to document that grant expenditures are made in accordance with project budget. This includes keeping copies of all bids, paid invoices, canceled checks, and other appropriate paperwork.
- Report for five years after receipt of grant funds or until all funds are expended, whichever is longer, as directed by statute and regulation.
- Conform to all state laws on the purchase, use or sale of equipment and facilities secured with grant funds.
- Seek competitive bids or requests for proposals (RFP) for purchase of equipment or services as required by state and local procurement laws.
- Receive written approval from the Board for any modifications to the grant, including requests for time extensions.
- Receive written consent from the Board and the department before selling, trading or transferring facilities or equipment.

The following items are not eligible for funding from recycling grants:

Taxes	Legal fees	Vehicle registration
Reimbursement of funds	Licenses or permits	Utilities
Retroactive purchases		

ADMINISTRATIVE REQUIREMENTS

All grants are subject to audit. District personnel have the right of access to all records pertaining to grant-funded project or activity.

Grant application must include: answers to the Project Description questions and a complete Budget, as required.

Incomplete grant applications will not be considered and may delay processing of grant funds.

THE BOSTON MOUNTAIN SOLID WASTE DISTRICT AGREES TO

Submit a list of all completed grant applications received by eligible applicants to the Boston Mountain Solid Waste District Grant Committee.

Publish a list of grants to be submitted to the Board with for public comment open for 30 days past publication. *Copies of any comments received regarding the grant request shall be forwarded to the Board. If no comments are received, send an e-mail stating such at the end of the comment period.*

Notify the Board in the event a recipient has not met conditions of the approved grant application.

Ensure that the project is compatible with the approved RSWMD plan on file with ADEQ or submit documentation demonstrating why a deviation is necessary.

Maintain copies of invoices, purchase orders, checks or other supporting documents for grant expenditures at the regional solid waste district office.

Compile annual reports as required.

SIGNATURE & CERTIFICATION

I certify that to the best of my knowledge, the information provided in this application and its attachments is correct and true. I understand and agree that if grant money is subsequently awarded as a result of this application, I will comply with all applicable statutory and regulatory provisions and with applicable terms, conditions, and procedures of the Recycling Grants program. I have read and agree to abide by the Minimum Conditions of Recycling Grants. I certify that all proposed activities will be carried out and that all grant money received will be utilized solely for the purposes for which it is intended unless written authorization is provided by the Regional Solid Waste Management District Board of Directors.

Applicants Authorized Representative Signature & Title

7/30/15
Date

THE ABOVE-REFERENCED GRANT IS HEREBY APPROVED.

Grant Number: FY15-05

Robert Reed
BMSWD Director

8/13/15
Date

Frank Weaver
BMSWD Board Chair

8/13/15
Date

FOR DISTRICT USE ONLY:

DATE RECEIVED:		RECEIVED BY:	
APPLICATION COMPLETE:		COMMENTS	
IF NO, RETURNED TO:		DATE:	

Grant Number: P/15-05

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

Budget Year	Division:	Recycling & Trash Collection	Adjustment Number
2015	Dept.:	Transportation Services	
	Requestor:	Brian Pugh	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

This budget adjustment recognizes revenue received from the 2015 Boston Mountain recycling grant award in the amount of $8,000 for Public Space Recycling Containers

COUNCIL DATE: 11/17/2015

LEGISTAR FILE ID#: **2015-0505**

Barbara Fell
11/3/2015 1:10 PM

Budget Director Date

TYPE:

DESCRIPTION:

GLDATE:

POSTED: /

RESOLUTION/ORDINANCE

v.20150925

Account Number	Increase / (Decrease) Expense	Increase / (Decrease) Revenue	Project.Sub# Project	Project.Sub# Sub	AT	Account Name
TOTAL	8,000	8,000				
5500.5080.5227.00	8,000	-	***31505***	***1501***	EX	Containers
5500.0950.4302.00	-	8,000	***31505***	***1501***	RE	State Grants - Capital
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0495

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Tabled

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: B. 1

TREE PRESERVATION AREA VACATION FOR CRAIN AUTOMOTIVE:

A RESOLUTION TO REJECT THE RECOMMENDATION OF THE URBAN FORESTER WHO DETERMINED THAT THE TREE PRESERVATION AND MITIGATION AREAS IN EASEMENTS AND DEDICATIONS AGREED TO AND SIGNED BY THE OWNER/DEVELOPER ON JUNE 25, 2014, SHOULD NOT BE VACATED OR CHANGED BY A NEW DEVELOPMENT PROPOSAL FOR THIS ACREAGE

WHEREAS, Lots 13 through 19 of Meadow Field Subdivision along Shiloh Drive was approved for development of a Hyundai car dealer in June of 2014; and

WHEREAS, the owner/developer proposed about 10% of this acres be dedicated for tree preservation and that the remaining tree preservation requirement be accomplished by planting thirty-nine (39) on site mitigation trees and the remainder required by the Tree Ordinance be paid into the Tree Escrow Account; and

WHEREAS, the owner/developer signed the easement plat for these 7 lots documenting the tree preservation areas and easements on June 25, 2014 which was filed for record on June 27, 2014; and

WHEREAS, the owner/developer in September of 2015 presented preliminary plans for a new Tree Preservation Plan to the Urban Forester for a second car dealership (Volkswagon) to be constructed on three of these lots; and

WHEREAS, these preliminary plans proposed construction of infrastructure and parking areas within tree preservation and mitigation areas previously protected by the developer's June 2014 easement plat; and

WHEREAS, the Urban Forester rejected the owner/developer's proposal to allow the vacation of 5,300 square feet of tree preservation area and the relocation of all 39 planted mitigation trees by planting sufficient new mitigation trees somewhere off-site.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby determines to reject the recommendation of the Urban Forester who determined that the tree preservation and mitigation areas in

easements and dedications agreed to and signed by the owner/developer on June 25, 2014, should not be vacated or changed by a new development proposal for this acreage.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby determines that vacated tree preservation areas and mitigation trees to be lost will be replaced by requiring the owner/developer to either plant and maintain for a new three year period on or off-site mitigation trees, off-site forestation, payment into the Tree Escrow Account, a combination of these measures or other code required manners when tree preservation cannot be achieved.

City of Fayetteville Staff Review Form

2015-0495

Legistar File ID

11/3/2015

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

Derek Linn	10/16/2015	Parks & Recreation / Parks & Recreation Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends denial of a request to vacate portions of an existing tree preservation easement.

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	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 3, 2015

TO: Mayor and Fayetteville City Council

THRU: Don Marr, Chief of Staff
Connie Edmonston, Parks and Recreation Director
Alison Jumper, Park Planning Superintendent
Andrew Garner, City Planning Director

FROM: Derek Linn, Urban Forester

DATE: November 3, 2015

SUBJECT: **Tree Preservation Area vacation for Crain Automotive**

RECOMMENDATION:
Staff recommends denial of a request to vacate portions of an existing tree preservation area.

BACKGROUND:
The subject property is located along Foxglove Drive and west of N. Shiloh Drive. The property is part of the recently improved Lots 13, 14, 15, 16, 17, 18, and 19 of Meadow Field Subdivision, which was filed of record in June, 2014. A condition of the development approval of the recently constructed Hyundai car dealership required for 0.84 acres be protected within a tree preservation area in the larger 11 acre area.

On May 24, 2014 the Planning Commission approved LSD 14-4640 including proposal of a 30,000 square foot retail/service building and display lot, with staff conditions of approval. Owning all of Lots 13 through 19, the applicant chose to consider this entire site area to meet overall tree preservation requirements for both the proposed Hyundai site and for a future development to be constructed on Lots 15, 16 and 19. (Exhibit B).

The applicant proposed to staff the amount of tree canopy that could be preserved on-site, and this was determined and approved at 40,997 square feet, or approximately 10% of the overall site area reviewed. Approximately 36,512 square feet of this mature, contiguous forest was protected in a tree preservation area, which is a standard requirement of large scale developments to ensure long term protection (167.04)(L)(1). As less than the minimum required by code was preserved on-site, the applicant met the remainder of the tree preservation requirement by planting on-site mitigation trees and paying into the tree escrow account. Thirty-nine (39) mitigation trees were planted on Lot 19, adjacent and north of the tree preservation area.

An easement plat was recorded at the Washington County Courthouse on June 27, 2014, which documented easements and tree preservation areas required to construct the Hyundai Dealership per Unified Development Code. Owner representative Chris Crain signed the easement plat on June 25, 2014.

In September 2015 consultants presented preliminary plans to the Urban Forester indicating a proposed Volkswagen car dealership to be constructed on Lots 15, 16, and 19. The footprint of the proposed construction indicated that infrastructure and parking lot were proposed within the mitigation and tree preservation areas.

Urban Forestry provided the consultant with a copy of the easement plat that was signed in 2014, noting that limits of disturbance would need to work outside the tree preservation easement and mitigation trees. Staff suggested reconfiguring the site plan to work around these areas. Staff noted that tree preservation requirements for both the existing Hyundai and the proposed Volkswagen were met for the overall site through the 2014 approval, and that designing within this parameter set up by developer would require no additional mitigation. Staff suggested looking at design alternatives to meet the needs of the client while working around the tree protection areas provided in 2014.

DISCUSSION

The applicant has requested to vacate approximately 5,300 square feet of a tree preservation area. The proposed development also encompasses the area where 39 mitigation trees were recently planted in 2014 (Exhibit A).

For the impact requested, the applicant has proposed (Exhibit C):

1) To relocate and re-bond the thirty-nine (39) recently planted on-site mitigation trees at a location to be determined by staff, and
2) To plant thirty-six (36) 2" caliper trees at a location to be determined by staff, in lieu of the 5,300 square feet of existing canopy currently protected within easement. This is equivalent to 1.5 times the amount that would be required by code to mitigate this area of high priority canopy.

Recommendation:

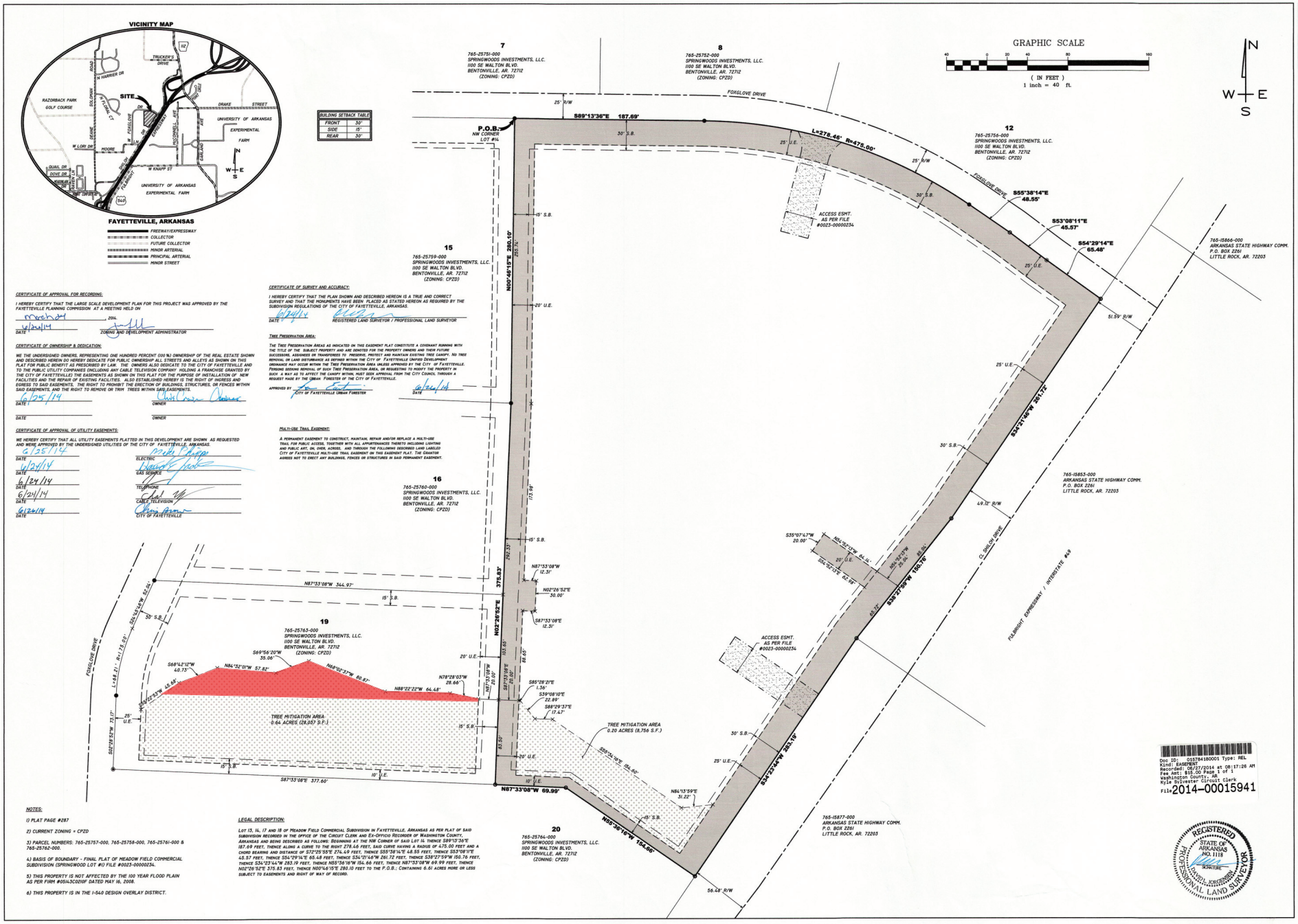
Staff recommends denial of the request to vacate or modify the tree preservation area through the following determination:

1) The area being requested for vacation was required in 2014 through Planning Commission conditions of approval for construction of the recently completed and adjacent Hyundai complex.
2) According to the Principles of Chapter 167, "Preservation shall be the first, best, and standard approach" (167.01(B)). The tree preservation area as platted meets the minimum tree preservation requirements for the existing Hyundai, as well as the proposed Volkswagen.
3) New 2" caliper trees in lieu of mature canopy currently preserved would not be preferable or in the best interest of the City of Fayetteville. The mature trees are currently providing benefit while newly planted trees take years to reach the potential of an existing forest.
4) It is unclear with the applicant's proposal where the 76 replacement trees would be planted. (Exhibit C) The applicant has verbally suggested the owner may have an interest in off-site forestation in a city park. However, Parks staff and the Urban Forester have not identified a nearby park where the off-site forestation would be advisable. The intent of this off-site option on public property is to plant nearby where the benefits can be mitigated close to the location of impact (167.04(J)(3)(b)).
5) There is not adequate space per the proposed site plan for Volkswagen to accommodate the trees on-site (Exhibit D).

6) There is an overall lack of detail in the applicant's proposal in which staff do not feel adequate planning for replacement trees has been considered; or that this is a reasonable submittal in the best interest of the City or intent of Chapter 167.
7) Removal of mature canopy trees located in tree preservation areas has not been a practice of the City in administration of Chapter 167, with the primary intent of preservation of our City's urban forest.

BUDGET/STAFF IMPACT:
None

Attachments:
- Exhibit A Vacation Request Estimate on Plat
- Exhibit B 14-4640 Tree Preservation and Landscape Plans
- Exhibit C Applicant Proposal
- Exhibit D Proposed Site Plan October 2015
- Exhibit E 14-4640 Urban Forestry Staff Reports
- Exhibit F Legal Description



CERTIFICATE OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE LARGE SCALE DEVELOPMENT PLAN FOR THIS PROJECT WAS APPROVED BY THE FAYETTEVILLE PLANNING COMMISSION AT A MEETING HELD ON March 24 2014.

DATE 6/24/14 — ZONING AND DEVELOPMENT ADMINISTRATOR

CERTIFICATE OF OWNERSHIP & DEDICATION:

WE THE UNDERSIGNED OWNERS, REPRESENTING ONE HUNDRED PERCENT (100 %) OWNERSHIP OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY DEDICATE FOR PUBLIC OWNERSHIP ALL STREETS AND ALLEYS AS SHOWN ON THIS PLAT FOR PUBLIC BENEFIT AS PRESCRIBED BY LAW. THE OWNERS ALSO DEDICATE TO THE CITY OF FAYETTEVILLE AND TO THE PUBLIC UTILITY COMPANIES (INCLUDING ANY CABLE TELEVISION COMPANY HOLDING A FRANCHISE GRANTED BY THE CITY OF FAYETTEVILLE) THE EASEMENTS AS SHOWN ON THIS PLAT FOR THE PURPOSE OF INSTALLATION OF NEW FACILITIES AND THE REPAIR OF EXISTING FACILITIES. ALSO ESTABLISHED HEREBY IS THE RIGHT OF INGRESS AND EGRESS TO SAID EASEMENTS. THE RIGHT TO PROHIBIT THE ERECTION OF BUILDINGS, STRUCTURES, OR FENCES WITHIN SAID EASEMENTS, AND THE RIGHT TO REMOVE OR TRIM TREES WITHIN SAID EASEMENTS.

6/25/14 DATE — OWNER
DATE — OWNER

CERTIFICATE OF APPROVAL OF UTILITY EASEMENTS:

WE HEREBY CERTIFY THAT ALL UTILITY EASEMENTS PLATTED IN THIS DEVELOPMENT ARE SHOWN AS REQUESTED AND WERE APPROVED BY THE UNDERSIGNED UTILITIES OF THE CITY OF FAYETTEVILLE, ARKANSAS.

6/25/14 DATE — ELECTRIC
6/24/14 DATE — GAS SERVICE
6/24/14 DATE — TELEPHONE
6/24/14 DATE — CABLE TELEVISION
6/24/14 DATE — CITY OF FAYETTEVILLE

CERTIFICATE OF SURVEY AND ACCURACY:

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY AND THAT THE MONUMENTS HAVE BEEN PLACED AS STATED HEREON AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF FAYETTEVILLE, ARKANSAS.

6/24/14 DATE — REGISTERED LAND SURVEYOR / PROFESSIONAL LAND SURVEYOR

TREE PRESERVATION AREA:

THE TREE PRESERVATION AREAS AS INDICATED ON THIS EASEMENT PLAT CONSTITUTE A COVENANT RUNNING WITH THE TITLE OF THE SUBJECT PROPERTY AND ARE DONATED FOR THE PROPERTY OWNERS AND THEIR FUTURE SUCCESSORS, ASSIGNEES OR TRANSFEREES TO PRESERVE, PROTECT AND MAINTAIN EXISTING TREE CANOPY. NO TREE REMOVAL OR LAND DISTURBANCE AS DEFINED WITHIN THE CITY OF FAYETTEVILLE UNIFIED DEVELOPMENT ORDINANCE MAY OCCUR WITHIN THE TREE PRESERVATION AREA UNLESS APPROVED BY THE CITY OF FAYETTEVILLE. PERSONS SEEKING REMOVAL OF SUCH TREE PRESERVATION AREA, OR REQUESTING TO MODIFY THE PROPERTY IN SUCH A WAY AS TO AFFECT THE CANOPY WITHIN, MUST SEEK APPROVAL FROM THE CITY COUNCIL THROUGH A REQUEST MADE BY THE URBAN FORESTER OF THE CITY OF FAYETTEVILLE.

APPROVED BY: CITY OF FAYETTEVILLE URBAN FORESTER — 6/24/14 DATE

MULTI-USE TRAIL EASEMENT:

A PERMANENT EASEMENT TO CONSTRUCT, MAINTAIN, REPAIR AND/OR REPLACE A MULTI-USE TRAIL FOR PUBLIC ACCESS, TOGETHER WITH ALL APPURTENANCES THERETO INCLUDING LIGHTING AND PUBLIC ART, ON, OVER, ACROSS, AND THROUGH THE FOLLOWING DESCRIBED LAND LABELED CITY OF FAYETTEVILLE MULTI-USE TRAIL EASEMENT ON THIS EASEMENT PLAT. THE GRANTOR AGREES NOT TO ERECT ANY BUILDINGS, FENCES OR STRUCTURES IN SAID PERMANENT EASEMENT.

NOTES:

1) PLAT PAGE #287

2) CURRENT ZONING = CPZD

3) PARCEL NUMBERS: 765-25757-000, 765-25758-000, 765-25761-000 & 765-25762-000.

4) BASIS OF BOUNDARY - FINAL PLAT OF MEADOW FIELD COMMERCIAL SUBDIVISION (SPRINGWOOD LOT #1) FILE #0023-00000234.

5) THIS PROPERTY IS NOT AFFECTED BY THE 100 YEAR FLOOD PLAIN AS PER FIRM #05143C0210F DATED MAY 16, 2008.

6) THIS PROPERTY IS IN THE I-540 DESIGN OVERLAY DISTRICT.

LEGAL DESCRIPTION:

LOT 13, 14, 17 AND 18 OF MEADOW FIELD COMMERCIAL SUBDIVISION IN FAYETTEVILLE, ARKANSAS AS PER PLAT OF SAID SUBDIVISION RECORDED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 14; THENCE S89°13'36"E 187.69 FEET; THENCE ALONG A CURVE TO THE RIGHT 278.46 FEET, SAID CURVE HAVING A RADIUS OF 475.00 FEET AND A CHORD BEARING AND DISTANCE OF S72°25'55"E 274.49 FEET; THENCE S55°38'14"E 48.55 FEET; THENCE S53°08'11"E 45.57 FEET; THENCE S54°29'14"E 65.48 FEET; THENCE S34°21'46"W 261.72 FEET; THENCE S38°27'59"W 150.76 FEET; THENCE S34°23'44"W 283.19 FEET; THENCE N55°36'16"W 154.66 FEET; THENCE N87°33'08"W 69.99 FEET; THENCE N02°26'52"E 375.83 FEET; THENCE N00°46'15"E 290.10 FEET TO THE P.O.B.; CONTAINING 5.61 ACRES MORE OR LESS SUBJECT TO EASEMENTS AND RIGHT OF WAY OF RECORD.

PREPARED BY

JORGENSEN & ASSOCIATES
ESTABLISHED 1985
CIVIL ENGINEERING
SURVEYING

124 W. SUNBRIDGE SUITE 5,
FAYETTEVILLE, AR 72703
PH (479) 442-9127
FAX (479) 582-4807

LEGEND

- FOUND IRON PIN
- FOUND BRASS CAP
- SET IRON PIN & CAP
- CALCULATED POINT
- CENTERLINE STREET
- BUILDING SETBACK
- UTILITY EASEMENT
- ACCESS EASEMENT
- TREE MITIGATION
- UTILITY EASEMENT
- ACCESS EASEMENT
- TREE MITIGATION AREA

PROJECT DETAILS

PROJECT TITLE: CRAIN AUTO UTILITY EASEMENT PLAT

PROJECT LOCATION: FAYETTEVILLE, AR.

REVISIONS

DATE: 06-24-14
DRAWN BY: BJR
PROJECT # 2013096
FILE PATH: Z:\SD\2013096\UEPLAT
SHEET SIZE: 24" x 36"
SCALE: 1" = 40'

SHEET TITLE

UTILITY EASEMENT PLAT

SHEET NUMBER

1

LEGAL DESCRIPTION:

LOT 13, 14, 17 AND 18 OF MEADOW FIELD COMMERCIAL SUBDIVISION IN FAYETTEVILLE, ARKANSAS AS PER PLAT OF SAID SUBDIVISION RECORDED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 14 THENCE S89°13'36"E 187.69 FEET, THENCE ALONG A CURVE TO THE RIGHT 278.46 FEET, SAID CURVE HAVING A RADIUS OF 475.00 FEET AND A CHORD BEARING AND DISTANCE OF S72°25'55"E 274.49 FEET, THENCE S55°38'14"E 48.55 FEET, THENCE S53°08'11"E 45.57 FEET, THENCE S34°29'14"E 65.48 FEET, THENCE S34°21'46"W 261.72 FEET, THENCE S38°27'59"W 150.76 FEET, THENCE S34°23'44"W 283.19 FEET, THENCE N55°36'16"W 154.66 FEET, THENCE N87°33'08"W 69.99 FEET, THENCE N02°26'52"E 375.83 FEET, THENCE N00°46'15"E 280.10 FEET TO THE P.O.B.; CONTAINING 6.61 ACRES MORE OR LESS SUBJECT TO EASEMENTS AND RIGHT OF WAY OF RECORD.

GRAPHIC SCALE

50 0 25 50 100 200

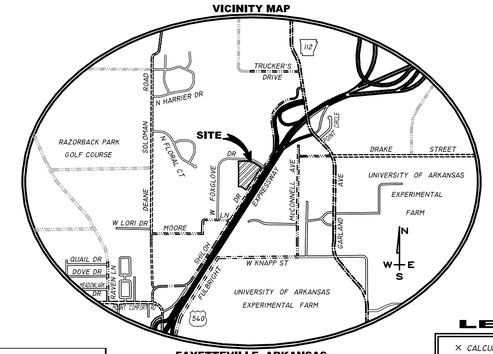
(IN FEET)
1 inch = 50 ft.

TREE PRESERVATION TREES

MITIGATION TREES FOR EARLY GRADING PLAN:
12 TREES PROVIDED ON-SITE.

MITIGATION FOR FUTURE DEVELOPMENT:
19 TREES PROVIDED ON-SITE

VICINITY MAP



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FAYETTEVILLE, ARKANSAS

KEY	SPECIES	SIZE DBH	HEALTH	PRIORITY	NOTES
TREE INVENTORY					
1	OAK	28"	GOOD	HIGH	SAVED
2	OAK	14"	GOOD	HIGH	REMOVE
3	PERSIMMON	14"	GOOD	MID	REMOVE
4	PERSIMMON GROUP	20"	GOOD	MID	SAVED
	(12"-24")				
5	OAK	12"	GOOD	HIGH	REMOVE

LEGEND

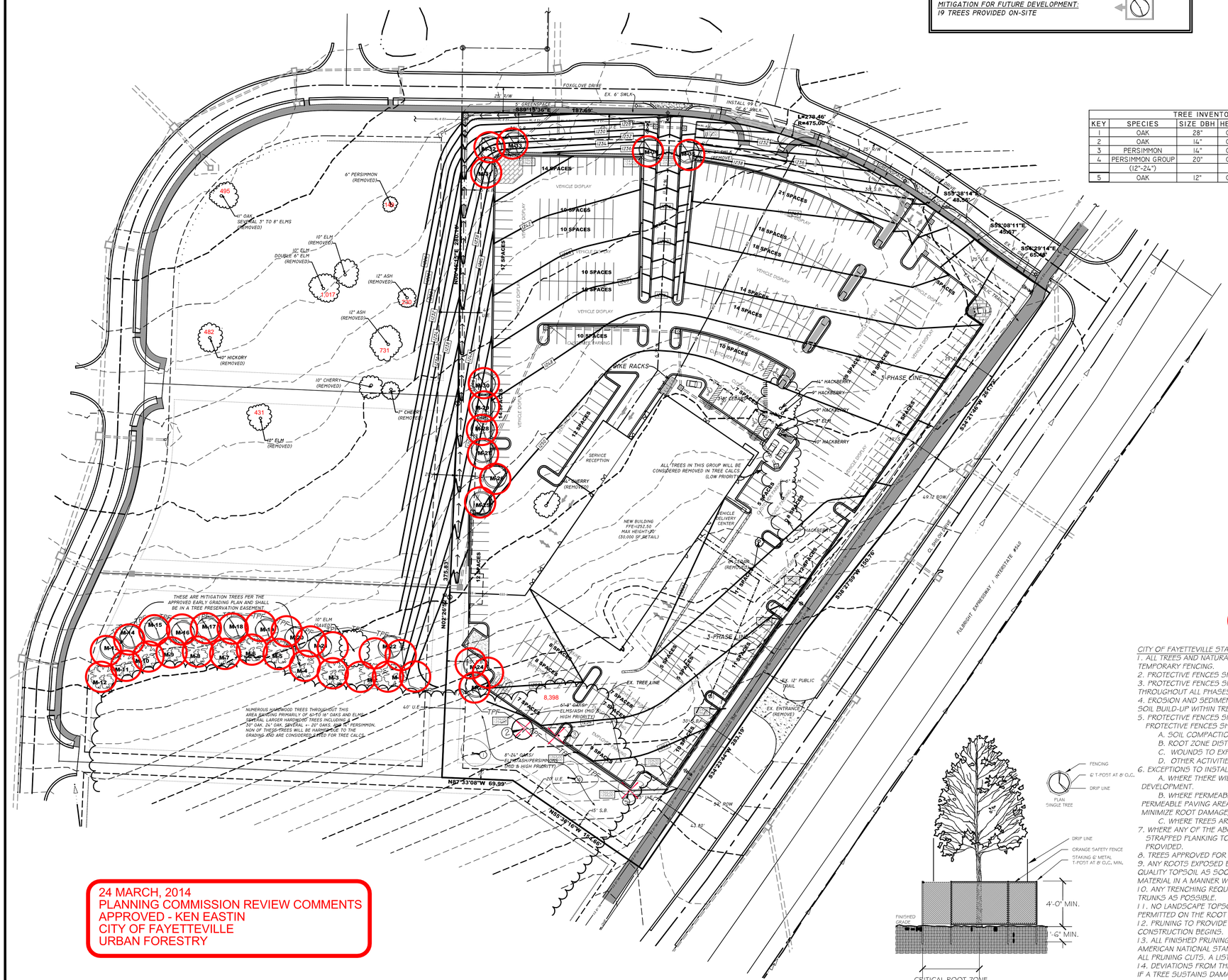
- CALCULATED POINT
- SET IRON PIN & CAP
- SET CHISELED "X"
- EXISTING POWER POLE
- EXISTING FIRE HYDRANT
- TELEPHONE PEDESTAL
- PROPOSED MANHOLE
- EXISTING MANHOLE
- NEW LOT LINE
- EXISTING DRAINAGE PIPE
- UTILITY EASEMENT
- BUILDING SETBACK
- CENTERLINE STREET
- EXISTING WATERLINE
- EXISTING 8" SEWER LINE
- PROPOSED 8" SEWER LINE
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING CONTOUR (1200)
- FINISHED CONTOUR (1200)
- SILT FENCE

ENGINEER:

JORGENSEN & ASSOCIATES
CONSULTING ENGINEERS INC.
124 WEST SUNBRIDGE SUITE 5
FAYETTEVILLE, AR 72703
(479) 442-9127

OWNER:

CRAIN AUTOMOTIVE TEAM
1003 MUSEUM ROAD
CONWAY, AR. 72034



TREE PRESERVATION CALCULATIONS	acres	sq feet	%
TOTAL SITE AREA*		411,459 397,399	100%
ZONING: PZD 25 % SITE MIN		102,865 99,350	25%
EXISTING TREE CANOPY*		57,887 56,241	14.18%
TREE CANOPY PRESERVED		40,887 48,835	10% 12.29%
TREE CANOPY REMOVED		16,890 7,506	4% 1.89%
TREE CANOPY BELOW MIN (EX CANOPY)		7,506 16,896	4%

*TOTAL SITE AREA: IS PROPERTY LINE MINUS MASTER STREET PLAN ROW, EXISTING EASEMENTS, AND DEDICTED PARKLAND.

*EXISTING TREE CANOPY: IS TOTAL TREE CANOPY MINUS MASTER STREET PLAN ROW AND EXISTING EASEMNTS.
- NO TRENCHING IRRIGATION LINES THROUGH PRESERVED TREES.

Canopy Belowed Required	Preservation Priority/Type	Forestation Base Density (ft2)	Number of 2" caliper trees to be planted
11,933 sf 11,000 FT2	HIGH PRIORITY	218	55 50
	MID PRIORITY	290	
4,963 sf	LOW PRIORITY	436	12

Mitigation Type Requested	Qty	Each	Total Cost
ON-SITE MITIGATION	39 25		
OFF-SITE MITIGATION			
TREE ESCROW	28 27	$675	$18,900 $18,225
TOTAL MITIGATION	67 50		

Mitigation Trees - 39 minimum to be planted on site

24 MARCH, 2014
PLANNING COMMISSION REVIEW COMMENTS
APPROVED - KEN EASTIN
CITY OF FAYETTEVILLE
URBAN FORESTRY

CITY OF FAYETTEVILLE STANDARD NOTES FOR TREE AND NATURAL AREA PROTECTION:
1. ALL TREES AND NATURAL AREAS SHOWN ON THIS PLAN TO BE PRESERVED SHALL BE PROTECTED CURING CONSTRUCTION WITH TEMPORARY FENCING.
2. PROTECTIVE FENCES SHALL BE ERECTED ACCORDING TO CITY OF FAYETTEVILLE STANDARDS FOR TREE PROTECTION.
3. PROTECTIVE FENCES SHALL BE INSTALLED PRIOR TO THE START OF ANY SITE PREPARATION WORK AND SHALL BE MAINTAINED THROUGHOUT ALL PHASES OF CONSTRUCTION PROJECT.
4. EROSION AND SEDIMENTATION CONTROL BARRIERS SHALL BE INSTALLED OR MAINTAINED IN A MANNER WHICH DOES NOT RESULT IN SOIL BUILD-UP WITHIN TREE DRIPLINES.
5. PROTECTIVE FENCES SHALL SURROUND TREE OR GROUP OF TREES AND WILL BE LOCATED AT THE DRIPLINE FOR NATURAL AREAS, PROTECTIVE FENCES SHALL FOLLOW THE LIMIT ON CONSTRUCTION IN ORDER TO PREVENT THE FOLLOWING:
   A. SOIL COMPACTION IN THE ROOT ZONE AREA RESULTING FROM VEHICULAR TRAFFIC OR STORAGE OF EQUIPMENT.
   B. ROOT ZONE DISTURBANCES DUE TO GRADE CHANGES (GREATER THAN 6") ROOT TRENCHING NOT VIEWED BY CITY ARBORISTS.
   C. WOUNDS TO EXPOSED ROOTS, TRUNK OR LIMBS BY MECHANICAL EQUIPMENT.
   D. OTHER ACTIVITIES DETRIMENTAL TO TREES SUCH AS CHEMICAL STORAGE, CONCRETE TRUCK CLEANING, AND FIRES.
6. EXCEPTIONS TO INSTALLING FENCES AT TREE DRIP LINES MAY BE PERMITTED IN THE FOLLOWING CASES:
   A. WHERE THERE WILL BE AN APPROVED GRADE CHANGE, IMPERMEABLE PAVING SURFACE, TREE WELL, OR OTHER SUCH SITE DEVELOPMENT.
   B. WHERE PERMEABLE PAVING IS TO BE INSTALLED WITHIN A TREE'S DRIPLINE, ERECT THE FENCE AT THE OUTER LIMITS OF THE PERMEABLE PAVING AREA (PRIOR TO THE SITE GRADING SO THIS AREA IS GRADED SEPARATELY PRIOR TO PAVING INSTALLATION TO MINIMIZE ROOT DAMAGE).
   C. WHERE TREES ARE CLOSE TO PROPOSED BUILDINGS, ERECT THE FENCE T ALLOW 6 TO 10 FEET OR WORK SPACE.
7. WHERE ANY OF THE ABOVE EXCEPTIONS RESULT IN A FENCE BEING CLOSER THAN 4 FEET TO A TRUNK, PROTECT THE TRUNK WITH STRAPPED PLANKING TO A HEIGHT OF 8 FEET (OR TO THE LIMITS OF LOWER BRANCHES) IN ADDITION TO THE REDUCED FENCING PROVIDED.
8. TREES APPROVED FOR REMOVAL SHALL BE REMOVED IN A MANNER WHICH DOES NOT IMPACT TREES TO BE PRESERVED.
9. ANY ROOTS EXPOSED BY CONSTRUCTION ACTIVITY SHALL BE PRUNED FLUSH WITH THE SOIL. BACKFILL ROOT AREAS WITH GOOD QUALITY TOPSOIL AS SOON AS POSSIBLE. IF EXPOSED ROOT AREAS ARE NOT BACKFILLED WITHIN 2 DAYS, COVER WITH ORGANIC MATERIAL IN A MANNER WHICH REDUCES SOIL TEMPERATURE AND MINIMIZES WATER LOSS DUE TO EVAPORATION.
10. ANY TRENCHING REQUIRED FOR THE INSTALLATION OF LANDSCAPE IRRIGATION SHALL BE PLACED AS FAR FROM EXISTING TREE TRUNKS AS POSSIBLE.
11. NO LANDSCAPE TOPSOIL DRESSING GREATER THAN 4 INCHES SHALL BE PERMITTED WITHIN THE DRIPLINE OF TREES. NO SOIL IS PERMITTED ON THE ROOT FLARE OF ANY TREE.
12. PRUNING TO PROVIDE CLEARANCE FOR STRUCTURES, VEHICULAR TRAFFIC, AND EQUIPMENT SHALL TAKE PLACE BEFORE CONSTRUCTION BEGINS.
13. ALL FINISHED PRUNING MUST BE DONE ACCORDING TO RECOGNIZED, APPROVED STANDARDS OF THE INDUSTRY (REFERENCE THE AMERICAN NATIONAL STANDARD, ANSI-A300 PRUNING, 2008 OR LATER). A CITY CERTIFIED TREE PRUNER MUST BE RETAINED TO MAKE ALL PRUNING CUTS. A LIST OF CERTIFIED TREE PRUNERS IS AVAILABLE FROM THE URBAN FORESTER.
14. DEVIATIONS FROM THE ABOVE NOTES MAY BE CONSIDERED ORDINANCE VIOLATIONS IF THERE IS SUBSTANTIAL NONCOMPLIANCE OR IF A TREE SUSTAINS DAMAGE AS A RESULT.

JORGENSEN & ASSOCIATES
CIVIL ENGINEERS • SURVEYORS
124 WEST SUNBRIDGE, SUITE 5 • FAYETTEVILLE, ARKANSAS 72703 • (479) 442-9127 • FAX (479) 582-8005

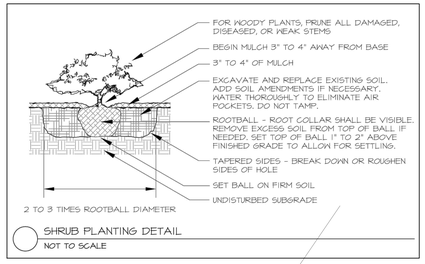
SCALE: 1"=50'	DATE REVISED: 17MARCH14
DATE: 12FEB14	CHECKED BY: DLJ
DRAWN BY: BJR	Z:\LSD\2013096\LSD

TREE PRESERVATION PLAN FOR
CRAIN AUTOMOTIVE TEAM

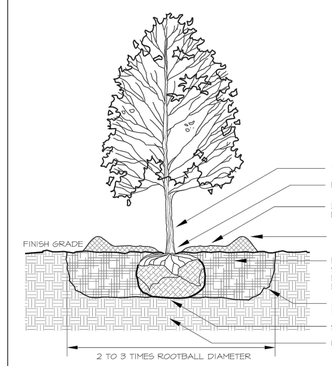
128 parking spaces shown / 12 = 11 parking trees

1,273 LF of ROW frontage / 30 = 43 street trees

24 MARCH, 2014
PLANNING COMMISSION REVIEW COMMENTS
APPROVED - KEN EASTIN
CITY OF FAYETTEVILLE
URBAN FORESTRY



SHRUB PLANTING DETAIL
NOT TO SCALE



NOTES:
1. TREES SHALL BE 2" CALIPER MINIMUM.
2. THE HOLE FOR THE TREE SHALL BE EXCAVATED 2-3 TIMES THE SIZE OF THE ROOT BALL.
3. STAKE ONLY IF NECESSARY AND AS DIRECTED BY THE PROJECT MANAGER.
4. REMOVE ANY TWINE, ROPE, FLAGGING, WRAPPING, OR GUARDS FROM TREE.
5. PRUNE ONLY DEAD OR BROKEN BRANCHES OR DOUBLE LEADERS AT TIME OF PLANTING.
6. ROOTBALL - ROOT COLLAR SHALL BE VISIBLE. REMOVE EXCESS SOIL FROM TOP OF BALL IF NEEDED. SET TOP OF BALL 1" TO 2" ABOVE FINISHED GRADE TO ALLOW FOR SETTLING. AFTER SETTING BALL IN PLANTING HOLE, CUT AWAY OR REMOVE THE ENTIRE WIRE BASKET. CUT OR REMOVE ALL ROPES OR TWINE FROM BALL. CUT AWAY OR REMOVE BURLAP. IF ROOTBALL BEGINS FALLING APART DURING INSTALLATION OR WHILE REMOVING THE WIRE BASKET, CUT AWAY ONLY HALF OF THE BURLAP.

TREE PLANTING DETAIL
NOT TO SCALE

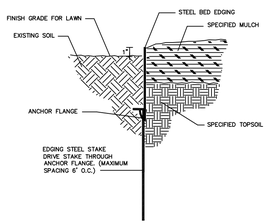
LANDSCAPE NOTES:
1. CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE ARKANSAS ONE-CALL SYSTEM AT 1(800)482-8998. ALL UTILITY LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND ARE BASED ON SURVEY INFORMATION, SITE DEVELOPMENT PLANS, UTILITY RECORDS, ETC.
2. ALL PLANT MATERIAL SHALL BE NURSERY GROWN. THE SIZE AND GRADING SHALL MEET OR EXCEED THE LATEST EDITION OF AMERICAN STANDARDS FOR NURSERY STOCK PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION. TREES SHALL ALSO MEET THE CITY OF FAYETTEVILLE LANDSCAPE MANUAL ADDENDUM ON TREE QUALITY STANDARDS.
3. ALL ENTRANCE/EXIT PLANTINGS SHALL BE INSTALLED AND MAINTAINED TO PROVIDE CLEAR SIGHT DISTANCE FROM THE STREET ENTRANCE/EXIT LOCATION.
4. THE OWNER IS RESPONSIBLE FOR MAINTAINING SHRUBS AND TREES REQUIRED UNDER THE CITY OF FAYETTEVILLE LANDSCAPE ORDINANCE. DEAD OR DYING PLANT MATERIAL SHALL BE REMOVED AND REPLACED. THE REQUIRED PLANT MATERIAL SHALL BE GUARANTEED BY THE OWNER FOR THREE YEARS.
5. NO CHANGES TO THE PLANT SCHEDULE ARE ALLOWED WITHOUT APPROVAL OF THE OWNER, LANDSCAPE ARCHITECT AND CITY OF FAYETTEVILLE LANDSCAPE ADMINISTRATOR. SUBSTITUTED PLANTS SHALL MEET THE SAME CRITERIA REGARDING TYPE, SIZE AND FUNCTION AS THOSE PLANTS SHOWN ON THE PLAN.
6. ALL LAWN AREAS ARE TO RECEIVE 4" OF TOPSOIL (4" IS THE MINIMUM COMPACTED DEPTH). ALL SHRUB AREAS SHALL RECEIVE 12" OF TOPSOIL (12" IS THE MINIMUM COMPACTED DEPTH). SOIL SHALL BE AMENDED TO ENHANCE FAVORABLE GROWING CONDITIONS. ALL EXISTING SOD/WEEDS SHALL BE REMOVED FROM PLANTING BED AREAS.
7. ALL PLANT BEDS SHALL BE DRESSED WITH A MINIMUM OF 4" SHREDDED HARDWOOD ORGANIC MULCH (NO CYPRESS MULCH). TREES NOT LOCATED IN PLANT BEDS SHALL RECEIVE A MULCH SAUCER PER DETAIL. PLANTING BEDS SHALL BE DEFINED WITH STEEL EDGING.
8. ALL TREES AND SHRUBS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS PROVIDED.
9. ALL SHRUBS SHALL BE TREATED WITH 14-14-14 TIME RELEASE FERTILIZER UPON COMPLETION OF THEIR INSTALLATION.
10. ALL DISTURBED AREAS NOT TO RECEIVE PLANTINGS SHALL BE SODDED WITH TIFF 419 BERMUDA GRASS. AREAS ARE TO BE WATERED UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
11. A LANDSCAPE SPRINKLER SYSTEM IS PROPOSED.
12. AFTER THE PLANS HAVE BEEN APPROVED BY THE CITY, IF DURING CONSTRUCTION THE CITY REQUIRES MODIFICATIONS TO THE PLANS, THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR FIELD CHANGES.
13. PLANT QUANTITIES SHOWN IN THE PLANT SCHEDULE ARE THE MINIMUM TO BE INSTALLED AND SHALL BE VERIFIED WITH THE PLAN BY THE LANDSCAPE CONTRACTOR.

CITY LANDSCAPE REQUIREMENTS

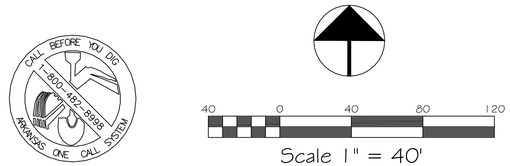
INTERIOR LANDSCAPING:	
REQUIRED:	1 TREE PER PARKING BAY OF 12 SPACES OR LESS, EXCEPT FOR VEHICLE DISPLAY AREAS
PROVIDED:	1 TREE ISLAND PER 12 PARKING SPACES, DESIGNATED ON THE PLAN WITH A "P"
PERIMETER AND STREET TREE LANDSCAPING:	
REQUIRED:	1 TREE PER 30 LF AND A CONTINUOUS PLANTING OF SHRUBS (50% EVERGREEN) AND GROUND COVER ALONG STREET R.O.W.
PROVIDED:	1 TREE PER 30 LF OF STREET R.O.W. DESIGNATED ON THE PLAN WITH AN "S", AND A PLANTING OF SHRUBS GROUPED BETWEEN THE PARKING LOT AND STREET R.O.W.
STORMWATER FACILITY PLANTING:	NONE REQUIRED AND NONE PROVIDED.
MITIGATION TREES:	NONE REQUIRED AND NONE PROVIDED.
IRRIGATION:	A LANDSCAPE SPRINKLER SYSTEM IS PROPOSED FOR THIS PROJECT.

PLANT SCHEDULE

SYMBOL/KEY	COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE	SPACING	REMARKS
TREES						
RM	RED SUNSET MAPLE	Acer rubrum 'Franksred'	4	2" CAL.	AS SHOWN	
WO	WILLOW OAK	Quercus phellos	21	2" CAL.	AS SHOWN	
SO	SHUMARD OAK	Quercus shumardii	16	2" CAL.	AS SHOWN	
JZ	JAPANESE ZELKOVA	Zelkova serrata 'Green Vase'	13	2" CAL.	AS SHOWN	
SHRUBS AND GROUNDCOVER						
AB	COMPACT ABELIA	Abelia grandiflora 'Compacta'	96	3 GAL.	3' O.C.	MUST BE 3' TALL WITHIN 2 YEARS OF PLANTING. DO NOT PRUNE ANY SHRUBS ON A REGULAR BASIS FOR MAINTENANCE, ALLOW THEM TO KEEP THEIR NATURAL FORMS.
JH	COMPACT JAPANESE HOLLY	Ilex crenata 'Compacta'	95	3 GAL.	3' O.C.	
SG	SEA GREEN JUNIPER	Juniperus chinensis 'Sea Green'	70	3 GAL.	5' O.C.	
MG	MAIDEN GRASS	Miscanthus sinensis 'Adagio'	84	3 GAL.	3' O.C.	
SOD	TIFF 419 BERMUDA	DETERMINE QTY. FROM PLAN		ROLLS		



STEEL BED EDGING DETAIL
SCALE: NOT TO SCALE



EB LandWorks, Inc.
Civil Engineering
Landscape Architecture
PO Box 3432
Fayetteville, AR 72702-3432
479.444.7769

REVISIONS:

PROJECT NAME AND LOCATION:
CRAIN AUTOMOTIVE TEAM
SHILOH DRIVE (I-540) & FOXGLOVE DRIVE
FAYETTEVILLE, ARKANSAS

SHEET TITLE:
LANDSCAPE PLAN

DATE: 3/21/14

JOB # 14.07

SHEET # 5/8

Linn, Derek

From: Thomas Hennelly <Thomas.Hennelly@craftontull.com>
Sent: Tuesday, October 13, 2015 12:46 PM
To: Linn, Derek; Jumper, Alison; Scott, John; Garner, Andrew; Ronald Watkins
Subject: Crain Easement Vacation

Derek, after visiting with the Crains, we would like to petition the City Council to vacate the 5300 sf of easement. The 39 existing mitigation trees will be relocated and re-bonded for. We would like to propose mitigation for the vacated easement at a rate 1.5 times the 218 required by the UDC. The location of the mitigated trees will be coordinated with staff prior to certificates of occupancy.

We are requesting that this item be placed on the next Council agenda (10/20/2015)

Thank you for your assistance with this issue.

Sent from my iPhone

Thomas Hennelly, P.E.
Project Manager | Civil

Crafton Tull
Direct: 479-878-2419 | Mobile: 479-713-9021
901 N. 47th Street, Suite 200
Rogers, AR 72756
www.craftontull.com

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CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	271.02'	174.98'	88°44'35"	N46° 23' 45"E	244.73'
C2	89.27'	227.88'	22°26'39"	N13° 24' 11"E	88.70'
C3	68.25'	171.80'	22°45'38"	N13° 40' 57"E	67.80'

LEGAL DESCRIPTION:

LOTS 16, 17 & 18 OF THE FINAL PLAT
OF MEADOW FIELD COMMERCIAL SUBDIVISION, IN
FAYETTEVILLE, ARKANSAS,
AS SHOWN ON FINAL PLAT 0023-00000234.

PARKING:

REQUIRED PARKING:	RETAIL SPACE: 1 SPACE/250 SQ. FT. BUILDING AREA = 19,306/250 = 77 SPACES SERVICE BAY PARKING: 4/BAY 12 BAYS X 4 SPACES = 48 SPACES TOTAL REQUIRED: 128 SPACES – 15% REDUCTION = 106 SPACES
REQUIRED ADA PARKING:	HANDICAP REQUIRED: (101–150 SPACES) = 5 SPACES HANDICAP PROVIDED: (106 TOTAL SPACES) = 5 SPACES
REQUIRED BICYCLE RACKS:	BICYCLE RACKS REQUIRED = 1 RACK/20 SPACES BICYCLE RACKS PROVIDED = (106 SPACES) = 6 RACKS
REQUIRED MOTORCYCLE/ SCOOTER PARKING:	MOTORCYCLE/SCOOTER REQUIRED = 1 SPACE/25 SPACES MOTORCYCLE/SCOOTER PROVIDED (106 SPACES) = 6 SPACES

SITE COVERAGE:

SITE AREA:	4.76± ACRES (207,470 SQ. FT.)
BUILDING AREA:	9.3% (19,306 SQ. FT.)
GREENSPACE AREA:	34% (70,670 SQ. FT.)

SITE NOTES

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
3. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
4. ALL DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
6. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
7. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
8. CONTRACTOR SHALL MATCH PROPOSED CURB AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
9. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
10. CONTACT CHUCK RUTHERFORD (ADA ADMINISTRATOR, 479-575-8291) TO SCHEDULE AN INSPECTION PRIOR TO POURING ADA ACCESSIBLE PARKING/LOADING STALL & ACCESS TO STRUCTURE AND POURING SIDEWALKS & DRIVEWAYS IN THE RIGHT-OF-WAY

LEGEND (CONSTRUCT)

SYMBOLS

- SET IRON PIN
- LIGHT POLE

LINEWORK

- CURB
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK
- FIRE LANE STRIPING

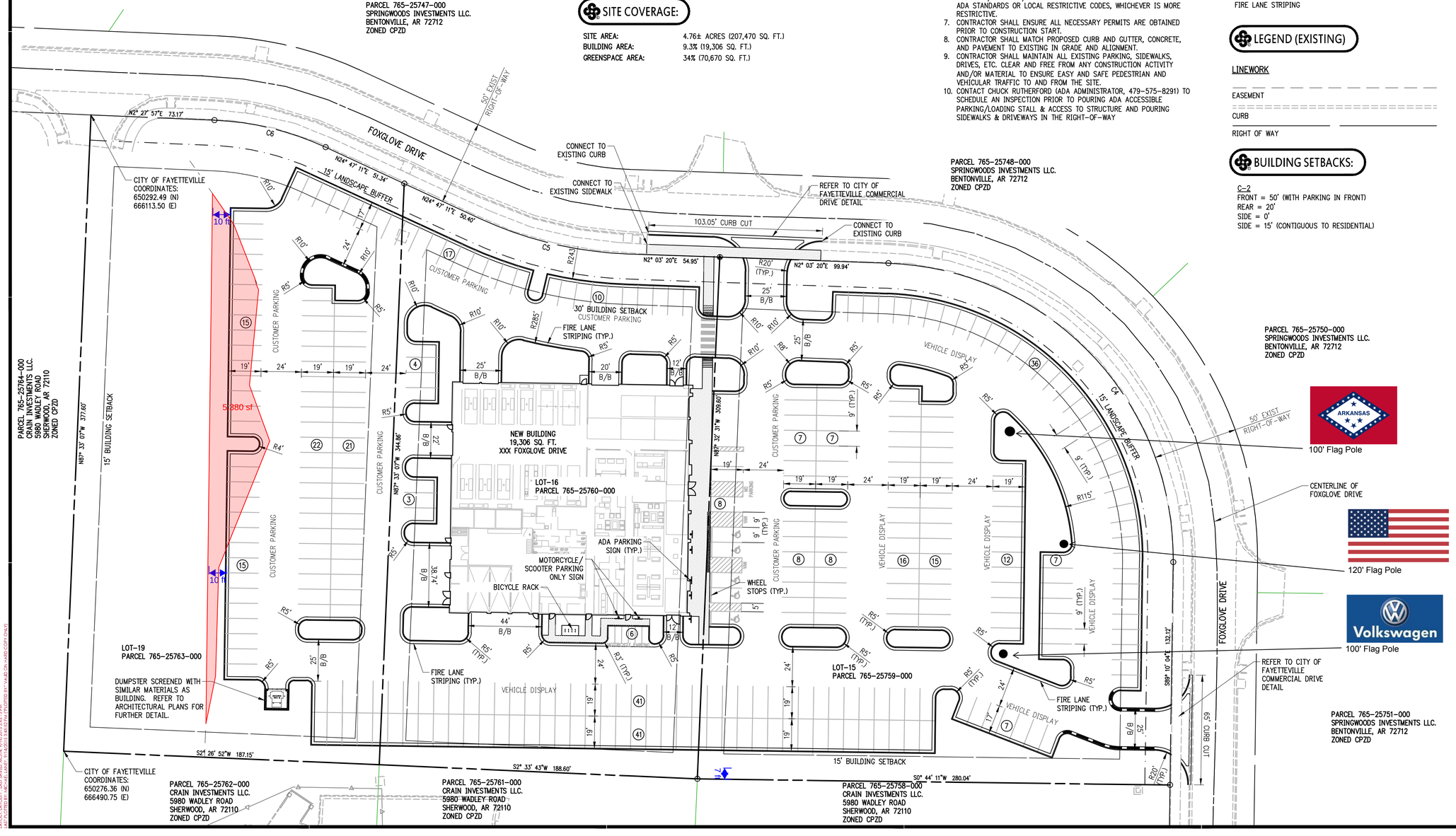
LEGEND (EXISTING)

LINEWORK

- EASEMENT
- CURB
- RIGHT OF WAY

BUILDING SETBACKS:

C-2
FRONT = 50' (WITH PARKING IN FRONT)
REAR = 20'
SIDE = 0'
SIDE = 15' (CONTIGUOUS TO RESIDENTIAL)



901 N. 47th St., Suite 200
Rogers, Arkansas 72756
Crafton Tull
architecture | engineering | surveying
479.636.4838 t 479.631.6224 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:
CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
30' 0 30'

Key Plan

No.	Description	Date

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO: 15105900
ISSUE DATE: 08-21-2015
CONTACT: T. HENNELLY
CHECKED BY:

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

NOT FOR CONSTRUCTION · REVIEW SET · NOT FOR CONSTRUCTION

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CRAIN VOLKSWAGEN

FAYETTEVILLE, ARKANSAS

SITE PLAN

C-101

CITY OF Fayetteville ARKANSAS

TREE PRESERVATION AND PROTECTION – Chapter 167

To: Justin Jorgensen, Jorgensen & Associates

From: Ken Eastin, City of Fayetteville Urban Forestry

CC: Jesse Fulcher, Senior Planner

Date: 24 March, 2014

Subject: LSD 14-4640: Crain Automotive PLANNING COMMISSION Review Comments

Requirements Submitted:

Yes	Initial Review with the Urban Forester
No	Site Analysis Map Submitted (if justification is needed)
No	Site Analysis Written Report Submitted (if justification is needed)
Yes	Complete Tree Preservation Plan Submitted
Yes	Tree Mitigation Table on Plans
N/A	Tree Preservation Wavier Submitted

Tree Preservation Calculations	Acres	Square Feet	%
Total Site Area*		411,459	100%
Zoning CPZD Site 25 Percent Minimum		102,865	25%
Existing Tree Canopy*		*57,893*	14%
Tree Canopy Preserved		40,997	10%
Tree Canopy Removed - On-site		16,896	4%
Tree Canopy Removed - Off-site		0	%
Tree Canopy Removed - Total		16,896	4%
Removed below minimum		16,896	4%

- Total Site Area* is property line minus Master Street Plan ROW, existing easements, and Dedicated Parkland
- Existing Tree Canopy* is total tree canopy minus Master Street Plan ROW and existing easements

Tree Canopy Mitigation: *Required -*

Canopy Below Required	Preservation Priority/Type	Forestation Base Density (ft2)	Number of 2" caliper trees to be planted
11,933 ft2	High Priority	218	55
ft2	Mid Priority	290	
4,963 ft2	Low Priority	436	12
Total Mitigation			67

Mitigation Type Requested	Qty	Each	Total Cost
On-site Mitigation	39		
Off-site Mitigation			
Tree Escrow	28	$675	$18,900
Total Mitigation	67		

Mitigation Type Requested:
☒ On-Site ☐ Off-Site ☒ Tree Escrow ☐ Not Requested Yet

Mitigation Type Requested Approved: ☒ YES ☐ NO

TREE PROTECTION PLAN CHECKLISTS AND COMMENTS:

Plan Checklist:

NA = not applicable
Yes = submitted by applicant
No = required by City Code but not included on submitted plan

The Site Analysis Plan [167.04(H)(1)]

Tech Plat	SD	PC	Site Analysis Plan Components
Yes	Yes	Yes	5 year aerial check on existing trees
Yes	Yes	Yes	Property Boundary
No	No	No	Natural Features 100ft beyond property line shown
Yes	Yes	Yes	Existing Topography with slopes ≤ 15% highlighted
No	No	No	Soils
Yes	Yes	Yes	Significant Tree(s): 24", 18" and 8" DBH
No	No	No	Table listing Sig. Trees with species, size, health, priority
No	No	No	Grouping of Trees: all other trees that do not meet significant requirements
No	No	No	Table listing Grouped Trees with average species, size, health, priority
Yes	Yes	Yes	All existing utilities
N/A	N/A	N/A	All perennial and intermittent streams with approximate center line
N/A	N/A	N/A	Floodplains/Floodways
Yes	Yes	Yes	Existing street, sidewalk or bike path ROW
No	No	No	Submitted Site Analysis Plan

The Analysis Plan Report [167.04(H)(4)]

Tech Plat	SD	PC	Analysis Plan Report Components
No	No	No	Detail Design Approaches used to minimize damage to OR removal of existing canopy
No	No	No	Justification for removal of individual or groupings of trees/canopy
No	No	No	Details providing information on on-site mitigation OR off-site alternatives
No	No	No	Submitted Analysis Report

Tree Preservation Plan [167.04(H)(2)]

Tech Plat	SD	PC	Tree Preservation Plan Components
Yes	Yes	Yes	Shows ALL Proposed Site Improvements
Yes	Yes	Yes	Delineates trees/canopy to be preserved and removed
Yes	Yes	Yes	Delineates existing and proposed grading
Yes	Yes	Yes	Depict limits of soil disturbance
			Detail methods that will be used to protect trees during construction:
Yes	Yes	Yes	1. Tree Protection Fencing
No	No	No	2. Limits of Root Pruning
Yes	Yes	Yes	3. Traffic flow on work site
Yes	Yes	Yes	4. Location of material storage
No	No	No	5. Location of concrete wash out
Yes	Yes	Yes	6. Location of construction entrance/exit
Yes	Yes	Yesh	Location of ALL existing and new utility/drainage easements

<u>Conditions of Approval</u>

Urban Forestry staff recommends approval of the tree preservation plan with the following conditions:

1. Prior to Building Permit approval, all required landscaping will require a performance bond and a completed Landscape Surety Form. Submit a landscape estimate for review at time of construction plan review.
2. Prior to Certificate of Occupancy, a 3-year Maintenance Plan must be submitted with a 3-year surety (letter of credit, bond or cash) and completed Landscape Surety Form.
3. An easement plat depicting tree preservation area(s) must be filed prior to building permit approval.

CITY OF Fayetteville ARKANSAS

LANDSCAPE REGULATIONS – Chapter 177

To: Justin Jorgensen, Jorgensen & Associates

From: Ken Eastin, City of Fayetteville Urban Forestry

CC: Jesse Fulcher, Senior Planner

Date: 24 March, 2014

Subject: LSD 14-4640: Crain Automotive PLANNING COMMISSION Review Comments

Applicable Requirements:

Yes	Site Development & Parking Lot Standards
Yes	Street Tree Planting Standards
No	Stormwater Facilities

Plan Checklist:

Yes = submitted by applicant
No = required by City Code but not included on submitted plan
N/A = not applicable

Tech Plat	SC	PC	All Landscape Plans
Yes	*Yes*	*Yes*	Irrigation *notes either automatic or hose bib 100' o.c.* (177.03A.7.g & 177.04.B.3.a)
Yes	*Yes*	*Yes*	Species of plant material identified (177.03.A.7.d & e)
Yes	*Yes*	*Yes*	Size of plant material at time of installation indicated minimum size *2" caliper for trees and 3 gal. shrubs* ([177.03.A.7.b & c)
Yes	*Yes*	*Yes*	Soil amendments *notes include that soil is amended and sod removed* (177.03.C.6.b)
Yes	*Yes*	*Yes*	Mulch *notes indicate organic mulching around trees and within landscape beds* (177.03.C.6.c & d)
Yes	*Yes*	*Yes*	LSD and Subdivisions plans stamped by a licensed Landscape Architect, others by Landscape Designer (177.03.B)
Yes	*Yes*	*Yes*	Planting bed contained by edging (177.03.C.6.f)
No	*No*	*Yes*	Planting details according to Fayetteville's Landscape Manual (177.03.C.6.g)

Tech Plat	SC	PC	Site Development & Parking Lot Standards
Yes	*Yes*	*Yes*	Wheel stops/ curbs (177.04.B.1)
Yes	*Yes*	*Yes*	Interior landscaping (177.04.C) *Narrow tree lawn (8' min width, 37.5' min length/ 1 tree per 12 spaces)* OR *Tree island (8' min. width, 18.7' min. length/1 tree per 12 spaces)* *All parking lot trees must be deciduous (*177.04.C.3)
Yes	*Yes*	*Yes*	Placement of Trees (177.04.C.2) *Either side at points of access (entrance/exit)*
Yes	*Yes*	*Yes*	Perimeter landscaping (177.04.D) *Side and rear property lines (5' wide landscaped)* *Front property line (15' wide landscape)* (177.04.D.2.a) Shade trees planted on south and west sides of parking lots (177.04.D.2.e) *Parking lot adjacent to R.O.W.- continuous row planting of shrubs - 50% evergreen. Remaining landscaping to be ground cover and / or turf.)* (177.04.D.4a) *NOTE: Shade trees are described in street tree planting standards*
Tech Plat	SC	PC	Street Tree Planting Standards *(time of F.P. or permit)* (177.05)
N/A	*N/A*	*N/A*	Residential Subdivisions- 1 large species shade tree/ lot *tree planted within R.O.W. if possible*
Yes	*Yes*	*Yes*	Nonresidential Subdivision- 1 large species shade tree/30 L.F. *tree planted within 15-25' greenspace*
N/A	*N/A*	*N/A*	Urban Tree Wells-*urban streetscape only- 8' sidewalk* , trees every 30 L.F. (177.05.B.3.a-f)
N/A	*N/A*	*N/A*	Structural Soil-*if urban wells are used, a note or detail of structural soil must be indicated on the landscape plan and inspected at time of construction.*
N/A	*N/A*	*N/A*	Timing of planting indicated on plans (subdivisions only) (177.05.A.4)
N/A	*N/A*	*N/A*	Written description of the method for tracking plantings (177.05.A.4.e)
No	*No*	*Yes*	Plan contains 3-year Maintenance and Monitoring Agreement. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. (177.05.A.2.e)
Tech Plat	SC	PC	Stormwater Facilities *(time of F.P. or permit)* (177.06.A – C)
N/A	*N/A*	*N/A*	1 deciduous or evergreen tree/ 3000 square feet
N/A	*N/A*	*N/A*	4 large shrubs or small trees (3 gal) / 3000 square feet
N/A	*N/A*	*N/A*	6 shrubs or grasses (1 gal) / 3000 square feet
N/A	*N/A*	*N/A*	Ground cover unless seed or sod is specified
N/A	*N/A*	*N/A*	50% of facility planted with grass or grass like plants

Landscape Requirements Table		
39	Mitigation Trees	3-year bond required
43	Street Trees	3-year bond required
11	Parking Trees	
0	Detention Large Trees	
0	Detention Small Trees / Large Shrubs	
0	Detention Small Shrubs	

Conditions of Approval:

Urban Forestry staff recommends approval of the landscape plan with the following conditions:

1. Perimeter Shrubbery Requirements: A continuous row or hedge of shrubs must be planted in the greenspace area to screen the hardscape from public rights-of-way (Shiloh Drive and Foxglove Drive). A VARIANCE REQUEST is required if the applicant desires grouping shrubs to allow for improved views of the product for sale. The Landscape Administrator will continue to work with the applicant through construction plan review to ensure the overall intent of the landscape regulations.
2. Street Tree Requirements: Large species street trees must be planted at 30' intervals along the public rights-of-way (Shiloh Drive and Foxglove Drive). A VARIANCE REQUEST is required if the applicant desires to intermix with a few smaller species trees in order to allow for improved views of the product for sale. The Landscape Administrator will continue to work with the applicant through construction plan review to ensure the overall intent of the landscape regulations.
3. Street Tree Requirements: The street tree section of the landscape regulations allows for up to 25% of the street trees to be grouped. A VARIANCE REQUEST is required should the applicant desire to group more than 25% of the street trees. The Landscape Administrator will continue to work with the applicant through construction plan review to ensure the overall intent of the landscape regulations.
4. Prior to Building Permit approval, all required landscaping will require a performance bond and a completed Landscape Surety Form for all required landscaping. Submit a landscape estimate for review at time of construction plan review.
5. Prior to Certificate of Occupancy, a 3-year Maintenance Plan must be submitted with a 3-year surety (letter of credit, bond or cash) and completed Landscape Surety Form for all required street and mitigation trees.
6. Landscape Architect of Record shall inspect site and direct Contractor to make changes to meet approved plans and details prior to Urban Forester Certificate of Occupancy inspection. No changes to the approved landscape plan may be made without Urban Forester approval.

Legal Description for Tree Area Abandonment

PART OF LOT 19 OF THE FINAL PLAT OF MEADOW FIELD COMMERCIAL SUBDIVISION AS SHOWN ON SURVEY PLAT FILED AT 0023-00000234 IN THE WASHINGTON COUNTY CIRCUIT CLERKS OFFICE.

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 19; THENCE NORTH 02°26’52” EAST A DISTANCE OF 83.50 FEET; THENCE NORTH 87°33’06” WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 78°28’03” WEST A DISTANCE OF 1.34 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°13’11” WEST A DISTANCE OF 312.04 FEET; THENCE NORTH 55°22’53” EAST A DISTANCE OF 21.07 FEET; THENCE NORTH 68°42’12” EAST A DISTANCE OF 40.73 FEET; THENCE SOUTH 84°32’01” EAST A DISTANCE OF 57.82 FEET; THENCE NORTH 69°56’20” EAST A DISTANCE OF 35.06 FEET; THENCE SOUTH 68°02’37” EAST A DISTANCE OF 80.87 FEET; THENCE SOUTH 88°22’22” EAST A DISTANCE OF 64.48 FEET; THENCE SOUTH 78°28’03” EAST A DISTANCE OF 27.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 5240 SQ. FT. MORE OR LESS.

Prepared by: CTA

DATE 10/14/2015

PROJ #15105900

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0509

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: C. 1

SPECIAL NEEDS ASSISTANCE PROGRAMS GRANTS (SNAP):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $414,161.00 RECOGNIZING SPECIAL NEEDS ASSISTANCE PROGRAM GRANT REVENUE, AND TO AUTHORIZE THE ADDITION OF 2.0 TEMPORARY FULL TIME EQUIVALENT POSITIONS TO THE COMMUNITY RESOURCES DIVISION TO HIRE CASE MANAGERS TO PROVIDE HOUSING SERVICES FOR HOMELESS FAYETTEVILLE RESIDENTS

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution, in the amount of $414,161.00 recognizing Special Needs Assistance Program grant revenue.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby authorizes the addition of 2.0 temporary full time equivalent positions to the Community Resources Division to hire case managers to provide housing services for the homeless in Fayetteville.

City of Fayetteville Staff Review Form

2015-0509

Legistar File ID

11/17/2015

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

Yolanda Fields	10/30/2015	Community Resources / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends approval of a budget adjustment recognizing the Special Needs Assistance Program (SNAP) grants revenue in the amount of $414,161 and that two full time temporary positions to serve as case managers for the project be approved.

Budget Impact:

See Below	2180 - CDBG
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?	Yes	Budget Adjustment	$	414,161.00
		Remaining Budget	$	414,161.00

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

2180.4955.5308.90	2180.4955.5310.90
2180.4956.5308.90	2180.4956.5310.90
2180.4957.5308.90	2180.4957.5310.90

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor and City Council

THRU: Jeremy Pate, Dir. Development Services

FROM: Yolanda Fields, Dir. Community Resources

DATE: October 27, 2015

SUBJECT: **Special Needs Assistance Programs Grants**

RECOMMENDATION:
Staff recommends that the Special Needs Assistance Program (SNAP) grants revenue be recognized in the amount of $414,161 per the attached budget adjustment and that two full time temporary positions to serve as case managers for the project be approved. The two temporary positions will be in effect until all of the grant funds have been expended.

BACKGROUND:
The Special Needs Assistance Program funds will keep homeless assistance programs viable in the Fayetteville area. Funds were awarded to the city on September 28, 2015 by the Department of Housing and Urban Development (HUD). This program will serve our most vulnerable population of individual, families and veterans who are experiencing homelessness. The two full time temporary positions will be funded from current Community Development Block Grant funds. This funding will meet the grant match requirement for the SNAP grant.

DISCUSSION:
Grant funds must be recognized and the full time temporary positions must be approved so that housing services may be provided to our homeless population.

BUDGET/STAFF IMPACT:
None

Attachments:
Budget Adjustment and Job descriptions.

CITY OF
Fayetteville
ARKANSAS

CITY OF FAYETTEVILLE
Position Description

POSITION TITLE: Case Manager

Exempt (Y/N) N	DEPARTMENT: Development Services
SUPERVISOR: Community Resources Director	DIVISION: Community Resources
Job Grade: 113	DATE REVISED: October 2015

ESSENTIAL DUTIES AND RESPONSIBILITIES: *Note: All City of Fayetteville positions require the employee to provide good customer service to both internal and external customers, maintain positive and effective working relationships with other City employees (especially members of his or her own team), and have regular and reliable attendance that is non-disruptive.* Other essential duties of this position include the following:

1. Build relationships with clients to establish trust and assess progression accurately.
2. Develop a Housing Stabilization Plan (HSP) with each client to identify goals and objectives for successful stabilization of the household. Evaluate and adjust each client's plan based on progress.
3. Conduct weekly meetings with clients to assist them with implementing the goals in their HSP by providing tasks, tools, resources and follow-up.
4. Provide job readiness training, job search assistance, and ongoing support services after assisting eligible clients in obtaining employment.
5. Conduct one-on-one sessions for further employment and skill building.
6. Maintain required data and detailed case notes on all cases and submit to the Division Director on a bi-weekly basis for review.
7. Provide life skills coaching in the following areas: housekeeping, personal hygiene, health & fitness, utilizing community resources, money management, anger management, parenting and good communication for clients.
8. Identify and assess individual client's skills needed to maintain independence.
9. Provide documentation and progress notes for clients file as necessary. File documentation within 48 hours of client visit.
10. Provide information and referrals to individuals regarding additional community resources they may need including access to bus passes, food stamps, etc.
11. Help families connect with employment services and/or obtain financial assistance from government or private sources as appropriate.
12. Make appropriate mental health and substance abuse treatment referrals to area agencies and coordinate with the Division Director as needed.

13. As necessary, assess tenancy problems such as late payments, damage or lease violations, identify options to remedy the issue(s) and report to Division Director as needed.
14. Counsel with families/partners experiencing conflict to find compromise solutions to domestic problems and provide outside referrals as appropriate.
15. Perform other duties as assigned.

SECONDARY DUTIES AND RESPONSIBILITIES include the following:

1. Perform secondary duties as assigned.

MINIMUM QUALIFICATIONS

1. Bachelor's degree in psychology, social work or related field and one year of related experience. Prefer experience working with individuals with disabilities in the field of employment, education, rehabilitation, counseling, health, human services or a related field.
2. Valid Driver's License.
3. Must successfully pass criminal background check, including but not limited to convictions, guilty pleas, or no contest pleas to violent offenses, theft offenses and any offense under A.C.A. 21-15-103.
4. Effectively communicate with others orally and in writing.
5. Ability to write reports, business correspondence, and procedure manuals.
6. Ability to effectively present information and respond to common inquiries or complaints from clients, regulatory agencies, or members of the business community.
7. Ability to solve problems, make decisions, resolve conflicts and listen effectively.
8. Ability to calmly deal with crisis situations.
9. Strong interpersonal skills with the ability to be compassionate and firm and always maintain appropriate confidentiality.
10. Must be proficient in the use of a computer and software programs such as word processing and spreadsheet applications. Must be able to effectively operate standard office equipment.
11. Ability to work with mathematical concepts such as addition, subtraction, multiplication and division.
12. Ability to work in a team setting and work independently with limited direction.
13. Ability to work some evening hours may be required in order to accommodate clients' work schedules.
14. While performing the functions of this job, the employee is regularly required to talk and hear. The employee regularly is required to move from location to location; use hands to finger, handle, or feel; reach with hands and arms. The employee must occasionally lift and/or move up to 25 pounds. Vision abilities to accomplish computer and office work.

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

Budget Year	Division:	Community Resources	Adjustment Number
2015	Dept.:	Development Services	
	Requestor:	Yolanda Fields	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Budget Adjustment recognizing the Special Needs Assistance Program (SNAP) grants revenue in the amount of $414,161.

COUNCIL DATE: 11/17/2015

LEGISTAR FILE ID#: **2015-0509**

Kevin Springer
10/29/2015 3:51 PM

Budget Director Date

TYPE:

DESCRIPTION:

GLDATE:

POSTED: /

RESOLUTION/ORDINANCE

v.20150925

Account Number	Increase / (Decrease) Expense	Increase / (Decrease) Revenue	Project.Sub# Project	Project.Sub# Sub	AT	Account Name
TOTAL	414,161	414,161				
2180.0918.4333.00	-	115,271			RE	HEARTH Grant Funding - AR0038
2180.0918.4334.00	-	240,060			RE	HEARTH Grant Funding - AR0044
2180.0918.4335.00	-	58,830			RE	HEARTH Grant Funding - AR0045
2180.4955.5308.90	106,271	-			EX	Rent Assistance
2180.4955.5310.90	9,000	-			EX	Utility Assistance
2180.4956.5308.90	229,060	-			EX	Rent Assistance
2180.4956.5310.90	11,000	-			EX	Utility Assistance
2180.4957.5308.90	52,830	-			EX	Rent Assistance
2180.4957.5310.90	6,000	-			EX	Utility Assistance
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0485

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: C. 2

RZN 15-5196 (3422 N. COLLEGE AVE./SCOTT PLAZA):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5196 FOR APPROXIMATELY 0.57 ACRES LOCATED AT 3422 N. COLLEGE AVENUE FROM R-O, RESIDENTIAL-OFFICE TO C-1, NEIGHBORHOOD COMMERCIAL

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

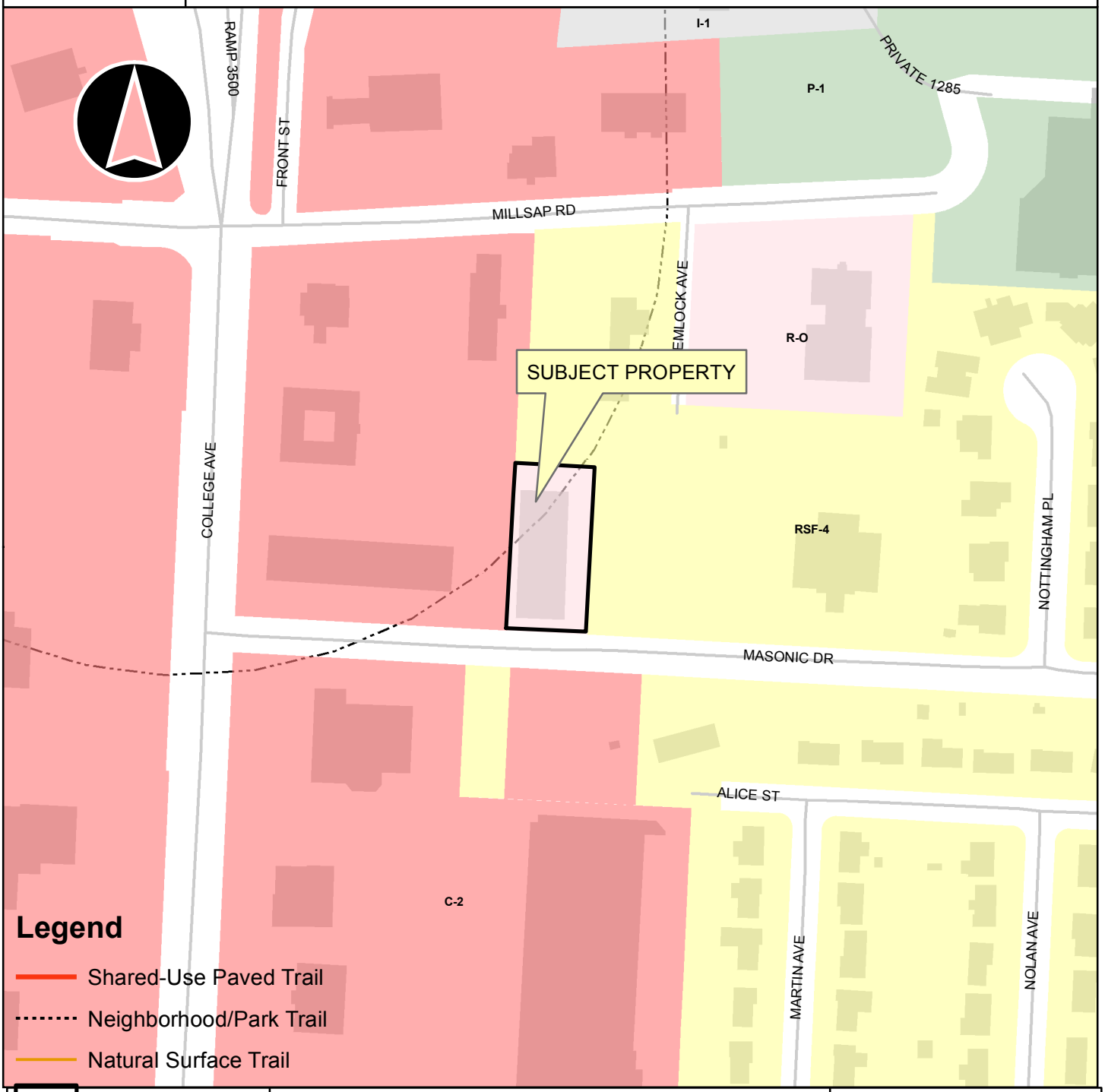
Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from R-O, Residential-Office to C-1, Neighborhood Commercial as shown on Exhibits "A" and "B" attached hereto and made a part hereof.

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.

RZN15-5196

Close Up View

SCOTT PLAZA



Overview

- RZN15-5196
- Hillside-Hilltop Overlay District
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area

0 75 150 300 450 600 Feet

15-5196
EXHIBIT 'B' Description of Land

A part of the NE 1/4 of the SE 1/4 of Section 26, T-17-N, R-30-W, Fayetteville, Washington County, Arkansas, more particularly described from Recorded Deed #9941722 as follows;

Commencing at the Southwest Corner of said 40-acres tract, and thence continuing with Deed Called directions North 50.00 feet, East 48.39 feet, thence along the easterly Right-of-Way of U.S 471 Highway (now College Avenue), N 01°12' W 188.06 feet and then East 367.74 feet to the POB of the following described tract;

Thence a deed called distance North 42 feet;

Thence a deed call distance East 108.90 feet;

Thence a deed call distance South 226.00 feet;

Thence a deed called bearing S 89°31' W a calculated distance of 108.90 feet, and

Thence North a calculated distance of 184.92 feet to the POB, Containing 0.566 acres, more or less.

City of Fayetteville Staff Review Form

2015-0485

Legistar File ID

11/17/2015

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

Jeremy Pate	10/30/2015	City Planning / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

RZN 15-5196: Rezone (3422 N. COLLEGE AVE./SCOTT PLAZA, 213): Submitted by HOWARD SCOTT for property located at 3422 N. COLLEGE AVE. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 0.57 acres. The request is to rezone the property to C-1, NEIGHBORHOOD COMMERCIAL.

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	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Fayetteville City Council

FROM: Quin Thompson, Current Planner

THRU: Andrew Garner, City Planning Director

DATE: October 26, 2015

SUBJECT: **RZN 15-5196: Rezone (3422 N. COLLEGE AVE./SCOTT PLAZA, 213):** Submitted by HOWARD SCOTT for property located at 3422 N. COLLEGE AVE. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 0.57 acres. The request is to rezone the property to C-1, NEIGHBORHOOD COMMERCIAL.

RECOMMENDATION:
The Planning Commission and staff recommend approval of an ordinance to rezone the property to C-1, Neighborhood Commercial.

BACKGROUND:
The overall property is a 2.20 acre parcel located at 3422 N. College Avenue, and has access to Masonic Drive to the south. The property is developed with two commercial buildings on one lot containing approximately 2.20 acres. The buildings were constructed in 1986.

The property is split into two zoning district, with the building to the west containing 15,000 square feet within the C-2 zoning district, and the building to the east at 3422 N. College Avenue containing 10,500 square feet within the R-O zoning district. The subject property only includes the R-O portion of the site which contains 0.57 acres.

Land Use Compatibility:
The proposed zoning is compatible with the surrounding mixture of commercial and institutional uses. Although the property surrounding this lot on the north and east is within the RSF-4 zoning district, it is currently owned and operated by the Christian Life Cathedral for church use. The parking lot for the Nissan car dealership is located adjacent to the south and is zoned C-2. The nearest residence is approximately 190 feet from the property.

Land Use Plan Analysis:
The proposed zoning is compatible with the Future Land Use Map (FLUM) in terms of land use, which designates this property as City Neighborhood Area. However it is not consistent with the goals of our Land Use Plan in terms of development pattern. The C-1 zoning requires a suburban development pattern that is discouraged in Goal 2 of City Plan 2030. While the rezoning would be compatible with the existing 30 year old commercial strip center on the property, it would not allow future redevelopment of the property in a traditional pattern as prescribed in City Plan 2030.

DISCUSSION:
On October 12, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 9-0-0 as recommended by staff.

BUDGET/STAFF IMPACT:
N/A

Attachments:
CC Ordinance
Exhibit A
Exhibit B
Planning Commission Staff Report

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY	***FEE: $325.00***
Date Application Submitted:	***Sign Fee: $5.00***
Date Accepted as Complete:	*S-T-R:*
Case / Appeal Number: 15-5196	*PP#:*
Public Hearing Date:	*Zone:*

Please fill out this form completely, supplying all necessary information and documentation to support your request. ***Your application will not be placed on the Planning Commission agenda until this information is furnished.***

Application:

Indicate one contact person for this request: X **Applicant** ____ **Representative**

Applicant (person making request):

Name: Howard Scott

Address: 20981 N Lakeshore Dr
Springdale AR 72764

E-mail: HappyHowardScott@AOL.com

Phone: (479) 871-4948
( )

Fax: (479) 927-2351

Representative (engineer, surveyor, realtor, etc.):

Name:

Address:

E-mail:

Phone: ( )
( )

Fax: ( )

Site Address / Location: 3422 North College Ave
Fayetteville AR 72703

Current Zoning District: R-O

Requested Zoning District: ~~C-2~~ C-1

Assessor's Parcel Number(s) for subject property: 765-15720-00

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:
Bank of the Ozarks

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): HOWARD V SCOTT Date: 8-28-15

Signature: Howard V Scott

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. ***(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)***

Property Owners of Record (attach additional info if necessary):

Name (printed): HOWARD V SCOTT

Signature: Howard V Scott

Date: 8-28-15

Address:

Phone: ( )

Name (printed):

Signature:

Date:

Address:

Phone: ( )

Rezoning Checklist:

Attach the following items to this application:

✓(1) Payment in full of applicable fees for processing the application:
$325.00 application fee
$5.00 public notification sign fee

✓(2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.

(3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.

✓(4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.

(5) A *written description* of this request addressing the following items:

a. Current ownership information and any proposed or pending property sales.

b. Reason (need) for requesting the zoning change.

c. Statement of how the proposed rezoning will relate to surrounding properties in terms of land use, traffic, appearance, and signage.

d. Availability of water and sewer (state size of lines). This information is available from the City Engineering Division.

e. The degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

f. Whether the proposed zoning is justified and/or needed at the time of the request.

g. Whether the proposed zoning will create or appreciably increase traffic danger and congestion.

h. Whether the proposed zoning will alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

i. Why it would be impractical to use the land for any of the uses permitted under its existing zoning classification.

(6) The applicant is responsible for meeting the public notification requirements for a Rezoning listed on the Notification Requirements pages in this application.

Notice: Resources including current zoning regulations, City Plan 2030, Future Land Use Plan, Master Street Plan and Zoning maps are available for review on our website, www.accessfayetteville.org and in the Planning Office.

All applicants should meet with a staff Planner prior to completing a Rezoning application.

CITY OF Fayetteville ARKANSAS

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: October 12, 2015

SUBJECT: **RZN 15-5196: Rezone (3422 N. COLLEGE AVE./SCOTT PLAZA, 213):** Submitted by HOWARD SCOTT for property located at 3422 N. COLLEGE AVE. The property is zoned C-2, COMMERCIAL THOROUGHFARE, and R-O, RESIDENTIAL-OFFICE and contains approximately 2.20 acres. The request is to rezone the R-O zoned portion of the property to C-1, NEIGHBORHOOD COMMERCIAL.

RECOMMENDATION:
Staff recommends **RZN 15-5196** be forwarded to the City Council with a recommendation for approval.

BACKGROUND:
The subject property is a 2.20 acre parcel located at 3422 N. College Avenue, and has access to Masonic Drive to the south. The property is developed with two commercial buildings on one lot containing approximately 2.20 acres. The buildings were constructed in 1986.

The property is split into two zoning district, with the building to the west containing 15,000 square feet within the C-2 zoning district, and the building to the east containing 10,500 square feet within the R-O zoning district. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Undeveloped/Institutional (Christian Life Cathedral)	RSF-4, Residential Single-Family
South	Commercial (Auto Sales)	C-2, Thoroughfare Commercial
East	Undeveloped/Institutional (Christian Life Cathedral, Masonic Lodge)	RSF-4, Residential Single-Family
West	Commercial (Strip Center)	C-2, Thoroughfare Commercial

Request: The request is to rezone that portion (approximately 0.58 acres) of the property in the R-O zoning district from R-O to C-1, in order to expand the allowable uses of the existing development.

Public Comment: Staff has received no written public comment.

INFRASTRUCTURE:

Streets: The subject parcel has access to College Avenue and Masonic Drive. Both streets are fully improved without sidewalk. Any required improvements to these streets will be determined at time of development.

Water: Public water is available to the subject parcel. An 8-inch water main exists in the College Avenue right-of-way.

Sewer: Public sewer is available to the subject parcel. An 8-inch sanitary sewer line exists in an easement along College Avenue along the western edge of this parcel. Existing utilities in the area have ample capacity for the current use of the property which is not proposed to change due to this rezoning request.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. This parcel does not lie within the 100-year floodplain, streamside protection areas, or the Hillside/Hilltop Overlay District.

Fire: The Fire Department did not express any concerns with the request.

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 the properties within the proposed rezone 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.

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends RZN 15-5196 be forwarded to City Council with a recommendation for approval, finding that the proposed zoning will not negatively impact nearby properties, and will uses compatible with the existing adjacent uses.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: October 12, 2015	☐ **Tabled**	X☐ **Forwarded**	☐ **Denied**
Motion: CHESSER	**Second:** BROWN	**Vote:** 9-0-0	
CITY COUNCIL ACTION:	**Required**	**YES**	
Date: November 3, 2015	☐ **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: ***Land Use Compatibility:*** **The proposed zoning is compatible with the surrounding mixture of commercial and institutional uses. Although the property surrounding this lot on the north and east is within the RSF-4 zoning district, it is currently owned and operated by the Christian Life Cathedral for church use. The nearest residence is approximately 190' from the property.**

Land Use Plan Analysis: **The proposed zoning is compatible with the Future Land Use Map (FLUM) in terms of land use, which designates this property as City Neighborhood Area. However it is not consistent with the goals of our Land Use Plan in terms of development pattern. The C-1 zoning requires a suburban development pattern that is discouraged in Goal 2 of City Plan 2030. While the rezoning would be compatible with the existing 30 year old commercial strip center on the property, it would not allow future redevelopment of the property in a traditional pattern as prescribed in City Plan 2030.**

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

Finding: **The applicant has requested the zoning change in order to allow retail use of the existing building. However, retail use of the building could be permitted by conditional use permit under the existing R-O zoning. The R-O zoning on this property was intended to provide a transition between the heavier commercial uses on College Avenue and the less intense uses to the east. The property can continue to be used as it has for the past 30 years or a conditional use permit requested to allow additional uses.**

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

Finding: **The site has access to North College Avenue (HWY 71 N) and Masonic Drive, a partially improved local street. The rezone would allow uses likely to increase traffic, however, a four way stoplight has recently been installed at the intersection of Masonic and College, which will significantly improve safety and reduce congestion at this nearby intersection.**

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

Finding: **Rezoning the property from R-O to C-1 should not undesirably affect density or 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 161.17 & 161.18
- Aerial Image
- Request Letter
- One Mile Map, Close-Up Map, Current Land Use Map, Future Land Use Map

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
Unit 45	Small scale production

(C) *Density.*

Units per acre	24 or less

(D) *Bulk and area regulations.*
(Per dwelling unit for residential structures)

(1) *Lot width minimum.*

Manufactured home park	100 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: No bedroom One bedroom Two or more bedrooms	 1,000 sq. ft. 1,000 sq. ft. 1,200 sq. ft.
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 Maximum	60 ft.

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; Ord. 5735 1-20-15)

161.18 District C-1, Neighborhood Commercial

(A) *Purpose.* The Neighborhood Commercial District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government Facilities
Unit 13	Eating places
Unit 15	Neighborhood shopping
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 25	Offices, studios, and related services
Unit 44	Cottage Housing Development
Unit 45	Small scale production

(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 16	Shopping goods
Unit 34	Liquor stores
Unit 35	Outdoor music establishments*
Unit 36	Wireless communications facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

Front	15 ft.
Front, if parking is allowed between the right-of-way and the building	50 ft.
Side	None
Side, when contiguous to a residential district	10 ft.
Rear	20 ft.

(F) *Building height regulations.*

Building Height Maximum	56 ft.*

*Any building which exceeds the height of 20 feet shall be setback from any boundary line of any residential district a 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 40% of the total area of such lot.

(Code 1965, App. A., Art. 5(V); Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.035; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5195, 11-6-08; Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14; Ord. 5735, 1-20-15)

HEMLOCK AVE
MASONIC DR
MARTIN AVE
ALICE
COLLEGE AVE
subject property
100 Feet
0
50
100

Applicant's Request Letter
RZN 15-5196

A.

The currenty ownership is the Howard V. Scott Jr. Trust

B. The parcel to be rezoned is part of a larger ownership. The front portion is zoned C-2 and is occupied with a 15,000 square foot building. The rear of this parcel is occupied with a 10,500 sqare foot builidng and is part of a strip center containing both buildings. It is zoned R-0. We need the zoning to allow retail for it was built for. We have not asked for a zoning change for the city always gave us a variency for different tenants. They are now refusing retail at the rear of the center.

C.

The rezoing to C-2 will make it the same as the surrounding properties. The Nisson dealership across the street has been rezoned from R-1 to C-2 this last year along with the property across the street which is C-2 and occupied sith Whole Foods and related strip center. The traffic, sinage and traffic will not change from its present use for the past 30 years.

D. Since this is an existing building all utilities are available and will not have to be changed.

E.

The change to a C-2 aoning is in the general plan and conforms to the surrounding zoning.

F. The zoning is needed to adapt to retail use. We have had several retail uses wanting to rent in the rear but the City of Fayetteville has turned them down due to the R-0 zoning when the highest and best use of this site is Retail.

G.

It is our opinion that the proposed zoning change will not increase the traffic in the area due to the fact that this has been a operating strip center for the past 30 years.

H.

Since this is an existing strip center in full operation there will be no in population density and will not increase the load on public services.

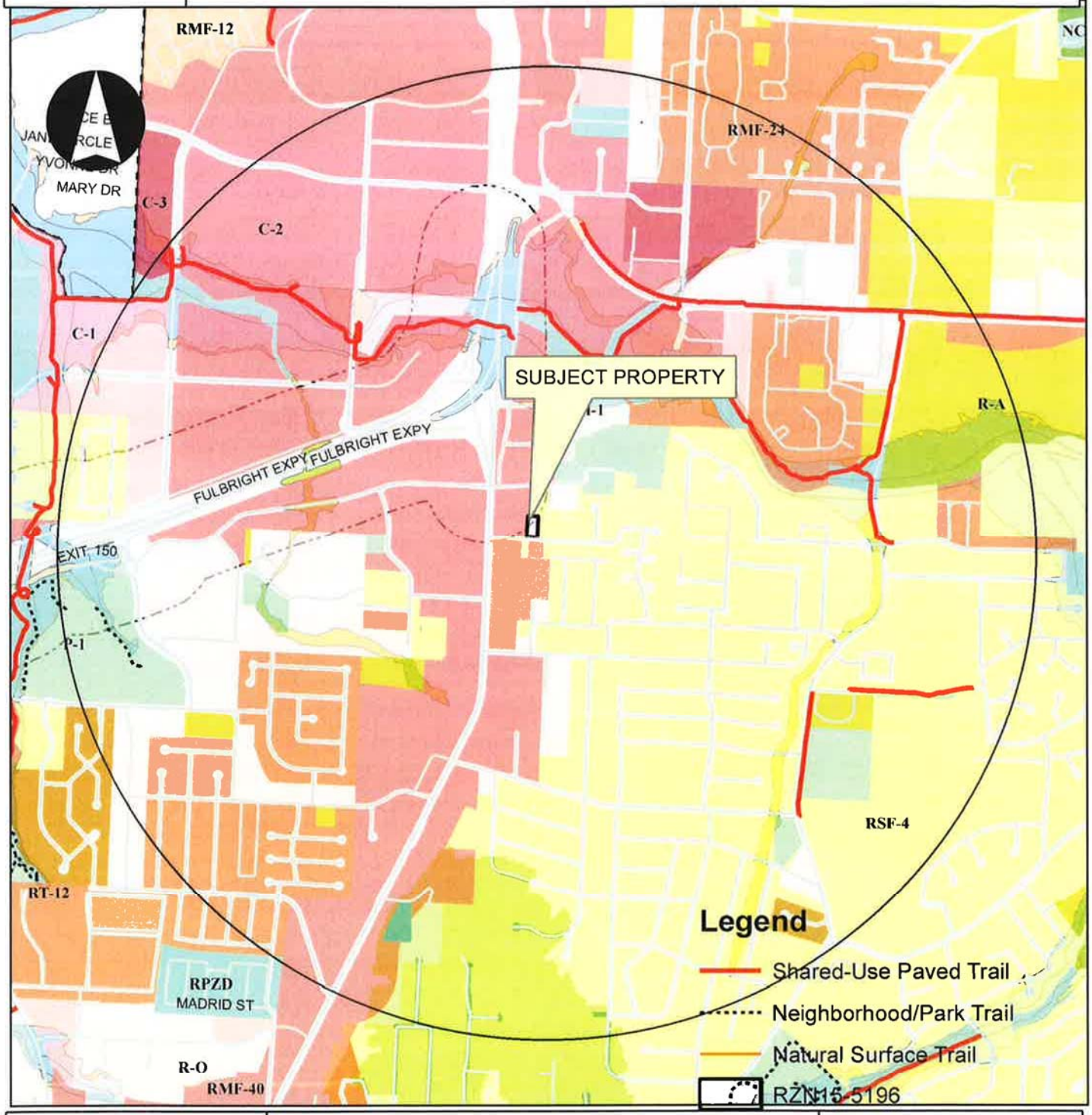
I.

Due to the high demad for retail space at this location and the limited space the highest and best use is for retail. The demand has shown that office use in this area is not in demand. I have lost all but one tenant which was using it as service commerical/ office uses.

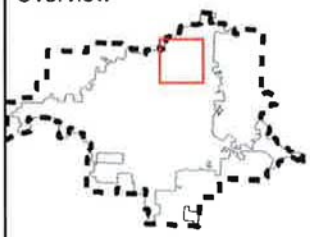
RZN15-5196

One Mile View

SCOTT PLAZA



Overview



Legend

Subject Property

Boundary

Hillside-Hilltop Overlay District

Design Overlay District

Planning Area

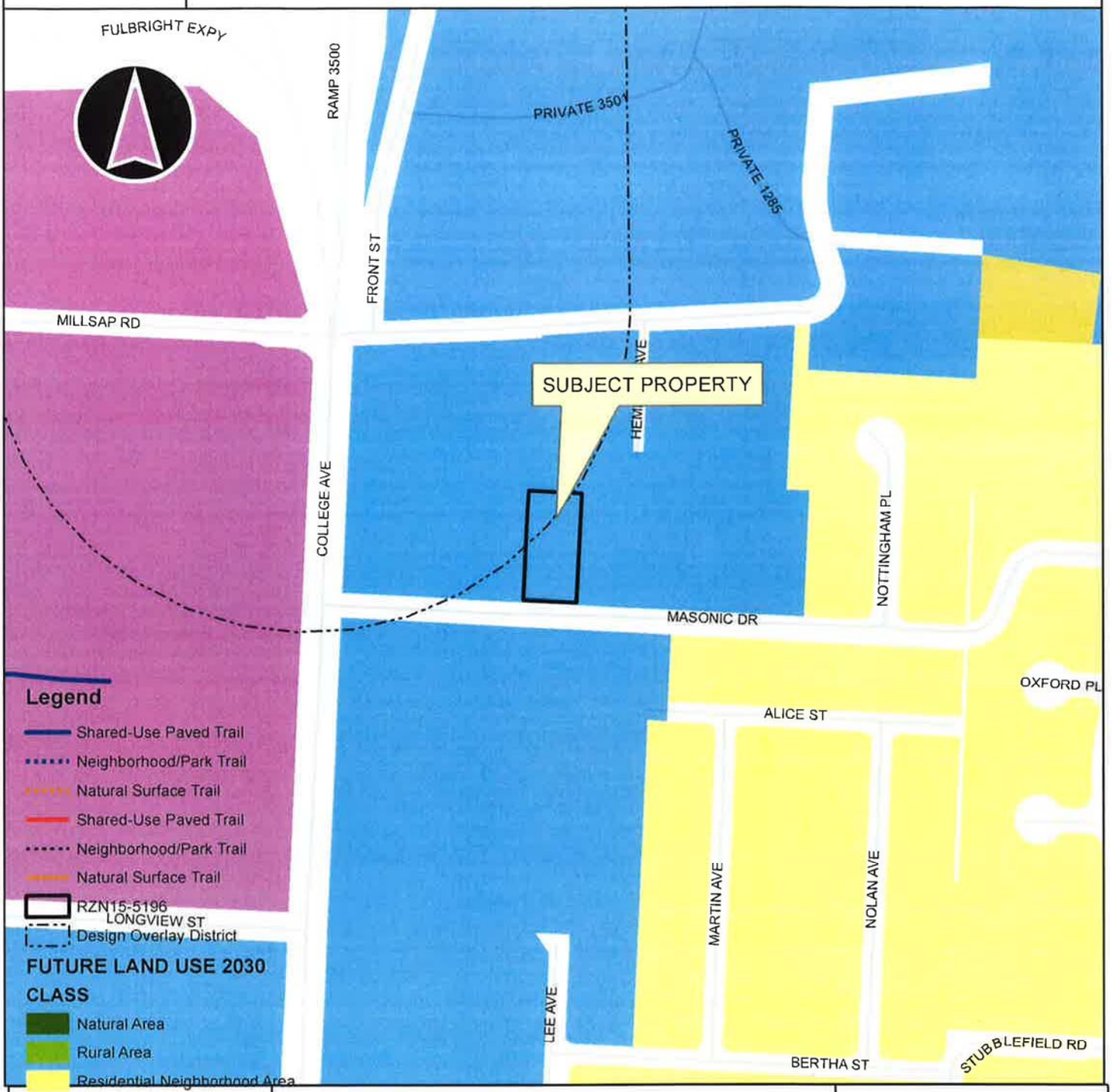
Fayetteville

0 0.25 0.5 1 Miles

RZN15-5196

Future Land Use

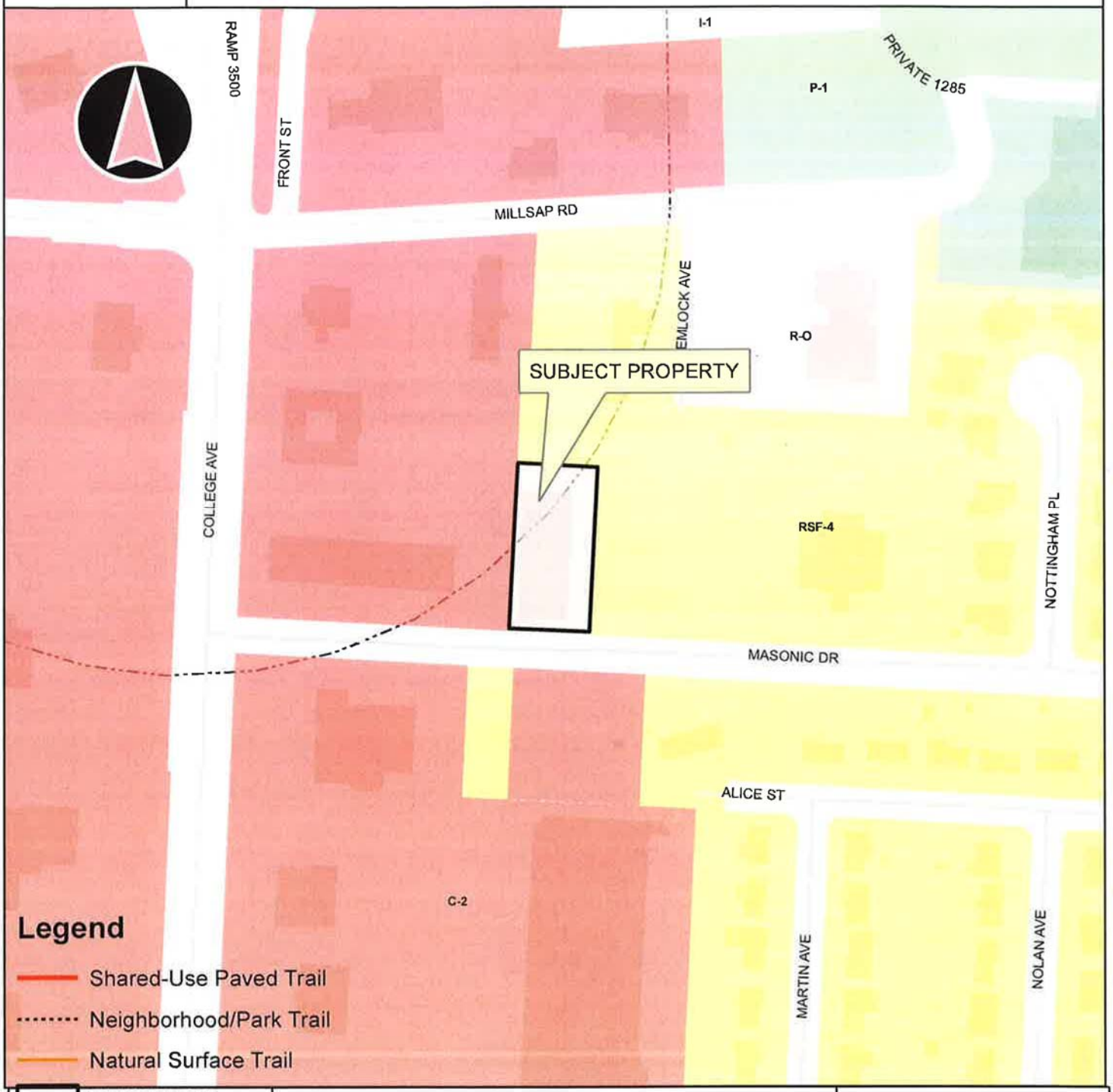
SCOTT PLAZA



RZN15-5196

Close Up View

SCOTT PLAZA



Overview

- RZN15-5196
- Hillside-Hilltop Overlay District
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area

0 75 150 300 450 600 Feet

RZN15-5196

Current Land Use

SCOTT PLAZA

Overview

Neighborhood/Park Trail

Natural Surface Trail

RZN15-5196

Fayetteville City Limits

Footprints 2010

Design Overlay District

0 75 150 300 450 600 Feet

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0516

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: C. 3

VAC 15-5204 (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES):

AN ORDINANCE TO APPROVE VAC 15-5204 SUBMITTED BY INFILL GROUP, INC. FOR PROPERTY LOCATED AT 722 S. LOCUST AVENUE TO VACATE PORTIONS OF ALLEY AND STREET RIGHTS-OF-WAY

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portions of alley and street rights of way are not required for corporate purposes.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby vacates portions of alley and street rights-of-way as described in Exhibit "B" attached hereto.

Section 2. A copy of this Ordinance duly certified by the City Clerk along with the map attached hereto as Exhibit "A" shall be filed in the office of the Washington County Circuit Clerk.

Section 3. This vacation approval is subject to the following conditions:

1. Existing utilities are required to be relocated and new easement dedicated as required by the franchise utilities prior to this vacation taking effect.

2. This vacation approval shall be subject to the condition that any costs associated with relocation of or damage to utilities and new easement dedication shall be at the expense of the owner or developer.

3. The City shall retain 32' of right-of-way from centerline of South Locust Ave and a 10' utility easement centered on the existing gas main shall be platted and dedicated. There are AT&T aerial facilities located on the power poles running north to south of this right-of-way. If AT&T facilities are required to be relocated the property owner/developer will be responsible for any fees.

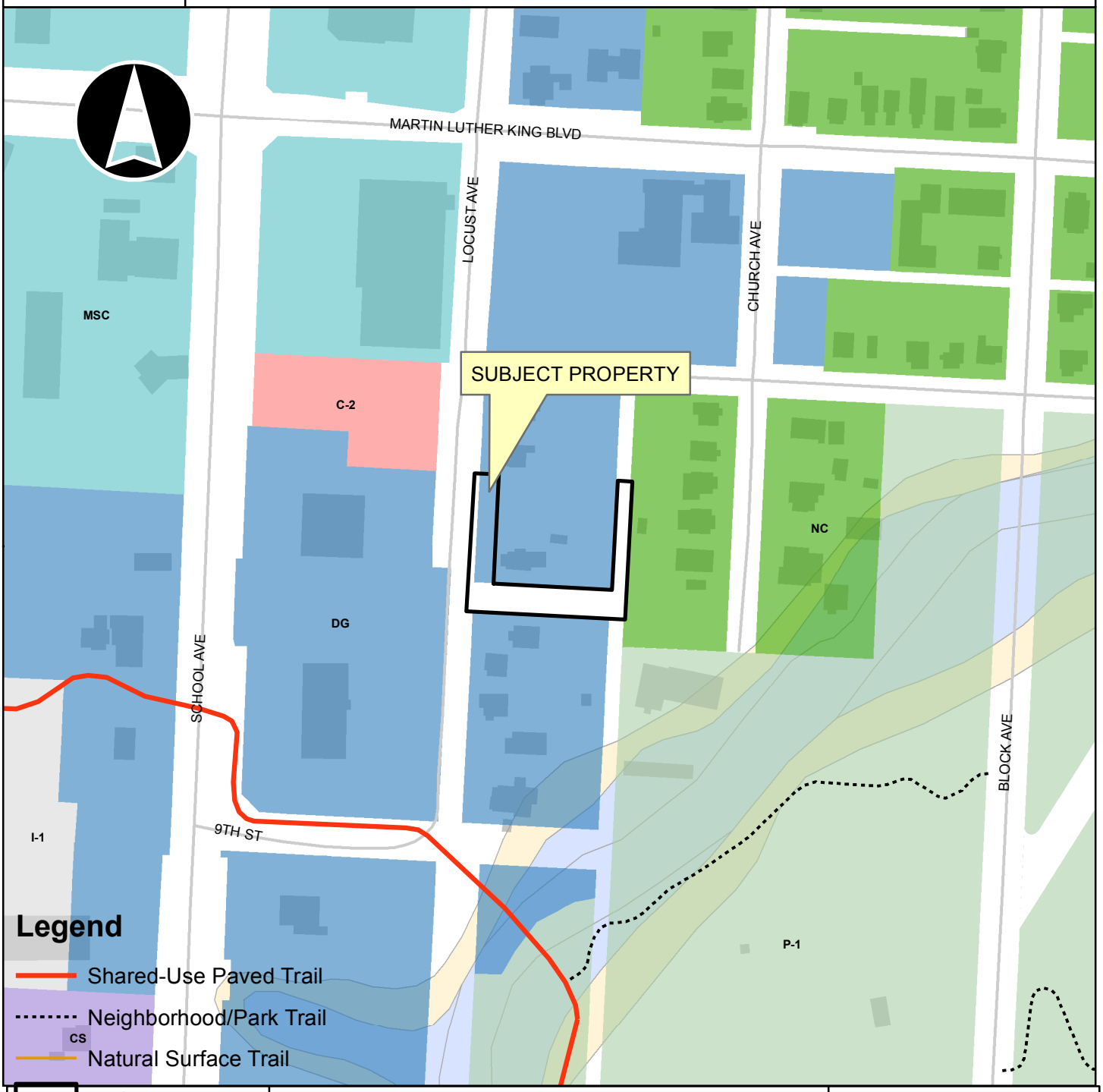
4. The City shall retain a utility easement for existing water and sewer facilities for the 8th Street ROW Vacation.

5. The City shall retain a 20’ utility easement for sewer facilities for the alley ROW Vacation.

VAC15-5204

Close Up View

SOUTHSIDE COTTAGES



Overview

VAC15-5204
Hillside-Hilltop Overlay District
Fayetteville City Limits
Footprints 2010
Design Overlay District
Planning Area

0 75 150 300 450 600 Feet

EXHIBIT 'B'
15-5204

A PART OF THE EXISTING RIGHT-OF-WAY OF LOCUST STREET, A PART OF THE EXISTING RIGHT-OF-WAY OF 8TH STREET, AND A PART OF AN EXISTING 20’ ALLEY, ALL LYING ADJACENT TO LOTS 4, 5, AND 6, BLOCK 3 OF FERGUSON’S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY ARKANSAS, AS PER PLAT OF THE SAID SUBDIVISIOON ON FILE IN THE OFFICE OF THE CIRCUIT CLEARK AND EXOFFICIO RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4 AND RUNNING THENCE S00°00’08”W 150.00’, THENCE S89°34’39”E 162.50’, THENCE N00°27’02”E 150.00’, THENCE S89°34’39”E 20.00’, THENCE S00°27’02”W 190.00’, THENCE N89°34’39”W 217.85’, THENCE N00°52’05”E 190.00’, THENCE S89°35’01”E 32.79’, TO THE POINT OF BEGINNING. CONTAINING 0.39 ACRES MORE OR LESS.

City of Fayetteville Staff Review Form

2015-0516

Legistar File ID

11/17/2015

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

Jeremy Pate	10/30/2015	City Planning / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

VAC 15-5204: Vacation (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES, 562): Submitted by INFILL GROUP, INC. for properties located at 722 S. LOCUST AVE. The properties are zoned DG, DOWNTOWN GENERAL and contain approximately 0.80 acres. The request is to vacate a portions of alley and street rights-of-way.

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	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 18, 2015

TO: Fayetteville City Council

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

DATE: October 30, 2015

SUBJECT: **VAC 15-5204: Vacation (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES, 562):** Submitted by INFILL GROUP, INC. for properties located at 722 S. LOCUST AVE. The properties are zoned DG, DOWNTOWN GENERAL and contain approximately 0.80 acres. The request is to vacate a portions of alley and street rights-of-way.

RECOMMENDATION:
Staff and Planning Commission recommend approval of **VAC 15-5204** with conditions.

BACKGROUND:
The property is located at 722 S. Locust Avenue south of 7th Street. The property, which contains two lots, was developed with a single-family home that was removed in years past and is currently undeveloped. The property has platted right-of-way on three sides, including:

- 20' right-of-way (ROW) on the east property boundary, an unused platted alley connecting 7th Street to 9th Street.
- 40' of ROW on the south property boundary for the unbuilt 8th Street connection originally platted between S. School and Church Streets, portions of which have been previously vacated.
- 85' of ROW for Locust Avenue across the front (west) of the property where a 50' ROW is required for Locust, a designated 'Local' 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	Single-family Residential	DG, Downtown General
South	Single-family Residential	DG, Downtown General
East	Single-family Residential	NC, Neighborhood Conservation
West	Undeveloped/Advanced Auto Parts	DG, Downtown General

Proposal: The applicant proposes vacation portions of platted alley and street right-of-way on three sides of the property as described above and depicted in Exhibit 'A' attached. The proposed

area comprises approximately 16,988 square feet to allow development of an apartment in this area.

DISCUSSION:
On October 26, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 6-0-0 on the consent agenda.

Conditions of Approval:

General:

1. Existing utilities are required to be relocated and new easement dedicated as required by the franchise utilities prior to this vacation taking effect.

2. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.

3. Revised legal descriptions and/or exhibits reflecting the utility company requirements for the vacation shall be provided as needed prior to this item being placed on the City Council agenda.

Conditions of Approval recommended by City and Franchise Utility Companies:

South Locust ROW Vacation:

4. Retain 32' of right-of-way from centerline of South Locust Ave. (AEP/SWEPCO)

5. There are AT&T aerial facilities located on the power poles running north to south in this right-of-way. If AT&T facilities are required to be relocated property owner/developer will be responsible for any fees incurred. (AT&T)

6. A 10' utility easement centered on the existing gas main shall be platted. (SourceGas)

8th Street ROW Vacation:

7. Utility easement shall be retained for existing water & sewer facilities. (City Water & Sewer Dept)

Alley ROW Vacation:

8. A 20' utility easement shall be retained for sewer facilities. (City Water & Sewer Dept)

BUDGET/STAFF IMPACT:
N/A

Attachments:
- CC Ordinance
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

CITY OF FAYETTEVILLE, ARKANSAS

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY	***FEE: $200.00***
Date Application Submitted:	***Sign Fee: $5.00***
Date Accepted as Complete:	*S-T-R:*
Project Number:	*PP#:*
Public Hearing Date:	*Zone:*

Please fill out this form completely, supplying all necessary information and documentation to support your request. ***Your application will not be placed on the Planning Commission agenda until this information is furnished.***

Application:

Indicate one contact person for this request: _X_ Applicant _____ Representative

Applicant (person making request):

Name: Matthew Petty
Infill Group

Address: One West Mountain Street
Fayetteville, Arkansas 72701

Phone: (479)595 - 8703
Email: matthew@infillgroup.com

Fax: ( )

Representative (engineer, surveyor, realtor, etc.):

Name:

Address:

Phone: ( )
Email:

Fax: ( )

Site Address / Location: 722 South Locust Avenue

Legal description of area to be vacated (attach separate sheet if necessary):

See attachment.

Current Zoning District: DG

Assessors Parcel Number(s) for subject property: 765-05419-000 and 765-05420-000

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

Carla Clayton via Equity Trust Company Carla Clayton FBO
Zara Niederman
Matthew Petty

Electronically Signed using eSignOnline™[Session ID : bfee1840-3f57-40f1-b9cc-0e06cdf6cda3]

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Matthew Petty Date: 8/31/2015

Signature:

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. ***(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)***

Owners (attach additional info if necessary):

Name (printed): Carla Clayton

Address: 8 Peter Cooper Rd #7B
New York, NY 10010

Signature: Carla Clayton

Date: 9/1/2015 8:32 AM CDT

Phone: (617) 216 - 7320

Name (printed):

Address:

Signature:

Date:

Phone: ( )

Vacation Checklist:

Attach the following items to this application:

(1) Payment in full of applicable fees for processing the application:
$200.00 application fee
$5.00 public notification sign fee

(2) Metes and bounds legal description of the area to be vacated, not the entire property (this may be included on the survey plat).

(3) Survey of the site depicting the perimeter property lines and area within the property to be vacated.

(4) CD containing a copy of the legal description in MS Word and PDF copies of the signed application and all other items submitted with this project.

(5) A surveyor should stake the area on the site to be vacated for utility company review on their site visit.

(6) A letter addressed to the Planning Commission and City Council describing the scope, nature, and intent of the request.

(7) Abstractor's Certificate of Ownership stating names of all owners of property adjacent to the street right-of-way, alley, or easement to be vacated (this document is obtained from a title company).

(8) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map. *(Applications for special conditional uses that require notification within 500 feet should*

Electronically Signed using eSignOnline™[Session ID : bfee1840-3f57-40f1-b9cc-0e06cdf6cda3]

show all properties and property owner information within 500 feet of the project site. See the notification requirements section of this application.)

(9) Petition to vacate street right-of-way, alley, or easement (sample petition is attached).

(10) For applications to vacate an access easement, alley or right-of-way only: Written consent is required from all adjacent property owners and is required to be submitted with the application (example form is attached).

(11) Comments from all utility companies concerning the street right-of-way, alley, or easement to be vacated and its relationship to existing or planned utilities with recommendations as to what action should be taken (an example comment form is attached) is required at application submittal.

(12) The applicant is responsible for meeting the public notification requirements for a Vacation listed on the Notification Requirements pages in this application.

Utility Representatives for a Vacation Request

Name	Company	Telephone	Email
Jeff Hamilton	AT&T	442-1967	jh5430@att.com
Chad Hodge	Cox Communications	365-2402	Chad.Hodge@cox.com
Josh Barger	AEP/SWEPCO	973-2411	jpbarger@aep.com
Scott Stokes	Source Gas	435-0229	Scott.Stokes@sourcegas.com
Greg McGee Or Mike Phipps	Ozarks Electric	684-4634 684-4696	gmcgee@ozarksecc.com mphipps@ozarksecc.com
City Divisions:			
Tim Nyander	Water and Sewer	575-8392	tnyander@fayetteville-ar.gov
Maury Nelson	Solid Waste	575-8397	mnelson@fayetteville-ar.gov
Terry Gulley	Transportation	444-3491	tgulley@fayetteville-ar.gov

Electronically Signed using eSignOnline™[Session ID : bfee1840-3f57-40f1-b9cc-0e06cdf6cda3]

CITY OF Fayetteville ARKANSAS

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~October 26, 2015~~ UPDATED 10/30/2015

SUBJECT: **VAC 15-5204: Vacation (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES, 562):** Submitted by INFILL GROUP, INC. for properties located at 722 S. LOCUST AVE. The properties are zoned DG, DOWNTOWN GENERAL and contain approximately 0.80 acres. The request is to vacate a portion of an alley easement and street Right of Way easement.

RECOMMENDATION:
Staff recommends forwarding **VAC 15-5204** with conditions of approval.

BACKGROUND:
The property is located at 722 S. Locust Avenue south of 7th Street. The property, which contains two lots, was developed with a single-family home that was removed in years past and is currently undeveloped. The property has platted right-of-way on three sides, including:

- 20' right-of-way (ROW) on the east property boundary, an unused platted alley connecting 7th Street to 9th Street.
- 40' of ROW on the south property boundary for the unbuilt 8th Street connection originally platted between S. School and Church Streets, portions of which has been previously vacated.
- 85' of ROW for Locust Avenue across the front (west) of the property where a 50' ROW is required for Locust, a designated 'Local' 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	Single-family Residential	DG, Downtown General
South	Single-family Residential	DG, Downtown General
East	Single-family Residential	NC, Neighborhood Conservation
West	Undeveloped/Advanced Auto Parts	DG, Downtown General

Proposal: The applicant proposes vacation of a portion of platted alley and street right-of-way on three sides of the property as described above and depicted in an exhibit provided by the applicant (comprising approximately 16,988 square feet) to allow development of an apartment in this area.

DISCUSSION:

Vacation Approval: The applicant has submitted the required vacation forms to the City utility departments and applicable franchise utilities, with the following responses:

LOCUST AVENUE ROW VACATION:

Utilities	Response
Cox Communications	No objections
AEP/SWEPCO	No objections with conditions
Source Gas	No objections with conditions
AT&T	No objections with conditions
Ozarks Electric	No objections
City of Fayetteville	Response
Water/Sewer	No objections
Trash & Recycling	No objections
Transportation	No objections

8TH STREET ROW VACATION:

Utilities	Response
Cox Communications	No objections
AEP/SWEPCO	No objections
Source Gas	No objections
AT&T	No objections
Ozarks Electric	No objections
City of Fayetteville	Response
Water/Sewer	No objections with conditions
Trash & Recycling	No objections
Transportation	No objections

ALLEY VACATION:

Utilities	Response
Cox Communications	No objections
AEP/SWEPCO	No objections
Source Gas	No objections
AT&T	No objections
Ozarks Electric	No objections

City of Fayetteville	Response
Water/Sewer	No objections with conditions
Trash & Recycling	No objections
Transportation	No objections

Public Comment:
No public comment has been received.

RECOMMENDATION: Staff recommends forwarding VAC 15-5204 with the following conditions:

Conditions of Approval:

1. Existing utilities are required to be relocated and new easement dedicated as required by the franchise utilities prior to this vacation taking effect.

2. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.

3. Revised legal descriptions and/or exhibits reflecting the utility company requirements for the vacation shall be provided as needed prior to this item being placed on the City Council agenda.

Conditions of Approval recommended by City and Franchise Utility Companies:

South Locust ROW Vacation:

4. Retain 32' of ROW [right-of-way] from CL [centerline] of South Locust Ave. (AEP/SWEPCO)

5. There is [sic] AT&T aerial facilities located on the power poles running north to south in this easement. If AT&T facilities are required to be relocated property owner/developer will be responsible for any fees incurred. (AT&T)

6. A 10' UE remain [sic], whereas the existing gas main is center of said UE. (SourceGas)

8th Street ROW Vacation:

7. Retain as utility easement for existing water & sewer. (City Water & Sewer Dept)

Alley ROW Vacation:

8. Retain as 20' sanitary sewer easement. (City Water & Sewer Dept)

Planning Commission Action:	❒ **Approved**	X ❒ **Forwarded**	❒ **Denied**
Meeting Date: **October 25, 2015**			
Motion: CHESSER			
Second: SELBY			
Vote: 6-0-0, ON CONSENT			

BUDGET/STAFF IMPACT:
None.

Attachments:
- Vacation diagram
- Request letter
- Petition to Vacate
- Adjacent landowners approval
- Utility Approvals
- Easement Vacation Exhibit
- One Mile Map
- Close Up Map

RIGHT-OF-WAY VACATION AND EASEMENT DEDICATION PLAT

NORTH

property added following successful vacation

subject property

Lots 4, 5 & 6
Parcel 765-05419-000
Parcel 765-05420-000
Total Acreage
0.56 Acres ±

STATE PLANE COORDINATES

SOUTH LOCUST AVENUE
100' ROW (Prescriptive ROW)
(Collector Street - Proposed 50' R/W From Centerline of Existing Street)

Lot 4

Lot 5

Lot 6

8TH STREET
(Undeveloped 40' R/W)

S 89°34'59" E 277.65'

HOUSE, SARAH C
549 E PROSPECT ST
FAYETTEVILLE, AR 72701
PARCEL 765-14893-000

KIRKSEY, BENJAMIN D
& RACHEL ELIZABETH
708 S CHURCH AVE
FAYETTEVILLE, AR 72701
PARCEL 765-14897-000

COUCH, WILLIAM A & LORENE L
712 S CHURCH AVE
FAYETTEVILLE, AR 72701
PARCEL 765-14891-000

COUCH, WILLIAM A & LORENE L
715 S CHURCH AVE
FAYETTEVILLE, AR 72701
PARCEL 765-14893-000

WAITS, DAVID CHARLES
902 S LOCUST AVE
FAYETTEVILLE, AR 72701
PARCEL 765-05421-000

R/W Vacation Description

A PART OF THE EXISTING RIGHT-OF-WAY OF LOCUST STREET, A PART OF THE EXISTING RIGHT-OF-WAY OF 8TH STREET, AND A PART OF AN EXISTING 20' ALLEY, ALL LYING ADJACENT TO LOTS 4, 5 AND 6, BLOCK 3 OF FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4 AND RUNNING THENCE S89°00'00"W 150.00', THENCE S88°43'30"E 162.50', THENCE N00°27'02"E 150.00', THENCE S89°34'59"E 20.00', THENCE S00°27'02"W 190.00', THENCE N89°34'59"W 217.85', THENCE N00°52'05"E 190.00', THENCE S89°15'01"E 32.70', TO THE POINT OF BEGINNING CONTAINING 0.59 ACRES MORE OR LESS

Proposed U.E. Description

A 20' WIDE EASEMENT FOR UTILITIES, BEING A PART OF AN EXISTING 20' ALLEY TO BE VACATED, AND THE EXISTING RIGHT-OF-WAY OF 8TH STREET TO BE VACATED, LYING ADJACENT TO LOTS 4, 5 AND 6 OF BLOCK 3, FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S89°34'59"E 100.00' FROM THE NORTHEAST CORNER OF SAID LOT 4 AND RUNNING THENCE S00°27'02"E 190.00', THENCE N89°34'59"W 20.00' TO THE POINT OF TERMINATION.

Miscellaneous Notes

COMPLETED FIELD WORK
JULY 2, 2015

BEARING
ARKANSAS STATE PLANE, NORTH ZONE, NAD 83

REFERENCE DOCUMENTS
WARRANTY DEED FILED IN DEED BOOK 2015 AT PAGE 13067
SURVEY BY PLATBY BATES & ASSOCIATES, PROJECT NO. 15-051
DATED 7/13/2015

FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE STATED. MONUMENTS ARE FOUND MONUMENTS WHERE INDICATED

THIS IS NOT CONSTITUTE A BOUNDARY SURVEY

Legend of Symbols & Abbreviations

DEDICATED BOUNDARY LINE
RELEVANT BOUNDARY LINE
EXISTING RIGHT OF WAY
EASEMENT LINE
PARCEL
SECTION LINE
SECTION CORNER
FOUND 1/2" REBAR CAP ARK CE-1686

Survey Description

LOTS 4, 5 AND 6, BLOCK 3, FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS

Vicinity Map

Utility Notes

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURVEY GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" TO HAVE FIELD LOCATIONS (BLUE LINES) FOR GROUND MARKINGS OF UNDERGROUND UTILITY LINES

0 20 40 80
1 INCH = 20 FEET

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 6TH DAY OF JULY 2015

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1532
SIGNATURE
BUCKLEY D. BLEW

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
524 W. SYCAMORE ST, SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com
Certificate of Authorization No 1534

G.A.C.	7/9/2015	BLM
WASHINGTON COUNTY, ARKANSAS		

LOTS 4, 5 & 6, FERGUSON'S ADDITION

EQUITY TRUST COMPANY

Matthew Petty
One West Mountain Street
Fayetteville, Arkansas 72701

Planning Commission and City Council
City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701

To whom it may concern:

This letter describes the scope, nature, and intent of the application to improve the property at 722 South Locust Avenue.

We propose to construct 19 townhomes on approximately 0.8 acres, organized around a central courtyard. The intent is to offer a market-rate infill product in response to extraordinary demand for walkable housing near Downtown Fayetteville, furthering both the revitalization of the city's Mill District and the up-and-coming Southside. The units will be marketed to an age- and income-diverse demographic.

The plan respects historic contexts and the natural assets while taking advantage of the neighborhood amenities already available. The existing trees framing Locust Avenue will remain and the number of new trees proposed to be planted is in excess of the landscaping and tree preservation requirements; native and drought-tolerant landscaping is to be used; and stormwater will be managed using Low Impact Development best practices. The architecture draws upon classic Ozark forms and details. The buildings will be constructed with gabled roofs, covered porches, and common materials.

We also propose improvements to Locust Avenue. We will widen the travel way to meet the fire code and provide on-street, parallel parking adjacent to the development.

We are grateful for the opportunity to meet Fayetteville's growing housing needs. We believe this project meets the intent of City Plan 2030 and we are proud to build homes within the bounds of the Walker Park Neighborhood Master Plan. We respectfully request you give this proposal its due consideration.

Sincerely,

Matthew Petty

Infill Group

DRAFT

Petition to Vacate an Alley and Rights-of-Way

Complementary application to SSIP application for 722 S Locust Ave

TO: The Fayetteville City Planning Commission and City Council

We, the undersigned, being all the owners of the real estate abutting the alley and right-sof-way hereinafter sought to be abandoned and vacated, lying adjacent to Lots 4, 5, and 6, Block 3 of Ferguson's Addition , City of Fayetteville, Arkansas, a municipal corporation, petition to vacate an alley and rights-of-way which is described as follows:

> A PART OF THE EXISTING RIGHT-OF-WAY OF LOCUST STREET, A PART OF THE EXISTING RIGHT-OF-WAY OF 8TH STREET, AND A PART OF AN EXISTING 20' ALLEY, ALL LYING ADJACENT TO LOTS 4, 5, AND 6, BLOCK 3 OF FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY ARKANSAS, AS PER PLAT OF THE SAID SUBDIVISIOON ON FILE IN THE OFFICE OF THE CIRCUIT CLEARK AND EX-OFFICIO RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4 AND RUNNING THENCE S00°00'08"W 150.00', THENCE S89°34'39"E 162.50', THENCE N00°27'02"E 150.00', THENCE S89°34'39"E 20.00', THENCE S00°27'02"W 190.00', THENCE N89°34'39"W 217.85', THENCE N00°52'05"E 190.00', THENCE S89°35'01"E 32.79', TO THE POINT OF BEGINNING. CONTAINING 0.39 ACRES MORE OR LESS.

That the abutting real estate affected by said abandonment of the alley are (lot, block, subdivision of each adjoining lot to the area requested to be vacated) City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described alley and rights-of-way.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said alley.

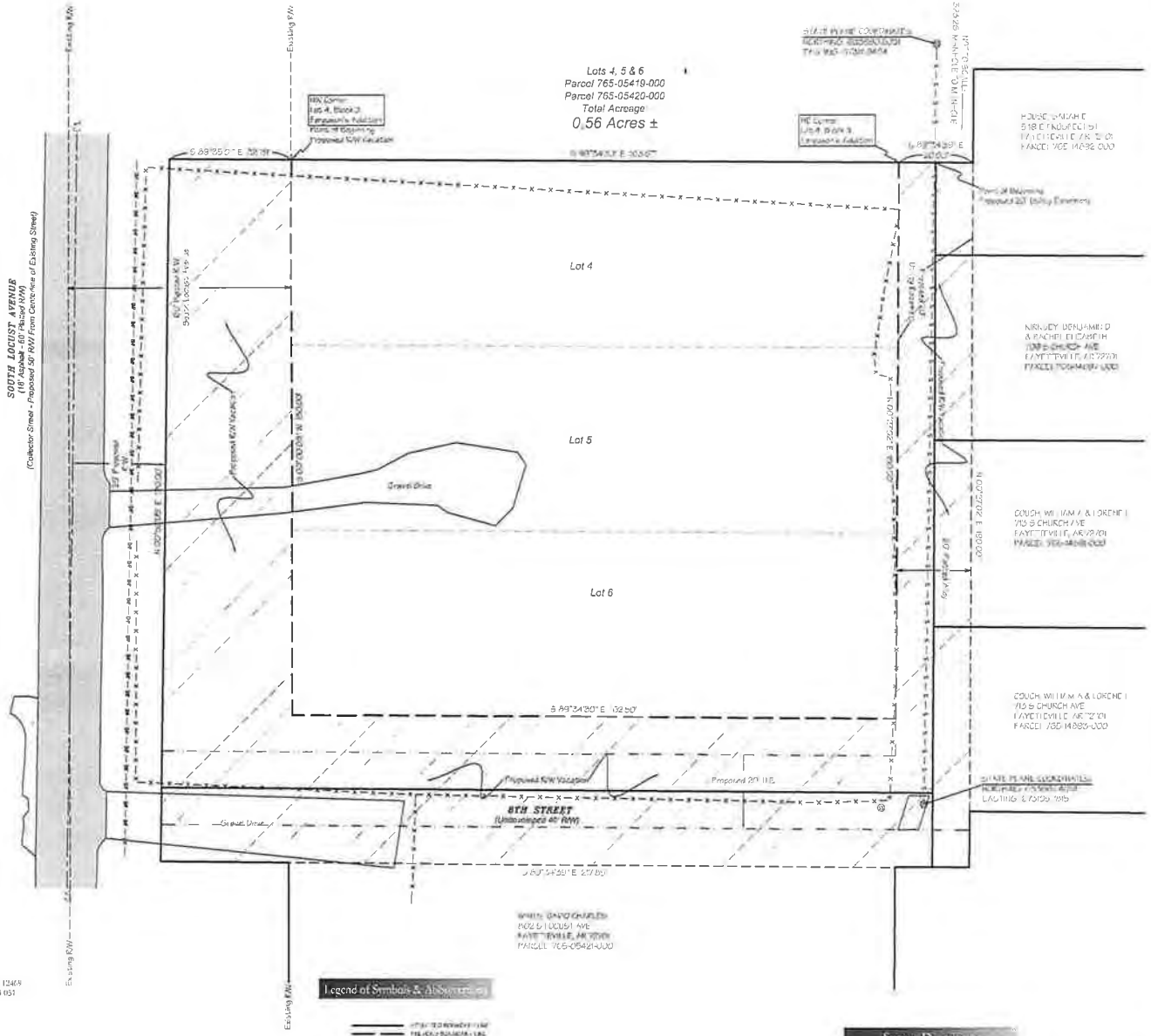
Dated this 31 day of August, 2015.

Carla Clayton

Carla Clayton, Owner

Electronically Signed using eSignOnline™[Session ID : bfee1840-3f57-40f1-b9cc-0e06cdf6cda3]

RIGHT-OF-WAY VACATION AND EASEMENT DEDICATION PLAT



R/W Vacation Description

A PART OF THE EXISTING RIGHT-OF-WAY OF LOCUST STREET, A PART OF THE EXISTING RIGHT-OF-WAY OF 8TH STREET, AND A PART OF AN EXISTING 20' ALLEY, ALL LYING ADJACENT TO LOTS 4, 5, AND 6, BLOCK 3 OF FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: **BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4** AND RUNNING THENCE S00°00'00"E 190.00', THENCE S89°34'30"E 162.50', THENCE N00°27'02"E 190.00', THENCE S89°34'30"E 20.00', THENCE S00°27'02"W 190.00', THENCE S89°34'30"W 217.85', THENCE N00°52'05"E 190.00', THENCE **S89°34'30"E 32.50', TO THE POINT OF BEGINNING**, CONTAINING 0.70 ACRES MORE OR LESS

Proposed U.E. Description

A 20' WIDE EASEMENT FOR UTILITIES, BEING A PART OF AN EXISTING 20' ALLEY (TO BE VACATED) AND THE EXISTING RIGHT-OF-WAY OF 8TH STREET (TO BE VACATED) LYING ADJACENT TO LOTS 4, 5 AND 6 OF BLOCK 3, FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S89°34'30"E 30.00' FROM THE NORTHEAST CORNER OF SAID LOT 4 AND RUNNING THENCE S00°27'02"W 190.00', THENCE **N89°34'30"E 20.00' TO THE POINT OF TERMINATION**

Miscellaneous Notes

COMPLETED FIELD WORK:
JULY 6, 2015

BASIS OF BEARING:
ARKANSAS STATE PLANE, NORTH ZONE, NAD 83

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED IN DEED BOOK 2015 AT PAGE 12469
2. SURVEY PLAT BY BATES & ASSOCIATES, PROJECT NO. 15-051 DATED 7/13/2015

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

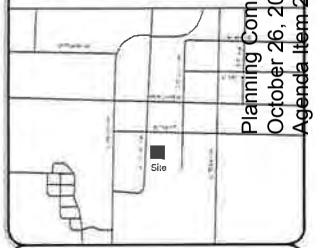
Legend of Symbols & Abbreviations

- FOUND BOUNDARY LINE
- FIELD BOUNDARY LINE
- CENTERLINE OF ROAD
- BASE OF WALL
- FENCE
- OH — OH — OVERHEAD POWER LINE
- SANITARY SEWER
- PROPOSED RIGHT-OF-WAY VACATION

Survey Description

LOTS 4, 5 AND 6, BLOCK 3, FERGUSON'S ADDITION TO THE CITY OF FAYETTEVILLE, AS PER PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS

Vicinity Map



Utility Notes

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES. ONLY THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES

BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" (1) FOR FIELD LOCATIONS (2) REQUEST FOR GROUND MARKINGS OF UNDERGROUND UTILITY LINES

0 20 40 60
1 INCH = 20 FEET

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 8TH DAY OF JULY, 2015.

REGISTERED
STATE OF ARKANSAS
NO. 1532
BUCKLEY B. BLEW
PROFESSIONAL LAND SURVEYOR

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT HEAR AN ORIGINAL SEAL AND SIGNATURE.

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
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OFFICE: 479.443.4506
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www.BLEWINC.com
Certificate of Authorization No. 1534

G.A.C. 7/9/2015	H.M.	R.S.
WASHINGTON COUNTY, ARKANSAS	15-639	

LOTS 4, 5 & 6, FERGUSON'S ADDITION

EQUITY TRUST COMPANY

ADJACENT PROPERTY OWNER NOTIFICATION/APPROVAL FORM

Date: August 19, 2015
Address: 8th St. Right-of-Way between Locust and Church St.
Adjacent Property Address: 802 S. Locust St
Lot: 1 Block: 4 Subdivision: Ferguson Addition

Requested Vacation:
I have been notified of the petition to vacate the alley, described as follows:

Attached Below

Adjacent Property Owners Comments:

__ I have been notified of the requested vacation and decline to comment

X I do not object to the vacation described above But;

__ I do object to the vacation described above

1) Only if the existing fence Stays where it is.
2) My drive way stays where it is.

Project Name: Locust Vacation

David Waits
Name of adjacent property owner

David Waits
Signature of adjacent property owner

Zara Niederman
Applicant Name

ADJACENT PROPERTY OWNER NOTIFICATION/APPROVAL FORM

Date: August 19, 2015
Address: Alley between Locust and Church St. between 7th and 9th St. Fayetteville, AR
Adjacent Property Address: 709 S. Church
Lot: – Block: – Subdivision: 21-16-30 FAYETTEVILLE OUTLOTS

Requested Vacation:
I have been notified of the petition to vacate the alley, described as follows:

Attached Below

Adjacent Property Owners Comments:

__ I have been notified of the requested vacation and decline to comment

✓ I do not object to the vacation described above

__ I do object to the vacation described above

Project Name: Locust Vacation

Ben + Rachel Kirksey
Name of adjacent property owner

Signature of adjacent property owner

Zara Niederman
Applicant Name

ADJACENT PROPERTY OWNER NOTIFICATION/APPROVAL FORM

Date: August 19, 2015
Address: Alley between Locust and Church St. between 7th and 9th St. Fayetteville, AR
Adjacent Property Address: 719 S Church St
Lot: — Block: — Subdivision: 21-16-30 FAYETTEVILLE OUTLOTS

Requested Vacation:
I have been notified of the petition to vacate the alley, described as follows:

Attached Below

Adjacent Property Owners Comments:

__ I have been notified of the requested vacation and decline to comment

✓ I do not object to the vacation described above

__ I do object to the vacation described above

Project Name: Locust Vacation

Sarah House
Name of adjacent property owner

Signature of adjacent property owner

Zara Niederman
Applicant Name

ADJACENT PROPERTY OWNER NOTIFICATION/APPROVAL FORM

Date: August 19, 2015
Address: Alley between Locust and Church St. between 7th and 9th St. Fayetteville, AR
Adjacent Property Address: 713 S Church + Lot next door
Lot: — Block: — Subdivision: 21-16-30 FAYETTEVILLE OUTLOTS

Requested Vacation:
I have been notified of the petition to vacate the alley, described as follows:

Attached Below

Adjacent Property Owners Comments:

__ I have been notified of the requested vacation and decline to comment

X I do not object to the vacation described above

I do object to the vacation described above W. C

Project Name: Locust Vacation

William Couch
Name of adjacent property owner

William Couch
Signature of adjacent property owner

Matthew Petty, & Z Niederman
Applicant Name

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: TRASH / RECYCLING

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ✓ Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side.

☐ *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

✓ No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

Commercial Sales Rep
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: TRASH / RECYCLING

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Lowst St Fayetteville
Lowst St Frontage (31-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

Commercial Sales Rep
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: TRASH / RECYCLING

APPLICANT NAME: Zara Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S Locust, Fayetteville
40' 8th St ROW on South Side of Property

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

Comm. Sales rep

Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: AEP SWEPCO

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St frontage (34-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above, and no comments.

X No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

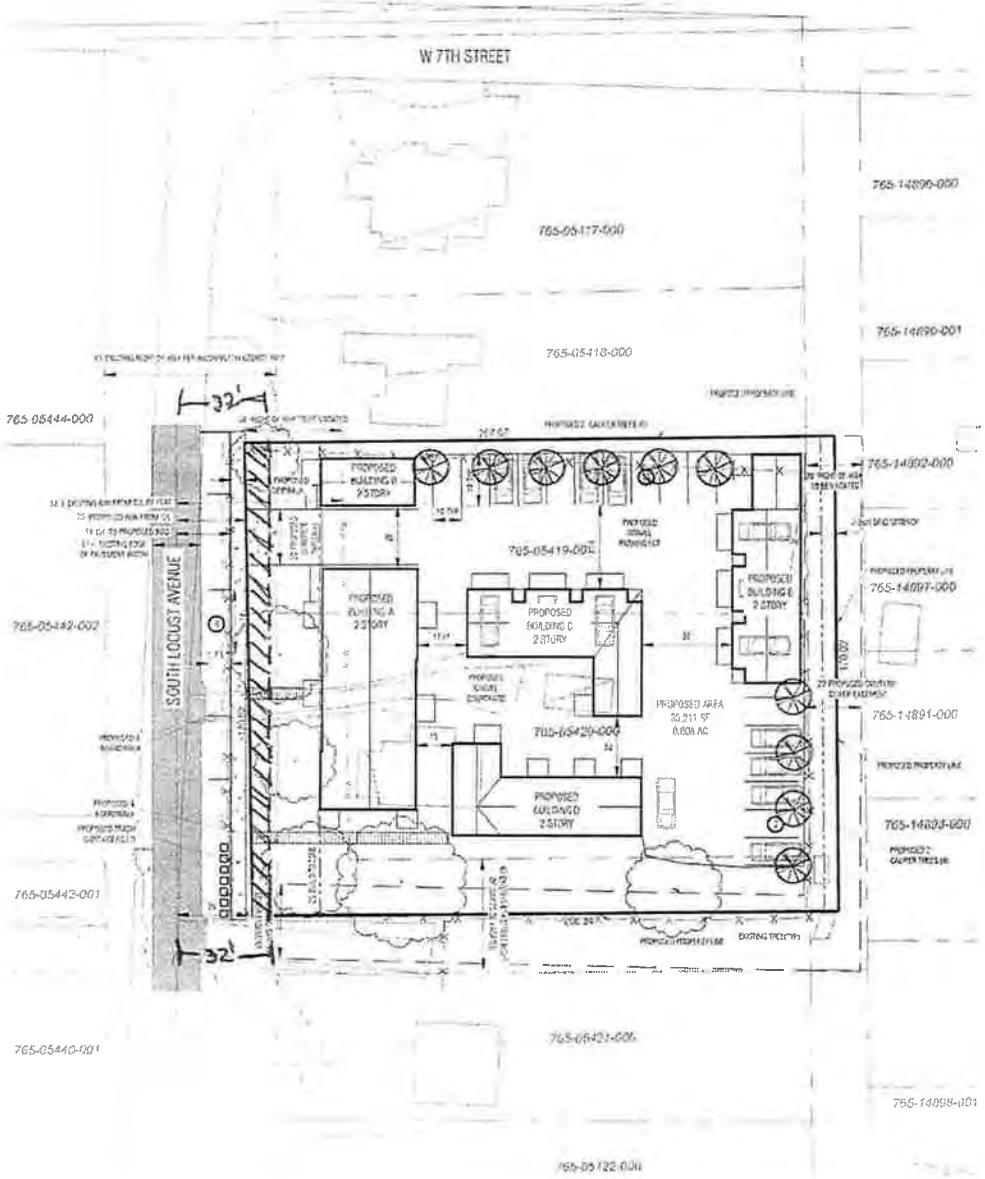
RETAIN 32' OF ROW FROM CL OF SOUTH LOCUST AVE.

No objections provided the following conditions are met:

Zong Zu
Signature of Utility Company Representative

DISTRIBUTION ENGINEER
Title

December 2014
Page 5



PROPERTY LOCATION / ADDRESS:

DEVELOPER INFORMATION:

REPRESENTATIVE INFORMATION:

FLOOD CERTIFICATION:

ON-SITE SOIL TYPES

ZONING AND SETBACKS

SCREENING NOTES:

BOUNDARY DESCRIPTION

LAND USE SUMMARY TABLE

NOTES:

SITE NOTES:

VICINITY MAP - NTS

PARKING SUMMARY

community.by.design

REVISION 0

SOUTHSIDE COTTAGES SSIP

FAYETTEVILLE
WASHINGTON COUNTY,
ARKANSAS

DRAFT ISSUED FOR REVIEW

SCALE

SITE PLAN

SHEET 1 OF 2

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: AEP SWEPCO

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

✓ Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

DISTRIBUTION ENGINEER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: AEP SWEPCO

APPLICANT NAME: Zara Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S Locust, Fayetteville
40' 8th St ROW on South Side of Property

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

DISTRIBUTION ENGINEER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: AT&T

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St Frontage (34-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

X No objections provided the following conditions are met:
There is AT&T aerial facilities located on the power poles running North to South in this easement. If AT&T facilities are required to be relocated property owner/ developer will be responsible for any fees incurred.

Jeff Rau
Signature of Utility Company Representative

MGR OSP PLNG & ENGRG DESIGN
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: AT&T

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

✓ Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

MGR OSP PLNG & ENGRG DESIGN
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: AT&T

APPLICANT NAME: Zaca Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust, Fayetteville
40' 8th St ROW on South Side of Property

✓ *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

MGR OSP PLNG & ENGRG DESIGN
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: CITY OF FAYETTEVILLE W & S

APPLICANT NAME: Zara Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

- [ ] Utility Easement
- [ ] Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- [ ] Alley
- [x] Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust, Fayetteville
40' 8th St ROW on South Side of Property

- [ ] *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

- [ ] No objections to the vacation(s) described above, and no comments.
- [x] No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

RETAIN AS UTILITY EASEMENT FOR EXISTING WATER & SEWER

No objections provided the following conditions are met:

Signature of Utility Company Representative

W & S OPERATIONS MANAGER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: CITY OF FAYETTEVILLE W&S

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

☐ Utility Easement

☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

☑ Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

☐ No objections to the vacation(s) described above, and no comments.

☒ No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

RETAIN AS 20' SANITARY SEWER EASEMENT

No objections provided the following conditions are met:

Signature of Utility Company Representative

W&S OPERATIONS MANAGER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: CITY OF FAYETTEVILLE W & S

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St Frontage (31-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

W & S OPERATIONS MANAGER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: Ozarks Electric

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ✓ Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Greg McGee
Signature of Utility Company Representative

Lead Staking Tech
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: Ozarks Electric

APPLICANT NAME: Zara Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

- [ ] Utility Easement
- [ ] Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- [ ] Alley
- [x] Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust, Fayetteville
40' 8th St ROW on South Side of Property

- [ ] ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

- [x] No objections to the vacation(s) described above, and no comments.
- [ ] No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

_____

_____

- [ ] No objections provided the following conditions are met:

_____

_____

Greg McGee
Signature of Utility Company Representative

Lead Staking Tech
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: Ozarks Electric

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

☐ Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St Frontage (~34-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

☐ No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

☐ No objections provided the following conditions are met:

Greg McGee
Signature of Utility Company Representative

Lead Staking Tech
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: TRANSPORTATION DIV

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St Frontage (34-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

✓ No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Jerry Smith 8-17-15
Signature of Utility Company Representative

Assistant Transportation Manager
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: TRANSPORTATION DIV

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ✓ Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

✓ No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Joey Smith 8-17-15
Signature of Utility Company Representative

Assistant Transportation Manager.
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: TRANSPORTATION DIV

APPLICANT NAME: Zara Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S Locust, Fayetteville
40' 8th St ROW on South Side of Property

☐ *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

✓ No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Jerry Smith 8-17-15
Signature of Utility Company Representative

Assistant Transportation Manager
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: COX

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

✓ Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

CONSTRUCTION MANAGER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: COX

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St Frontage (~34-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

CONSTRUCTION MANAGER
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: COX

APPLICANT NAME: Zara Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust, Fayetteville
40' 8th St ROW on South Side of Property

☐ *(ATTACH legal description and graphic representation of what is being vacated-SURVEY)*

UTILITY COMPANY COMMENTS:

✗ No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

CONSTRUCTION MANAGER
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: Source Gas

APPLICANT NAME: Zara Niederman/M. Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (*applicant must check all that apply*):

✓ Utility Easement

✓ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
Locust St Frontage (~34-36' vacated)

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

X No objections provided the following conditions are met:
A 10' UE remain, whereas the existing gas main is center of said UE.

Brian A. Danforth
Signature of Utility Company Representative

Supervisor - Division Operations
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: SOURCE GAS

APPLICANT NAME: Zach Niederman / Matt Petty APPLICANT PHONE: 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

✓ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S Locust, Fayetteville
40' 8th St ROW on South Side of Property

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Brian A. Dapt
Signature of Utility Company Representative

Supervisor Division Operations
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 8/13/15

UTILITY COMPANY: SOURCE GAS

APPLICANT NAME: Zara Niederman / M. Petty APPLICANT PHONE: 479 387-2123

REQUESTED VACATION (***applicant must check all that apply***):

. Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

✓ Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 722 S. Locust St Fayetteville
765-05419 + 765-05420-000 20' Alley on East Side

☐ ***(ATTACH legal description and graphic representation of what is being vacated-SURVEY)***

UTILITY COMPANY COMMENTS:

X No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained. (State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Brian A. Dafoe

Signature of Utility Company Representative

Supervisor Division Operation

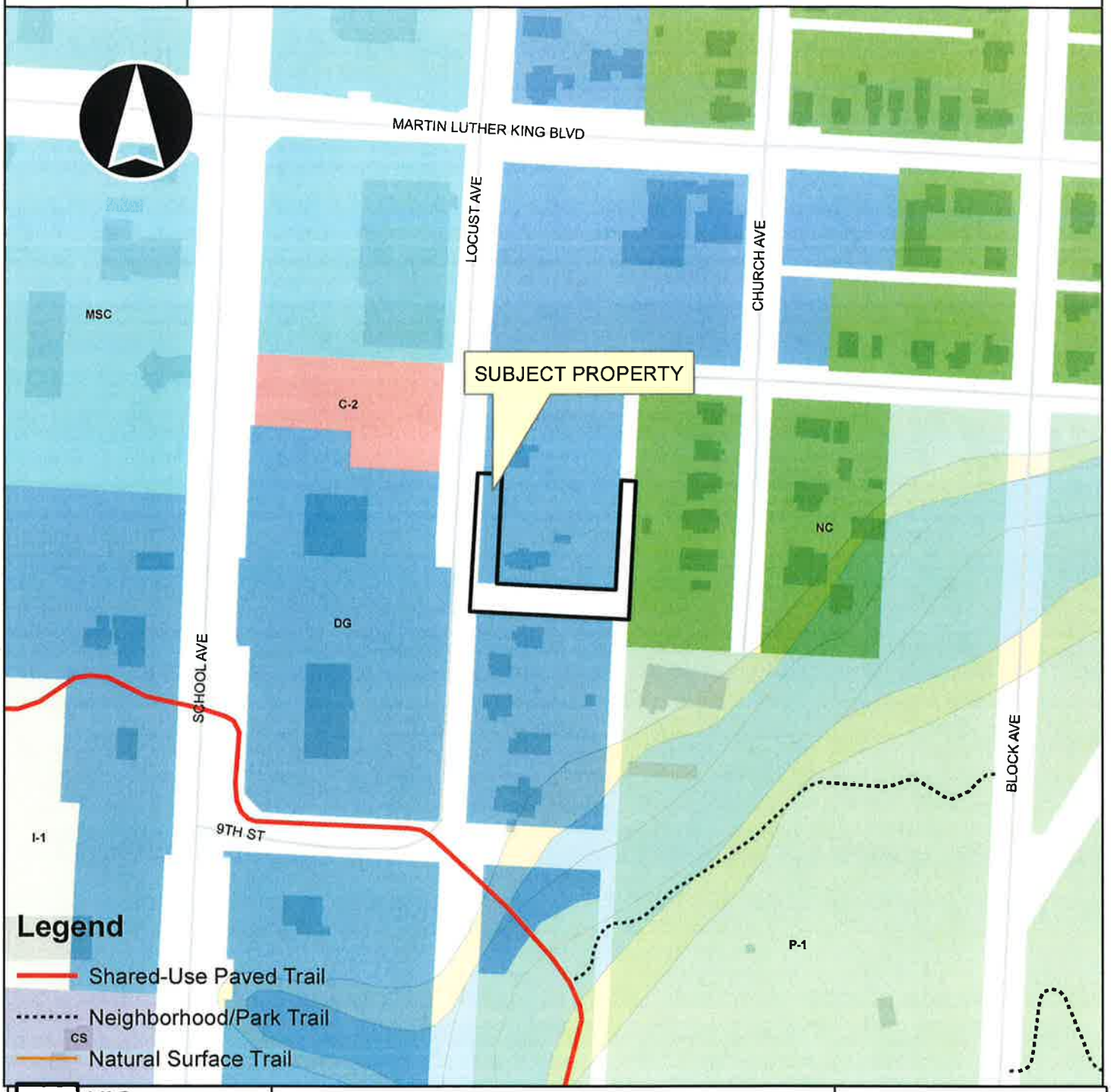
Title

December 2014
Page 5

VAC15-5204

Close Up View

SOUTHSIDE COTTAGES



Overview

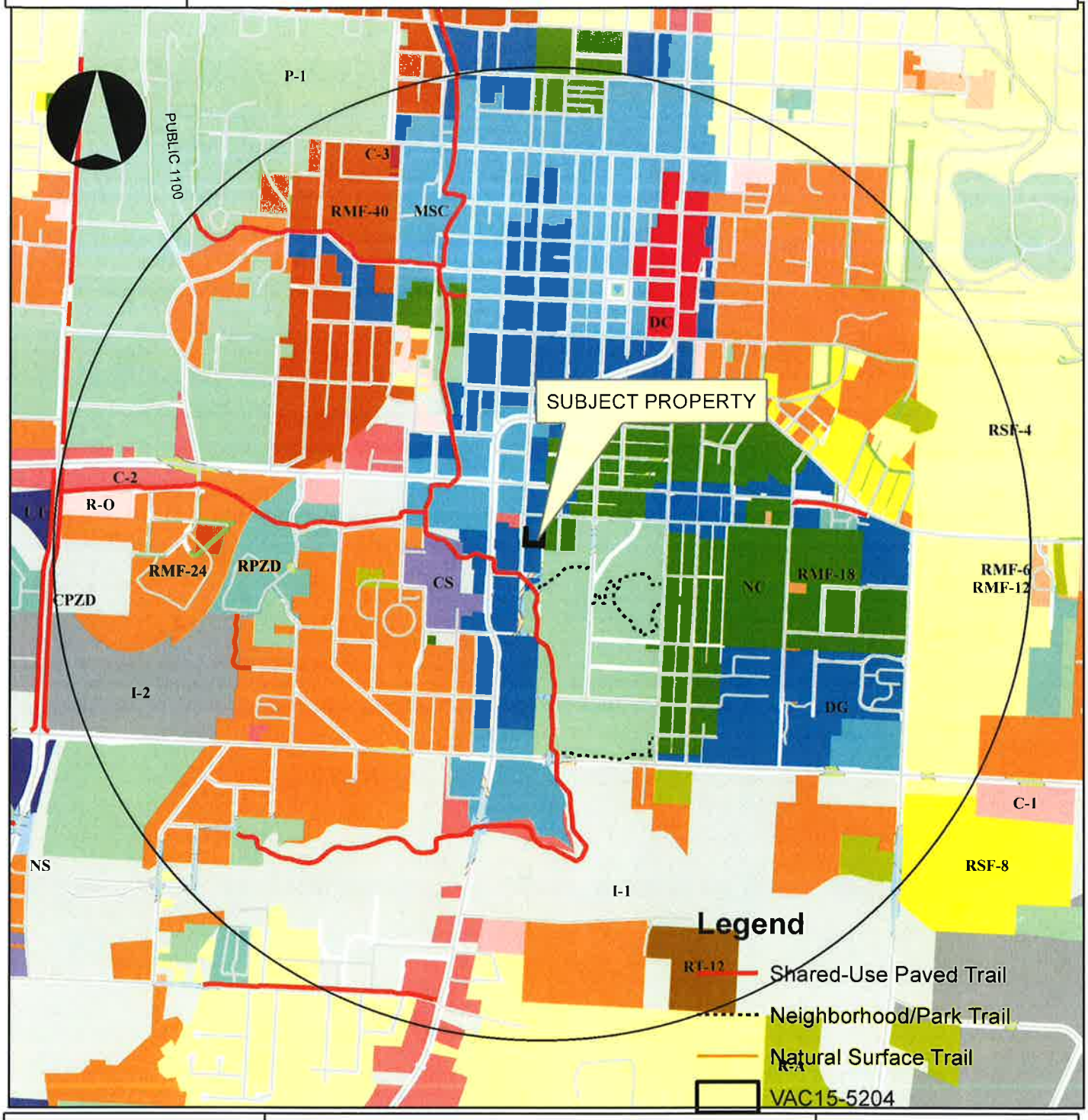
- VAC15-5204
- Hillside-Hilltop Overlay District
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area

0 75 150 300 450 600 Feet

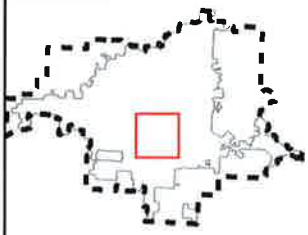
VAC15-5204

One Mile View

SOUTHSIDE COTTAGES



Overview



Legend

Subject Property

Boundary

Hillside-Hilltop Overlay District

Design Overlay District

Planning Area

Fayetteville

0 0.25 0.5 1 Miles

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0515

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: C. 4

AMEND § 150.02 PURPOSE:

AN ORDINANCE TO AMEND § 150.02 **PURPOSE** OF THE UNIFIED DEVELOPMENT CODE BY ENACTING FURTHER LANGUAGE

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 amends § 150.02 **Purpose** of the U.D.C. by placing all existing language in subsection (A) and enacting a new subsection (B) as shown below:

"(B) The primary purpose of the Unified Development Code remains to protect the peace, health, safety and general welfare of Fayetteville residents by reasonable regulations upon development enacted to promote purposes including, but not limited to, all statutorily approved purposes found in A.C.A. § 14-56-403 **Purpose of plans**."

EXHIBIT 'A'

150.02 Purpose

(A) The Unified Development Code is designed to carry out and protect the Comprehensive Land Use Plan, the Master Street Plan and all other adopted plans of the City of Fayetteville, all of which are designed to protect and further the health, safety or welfare of Fayetteville citizens.

(B) The Unified Development Code is further designed and intended to protect the health, safety or welfare of our citizens by setting forth the procedures, requirements and minimum standards necessary to promote reasonable, orderly, and beneficial zoning and development, to moderate street congestion, to enhance aesthetic quality and good civic design, and to fulfill the intent and purposes of municipal planning as set forth in A.C.A. §14-56-403.

(C) The Unified Development Code is further intended to protect the health, safety or welfare of our citizens by reducing the dangers from fire, flood, erosion, and pollution; by encouraging infill and affordable housing while protecting established neighborhoods; by encouraging quality commercial, industrial and mixed use growth while ensuring any necessary protection or buffering for residential neighborhoods all to ensure that Fayetteville citizens enjoy a high quality of life in a vibrant and livable community.

City of Fayetteville Staff Review Form

2015-0515

Legistar File ID

11/17/2015

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

Jeremy Pate	10/30/2015	City Planning / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

ADM 15-5195: Administrative Changes to UDC Section 150.02 Purpose: Submitted by CITY PLANNING STAFF for administrative revisions to Fayetteville Unified Development Code Section 150.02.

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	$	-

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

FROM: Andrew Garner, City Planning Director

DATE: October 30, 2015

SUBJECT: **ADM 15-5195: Administrative Changes to UDC Section 150.02 Purpose:** Submitted by CITY PLANNING STAFF for administrative revisions to Fayetteville Unified Development Code Section 150.02.

RECOMMENDATION:
Staff recommends approval of an ordinance to amend Section 150.02 of the Unified Development Code.

BACKGROUND and DISCUSSION:

Staff recommends changes to update and clarify the general Purpose statement of the Unified Development Code as follows :

- Section 150.02 – Repeal and replace this section to clarify and explain more adequately that the Unified Development Code is designed primarily to protect and further the health, safety or welfare of Fayetteville citizens and to carry out the adopted plans of the City.

BUDGET/STAFF IMPACT:
None

Attachments:
- Draft Ordinance
- Proposed UDC Code Changes in highlight-underline

CHAPTER 150: GENERAL PROVISIONS

150.02 Purpose

~~The UDC is adopted for the purpose of implementing the Comprehensive Land Use Plan and any other plans or policies adopted or amended by the City Council, in a manner that furthers the health, safety and general welfare of the people of the community and to provide uniform standards for the development of land and the installation of related improvements. The UDC sets forth the procedures, requirements, and minimum standards intended to promote an appropriate mix of land uses in an orderly manner; enhance aesthetic quality, moderate street congestion, secure safety from events such as fire, flood, erosion and landslides; prevent overcrowding of land; provide adequate light and air; and provide for circulation, recreation, and other public services and facilities. The UDC provides for, but is not limited to, development of land uses which protect established neighborhoods, and commercial and industrial districts; allows compatible infill of established areas; provides flexibility for mixing of uses to achieve traditional neighborhood developments; protects significant environmental resources; and makes a livable community.~~

(A) The Unified Development Code is designed to carry out and protect the Comprehensive Land Use Plan, the Master Street Plan and all other adopted plans of the City of Fayetteville, all of which are designed to protect and further the health, safety or welfare of Fayetteville citizens.

(B) The Unified Development Code is further designed and intended to protect the health, safety or welfare of our citizens by setting forth the procedures, requirements and minimum standards necessary to promote reasonable, orderly, and beneficial zoning and development, to moderate street congestion, to enhance aesthetic quality and good civic design, and to fulfill the intent and purposes of municipal planning as set forth in A.C.A. §14-56-403.

(C) The Unified Development Code is further intended to protect the health, safety or welfare of our citizens by reducing the dangers from fire, flood, erosion, and pollution; by encouraging infill and affordable housing while protecting established neighborhoods; by encouraging quality commercial, industrial and mixed use growth while ensuring any necessary protection or buffering for residential neighborhoods all to ensure that Fayetteville citizens enjoy a high quality of life in a vibrant and livable community.

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0513

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: C. 5

AMEND CHAPTERS 160, 161 AND 167:

AN ORDINANCE TO AMEND § 160.01 **ESTABLISHMENT OF DISTRICT**, § 161.10 **DISTRICT RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE**, AND TABLE 1 **MINIMUM CANOPY REQUIREMENTS** OF § 167.04 **TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT**, ALL WITHIN THE UNIFIED DEVELOPMENT CODE

WHEREAS, minor changes to the Unified Development Code are needed to accommodate the inclusion of RSF-18, Residential Single-family-Eighteen Units per Acre as a new zoning district.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby amends § 160.01 **Establishment of Districts** of the U.D.C. by adding "RSF-18, Residential Single-family-Eighteen Units per Acre," to the list of zoning districts.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends § 161.10 **District RSF-18, Residential Single-family-Eighteen Units per Acre** of the U.D.C. by adding "Unit 44 Cottage Housing Development" to the conditional uses allowed.

Section 3. That the City Council of the City of Fayetteville, Arkansas hereby amends § 167.04 **Tree Preservation and Protection During Development** by adding "RSF-18, Residential Single-family-Eighteen Units per Acre" to Table 1, **Minimum Canopy Requirements**.

City of Fayetteville Staff Review Form

2015-0513

Legistar File ID

11/17/2015

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

Jeremy Pate	10/30/2015	City Planning / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

ADM 15-5093: Administrative Changes for the RSF-18 ZONING DISTRICT/UDC Chapters 160, 161, and 167: Submitted by CITY PLANNING STAFF for administrative revisions to Fayetteville Unified Development Code Chapters 160, 161, and 167 associated with the recent adoption of the RSF-18 zoning district.

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	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

FROM: Andrew Garner, City Planning Director

DATE: October 16, 2015

SUBJECT: **ADM 15-5093: Administrative Changes for the RSF-18 ZONING DISTRICT/UDC Chapters 160, 161, and 167:** Submitted by CITY PLANNING STAFF for administrative revisions to Fayetteville Unified Development Code Chapters 160, 161, and 167 associated with the recent adoption of the RSF-18 zoning district.

RECOMMENDATION:
Staff recommends approval of an ordinance to amend Chapters 160, 161 and 167.

BACKGROUND and DISCUSSION:

On October 6, 2015 the City Council adopted an ordinance for the creation of the new RSF-18, Residential Single Family Eighteen Units per Acres, zoning district. Additional minor changes to the Unified Development Code are needed associated with the adoption of this new district as follows:

- Section 160.01 –Add RSF-18 to the zoning district chart.
- Section 161.10 – Add Use Unit 44, Cottage Housing Development as a Conditional Use.
- Section 167.04 – Add RSF-18 to the tree preservation chart with a percent minimum canopy of 20%, consistent with zoning districts of a similar density.

BUDGET/STAFF IMPACT:
None

Attachments:
- Draft Ordinance
- Proposed UDC Code Changes in highlight-underline

CHAPTER 160: ZONING DISTRICTS

160.01 Establishment Of Districts

The following zoning districts are hereby established:

ZONING DISTRICTS

R-A	Residential - Agricultural
RSF-.5	Residential Single-family – One Half Unit per Acre
RSF-1	Residential Single-family – One Unit per Acre
RSF-2	Residential Single-family – Two Units per Acre
RSF-4	Residential Single-family – Four Units per Acre
RSF-7	Residential Single-family – Seven Units per Acre
RSF-8	Residential Single-family – Eight Units per Acre
RSF-18	Residential Single-family – Eighteen Units per Acre
RT-12	Residential Two and Three-family
RMF-6	Residential Multi-family – Six Units per Acre
RMF-12	Residential Multi-family – Twelve Units per Acre
RMF-18	Residential Multi-family – Eighteen Units per Acre
RMF-24	Residential Multi-family – Twenty-Four Units per Acre
RMF-40	Residential Multi-family – Forty Units per Acre
R-O	Residential-Office
NS	Neighborhood Services
C-1	Neighborhood Commercial
CS	Community Services
C-2	Thoroughfare Commercial
C-3	Central Business Commercial
UT	Urban Thoroughfare
DC	Downtown Core
MSC	Main Street Center
DG	Downtown General
NC	Neighborhood Conservation
I-1	Heavy Commercial and Light Industrial
I-2	General Industrial
P-1	Institutional
E-1	Extraction
DOD	Design Overlay District
R-PZD	Residential Planned Zoning District
C-PZD	Commercial Planned Zoning District
I-PZD	Industrial Planned Zoning District

CHAPTER 161: ZONING REGULATIONS

161.10 District RSF-18, Residential Single-Family – Eighteen Units Per Acre

(A) *Purpose*. The RSF-18 Single-family Residential District is designed to promote and encourage the efficient development of single-family detached residences in a variety of densities.

(B) *Uses.*

(1) *Permitted uses.*

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

(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.*

Units per acre	18 or less

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single-family	30 ft.
Two-family	30 ft.

(2) *Lot area minimum.*

Townhouses: Individual lot	1,250 sq. ft.
Single-family	2,500 sq. ft.
Two-family	2,500 sq. ft.

(E) *Setback requirements.*

Front	Side	Side-Zero Lot Line*	Rear
A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 ft. on both sides	A setback of less than 5 ft. (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	5 ft.

* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

** At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(F) *Building height regulations*.

Building Height Maximum	35 ft.

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

(H) *Minimum buildable street frontage.* 50% of the lot width for two-family dwellings.

CHAPTER 167: TREE PRESERVATION AND PROTECTION

Table 1
Minimum Canopy Requirements

ZONING DESIGNATIONS	PERCENT MINIMUM CANOPY
R-A, Residential - Agricultural (nonagricultural uses)	25%
RSF-.5, Single-family Residential – One Half Unit per Acre	25%
RSF-1, Single-family Residential – One Unit per Acre	25%
RSF-2, Single-family Residential – Two Units per Acre	20%
RSF-4, Single-family Residential – Four Units per Acre	25%
RSF-7, Single-family Residential – Seven Units per Acre	20%
RSF-8, Single-family Residential – Eight Units per Acre	20%
RSF-18, Single-family Residential – Eighteen Units per Acre	20%
R-O, Residential –Office	20%
RT-12, Two and Three-family Residential	20%
RMF-6, Multi-family Residential – Six Units per Acre	20%
RMF-12, Multi-family Residential – Twelve Units per Acre	20%
RMF-18, Multi-family Residential – Eighteen Units per Acre	20%
RMF-24, Multi-family Residential – Twenty-Four Units per Acre	20%
RMF-40,Multi-family Residential – Forty Units per Acre	20%
NS, Neighborhood Services	20%
C-1, Neighborhood Commercial	20%
CS, Community Services	20%
C-2, Thoroughfare Commercial	15%
UT, Urban Thoroughfare	15%
C-3, Central Business Commercial	15%
DC, Downtown Core	10%
MSC, Main Street Center	10%
DG, Downtown General	10%
NC, Neighborhood Conservation	20%
I-1, Heavy Commercial and Light Industrial	15%
I-2, General Industrial	15%
P-1, Institutional	25%
PZD, Planned Zoning District (HHOD)	25% (30%)

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0469

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: C. 6

AMEND CHAPTER 97 PARKS AND RECREATION:

AN ORDINANCE TO AMEND CHAPTER 97 **PARKS AND RECREATION** OF THE FAYETTEVILLE CITY CODE TO ALLOW TWENTY FOUR (24) HOUR ACCESS TO SHARED USE PAVED TRAILS; TO ADD LEASH REQUIREMENTS FOR ANIMALS IN CERTAIN PARKS; TO PROHIBIT CERTAIN ACTIVITIES IN PARKS INCLUDING UNAUTHORIZED VEHICLE OPERATION, USE OF PADDLE BOARDS ON CITY LAKES, AND SHOOTING OF MODEL ROCKETS; TO PROVIDE FOR CERTAIN ACTIVITIES IN PARKS INCLUDING CAMPING, HORSEBACK RIDING, LIMITED VENDING AT PARK EVENTS, AND POSTING OF TEMPORARY SIGNS; AND TO MAKE OTHER TECHNICAL REVISIONS

WHEREAS, certain sections of the Parks and Recreation chapter of the Fayetteville City Code should be updated to provide for certain activities that are appropriate for City parks, to prohibit other activities, and to make technical corrections.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals Chapter 97 **Parks and Recreation** of the Fayetteville City Code and enacts a replacement Chapter 97 as shown in Exhibit "A" attached hereto.

TITLE IX GENERAL REGULATIONS
CHAPTER 97: PARKS AND RECREATION

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CHAPTER 97: PARKS AND RECREATION

ARTICLE I
GENERAL PROVISIONS

97.001 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

City. The City of Fayetteville, Arkansas.

Director. A person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

Park. A park, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation.

Person. Any person, firm, partnership, association, corporation, company, or organization of any kind.

Vehicle. Any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled and shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city parks.

(Code 1965, §17-A-1; Ord. No. 1594, 4-1-68; Code 1991, §97.001)

(Code 1965, §17A-2; Ord. No. 1594, 4-1-68; Code 1991, §97.002)

97.002-97.014 Reserved

ARTICLE II
PARK OPERATIONS; ADMINISTRATION AND ENFORCEMENT

97.15 Operating Hours

(A) Except for unusual emergencies, city parks shall be open to the public every day of the year from daylight until 11:00 p.m. except Shared Use Paved Trails as designated on the Parks and Trails Interactive Map which are open 24 hours every day. Any section or part of any park may be declared closed to the public by the city or its duly authorized representative at any time and for any interval of time.

Parks and Recreation Staff is authorized to extend the operating hours of a park when reasonable and necessary to accommodate a tournament or special event.

(Code 1965, §17A-32; Ord. No. 1594, 4-1-68; Code 1991, §97.015; Ord. 5501, 6-5-12)

97.16 Fee For City Park Athletic Facilities and Trails For Tournaments and Special Events

(A) For the use of City Park Athletic Facilities or City Trails for Tournaments and Special Events, the Mayor shall establish fees to be charged to defray the costs of event setup, maintenance, trash pickup and removal, equipment use, water, and electricity. Fayetteville Trails will remain open to the public, with the exception of annual events approved by the City and operated by non-profit entities and events organized in conjunction with the City of Fayetteville. Trails and park areas shall not be closed more than 4 hours at any time unless approved by the Mayor.

(B) The sponsors of any tournament or special event shall pay a trash and key deposit and arrange for all necessary umpires and/or coordinators. Upon conclusion of each tournament or event, the sponsor shall restore each facility or trail to the same condition it was in prior to the tournament or event in order for deposit to be returned.

(Code 1965, §2-100; Ord. No. 2714, 4-7-81; Ord. No. 4115, 8-18-98; Code 1991, §97.016; Ord. 5681, 4-15-14)

Cross reference(s)--Penalty, §97.999.

97.17 Fees For City Swimming Pools

Upon the recommendation of the Parks and Recreation Advisory Board, the mayor, or his/her designee, shall establish and make periodic adjustments to the schedule of fees charged for the use of city swimming pools.

(Ord. No. 4371, 2-19-02; Code 1991, §97.017)

97.18 Enforcement By Director, Park Staff, And City Police

The director, park staff and city police shall in connection with their official duties diligently enforce the provisions of this chapter.

(Code 1965, 17A-33; Ord. No. 1594, 4-1-68; Code 1991, §97.018)

97.019-97.029 Reserved

ARTICLE III
CARE OF PARK PROPERTY

97.30 Buildings And Other Property

No person in a park shall willfully mark, deface, disfigure, injure or tamper with any buildings, monuments, bridges, tables, benches, fireplaces, signs, public utilities or other structures or equipment, facilities, or park property or appurtenances whatsoever, either real or personal.

(Code 1965, §17A-3; Ord. No. 1594, 4-1-68; Code 1991, §97.030)

Cross reference(s)--Penalty, §97.999.

97.31 Restrooms And Washrooms

No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex.

(Code 1965, §17A-4; Ord. No. 1594, 4-1-68; Code 1991, §97.031)

Cross reference(s)--Penalty, §97.999.

97.32 Removal Of Natural Resources

No person in a park shall dig, or remove any sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency, except on special written permit obtained from the city.

(Code 1965, §17A-5; Ord. No. 1594, 4-1-68; Code 1991, §97.032)

Cross reference(s)--Penalty, §97.999.

97.33 Damaging Trees, Shrubbery And The Like

No person in a park shall damage, cut, climb, carve, injure, transplant or remove any tree, flower, or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant or in any other way injure or impair the natural beauty or usefulness of any park area.

(Code 1965, §17A-7; Ord. No. 1594, 4-1-68; Code 1991, §97.033)

Cross reference(s)--Penalty, §97.999.

97.34 Pollution Of Water

No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance which will or may result in the pollution of said waters.

(Code 1965, §17A-9; Ord. No. No. 1594, 4-1-68; Code 1991, §97.034)

Cross reference(s)--Penalty, §97.999.

97.35 Wild Animals, Birds, Fish, And The Like

No person in a park shall hunt, molest, harm, frighten, poison, kill, trap or remove any animal, reptile, fish, or bird; nor remove the eggs, nest or young of any wild animal, fish, reptile, or bird.

(Code 1965, §17A-8; Ord. No. No. 1594, 4-1-68; Code 1991, §97.035)

Cross reference(s)--Penalty, §97.999.

97.36 Erection Of Structures

No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit obtained from the city.

(Code 1965, §17A-6; Ord. No. No. 1594, 4-1-68; Code 1991, §97.036)

Cross reference(s)--Penalty, §97.999.

97.37 Refuse And Trash

No person in a park shall have brought into a park any refuse or other trash. Nor shall any refuse or other trash be left anywhere on the grounds thereof, but shall be placed in proper receptacles. Where such receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

(Code 1965, §17A-10; Ord. No. 1594, 4-1-68; Code 1991, §97.037)

Cross reference(s)--Penalty, §97.999.

97.038 Animals to be Leashed

Owners must keep their animals on a leash in a park. Dogs are allowed to be off leash in designated dog parks and Lake Wilson Park. Pet owners are required to pick-up their animal's excretion and properly disposed of.

ARTICLE IV
TRAFFIC RULES

97.50 Compliance With State And City Motor Vehicle Laws Required

No person in a park shall fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such applicable regulations as are contained in this chapter and Title VII of this Code of Ordinances.

(Code 1965, §17A-11; Ord. No. 1594, 4-1-68; Code 1991, §97.050)

Cross reference(s)--Penalty, §97.999; Title VII, Traffic Code.

97.51 Speed Of Vehicles

No person in a park shall ride or drive a vehicle at a rate of speed exceeding 10 miles per hour, except upon such roads as the city may designate, by posted signs, for speedier travel.

(Code 1965, §17A-12; Ord. No. No. 1594, 4-1-68; Code 1991, §97.051)

Cross reference(s)--Penalty, §97.999.

97.52 Parking

No person in a park shall park a vehicle in other than an established or designated parking area, and such use shall also be in accordance with the provisions of Chapter 72 of this Code of Ordinances.

(Code 1965, §17A-13; Ord. No. No. 1594, 4-1-68; Code 1991, §97.052)

Cross reference(s)--Penalty, §97.999; Ch. 72, Parking Regulations.

97.53 Vehicles Prohibited After Closing Hours

No person in a park shall enter, operate, park, leave or abandon a vehicle within a park after the closing hour of 11:00 p.m. No person shall operate a vehicle anywhere other than on a paved vehicular road or path designated for vehicular access.

(Code 1965, §17A-14; Ord. No. 1594, 4-1-68; Code 1991, §97.053)

Cross reference(s)--Penalty, §97.999.

97.54 Bicycles, Motorbikes, Skateboards And The Like

No person in a park shall ride, drive, operate or push a bicycle, motorbike, scooter, skateboard, roller skates and the like on other than a paved vehicular road, path, or course designated for that purpose.

(Code 1965, §17A-15; Ord. No. 1594, 4-1-68; Code 1991, §97.054)

Cross reference(s)--Penalty, §97.999.

97.055-97.064 Reserved

ARTICLE V
RECREATIONAL ACTIVITIES

97.65 Bathing And Swimming; Bathhouses

(A) No person in a park shall swim, bathe, or wade in any waters or waterways in any park, except in such waters as are provided therefor and except during such hours of the day as shall be designated by the city. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the city upon a finding that such use of the water would be dangerous or otherwise inadvisable. Groups wishing to have a special event at Lake Fayetteville that includes swimming shall obtain a special use permit from the City Parks and Recreation staff, see section 97.071.

(B) No person in a park shall dress or undress in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

(Code 1965, §17A-17; Ord. No. 1594, 4-1-68; Code 1991, §97.065; Ord. 5285, 11-17-09)

Cross reference(s)--Penalty, §97.999.

97.66 Hunting And Firearms

No person in a park shall hunt, trap or pursue wildlife at any time; provided that the trapping of muskrats, beavers or other burrowing animals may be permitted on city reservoirs and waterways upon approval of the mayor for the protection of earthen dams. No person shall use, carry, or possess firearms of any description or air rifles, spring guns, slings, traps, or other weapons or devices potentially inimical to wildlife and dangerous to human safety. Bows and arrows will be permitted on archery ranges so designated and supervised by the city.

(Code 1965, §17A-18; Ord. No. 1594, 4-1-68; Ord. No. 1963, 11-20-73; Code 1991, §97.066)

Cross reference(s)--Penalty, §97.999.

97.67 Picnic Facilities; Duty Of Picnicker

(A) No person in a park shall use any portion of the park or recreational facilities to the

exclusion of other persons; nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded. Use of individual grills, tables, benches, and recreational facilities will generally follow the rule of "first come, first served" unless scheduled by the Parks and Recreation Department.

(B) No person in a park shall leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. Where no such trash receptacles are available, the refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(Code 1965, §17A-19; Ord. No. 1594, 4-1-68; Code 1991, §97.067)

Cross reference(s)--Penalty, §97.999.

97.68 Camping Prohibited

No person in a park shall set up or use tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person bring in or leave in a city park after closing hours any structure or vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon or the like. Boy Scouts, and other groups who have served the Parks and Recreation Department through approved work programs in parks, may be permitted to camp at Lake Sequoyah at the approved campsite as shown on the map if authorized by the Parks and Recreation Director. Tournament Directors of park related sanction tournaments may be permitted to camp at the tournament facility site at Walker Park horseshoe, Walker Park baseball, White River baseball, Gary Hampton softball, Regional Park soccer and baseball, and Lake Fayetteville softball, if authorized by the Parks and Recreation Director.

(Code 1965, §17A-20; Ord. No. 1594, 4-1-68; Code 1991, §97.068)

Cross reference(s)--Penalty, §97.999.

97.69 Horseback Riding

No person in a park shall ride a horse except on designated bridle trails approved by the Parks and Recreation Director. Where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care and shall not be allowed to go unattended.

(Code 1965, §17A-22; Ord. No. 1594, 4-1-68; Code 1991, §97.069)

Cross reference(s)--Penalty, §97.999.

97.70 Recreational Activities At Lakes Fayetteville, Sequoyah And Wilson

(A) *Hours.* Lake Fayetteville, Lake Sequoyah, and Lake Wilson shall be open to the general public throughout the year from sunrise to sunset daily and shall be closed each day from sunset to sunrise; provided**:**

(1) Lake Fayetteville and Lake Sequoyah shall be closed on Thanksgiving Day and from sunset on December 23rd through January 14th.

(2) The Director of the Parks and Recreation Department is authorized to extend the operating hours of a lake when reasonable and necessary to accommodate a tournament, special event, or seasonal weather conditions.

(B) *Permits for fishing and boating.* Fishing and boating permits are required for Lake Fayetteville and Lake Sequoyah. There is no permit requirement for Lake Wilson or other Park areas containing fishable waters.

(1) *Permits:*

(a) Annual boating and fishing permit (65 and older and veterans) $40.00

(b) Annual boating and fishing permit (16-64) $50.00

(c) Daily boating and fishing permit (65 and older and veterans) $5.00

(d) Daily boating and fishing permit (16-64) $6.00

(e) Annual fishing/use permit (65 and older and veterans) $20.00

(f) Annual fishing/use permit (16-64) $30.00

(g) Daily fishing/use permit (65 and older and veterans) $2.00

(h) Daily fishing/use permit (16-64) $3.00

(i) Daily fishing/use permit (under 16 with permitted adult) Free

(j) Daily Non-motorized Boating (canoes, inflatables, kayaks, paddle boats and sailboats) $ 3.00

(k) Annual Non-motorized Boating (per patron, nontransferable) $20.00

(2) *Miscellaneous.*

(a) Each person 16 years of age or older is required to purchase a fishing/use permit for fishing on each lake or any stream within the city owned lake property at Lake Fayetteville and Lake Sequoyah.

(b) There will be two free fishing weekends each year where City fishing/use permits will not be required. One weekend will coincide with the Arkansas Game and Fish free fishing weekend. The Parks and Recreation Director will designate the second weekend annually.

(c) A boating permit applies to the boat rather than the occupants thereof; however, all occupants of a boat, 16 years of age or older must purchase a fishing/use permit. Daily permits are valid only for use on the date of purchase.

(d) Juveniles and their supervisors shall be exempt from the boating and fishing permit fee if they are part of Washington County government rehabilitation program approved by the Director of the Fayetteville Parks and Recreation Department for the location, date and time of lake access.

(C) *Boat docking.* Boat docking shall be permitted at the boat dock~~s~~ at Lake Fayetteville on a space available basis to season boating and fishing permit holders for the following per boat annual fees:

(1) Lake Fayetteville
(a) City resident $250.00

(b) Non-resident $325.00

(D) *Fishing.* All fishing shall be done only from the bank, designated docks or boat. No wading, swimming, paddle boards or belly boats shall be permitted in all City Lakes. Arkansas Game and Fish regulations shall control the number and size of fish which may be caught; however, the Fayetteville Parks and Recreation Department may provide additional limitations necessary to manage the fish population. All persons fishing at Lake Fayetteville and Lake Sequoyah should check with the boat dock operator before fishing. It shall be unlawful for any person fishing to use trot lines, limb lines, cast nets, yo-yo's or jug fishing.

(E) *Boating.* A boating permit for each boat must be purchased before its use on Lake Fayetteville or Lake Sequoyah. All boats must be docked (Lake Fayetteville) or removed from the lake at closing time. No boats except those used by lake employees or the Environmental Study Center will be docked at any other location on the lake. Boating may be closed to the public by the Parks and Recreation Department during a special event that includes swimming.

(F) *Place of entry.* All persons boating at Lake Fayetteville and Lake Sequoyah shall enter the lake only through the entrance at the lake office. Persons entering the lake property from any other location shall be considered trespassing and subject to prosecution.

(G) *Use of motors on boats.*

(1) In the event that motors are used on boats, the boats shall be operated in such a manner that they will not endanger other boats or the occupants thereof. All City Lakes are No Wake Lakes. Speeding and boat racing is not permitted and each outboard motor operator is cautioned to operate his motor in a safe and cautious manner. Failure to abide by this requirement will cause loss of boating permit. The dock operator shall revoke the boating permit of any boat which in his judgment is unsafe, overloaded, or operated in a careless manner.

(2) No boats shall be permitted within 500 feet of the spillway of Lake Sequoyah and Lake Fayetteville.

(3) No houseboats, paddle boards, water skiing, or jet skis allowed.

(4) All state laws governing boats must be complied with before using a boat on any city lake.

(5) The City will not be responsible for any damage to or theft of boats, motors, or equipment.

(H) *Picnicking or other recreational activities.* Picnicking is permitted on any part of Lake Fayetteville, Lake Sequoyah, or Lake Wilson or land surrounding said lakes, except within restricted nature areas, which are controlled by the city. Boy Scouts, and other groups who have served the Parks and Recreation Department through approved work programs in parks, may be permitted to camp at Lake Sequoyah at the approved campsite as

shown on the map if authorized by the Parks and Recreation Director.

(I) *Committing nuisances.* No person shall commit any nuisance while on Lake Fayetteville, Lake Sequoyah, and Lake Wilson or any of the land surrounding the lakes belonging to the city, nor shall any trash or other materials be thrown into the lakes or left about the shore line or on the premises of any lake.

(J) *Fishing and boating prohibited near intake tower.* No one shall climb upon, enter, or fish from the intake towers of the lakes.

(K) *Fishing on stream below dam.* State laws governing fishing below dams shall be applicable on city property. Fishing permits are required to fish in the stream on city property below the dams at Lake Fayetteville and Lake Sequoyah.

(L) *Firearms and hunting.* No firearms, hunting or trapping will be permitted on city owned property at any time.

(M) *Use of motor vehicles.* No person at Lake Fayetteville, Lake Sequoyah, or Lake Wilson shall drive a motor vehicle or ride a motorcycle, ATV or bicycle on other than a paved vehicular road or path designated for that purpose.

(N) *Revoking permits.* The city shall have the right to revoke any permit issued under this section if it is determined that the permittee willfully violated any of the provisions of this section. When a permit is revoked, there will be no refunds.

(Code 1965, §13-12; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Ord. No. 3437, 7-5-89; Ord. No. 3533, 2-19-91; Ord. No. 4168, 6-1-99; Code 1991, §97.070; Ord. 4707, 06-07-05; Ord. No. 4811, 12-20-05; Ord. 5139, 5-6-08; Ord. 5229, 3-17-09; Ord. 5285, 11-17-09; Ord. 5596, 07-02-13)

Cross reference(s)--Penalty, §97.999.

97.71 Fayetteville Special Use Permit for Events that Include a Swimming Component

(A) *Special events that include swimming.* Special events that include a swimming component, such as a triathlon, may be permitted at Lake Fayetteville with a special use permit issued by the Director of the City Parks and Recreation Department. Such issuance will be at the sole discretion of the Director and should comply with the following:

(1) A special event permit should be processed through the City Parks and Recreation Department at least 90 days prior to the event.

(2) A water testing fee of $250 and a special event fee in an amount sufficient to cover all City costs to administer the event shall be charged to the event organizer for the use of the Lake Fayetteville Park space and facilities. A further security deposit to ensure complete clean up or repair of any damage may be required. The Director may require an event organizer to obtain sufficient liability insurance and take measures to increase swimmers' safety.

(3) The City does not warrant the safety or cleanliness of any lake for swimmers. Event organizers shall provide notice of the inherent danger of swimming in the lake to all persons requesting to swim and shall obtain waivers of liability and responsibility for the City of Fayetteville from all participants.

(4) The City of Fayetteville reserves the right to allow swimming only in designated areas during the event and prohibit boating in these areas.

(5) The City of Fayetteville reserves the right to cancel previously approved special events due to unacceptable water quality, inclement weather or other valid reason.

(Ord.5285, 11-17-09)

97-072-97.079 Reserved

ARTICLE VI
CONDUCT IN PARKS

97.80 Gambling Prohibited; Recreational Activities To Take Place Only In Suitable Areas

No person in a park shall gamble, or participate in, or abet any game of chance. Nor shall any person take part in or abet the playing of other forms of recreation except in areas set apart for or conducive to the particular form of recreation.

(Code 1965, §17A-21; Ord. No. 1594, 4-1-68; Code 1991, §97.080)

Cross reference(s)--Penalty, §97.999.

97.81 Intoxicating Beverages

(a) No person in a park shall bring into or

consume alcoholic beverages within a city park, nor shall any person enter a park when under the influence of intoxicating beverages.

(b) Notwithstanding the above prohibition, the Botanical Garden Society of the Ozarks may allow alcoholic beverages to be served on the premises they have leased within the Lake Fayetteville park area for fundraisers, wedding receptions and other special events as long as they fully comply with all Alcohol Beverage Control requirements.

(Code 1965, §17A-23; Ord. No. 1594, 4-1-68; Code 1991, §97.081; Ord. No. 4865, 05-16-06)

Cross reference(s)--Penalty, §97.999.

97.82 Fires; Fireworks And Explosives

(A) No person in a park shall build or attempt to build a fire except in fireplaces or facilities so designed for such use, nor leave any fire unattended. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco papers or other inflammable material within any park area or on any highway, road or street abutting or contiguous thereto.

(B) No person in a park shall bring in, explode or cause to be exploded, discharge or burn any firecrackers, torpedoes, skyrockets, model rockets, roman candles or other fireworks, explosives or flammable materials without having first obtained prior written consent pursuant to the requirements of §94.04.

(Code 1965, §§17A-24, 17A-26; Ord. No. 1594, 4-1-68; Code 1991, §97.082)

Cross reference(s)--Penalty, §97.999, Sale and use of fireworks, §94.04(B).

97.83 Soliciting Alms

No person in a park shall solicit alms or contributions for any purpose, whether public or private.

(Code 1965, §17A-25; Ord. No. 1594, 4-1-68; Code 1991, §97.083)

Cross reference(s)--Penalty, §97.999.

97.84 Entering Closed Areas

No person in a park shall enter an area posted as "Closed to the Public", nor shall any person use, or abet the use of, any area in violation of posted notices.

(Code 1965, §17A-27; Ord. No. 1594, 4-1-68; Code 1991, §97.084)

Cross reference(s)--Penalty, §97.999.

97.85 Going Onto Ice

No person in a park shall go onto the ice on any of the waters.

(Code 1965, §17A-28; Ord. No. 1594, 4-1-68; Code 1991, §97.085)

Cross reference(s)--Penalty, §97.999.

97.86 Vending And Peddling

(A) *General prohibition of selling or offering to sell items in city parks*. No person or business shall, within a city park, display, offer for sale, or sell any article, thing or service, nor place any stand, cart or vehicle for the display, sale or transportation of any such article.

(B) *Exemptions*. The City's regularly licensed concessionaires acting pursuant to the authority and regulation of the City are exempt from subsection (A). Nonprofit organizations which have obtained a special events permit may sell nonalcoholic beverages, food and other approved items during an annual event. Sponsors of the Gulley Park Concerts and other Special Events offered by the Parks and Recreation Department may sell food, nonalcoholic beverages, and other approved items during the event when specifically approved by the Parks and Recreation Department Director. Approved merchandise may be sold at special events by performers and hosts if approved in advance by the Parks and Recreation Director. The Farmers' Market and its members may sell items allowed pursuant to §114.02 (C) of the Fayetteville Code on Sundays, Saturdays and one weekday within a portion of the Lake Fayetteville Park that is licensed to the Botanical Garden Society of the Ozarks (if approved by the Society) as shown on Exhibit A. Organizations the City directly funds, event sponsors and the non-profit Friends of Fayetteville Parks are allowed at no charge to setup a table to distribute information at park events upon approval of the Parks and Recreation Director.

Farmers' Market at Lake Fayetteville Park within Botanical Garden leased area

1 inch = 150 feet

(C) Food trucks permitted pursuant to §178.05 may operate in City Parks as described below:

(1) Food trucks may not locate in the same area that is actively being served by a contracted concessionaire as shown on Exhibit C during regular season Fayetteville Parks and Recreation leagues and tournaments.

(2) Food trucks may locate at Gulley Park during a Gulley Park Concert **or** special event in other parks such as tournaments, reserved park gatherings, etc. if approved by the Parks and Recreation Director.

(D) For special events, food trucks and sales of items other than food may be approved by the Parks and Recreation Director through a special event permit

(Code 1965, §17A-29; Ord. No. 1594, 4-1-68; Code 1991, §97.086, Ord. 5310, 4-6-10; Ord. No. 5531, 10-02-12; Ord. 5666, 3-18-14)

Cross reference(s)--Penalty, §97.999.

97.87 Advertising Prohibited

No person in a park shall announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(Code 1965, §17A-30; Ord. No. 1594, 4-1-68; Code 1991, §97.087)

Cross reference(s)--Penalty, §97.999.

97.88 Signs Prohibited

(A) No person in a park shall paste, glue, tack, or otherwise post any sign, placards, advertisement, or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park, except as set forth herein below.

(B) *Exceptions*.

(1) *Athletic Field Signage*. Signs shall be permitted on softball/baseball outfield fences and scoreboards at locations and in sizes designated by the Parks and Recreation Director. Uniform fees shall be charged dependent upon placement and size of the permitted signs. The content of the sign and whether it is commercial or non-commercial may not be considered. Designated spaces shall be sold at the established price on a first come basis. The owner of a sign at a designated location shall have first right to renew before others can purchase the size/location for a new or replacement sign.

(2) Adopt-A-Park or Trail groups may post a sign while they are actively working on a park project that provides information about their organization or group. The sign must be approved in advance by the Parks and Recreation Staff.

(3) *Recognition Signs*. Signs located in City parks or on City trails that are used for the purpose of memorializing a person or family through naming, recognition of significant donors, or recognition of contributions to the facility or amenity on which the sign is installed shall meet the following conditions:

(a) *Maximum Number of Recognition Signs*. Most donor or honoree recognition signs shall be limited to one for the facility financed by the donor or memorializing the honoree. For a park or a major facility with more than one major entrance, a second recognition sign may be recommended by the Parks and Recreation Advisory Board and approved by the City Council.

(b) *Maximum Size of Recognition Signs.*

Donor recognition signs in city parks shall be sized in accordance with Exhibit 'A', Donor Recognition Signs, unless otherwise determined by City Council Resolution.

(i) Trail Recognition Signs shall not exceed four square feet for trailhead facilities. Recognition signs along the trail for park benches, etc., shall not exceed 1.5 square feet and should be incorporated within or attached to the bench or amenity sponsored by the donor.

(c) *Design requirements*. All recognition signs must comply with the following requirements and shall adhere to the aesthetic values and design of the park or trail.

(i) The recognition sign shall include only the name of the person memorialized or the name of the organization, person or business which has donated significant funds to the park facility. A company or organization logo (without company colors, any advertising or slogans) may be used on the sign.

(ii) The design of the sign shall be incorporated into the park facility and shall be approved by the Director of Parks and Recreation who shall ensure the signs' high quality and durable construction and its consistency with other recognition signs within the park.

(iii) Recognition signs shall comply with the Donor Operational Policy unless exempted by the City Council.

(d) *Facility Naming*. The naming of facilities is permitted so long as the donor or honoree has made a significant contribution to the City, the Facility or the Parks and Recreation Department in terms of financial donations, voluntarism or dedicated public service. Final naming of facility may be as recommended by the Parks and Recreation Advisory Board with final selection and approval by the City Council. Naming of the facilities should meet the Naming Park Facilities Policy attached as Exhibit 'B', unless otherwise determined by City Council Resolution.

Exhibit "A"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR DONOR RECOGNITION SIGNS	
	NUMBER:	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

DONOR RECOGNITION SIGNS

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

In order to provide important capital facilities in Fayetteville Parks, it is pragmatic in a time of shrinking public dollars to seek outside funding. It is essential to have specific boundaries and criteria in establishing fair and proper recognition of significant facility donations. This policy sets guidelines for donations within parks as well as on trails. All sign and plaque designs must be incorporated into the design of the facility. Donor recognition signs shall adhere to the aesthetic values and design of the park.

Donor recognition in parks is based upon the type of facility donated. Donor recognition on trails is limited on the trailheads unless there is an educational and/or art feature that is appropriate to be displayed along the trail. Recognition signs may not be predominant within the educational and/or art component.

Recognition for each donation will be determined pursuant to the Recognition for Parks and Trails Facilities Policy. Any exceptions to this policy must be approved by City Council. Park Planners have the latitude to design signs recognizing donations based on site location and donor specific criteria. Naming of facilities donated must meet the Naming Park Facilities Operational Policy unless accepted under City Council resolution. The naming proposal will be presented to the Parks and Recreation Advisory Board for their recommendation to City Council. City Council has final approval of the park facility name, including the right to approve a different name. The option for naming facilities is only permitted under the Park Facility Diamond, Platinum, Gold and Silver categories. Minor items such as trash receptacles and flower beds cannot be named

CITY OF Fayetteville ARKANSAS	Parks and Recreation Department Policies and Procedures Manual		SUBJECT: **RECOGNITION FOR PARKS AND TRAILS FACILITIES POLICY**	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 3
	SUPERSEDES:	APPROVED BY:		

RECOGNITION FOR PARKS AND TRAILS FACILITIES

Bronze Category: Recognition on Donor Wall for 25 year period

Donation of $25,000 up to $250,000 for park amenities. Examples include

Bleachers
Batting Cages
Bike Racks
Lighting
Drinking Fountain with Dog Bowl
Prefabricated Pavilion
Picnic Table and Grill
Art Sculpture
Single Playground Apparatus (climbing rocks/swing set)
Landscape Feature

Size of donor wall and names to be approved by the City Council.

Silver Category: Naming Rights for 10 year period

Donation of 75% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground

Gold Category: Naming Rights for a Field/Court/Facility for 25 year period

Donation of 100% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground
Dog Park

Platinum Category: Naming Rights of a Complex for 30 year period

Donation of $1 million up to $5 million to name a complete complex. Examples include:

Sport Complex: 4-6 field lighted complex such as softball, baseball, soccer, tennis

Aquatic center
Amphitheater- seating for 1,200
Development of a new park

Diamond Category: Naming Rights of a Park

Donation over $5 million to name a park.

RECOGNITION FOR EXISTING PARK FACILITIES

$200,000 per baseball or softball field for 10 years, or $350,000 for two fields
$150,000 per soccer field for 10 years or $250,000 for two fields

TRAIL FACILITIES

Silver Category receives donor recognition of a press release, ribbon cutting ceremony, plaque constructed of high quality durable materials up to 1.5 sq ft.

Trail Facilities donated in the Silver Category may only be located along trails for educational purposes or as an integral part of an art feature.

Gold Category receives donor recognition of a press release, ribbon cutting ceremony, sign constructed of high quality durable materials up to 4 sq ft.

Trail Facilities donated in the Gold Category may only be located at trailheads for a 25 year period and include the following:

Parking Lot
Pavilion

Restroom
One Mile Asphalt/Concrete Trail

City Process

1. Parks and Recreation Staff or the Friends of Parks Board meets with donor to discuss donation including amount of donation, development of facility/amenity, recognition operational policy, naming rights (if applicable), sign appearance/style/construction, time requirements and other pertinent topics. Donor must meet the Operational Policy for Donor Recognition Signs.

2. Request is presented for approval from Parks and Recreation Advisory Board. If the facility donated is granted the option to name the facility, the name must meet Park Naming Facility Operational Policy.

3. Request presented to Planning Office for approval.

4. Request presented to City Council for final park name selection and approval.

5. All donors will have first right to re-new their naming rights for an appropriate donation upon conclusion of the time period.

6 The City will reserve the right to remove a donor's name from the facility if the City Council determines by resolution that a donor would otherwise cause undue embarrassment or other issues for the City or its citizens.

Exhibit "B"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR NAMING PARK FACILITIES	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE:	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

NAMING PARK FACILITIES

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

Upon acquisition of a new park, the Director of Parks and Recreation will assign a nondescript temporary working name or subdivision name for the park facility to be used until park development begins.

Once park development begins, the Parks and Recreation Department will receive and forward park facility name suggestions to the Parks and Recreation Advisory Board for review. The Parks and Recreation Advisory Board will discuss and approve the recommendations at their monthly meeting. Once a recommended name has been selected, the Parks and Recreation staff will forward the name to the City Council for its final park name selection including a potentially different name.

The following items should be considered when proposing names for any park facilities:

- Geographic location of the facility
- Outstanding features of the facility
- Commonly recognized historical event, group, or individual
- Individual or group who contributed significantly to the acquisition or development of a facility
- Individual who provided an exceptional service in the interest of the park system

For an individual to be considered, the recommended name must be accompanied by a biographical sketch which provides evidence of historical significance or contributions to the Parks and Recreation Department or City of Fayetteville.

The naming of plaques, markers, and memorials within park facilities must follow the policies as stated above.

Note: A name recommendation from the Active Transportation Committee for trail facilities will be required prior to forwarding to the Parks and Recreation Advisory Board.

(Code 1965, §17A-31; Ord. No. 3677, §2, 3-2-93; Code 1991, §97.088; Ord. 5335, 7-20-10; Ord. 5335, 7-20-10; Ord. 5778, 6-16-15)

Cross reference(s)--Penalty, §97.999.

97.89 –97.998 Reserved

97.999 Penalty

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be fined not more than $500.00 or double that sum for each repetition of such offense, or violation; provided, no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. If the violation of the chapter is, in its nature, continuous in respect to time, the penalty for allowing the continuation thereof shall not exceed $250.00 for each day the same is unlawfully continued.

(B) Any person violating any provision of §97.070 shall be guilty of a misdemeanor and shall be punished by a fine of not more than $500.00.

(Code 1965, §§1-5, 13-12; Ord. No. 2128, 7-15-75; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Code 1991, §97.999)

City of Fayetteville Staff Review Form

2015-0469

Legistar File ID

11/17/2015

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

Connie Edmonston	11/2/2015	Parks & Recreation / Parks & Recreation Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

An Ordinance to Amend Title IX General Regulations, Chapter 97 – Parks and Recreation of the City Code

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	$	-

V20140710

Previous Ordinance or Resolution # Chapter 97

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Connie Edmonston, Parks and Recreation Director

DATE: November 2, 2015

SUBJECT: An Ordinance to Amend Title IX General Regulations, Chapter 97 – Parks and Recreation of the City Code

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RECOMMENDATION:
Approval of an Ordinance to amend Title IX General Regulations, Chapter 97 – Parks and Recreation of the City Code in order to update and add clarity to the ordinance.

BACKGROUND:
There were sections of the Parks and Recreation General Regulations found in Chapter 97 that needed to be updated.

DISCUSSION:
Significant changes proposed to Chapter 97 are as follows:

97.15 Operating Hours

Trails are maintained by our Parks and Recreation Department and are considered as part of our parks system. All Fayetteville parks by ordinance close at 11 pm daily and open at daylight, with the exception of Lake Fayetteville and Lake Sequoyah marinas. Our city trails serve as transportatoin corridors and 24-hour access is needed for trail users to reach destinations regardless of the time-of-day. The amendment distinguises Shared Use Paved Trails to be open 24 hours every day instead of closing at 11 p.m. when the city parks close. The Shared Use Paved Trails will be designated on the Parks and Trails Interactive Map on our City's website. The GIS map will show the trails that are open 24 hours per day in a specific color and all other trails closing at 11:00 pm in another color. Trails located within city parks and short distant trails would close at 11:00 p.m. These trails would be added to the map to be open 24 hours per day in the future as they are further developed and linked into the overall trail system. Trails that would be open until 11:00 p.m. include Wilson Park, Gulley Park, Davis Park, Walker Park trail surrounding the Sr. Adult Center, Holland Park, Raven Trail, Gulley Park's trail on Azalea Terrace, Clabber Creek Trail, and Hamstring Creek Trail. All nature trails are open daylight until 11 pm.

97.038 Animals to be Leashed

Added the section to keep animals on a leash in parks (except the designated dog parks and Lake Wilson Park) and for pet owners to pick-up after their animal. This item is also covered in the City Code under Chapter 92 Animals; however, it will be beneficial to include it in the Parks Ordinances since it is a major problem in our parks.

97.66 Hunting and Firearms

Added **beavers** to the list of muskrats and other burrowing animals that may be permitted to be trapped on city reservoirs and **waterways** upon approval of the mayor for the protection of earthen dams. Waterways was also added.

97.68 Camping Prohibited

Added language to permit camping in the designated campsite location at Lake Sequoyah Park upon authorization by the Parks and Recreation Director for Boy Scouts and groups that assist the Parks and Recreation Department on park projects and other approved work programs within our parks. This would be used for events such as Boy Scout Troops who host a work day in the park and then camp to receive their badges.

Tournament Directors for sanction tournaments such as softball, baseball, soccer or horseshoe would be allowed to camp by their facility site at Walker Park, White River, Gary Hampton, Lake Fayetteville, or Regional Parks in which extra security is needed and storage for tournament supplies. The RV or camper also allows a place for meetings during the tournament. Prior authorization by the Parks and Recreation Director is required.

97.69 Horseback Riding

Combs Park was omitted as a horseback riding trail due to the close proximity of the model airplane club. Designated bridle trails will be added to our parks system where appropriate and safe, and as approved by the Parks and Recreation Director.

97.70 Recreation Activities at Lakes Fayetteville, Sequoyah and Wilson

(C) There are no boat docks at Lake Sequoyah, therefore it was omitted from the ordinance to reflect there are boat docks for stall rental only at Lake Fayetteville.
(D) Added that fishing is also permitted on **designated docks** at Lake Fayetteville. Docks used for rental boat stalls are excluded from being used as a fishing dock.
Wading, swimming or belly boats are not permitted on our lakes**. Paddle boards** were added to the list because of the no swimming/wading policy, water quality, and the size of the lake and launching area in respect to the logistics of paddle boarding. Paddle board users have a high probability of entering the water.
(E) The public schools utilizes a pontoon boat as part of their educational program and are allowed to dock their boat at the **Lake Fayetteville Environmental Study Center**.
(H) Since camping is allowed at Lake Sequoyah Park for Boy Scouts and other groups with approved work projects in our parks, the exact wording from section 97.68 – Camping Prohibited was added to this section relating to recreational activities allowed at our three lake properties.

97.85 Vending and Peddling

This section was modified to accommodate sponsors of the Gulley Park Concerts, as well as Special Events offered by the Parks and Recreation Department. Language was added to approve for performers and host to sell approved merchandise at special events that are approved in advance by the Parks and Recreation Director.

It was further added to allow organizations the City directly funds, event sponsors and the non-profit Friends of Fayetteville Parks to setup a table and distribute information at park events at no charge if approved by the Parks and Recreation Director.

97.88 Signs Prohibited

Allows Adopt-A-Park or Trail groups to post a sign while they are actively working on a park project that provides information about their organization or group. The signs must be approved in advance by staff.

In addition, minor technical or stylistic changes were made in Chapter 97.16 (B); 97.18; 97.53; 97.67 (A); 97.70 (F) (G); 97.82 (B); 97.85.

BUDGET/STAFF IMPACT:
None.

Attachments:
Chapter 97 Strike-outs
Lake Sequoyah approved campsite locations map
Staff Review Form

TITLE IX GENERAL REGULATIONS
CHAPTER 97: PARKS AND RECREATION

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CHAPTER 97: PARKS AND RECREATION

ARTICLE I
GENERAL PROVISIONS

97.001 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

City. The City of Fayetteville, Arkansas.

Director. A person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

Park. A park, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation.

Person. Any person, firm, partnership, association, corporation, company, or organization of any kind.

Vehicle. Any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled and shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city parks.

(Code 1965, §17-A-1; Ord. No. 1594, 4-1-68; Code 1991, §97.001)

(Code 1965, §17A-2; Ord. No. 1594, 4-1-68; Code 1991, §97.002)

97.002-97.014 Reserved

ARTICLE II
PARK OPERATIONS; ADMINISTRATION AND ENFORCEMENT

97.15 Operating Hours

(A) Except for unusual ~~and unforeseen~~ emergencies, city parks shall be open to the public every day of the year from daylight until 11:00 p.m. except Shared Use Paved Trails as designated on the Parks and Trails Interactive Map which are open 24 hours every day. Any section or part of any park may be declared closed to the public by the city or its duly authorized representative at any time and for any interval of time.

Parks and Recreation Staff is authorized to extend the operating hours of a park when reasonable and necessary to accommodate a tournament or special event.

(Code 1965, §17A-32; Ord. No. 1594, 4-1-68; Code 1991, §97.015; Ord. 5501, 6-5-12)

97.16 Fee For City Park Athletic Facilities and Trails For Tournaments and Special Events

(A) For the use of City Park Athletic Facilities or City Trails for Tournaments and Special Events, the Mayor shall establish fees to be charged to defray the costs of event setup, maintenance, trash pickup and removal, equipment use, water, and electricity. Fayetteville Trails will remain open to the public, with the exception of annual events approved by the City and operated by non-profit entities and events organized in conjunction with the City of Fayetteville. Trails and park areas shall not be closed more than 4 hours at any time unless approved by the Mayor.

(B) The sponsors of any tournament or special event shall pay a trash and key deposit and arrange for all necessary umpires and/or coordinators. Upon conclusion of each tournament or event, the sponsor shall restore each facility or trail to the same condition it was in prior to the tournament or event in order for deposit to be returned.

(Code 1965, §2-100; Ord. No. 2714, 4-7-81; Ord. No. 4115, 8-18-98; Code 1991, §97.016; Ord. 5681, 4-15-14)

Cross reference(s)--Penalty, §97.999.

97.17 Fees For City Swimming Pools

Upon the recommendation of the Parks and Recreation Advisory Board, the mayor, or his/her designee, shall establish and make periodic adjustments to the schedule of fees charged for the use of city swimming pools.

(Ord. No. 4371, 2-19-02; Code 1991, §97.017)

97.18 Enforcement By Director, Park ~~Attendants~~ Staff, And City Police

The director, park ~~attendants~~ staff and city police shall in connection with their official duties diligently enforce the provisions of this chapter.

(Code 1965, 17A-33; Ord. No. 1594, 4-1-68; Code 1991, §97.018)

97.019-97.029 Reserved

ARTICLE III
CARE OF PARK PROPERTY

97.30 Buildings And Other Property

No person in a park shall willfully mark, deface, disfigure, injure or tamper with any buildings, monuments, bridges, tables, benches, fireplaces, signs, public utilities or other structures or equipment, facilities, or park property or appurtenances whatsoever, either real or personal.

(Code 1965, §17A-3; Ord. No. 1594, 4-1-68; Code 1991, §97.030)

Cross reference(s)--Penalty, §97.999.

97.31 Restrooms And Washrooms

No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex.

(Code 1965, §17A-4; Ord. No. 1594, 4-1-68; Code 1991, §97.031)

Cross reference(s)--Penalty, §97.999.

97.32 Removal Of Natural Resources

No person in a park shall dig, or remove any sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency, except on special written permit obtained from the city.

(Code 1965, §17A-5; Ord. No. 1594, 4-1-68; Code 1991, §97.032)

Cross reference(s)--Penalty, §97.999.

97.33 Damaging Trees, Shrubbery And The Like

No person in a park shall damage, cut, climb, carve, injure, transplant or remove any tree, flower, or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant or in any other way injure or impair the natural beauty or usefulness of any park area.

(Code 1965, §17A-7; Ord. No. 1594, 4-1-68; Code 1991, §97.033)

Cross reference(s)--Penalty, §97.999.

97.34 Pollution Of Water

No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance which will or may result in the pollution of said waters.

(Code 1965, §17A-9; Ord. No. No. 1594, 4-1-68; Code 1991, §97.034)

Cross reference(s)--Penalty, §97.999.

97.35 Wild Animals, Birds, Fish, And The Like

No person in a park shall hunt, molest, harm, frighten, poison, kill, trap or remove any animal, reptile, fish, or bird; nor remove the eggs, nest or young of any wild animal, fish, reptile, or bird.

(Code 1965, §17A-8; Ord. No. No. 1594, 4-1-68; Code 1991, §97.035)

Cross reference(s)--Penalty, §97.999.

97.36 Erection Of Structures

No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit obtained from the city.

(Code 1965, §17A-6; Ord. No. No. 1594, 4-1-68; Code 1991, §97.036)

Cross reference(s)--Penalty, §97.999.

97.37 Refuse And Trash

No person in a park shall have brought into a park any refuse or other trash. Nor shall any refuse or other trash be left anywhere on the grounds thereof, but shall be placed in proper receptacles. Where such receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

(Code 1965, §17A-10; Ord. No. 1594, 4-1-68; Code 1991, §97.037)

Cross reference(s)--Penalty, §97.999.

97.038 ~~Reserved~~ Animals to be Leashed

Owners must keep their animals on a leash in a park. Dogs are allowed to be off leash in designated dog parks and Lake Wilson Park. Pet owners are required to pick-up their animal's excretion and properly disposed of.

ARTICLE IV
TRAFFIC RULES

97.50 Compliance With State And City Motor Vehicle Laws Required

No person in a park shall fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such applicable regulations as are contained in this chapter and Title VII of this Code of Ordinances.

(Code 1965, §17A-11; Ord. No. 1594, 4-1-68; Code 1991, §97.050)

Cross reference(s)--Penalty, §97.999; Title VII, Traffic Code.

97.51 Speed Of Vehicles

No person in a park shall ride or drive a vehicle at a rate of speed exceeding 10 miles per hour, except upon such roads as the city may designate, by posted signs, for speedier travel.

(Code 1965, §17A-12; Ord. No. No. 1594, 4-1-68; Code 1991, §97.051)

Cross reference(s)--Penalty, §97.999.

97.52 Parking

No person in a park shall park a vehicle in other than an established or designated parking area, and such use shall also be in accordance with the provisions of Chapter 72 of this Code of Ordinances.

(Code 1965, §17A-13; Ord. No. No. 1594, 4-1-68; Code 1991, §97.052)

Cross reference(s)--Penalty, §97.999; Ch. 72, Parking Regulations.

97.53 Vehicles Prohibited After Closing Hours

No person in a park shall enter, operate, park, leave or abandon a vehicle within a park after the closing hour of 11:00 p.m. No person shall operate a vehicle anywhere other than on a paved vehicular road or path designated for vehicular access.

(Code 1965, §17A-14; Ord. No. 1594, 4-1-68; Code 1991, §97.053)

Cross reference(s)--Penalty, §97.999.

97.54 Bicycles, Motorbikes, Skateboards And The Like

No person in a park shall ride, drive, operate or push a bicycle, motorbike, scooter, skateboard, roller skates and the like on other than a paved vehicular road, path, or course designated for that purpose.

(Code 1965, §17A-15; Ord. No. 1594, 4-1-68; Code 1991, §97.054)

Cross reference(s)--Penalty, §97.999.

97.055-97.064 Reserved

ARTICLE V
RECREATIONAL ACTIVITIES

97.65 Bathing And Swimming; Bathhouses

(A) No person in a park shall swim, bathe, or wade in any waters or waterways in any park, except in such waters as are provided therefor and except during such hours of the day as shall be designated by the city. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the city upon a finding that such use of the water would be dangerous or otherwise inadvisable. Groups wishing to have a special event at Lake Fayetteville that includes swimming shall obtain a special use permit from the City Parks and Recreation staff, see section 97.071.

(B) No person in a park shall dress or undress in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

(Code 1965, §17A-17; Ord. No. 1594, 4-1-68; Code 1991, §97.065; Ord. 5285, 11-17-09)

Cross reference(s)--Penalty, §97.999.

97.66 Hunting And Firearms

No person in a park shall hunt, trap or pursue wildlife at any time; provided that the trapping of muskrats, beavers or other burrowing animals may be permitted on city reservoirs and waterways upon approval of the mayor for the protection of earthen dams. No person shall use, carry, or possess firearms of any description or air rifles, spring guns, slings, traps, or other weapons or devices potentially inimical to wildlife and dangerous to human safety. Bows and arrows will be permitted on archery ranges so designated and supervised by the city.

(Code 1965, §17A-18; Ord. No. 1594, 4-1-68; Ord. No. 1963, 11-20-73; Code 1991, §97.066)

Cross reference(s)--Penalty, §97.999.

97.67 Picnic Facilities; Duty Of Picnicker

(A) No person in a park shall ~~picnic or lunch in a place other than those designated for that~~

~~purpose, or~~ use any portion of the ~~picnic areas, picnic facilities, structures, or~~ park or recreational facilities to the exclusion of other persons; nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded. Use of individual ~~fireplaces~~ grills, tables, benches, and recreational facilities will generally follow the rule of "first come, first served" unless scheduled by the Parks and Recreation Department.

(B) No person in a park shall leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. Where no such trash receptacles are available, the refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(Code 1965, §17A-19; Ord. No. 1594, 4-1-68; Code 1991, §97.067)

Cross reference(s)--Penalty, §97.999.

97.68 Camping Prohibited

No person in a park shall set up or use tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person bring in or leave in a city park after closing hours any structure or vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon or the like. Boy Scouts, and other groups who have served the Parks and Recreation Department through approved work programs in parks, may be permitted to camp at Lake Sequoyah at the approved campsite as shown on the map if authorized by the Parks and Recreation Director. Tournament Directors of park related sanction tournaments may be permitted to camp at the tournament facility site at Walker Park horseshoe, Walker Park baseball, White River baseball, Gary Hampton softball, Lake Fayetteville softball, and Regional Park soccer and baseball if authorized by the Parks and Recreation Director.

(Code 1965, §17A-20; Ord. No. 1594, 4-1-68; Code 1991, §97.068)

Cross reference(s)--Penalty, §97.999.

97.69 Horseback Riding

No person in a park shall ride a horse except ~~in Combs Park or~~ on designated bridle trails approved by the Parks and Recreation Director. Where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care and shall not be allowed to ~~graze or~~ go unattended~~, nor shall they be hitched to any rock, tree or shrub~~.

(Code 1965, §17A-22; Ord. No. 1594, 4-1-68; Code 1991, §97.069)

Cross reference(s)--Penalty, §97.999.

97.70 Recreational Activities At Lakes Fayetteville, Sequoyah And Wilson

(A) *Hours.* Lake Fayetteville, Lake Sequoyah, and Lake Wilson shall be open to the general public throughout the year from sunrise to sunset daily and shall be closed each day from sunset to sunrise; provided**:**

(1) Lake Fayetteville and Lake Sequoyah shall be closed on Thanksgiving Day and from sunset on December 23rd through January 14th.

(2) The Director of the Parks and Recreation Department is authorized to extend the operating hours of a lake when reasonable and necessary to accommodate a tournament, special event, or seasonal weather conditions.

(B) *Permits for fishing and boating.* Fishing and boating permits are required for Lake Fayetteville and Lake Sequoyah. There is no permit requirement for Lake Wilson or other Park areas containing fishable waters.

(1) *Permits:*

(a) Annual boating and fishing permit (65 and older and veterans) $40.00

(b) Annual boating and fishing permit (16-64) $50.00

(c) Daily boating and fishing permit (65 and older and veterans) $5.00

(d) Daily boating and fishing permit (16-64) $6.00

(e) Annual fishing/use permit (65 and older and veterans) $20.00

(f) Annual fishing/use permit (16-64) $30.00

(g) Daily fishing/use permit (65 and older and veterans) $2.00

(h) Daily fishing/use permit (16-64) $3.00

(i) Daily fishing/use permit (under 16 with permitted adult) Free

(j) Daily Non-motorized Boating (canoes, inflatables, kayaks, paddle boats and sailboats) $ 3.00

(k) Annual Non-motorized Boating (per patron, nontransferable) $20.00

(2) *Miscellaneous.*

(a) Each person 16 years of age or older is required to purchase a fishing/use permit for fishing on each lake or any stream within the city owned lake property at Lake Fayetteville and Lake Sequoyah.

(b) There will be two free fishing weekends each year where City fishing/use permits will not be required. One weekend will coincide with the Arkansas Game and Fish free fishing weekend. The Parks and Recreation Director will designate the second weekend annually.

(c) A boating permit applies to the boat rather than the occupants thereof; however, all occupants of a boat, 16 years of age or older must purchase a fishing/use permit. Daily permits are valid only for use on the date of purchase.

(d) Juveniles and their supervisors shall be exempt from the boating and fishing permit fee if they are part of Washington County government rehabilitation program approved by the Director of the Fayetteville Parks and Recreation Department for the location, date and time of lake access.

(C) *Boat docking.* Boat docking shall be permitted at the boat dock~~s~~ at ~~Lake Sequoyah and~~ Lake Fayetteville on a space available basis to season boating and fishing permit holders for the following per boat annual fees:

(1) Lake Fayetteville
(a) City resident $250.00

(b) Non-resident $325.00

(D) *Fishing.* All fishing shall be done only from the bank, designated docks or boat. No wading, swimming, paddle boards or belly boats shall be permitted in all City Lakes. Arkansas Game and Fish regulations shall control the number and size of fish which may be caught; however, the Fayetteville Parks and Recreation Department may provide additional limitations necessary to manage the fish population. All persons fishing at Lake Fayetteville and Lake Sequoyah should check with the boat dock operator before fishing. It shall be unlawful for any person fishing to use trot lines, limb lines, cast nets, yo-yo's or jug fishing.

(E) *Boating.* A boating permit for each boat must be purchased before its use on Lake Fayetteville or Lake Sequoyah. All boats must be docked (Lake Fayetteville) or removed from the lake at closing time. No boats except those used by lake employees or the Environmental Study Center will be docked at any other location on the lake. Boating may be closed to the public by the Parks and Recreation Department during a special event that includes swimming.

(F) *Place of entry.* All persons boating at Lake Fayetteville and Lake Sequoyah ~~are warned to~~ shall enter the lake only through the entrance at the lake office. Persons entering the lake property from any other location shall be considered trespassing and subject to prosecution.

(G) *Use of motors on boats.*

(1) In the event that motors are used on boats, the boats shall be operated in such a manner that they will not endanger other boats or the occupants thereof. All City Lakes are No Wake Lakes. Speeding and boat racing is not permitted and each outboard motor operator is cautioned to operate his motor in a safe and cautious manner. Failure to abide by this requirement will cause loss of boating permit. The dock operator shall revoke the boating permit of any boat which in his judgment is unsafe, overloaded, or operated in a careless manner.

(2) No boats shall be permitted within 500 feet of the spillway of Lake Sequoyah and Lake Fayetteville.

(3) No houseboats, paddle boards, water skiing, or jet skis allowed.

(4) All state laws governing boats must be complied with before using a boat on any city lake.

(5) The City will not be responsible for any damage to or theft of boats, motors, or equipment.

~~(H)~~ *Picnicking or other recreational activities.* Picnicking is permitted on any part of Lake Fayetteville, Lake Sequoyah, or Lake Wilson or land surrounding said lakes, except within restricted nature areas, which are controlled by the city. ~~Overnight camping is allowed only by special group permit.~~ Boy Scouts, and

other groups who have served the Parks and Recreation Department through approved work programs in parks, may be permitted to camp at Lake Sequoyah at the approved campsite as shown on the map if authorized by the Parks and Recreation Director.

(I) *Committing nuisances.* No person shall commit any nuisance while on Lake Fayetteville, Lake Sequoyah, and Lake Wilson or any of the land surrounding the lakes belonging to the city, nor shall any trash or other materials be thrown into the lakes or left about the shore line or on the premises of any lake.

(J) *Fishing and boating prohibited near intake tower.* No one shall climb upon, enter, or fish from the intake towers of the lakes.

(K) *Fishing on stream below dam.* State laws governing fishing below dams shall be applicable on city property. Fishing permits are required to fish in the stream on city property below the dams at Lake Fayetteville and Lake Sequoyah.

(L) *Firearms and hunting.* No firearms, hunting or trapping will be permitted on city owned property at any time.

(M) *Use of motor vehicles.* No person at Lake Fayetteville, Lake Sequoyah, or Lake Wilson shall drive a motor vehicle or ride a motorcycle, ATV or bicycle on other than a paved vehicular road or path designated for that purpose.

(N) *Revoking permits.* The city shall have the right to revoke any permit issued under this section if it is determined that the permittee willfully violated any of the provisions of this section. When a permit is revoked, there will be no refunds.

(Code 1965, §13-12; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Ord. No. 3437, 7-5-89; Ord. No. 3533, 2-19-91; Ord. No. 4168, 6-1-99; Code 1991, §97.070; Ord. 4707, 06-07-05; Ord. No. 4811, 12-20-05; Ord. 5139, 5-6-08; Ord. 5229, 3-17-09; Ord. 5285, 11-17-09; Ord. 5596, 07-02-13)

Cross reference(s)--Penalty, §97.999.

97.71 Fayetteville Special Use Permit for Events that Include a Swimming Component

(A) *Special events that include swimming.* Special events that include a swimming component, such as a triathlon, may be permitted at Lake Fayetteville with a special use permit issued by the Director of the City Parks and Recreation Department. Such issuance will be at the sole discretion of the Director and should comply with the following:

(1) A special event permit should be processed through the City Parks and Recreation Department at least 90 days prior to the event.

(2) A water testing fee of $250 and a special event fee in an amount sufficient to cover all City costs to administer the event shall be charged to the event organizer for the use of the Lake Fayetteville Park space and facilities. A further security deposit to ensure complete clean up or repair of any damage may be required. The Director may require an event organizer to obtain sufficient liability insurance and take measures to increase swimmers' safety.

(3) The City does not warrant the safety or cleanliness of any lake for swimmers. Event organizers shall provide notice of the inherent danger of swimming in the lake to all persons requesting to swim and shall obtain waivers of liability and responsibility for the City of Fayetteville from all participants.

(4) The City of Fayetteville reserves the right to allow swimming only in designated areas during the event and prohibit boating in these areas.

(5) The City of Fayetteville reserves the right to cancel previously approved special events due to unacceptable water quality, inclement weather or other valid reason.

(Ord.5285, 11-17-09)

97-072-97.079 Reserved

ARTICLE VI
CONDUCT IN PARKS

97.80 Gambling Prohibited; Recreational Activities To Take Place Only In Suitable Areas

No person in a park shall gamble, or participate in, or abet any game of chance. Nor shall any person take part in or abet the playing of other forms of recreation except in areas set apart for or conducive to the particular form of recreation.

(Code 1965, §17A-21; Ord. No. 1594, 4-1-68; Code 1991, §97.080)

Cross reference(s)--Penalty, §97.999

97.81 Intoxicating Beverages

(a) No person in a park shall bring into or consume alcoholic beverages within a city park, nor shall any person enter a park when under the influence of intoxicating beverages.

(b) Notwithstanding the above prohibition, the Botanical Garden Society of the Ozarks may allow alcoholic beverages to be served on the premises they have leased within the Lake Fayetteville park area for fundraisers, wedding receptions and other special events as long as they fully comply with all Alcohol Beverage Control requirements.

(Code 1965, §17A-23; Ord. No. 1594, 4-1-68; Code 1991, §97.081; Ord. No. 4865, 05-16-06)

Cross reference(s)--Penalty, §97.999.

97.82 Fires; Fireworks And Explosives

(A) No person in a park shall build or attempt to build a fire except in fireplaces or facilities so designed for such use, nor leave any fire unattended. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco papers or other inflammable material within any park area or on any highway, road or street abutting or contiguous thereto.

(B) No person in a park shall bring in, explode or cause to be exploded, discharge or burn any firecrackers, torpedoes, skyrockets, model rockets, roman candles or other fireworks, explosives or flammable materials without having first obtained prior written consent pursuant to the requirements of §94.04.

(Code 1965, §§17A-24, 17A-26; Ord. No. 1594, 4-1-68; Code 1991, §97.082)

Cross reference(s)--Penalty, §97.999, Sale and use of fireworks, §94.04(B).

97.83 Soliciting Alms

No person in a park shall solicit alms or contributions for any purpose, whether public or private.

(Code 1965, §17A-25; Ord. No. 1594, 4-1-68; Code 1991, §97.083)

Cross reference(s)--Penalty, §97.999.

97.84 Entering Closed Areas

No person in a park shall enter an area posted as "Closed to the Public", nor shall any person use, or abet the use of, any area in violation of posted notices.

(Code 1965, §17A-27; Ord. No. 1594, 4-1-68; Code 1991, §97.084)

Cross reference(s)--Penalty, §97.999.

97.85 Going Onto Ice

No person in a park shall go onto the ice on any of the waters ~~except such areas as are designated as skating fields, and provided a safety signal is displayed~~.

(Code 1965, §17A-28; Ord. No. 1594, 4-1-68; Code 1991, §97.085)

Cross reference(s)--Penalty, §97.999.

97.86 Vending And Peddling

(A) *General prohibition of selling or offering to sell items in city parks*. No person or business shall, within a city park, display, offer for sale, or sell any article, thing or service, nor place any stand, cart or vehicle for the display, sale or transportation of any such article.

(B) *Exemptions*. The City's regularly licensed concessionaires acting pursuant to the authority and regulation of the City are exempt from subsection (A). Nonprofit organizations which have obtained a special events permit may sell nonalcoholic beverages, ~~and~~ food and other approved items during an annual event. Sponsors of the Gulley Park Concerts and other Special Events ~~sponsors~~ offered by the Parks and Recreation Department may sell food, ~~and~~ nonalcoholic beverages, and other approved items during the ~~concerts~~ event when specifically permitted ~~-~~ approved by the Parks and Recreation Department Director. Approved merchandise may be sold at special events by performers and hosts if approved in advance by the Parks and Recreation Director. The Farmers' Market and its members may sell items allowed pursuant to §114.02 (C) of the Fayetteville Code on Sundays, Saturdays and one weekday within a portion of the Lake Fayetteville Park that is licensed to the Botanical Garden Society of the Ozarks (if approved by the Society) as shown on Exhibit A. Organizations the City directly funds, event sponsors and the non-profit Friends of Fayetteville Parks are allowed at no charge to setup a table to distribute information at park events upon approval of the Parks and Recreation Director.

Farmers' Market at Lake Fayetteville Park within Botanical Garden leased area

1 inch = 150 feet

(C) Food trucks permitted pursuant to §178.05 may operate in City Parks as described below:

(1) Food trucks may not locate in the same area that is actively being served by a contracted concessionaire as shown on Exhibit C during regular season Fayetteville Parks and Recreation leagues and tournaments.

(2) Food trucks may locate at Gulley Park during a Gulley Park Concert **or** special event in other parks such as tournaments, reserved park gatherings, etc. if approved by the Parks and Recreation Director.

(D) For special events, food trucks and sales of items other than food may be approved by the Parks and Recreation Director through a special event permit

(Code 1965, §17A-29; Ord. No. 1594, 4-1-68; Code 1991, §97.086, Ord. 5310, 4-6-10; Ord. No. 5531, 10-02-12; Ord. 5666, 3-18-14)

Cross reference(s)--Penalty, §97.999.

97.87 Advertising Prohibited

No person in a park shall announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(Code 1965, §17A-30; Ord. No. 1594, 4-1-68; Code 1991, §97.087)

Cross reference(s)--Penalty, §97.999.

97.88 Signs Prohibited

(A) No person in a park shall paste, glue, tack, or otherwise post any sign, placards, advertisement, or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park, except as set forth herein below.

(B) *Exceptions*.

(1) *Athletic Field Signage*. Signs shall be permitted on softball/baseball outfield fences and scoreboards at locations and in sizes designated by the Parks and Recreation Director. Uniform fees shall be charged dependent upon placement and size of the permitted signs. The content of the sign and whether it is commercial or non-commercial may not be considered. Designated spaces shall be sold at the established price on a first come basis. The owner of a sign at a designated location shall have first right to renew before others can purchase the size/location for a new or replacement sign.

(2) Adopt-A-Park or Trail groups may post a sign while they are actively working on a park project that provides information about their organization or group. The sign must be approved in advance by the Parks and Recreation Staff.

(3) *Recognition Signs*. Signs located in City parks or on City trails that are used for the purpose of memorializing a person or family through naming, recognition of significant donors, or recognition of contributions to the facility or amenity on which the sign is installed shall meet the following conditions:

(a) *Maximum Number of Recognition Signs*. Most donor or honoree recognition signs shall be limited to one for the facility financed by the donor or memorializing the honoree. For a park or a major facility with more than one major entrance, a second recognition sign may be recommended by the Parks and Recreation Advisory Board and approved by the City Council.

(b) *Maximum Size of Recognition Signs.*

Donor recognition signs in city parks shall be sized in accordance with Exhibit 'A', Donor Recognition Signs, unless otherwise determined by City Council Resolution.

(i) Trail Recognition Signs shall not exceed four square feet for trailhead facilities. Recognition signs along the trail for park benches, etc., shall not exceed 1.5 square feet and should be incorporated within or attached to the bench or amenity sponsored by the donor.

(c) *Design requirements*. All recognition signs must comply with the following requirements and shall adhere to the aesthetic values and design of the park or trail.

(i) The recognition sign shall include only the name of the person memorialized or the name of the organization, person or business which has donated significant funds to the park facility. A company or organization logo (without company colors, any advertising or slogans) may be used on the sign.

(ii) The design of the sign shall be incorporated into the park facility and shall be approved by the Director of Parks and Recreation who shall ensure the signs' high quality and durable construction and its consistency with other recognition signs within the park.

(iii) Recognition signs shall comply with the Donor Operational Policy unless exempted by the City Council.

(d) *Facility Naming*. The naming of facilities is permitted so long as the donor or honoree has made a significant contribution to the City, the Facility or the Parks and Recreation Department in terms of financial donations, voluntarism or dedicated public service. Final naming of facility may be as recommended by the Parks and Recreation Advisory Board with final selection and approval by the City Council. Naming of the facilities should meet the Naming Park Facilities Policy attached as Exhibit 'B', unless otherwise determined by City Council Resolution.

Exhibit "A"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR DONOR RECOGNITION SIGNS	
	NUMBER:	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

DONOR RECOGNITION SIGNS

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

In order to provide important capital facilities in Fayetteville Parks, it is pragmatic in a time of shrinking public dollars to seek outside funding. It is essential to have specific boundaries and criteria in establishing fair and proper recognition of significant facility donations. This policy sets guidelines for donations within parks as well as on trails. All sign and plaque designs must be incorporated into the design of the facility. Donor recognition signs shall adhere to the aesthetic values and design of the park.

Donor recognition in parks is based upon the type of facility donated. Donor recognition on trails is limited on the trailheads unless there is an educational and/or art feature that is appropriate to be displayed along the trail. Recognition signs may not be predominant within the educational and/or art component.

Recognition for each donation will be determined pursuant to the Recognition for Parks and Trails Facilities Policy. Any exceptions to this policy must be approved by City Council. Park Planners have the latitude to design signs recognizing donations based on site location and donor specific criteria. Naming of facilities donated must meet the Naming Park Facilities Operational Policy unless accepted under City Council resolution. The naming proposal will be presented to the Parks and Recreation Advisory Board for their recommendation to City Council. City Council has final approval of the park facility name, including the right to approve a different name. The option for naming facilities is only permitted under the Park Facility Diamond**,** Platinum, Gold and Silver categories. Minor items such as trash receptacles and flower beds cannot be named.

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: **RECOGNITION FOR PARKS AND TRAILS FACILITIES POLICY**	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE: 6-16-2015	PAGE: 1 OF 3
	SUPERSEDES:	APPROVED BY:		

RECOGNITION FOR PARKS AND TRAILS FACILITIES

Bronze Category: Recognition on Donor Wall for 25 year period

Donation of $25,000 up to $250,000 for park amenities. Examples include

Bleachers
Batting Cages
Bike Racks
Lighting
Drinking Fountain with Dog Bowl
Prefabricated Pavilion
Picnic Table and Grill
Art Sculpture
Single Playground Apparatus (climbing rocks/swing set)
Landscape Feature

Size of donor wall and names to be approved by the City Council.

Silver Category: Naming Rights for 10 year period

Donation of 75% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground

Gold Category: Naming Rights for a Field/Court/Facility for 25 year period

Donation of 100% cost of new facility over $250,000. Examples include:

Soccer Field
Baseball Field
Tennis Court
Basketball Court
Disc Golf Course
Concession Stand/Restroom
Park Restroom
One Mile Asphalt/Concrete Park Trail
Small Amphitheater (seating for 150)
Water Feature
Parking Lot (25 cars)
Greenhouse
Playground
Dog Park

Platinum Category: Naming Rights of a Complex for 30 year period

Donation of $1 million up to $5 million to name a complete complex. Examples include:

Sport Complex: 4-6 field lighted complex such as softball, baseball, soccer, tennis

Aquatic center
Amphitheater- seating for 1,200
Development of a new park

Diamond Category: Naming Rights of a Park

Donation over $5 million to name a park.

RECOGNITION FOR EXISTING PARK FACILITIES

$200,000 per baseball or softball field for 10 years, or $350,000 for two fields
$150,000 per soccer field for 10 years or $250,000 for two fields

TRAIL FACILITIES

Silver Category receives donor recognition of a press release, ribbon cutting ceremony, plaque constructed of high quality durable materials up to 1.5 sq ft.

Trail Facilities donated in the Silver Category may only be located along trails for educational purposes or as an integral part of an art feature.

Gold Category receives donor recognition of a press release, ribbon cutting ceremony, sign constructed of high quality durable materials up to 4 sq ft.

Trail Facilities donated in the Gold Category may only be located at trailheads for a 25 year period and include the following:

Parking Lot
Pavilion

Restroom
One Mile Asphalt/Concrete Trail

City Process

1. Parks and Recreation Staff or the Friends of Parks Board meets with donor to discuss donation including amount of donation, development of facility/amenity, recognition operational policy, naming rights (if applicable), sign appearance/style/construction, time requirements and other pertinent topics. Donor must meet the Operational Policy for Donor Recognition Signs.

2. Request is presented for approval from Parks and Recreation Advisory Board. If the facility donated is granted the option to name the facility, the name must meet Park Naming Facility Operational Policy.

3. Request presented to Planning Office for approval.

4. Request presented to City Council for final park name selection and approval.

5. All donors will have first right to re-new their naming rights for an appropriate donation upon conclusion of the time period.

6 The City will reserve the right to remove a donor's name from the facility if the City Council determines by resolution that a donor would otherwise cause undue embarrassment or other issues for the City or its citizens.

Exhibit "B"

CITY OF Fayetteville ARKANSAS	**Parks and Recreation Department Policies and Procedures Manual**		SUBJECT: OPERATIONS POLICY FOR NAMING PARK FACILITIES	
	NUMBER: PRK-	REVISIONS:	EFFECTIVE DATE:	PAGE: 1 OF 1
	SUPERSEDES:	APPROVED BY:		

NAMING PARK FACILITIES

PURPOSE

The purpose of this directive is to provide policies which will govern the naming of park facilities currently owned or acquired by the City of Fayetteville. This policy statement takes precedence over any previous policies and guidelines which may have governed the naming of these facilities.

POLICY

Upon acquisition of a new park, the Director of Parks and Recreation will assign a nondescript temporary working name or subdivision name for the park facility to be used until park development begins.

Once park development begins, the Parks and Recreation Department will receive and forward park facility name suggestions to the Parks and Recreation Advisory Board for review. The Parks and Recreation Advisory Board will discuss and approve the recommendations at their monthly meeting. Once a recommended name has been selected, the Parks and Recreation staff will forward the name to the City Council for its final park name selection including a potentially different name.

The following items should be considered when proposing names for any park facilities:

- Geographic location of the facility
- Outstanding features of the facility
- Commonly recognized historical event, group, or individual
- Individual or group who contributed significantly to the acquisition or development of a facility
- Individual who provided an exceptional service in the interest of the park system

For an individual to be considered, the recommended name must be accompanied by a biographical sketch which provides evidence of historical significance or contributions to the Parks and Recreation Department or City of Fayetteville.

The naming of plaques, markers, and memorials within park facilities must follow the policies as stated above.

Note: A name recommendation from the Active Transportation Committee for trail facilities will be required prior to forwarding to the Parks and Recreation Advisory Board.

(Code 1965, §17A-31; Ord. No. 3677, §2, 3-2-93; Code 1991, §97.088; Ord. 5335, 7-20-10; Ord. 5335, 7-20-10; Ord. 5778, 6-16-15)

Cross reference(s)--Penalty, §97.999.

97.89 –97.998 Reserved

97.999 Penalty

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be fined not more than $500.00 or double that sum for each repetition of such offense, or violation; provided, no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. If the violation of the chapter is, in its nature, continuous in respect to time, the penalty for allowing the continuation thereof shall not exceed $250.00 for each day the same is unlawfully continued.

(B) Any person violating any provision of §97.070 shall be guilty of a misdemeanor and shall be punished by a fine of not more than $500.00.

(Code 1965, §§1-5, 13-12; Ord. No. 2128, 7-15-75; Ord. No. 2274, 9-7-76; Ord. No. 2903, 3-1-83; Ord. No. 3164, 1-21-86; Ord. No. 3203, 8-5-86; Code 1991, §97.999)

Approved campsite locations at Lake Sequoyah

0 395 790 1,580 2,370 3,160 Feet

N W E S

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

City of Fayetteville, Arkansas

Text File

File Number: 2015-0463

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: C. 7

AMEND § 73.04 RIDING ON ROADWAYS AND BICYCLE PATHS AND § 73.05 RIDING ON SIDEWALKS:

AN ORDINANCE TO AMEND § 73.04 **RIDING ON ROADWAYS AND BICYCLE PATHS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON ROADWAYS AND BICYCLE PATHS, AND TO AMEND § 73.05 **RIDING ON SIDEWALKS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS

WHEREAS, the Northwest Arkansas Bicycle and Pedestrian Master Plan and the League of American Bicycles recommend the passage of local ordinances encouraging the safe operation of bicycles on roadways and in dedicated bike lanes, rather than sidewalks, for the safety of bicyclists and pedestrians.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 73.04 of the Fayetteville City Code and enacts a replacement § 73.04 as follows:

"**73.04 Riding on Roadways and Bicycle Lanes**

(A) Any person operating a bicycle upon a roadway at a speed slower than the flow of traffic shall ride in the right hand lane as far to the right as is safe. A bicyclist may leave this position to turn left, pass, or for any safety reasons.

(B) Bicyclists shall use bicycle lanes when available, and may only use vehicle lanes as needed to turn left, pass, or for any safety reasons.

(C) Persons riding bicycles upon a roadway shall not ride more than two abreast. Persons riding bicycles two abreast shall not unduly impede the normal movement of traffic and shall ride within a single lane."

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 73.05 of the Fayetteville City Code and enacts a replacement § 73.05 as follows:

"**73.05 Riding on Sidewalks**

(A) Any individual operating a bicycle upon a sidewalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(B) No person shall operate a bicycle upon a sidewalk which abuts a building, when riding on the sidewalk would endanger pedestrians, or where operation of a bicycle on a sidewalk is prohibited by an official traffic control device.

(C) Any individual operating a bicycle within a pedestrian crosswalk must yield the right-of-way to motor vehicle traffic and pedestrians. To earn the protections of a pedestrian, an individual must dismount, walk the bicycle and obey applicable traffic control devices."

City of Fayetteville Staff Review Form

2015-0463

Legistar File ID

11/17/2015

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

Dane Eifling	10/16/2015	Chief of Staff
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends amending the City Code Chapter 73: Bicycles, regarding enforcement of signage on trails, riding bicycles on roadways, mandatory side-path use, and riding on sidewalks.

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?	No	Budget Adjustment		
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17th, 2015

TO: Mayor and City Council

THRU: Peter Nierengarten, Sustainability and Resilience Department Director

FROM: Dane Eifling, Bicycle Programs Coordinator

DATE: October 16, 2015

SUBJECT: **Bicycle Ordinance Amendments:** Submitted by Staff for the City Council to amend Chapter 73: Bicycles, regarding riding bicycles on roadways, mandatory side-path use, and riding on sidewalks**.**

RECOMMENDATION:
Staff recommends repealing and replacing City Code 73.04: *Riding On Roadways And Bicycle Paths* and repealing and replacing City Code 73.05: *Riding On Sidewalks*.

BACKGROUND:
The City of Fayetteville has a mandatory side path law that requires cyclists to use a side path where provided instead of riding on the road. Cyclists and safety advocates are encouraging communities to move away from these laws because cyclists should have an equal right to share the road and riding on the road is almost always safer for cyclists and pedestrians. Riding on a side path can be unsafe, particularly when sharing the side path with pedestrians. Mandatory side path laws were enacted in the 1960's and today these laws are commonly being replaced at the state and local level. Currently, only seven states have mandatory side path laws. The State of Arkansas does not have a mandatory side path law; however, Fayetteville does have a city ordinance (73.04, adopted in 1965) which mandates side path use. In accordance with the recommendations from the Northwest Arkansas Bicycle and Pedestrian Master Plan and the League of American Bicyclists the City of Fayetteville Staff recommends repealing and replacing City Ordinance 73.04 "*Riding On Roadways And Bicycles Paths*".

Currently, the City of Fayetteville also has a somewhat confusing law, Chapter 73.05 *Riding On Sidewalks*, which regulates where it is legal and/or illegal to ride a bicycle on a sidewalk. Staff proposes to clarify where it is permissible to ride a bicycle on a sidewalk and where to restrict riding on a sidewalk.

DISCUSSION:

Engineering, Education, Encouragement, Evaluation & Planning and Enforcement- these are essential elements across five categories — known as the Five E's — that are consistent in making great places for active transportation. The fifth "E" Enforcement is critically import to help ensure the safety of our roadways, trails and sidewalks. This package of ordinance items addresses some of the relevant enforcement issues in Fayetteville. These two policy items have been identified for repeal and replacement, through recommendations from City of Fayetteville Staff, The *Northwest Arkansas Bicycle and Pedestrian Master Plan* and the League of American Bicyclists Bicycle Friendly Community feedback process. On September 2nd 2015 the Fayetteville Active Transportation Advisory Committee voted unanimously to forward these items to the City Council with a recommendation for approval.

BUDGET/STAFF IMPACT:
No budget impact

Attachments:
Exhibit "A", Chapter 73.04 Riding On Roadways And Bicycle Paths Amendments
Exhibit "B", Chapter 73.05 Riding On Sidewalks
Walk Bike Northwest Arkansas Program & Policy Recommendations for Fayetteville
Feedback from the League of American Bicyclists Bicycle Friendly Community, 2014 Application

Exhibit “A”

~~73.04 Riding On Roadways And Bicycles Paths~~

~~Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one, proceeding in the same direction. Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.~~

73.04 Riding On Roadways And On-Street Bicycle Facilities

a. Any person operating a bicycle upon a roadway at speeds slower than the flow of traffic shall ride in the right hand lane as far to the right as judged safe to facilitate the safe movement of overtaking vehicles. A bicyclist may leave this position to turn left, pass, for any safety reasons or if the right-most lane is a dedicated right turn lane.
b. Whenever a usable on-street bicycle facility exclusively for the use of bicyclists is provided within the roadway, all bicyclists shall use such on-street bicycle facility and only use vehicle lanes of the roadway as needed to turn left, pass, or for safety reasons.
c. A bicyclist shall not be expected or required to:
    i. Ride over or through any hazards or apparent hazards at the edge of a roadway
    ii. Ride without a reasonable safety margin on the right-hand side of the roadway.
d. Persons riding bicycles upon a roadway shall not ride more than two abreast. Persons riding bicycles two abreast shall not unduly impede the normal movement of traffic and shall ride within a single lane.

Exhibit “B”

~~73.05 Riding On Sidewalks~~

~~No person shall ride a bicycle upon a sidewalk within a business district, except those sidewalks which run along a collector street or a minor or major arterial street when so designated and marked as a bicycle route. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.~~

73.05 Riding On Sidewalks

(1) Any individual operating a bicycle upon a sidewalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(2) No person shall operate a bicycle upon a sidewalk which abuts a building or where operation of a bicycle on a sidewalk is prohibited by an official traffic control device.

(3) Any individual operating a bicycle within a pedestrian crosswalk must yield the right-of-way to motor vehicle traffic and pedestrians. To gain all the protections of a pedestrian, an individual may dismount and walk a bicycle and obey applicable traffic control devices.

BICYCLE FRIENDLY COMMUNITY FEEDBACK

FAYETTEVILLE, AR

Fall 2014

Our Bicycle Friendly Community review panel was very pleased to see the current efforts and dedication to make Fayetteville a safe, comfortable and convenient place to bicycle.

Below, reviewers provided recommendations to help you further promote bicycling in Fayetteville. **Key recommendations are highlighted in bold**.

We strongly encourage you to use this feedback to build on your momentum and improve your community for bicyclists.

There may also be initiatives, programs, and facilities that are not mentioned here that would benefit your bicycling culture, so please continue to try new things to increase your ridership, safety, and awareness.

The cost of bicycle facilities and possible funding options are discussed on the last page of this report.

RECOMMENDATIONS

Engineering

Adopt a more comprehensive Complete Streets policy that also addresses retrofitting existing roads with context sensitive bike/ped infrastructure, and offer implementation guidance.

Develop and implement streetscape design guidelines that foster a pleasant and comfortable environment for pedestrians and cyclists. Beautiful streetscaping has also shown to increase community livability and pride, reduce crime and increase property values.

Pass an ordinance that would require larger employers to provide shower and locker facilities.

Continue to increase the amount of high quality bicycle parking throughout the community, especially at commercial buildings. Ensure that people arriving by bicycle have a secure and legal place to lock their bikes at popular destinations.

Continue to expand the bike network, especially along arterials, through the use of different types of bicycle facilities, and to increase connectivity between neighborhoods and paved trails. On roads where automobile speeds exceed 25 mph, it is recommended in your local context to provide protected bicycle infrastructure such as cycle tracks, buffered bike lanes or parallel 10ft wide shared-use paths. Note that shared lane markings should be used sparingly and only on low speed roads. On-street improvements coupled with the expansion of the off-street system will encourage more people to cycle and will improve safety. Ensure smooth and comfortable transitions for bicyclists between the local and regional trail network, and the street network. These improvements will also increase the effectiveness of encouragement efforts by providing a broader range of facility choices for users of various abilities and comfort levels.

BICYCLE FRIENDLY COMMUNITY FEEDBACK

Make intersections safer and more comfortable for cyclists. Include elements such as color, signage, medians, signal detection, and pavement markings. The level of treatment required for bicyclists at an intersection will depend on the bicycle facility type used, whether bicycle facilities are intersecting, the adjacent street function and land use. See the NACTO intersection design guidelines (preferred) and the 2012 AASHTO Guide for the Development of Bicycle Facilities for recommended intersection treatments.

Schools and the surrounding neighborhoods should be particularly safe and convenient for biking and walking.

Education

Work with your local bicycle groups or interested parents to expand the Safe Routes to School program to K-2nd grade with balance bikes.

Offer a greater variety of bicycling skills training opportunities for adults or encourage your local bicycle advocacy group or bike shop to help. There are options from short videos and 1-2 hour courses to more in-depth training incorporating in-classroom and on-bike instruction. Other education materials, such as the League Quick Guide, offer the opportunity to share bike education in an easily accessible format. For more information visit: http://bikeleague.org/ridesmart.

Encouragement

Continue to expand encouragement efforts during Bike Month in partnership with local bicycle advocacy groups. Host, sponsor and encourage more bicycle-themed community events, campaigns and programs. Increase your efforts on Bike to Work Day and Bike to School Day. Ensure to widely advertise all bicycle-themed community events and programs. For ideas and more information, visit http://bikeleague.org/bikemonth.

Consider offering a 'Ciclovia' or Open Streets type event, closing off a major corridor to auto traffic and offering the space to cyclists and pedestrians. See Open Streets in action.

Promote cycling throughout the year by offering or supporting more family-oriented community and charity rides, free bike valet parking at events, and bicycle-themed festivals, parades or shows.

Launch a bike share system that is open to the public. Bike sharing is a convenient, cost effective, and healthy way of encouraging locals and visitors to make short trips by bike and to bridge the "last mile" between public transit and destinations. See what is being done across the country at http://nacto.org/bikeshare/

Encourage local businesses and organizations to promote cycling to their employees and customers and to seek recognition through the Bicycle Friendly Business program. Businesses will profit from a healthier, happier and more productive workforce while the community will benefit

from less congestion, better air quality, increased amenities and new destinations for cyclists, new and powerful partners in advocating for bike infrastructure and programs, and business-sponsored public bike events or classes. Your chamber of commerce or local business association can help promote the program and its benefits. The League offers many tools to help promote the Bicycle Friendly Business program in your community.

Encourage the University of Arkansas to promote cycling to students, staff, and faculty and to seek recognition through the Bicycle Friendly University program. Many colleges and universities have embraced the growing enthusiasm for more bicycle-friendly campuses by incorporating bike share programs, bike co-ops, bicycling education classes and policies to promote bicycling as a preferred means of transportation. The community will benefit as well: Communities near BFUs have a higher number of regular bicyclists (as many students bike to campus, shops and restaurants), less congestion around campus, safer streets, and university-hosted public bicycle events, programs, and classes. The League offers many tools to help promote the Bicycle Friendly University program in your community.

Enforcement

Ask police officers to target both motorist and cyclist infractions to ensure that laws are being followed by all road users. Ensure that bicycle/motor vehicle crashes are investigated thoroughly and that citations are given fairly.

Pass additional ordinances that protect cyclists, e.g. make it illegal to park or drive in a bike lane (intersections excepted), implement penalties for motor vehicle users that 'door' cyclists, ban cell phone use while driving, and pass laws/ordinances protecting all vulnerable road users. Ensure that local law enforcement received training on any new bicycle-related laws.

Repeal the local law that requires cyclists to use bike lanes when provided.

Evaluation & Planning

Have your Bicycle Advisory Committee meet monthly and review all road and construction projects, to step up your Bicycle Friendly Community efforts.

Update your 2003 and 2009 alternative transportation and trail plans to ensure that state-of-the-art bicycle recommendations are included.

Regularly conduct research on bicycle usage beyond the U.S. Census' Journey to Work report to more efficiently distribute resources according to demand. Conduct at least yearly counts using automated or manual counters in partnership with advocacy organizations. Consider participating in the National Bicycle and Pedestrian Documentation Project.

Ensure that your bicycle counts capture the gender of cyclists. If women ride significantly less than men, this gender gap can be addressed through infrastructure improvements, and targeted education and encouragement efforts. Learn more at bikeleague.org/womenbike.

BICYCLE FRIENDLY COMMUNITY FEEDBACK

Establish a mechanism that ensures that bicycle facilities and programs are implemented in traditionally underserved neighborhoods.

COSTS AND FUNDING OPTIONS

Costs

Building a new roadway for motor vehicles can cost millions of dollars to construct, and many of the pedestrian and bicycle infrastructure facilities are extremely low-cost in comparison. Use this database to review up-to-date estimates of infrastructure costs of pedestrian and bicycle treatments from states and cities across the country.

Federal Funding

Since 1992 bicycle and pedestrian projects have been eligible for federal transportation funding. To learn more about what federal funds are available for bicycle projects, use Advocacy Advance's interactive Find it, Fund it tool to search for eligible funding programs by bike/ped project type or review the same information as a PDF here.

State Funding

Biking and walking dollars aren't only available from the federal government. States can also have their own revenue sources that can be used to fund active transportation. Use this report and an online tool to explore your state's funding sources for bicycle and pedestrian improvements.

Local Funding

Local governments can also create their own revenue streams to improve conditions for bicycling and walking. Three common approaches include: special bond issues, dedications of a portion of local sales taxes or a voter-approved sales tax increase, and use of the annual capital improvement budgets of Public Works and/or Parks agencies. Bicycle facility improvements can also be tagged on to larger projects to create economies of scale that results in reduced costs and reduced impacts to traffic, businesses, and residents. For example, if there is an existing road project, it is usually cheaper to add bike lanes and sidewalks to the project than to construct them separately. To learn more about public funding of bicycle infrastructure improvements, visit pedbikeinfo.org/planning/funding_government.cfm.

Resources and Support

Advocacy Advance offers several tools, resources, and workshops to help advocates and agency staff maximize eligible funding programs.

Program	Term	Lead Entity
Engineering		
Update the Master Street Plan to reflect best practices in bicycle facility design, considering innovative designs such as cycle tracks and buffered bike lanes.	Short	City of Fayetteville
Coordinate with AHTD on bicycle and pedestrian infrastructure on state roads through the City. Include protected bike lanes on highways 35 mph and above.	Short	City of Fayetteville, AHTD
ADA Transition Plans	Medium	City of Fayetteville
Transportation Planning and Land Use Planning Considerations	Long	NWARPC, City of Fayetteville
Increase the amount of high quality bicycle parking throughout the community.		
Expand the street bike network and increase network connectivity.		
Education		
Safe Routes to School	Medium	City of Fayetteville Schools, BCO
Each school should adopt Safe Routes to School plan		
Education campaign including motorists, walkers/runners, and bicyclists	Medium	NWARPC, Northwest Arkansas Council, City of Fayetteville
Continue to expand education programming from elementary school (currently) to middle school and high school	Medium	City of Fayetteville, BCO
Encouragement		
Razorback Regional Greenway Transportation Promotion	Short	NWARPC, Northwest Arkansas Council, City of Fayetteville
Equity Oriented Programs	Short	NWARPC, Northwest Arkansas Council
Open Streets Events	Medium	Northwest Arkansas Council, City of Fayetteville, BCO, local bike shops
Bicycle Friendly Business Program	Short	City of Fayetteville, BCO
Additional staff for expanded responsibilities involved with outreach	Short	City of Fayetteville
Support more family-oriented community or social rides, and bicycle-themed festivals, parades or shows	Medium	City of Fayetteville, BCO
Encourage the University of Arkansas to promote cycling to students, staff, and faculty and to seek recognition through the Bicycle Friendly University Program	Medium	City of Fayetteville, BCO, U of A
Enforcement		
Repeal the mandatory sidepath law.	Medium	City of Fayetteville
Non-mandatory bike registration and bike recovery assistance		
Annual Meeting with Police, Planners and Engineers to Evaluate Collision Trends, Infrastructure Needs and Areas for Targeted Enforcement	Medium	City of Fayetteville
Bicyclist and Motorist Ticket Diversion Program	Long	City of Fayetteville Law Enforcement
Evaluation		
Annual trail and bikeway use counts	Short	City of Fayetteville
Work with AHTD to execute bicycle & pedestrian planning and evaluation on state roadways through Fayetteville	Short	City of Fayetteville, AHTD
Walking, Bicycling and Trails Report Card	Medium	City of Fayetteville
Economy		
Economic Impact Report for Razorback Regional Greenway and Trails	Medium	Northwest Arkansas Council, City of Fayetteville
Bicycle and Walking Tourism Strategy	Medium	Northwest Arkansas Council, City of Fayetteville

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

TO: Mayor and City Council

FROM: Peter Nierengarten, Sustainability and Resilience Department Director

CC: Don Marr, Chief of Staff
Dane Eifling, Bicycle Programs Coordinator

DATE: October 30, 2015

SUBJECT: **Bicycle Ordinance Amendments:** Chapter 73.04: Riding on Roadways and Bike Lanes

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RECOMMENDATION:
Based on feedback from the League of American Bicyclists, Staff recommends amendments to the originally proposed changes to Chapter 73.04: *Riding On Roadways And Bike Lanes.*

BACKGROUND:
At the request of Fayetteville City Staff and the Mayor, the City Attorney's office prepared amendments to Chapter 73.04 regarding riding bicycles on roadways. City Staff shared the drafted amendments with the League of American Bicyclists and asked for feedback on how the proposal might improve safety for Active Transportation and affect Fayetteville's Bicycle Friendly Community Application.

DISCUSSION:
The attached letter from the League of American Bicyclist Legal & Policy Specialist, Ken McLeod suggests that the proposed ordinances amendments are a positive step forward, but could be stronger by more explicitly addressing the needs of bicyclists by incorporating:

- The viewpoint of a "reasonable bicyclists" when deciding what is "safe' for the purpose of the ordinance
- Guidelines that help define what is meant by "safety reasons"

In addition Staff recommends that ordinance references to "bicycle lanes" be replaced with "on-street bicycle facilities exclusively for the use of bicyclists," in order to be consistent with language in Fayetteville's Active Transportation Plan.

Staff has worked with the City Attorney's Office to prepare an amended version of the ordinance that incorporates these items.

Attachments:

- Amended Ordinance Chapter 73.04: *Riding on Roadways And Bicycle Facilities*
- Feedback Letter from the League of American Bicyclists, Legal & Policy Specialist, Ken McLeod
- Fayetteville Active Transportation Plan – On-Street Bicycle Facilities
- Fayetteville Active Transportation Plan Map

ORDINANCE NO. _____

AN ORDINANCE TO AMEND § 73.04 **RIDING ON ROADWAYS AND BICYCLE PATHS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON ROADWAYS AND BICYCLE PATHS, AND TO AMEND § 73.05 **RIDING ON SIDEWALKS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS

WHEREAS, the Northwest Arkansas Bicycle and Pedestrian Master Plan and the League of American Bicycles recommend the passage of local ordinances encouraging the safe operation of bicycles on roadways and in dedicated bike lanes, rather than sidewalks, for the safety of bicyclists and pedestrians.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 73.04 of the Fayetteville City Code and enacts a replacement § 73.04 as follows:

"**73.04 Riding on Roadways and Bicycle Facilities**

(A) Any person operating a bicycle upon a roadway at a speed slower than the flow of traffic shall ride in the right hand lane as far to the right as is **judged safe by a reasonable bicyclist**. A bicyclist may leave this position to turn left, pass, or for any safety reasons.

(B) Bicyclists shall use **on-street bicycle facilities exclusively for the use of bicyclists** when available, and may only use vehicle lanes as needed to turn left, pass, or for any safety reasons.

(C) A bicyclist shall not be expected or required to:

i. Ride over or through any hazards or apparent hazards at the edge of a roadway.

ii. Ride without a reasonable safety margin on the right-hand side of the roadway.

(D) Persons riding bicycles upon a roadway shall not ride more than two abreast. Persons riding bicycles two abreast shall not unduly impede the normal movement of traffic and shall ride within a single lane."

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 73.05 of the Fayetteville City Code and enacts a replacement § 73.05 as follows:

"**73.05 Riding on Sidewalks**

(A) Any individual operating a bicycle upon a sidewalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(B) No person shall operate a bicycle upon a sidewalk which abuts a building, when riding on the sidewalk would endanger pedestrians, or where operation of a bicycle on a sidewalk is prohibited by an official traffic control device.

(C) Any individual operating a bicycle within a pedestrian crosswalk must yield the right-of-way to motor vehicle traffic and pedestrians. To earn the protections of a pedestrian, an individual must dismount, walk the bicycle and obey applicable traffic control devices.

PASSED and **APPROVED** this 17th day of November, 2015.

APPROVED: ATTEST:

By: _____ By: _____
LIONELD JORDAN, Mayor **SONDRA E. SMITH**, City Clerk/Treasurer

THE LEAGUE OF AMERICAN BICYCLISTS since 1880

Leading the movement to create a bicycle-friendly America for everyone

1612 K STREET NW, SUITE 308, WASHINGTON, DC 20006 | *phone* 202-822-1333 | *fax* 202-822-1334 | WWW.BIKELEAGUE.ORG

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

October 28, 2015

Dear Mayor Jordan and Fayetteville City Council:

The Bicycle Friendly Community program decides community award levels based upon a comprehensive evaluation of community engineering, education, encouragement, enforcement and evaluation & planning activities. I have been asked to provide an opinion on how recently proposed changes to Fayetteville's Traffic Code might affect its Bicycle Friendly Community application.

The proposed ordinance, particularly with some clarification, is likely to significantly improve Fayetteville's earned points in the Enforcement category of its Bicycle Friendly Community application. The average applying community earns 15 points in the Enforcement category based on the efforts of the community's law enforcement and the local laws that affect bicycling within the community. Fayetteville's proposed ordinance would significantly affect several areas that negatively affected its scoring in the enforcement category in its prior application. Depending upon the final adopted language, the proposed ordinance could result in an improvement of 1.5 points for the Enforcement category, or a 10% increase in points awarded from Fayetteville's last application in the fall of 2014.

The version of Fayetteville's bicyclist ordinance shared with me takes a positive step by enabling bicyclists to make safer choices about where to ride based upon the actual conditions of a roadway and their needs based upon their speed and route. However, it could be stronger and more explicitly address the needs of bicyclists in a number of ways. The League of American Bicyclists has recently publicized three model laws that are meant to serve as guides for communities seeking to improve bicycling-related laws. Gaining points in our Bicycle Friendly Community application is not predicated on adopting these model laws without changes that reflect local contact and preference. However, they are illustrative of the goals we believe are important while writing bicycle-related laws. This memo is meant to provide guidance on how the League of American Bicyclists believes the proposed ordinance could be improved.

73.04(A) could incorporate more of our model where to ride law. In particular, it could be made stronger by incorporating:

1. A clarification that the viewpoint of a bicyclist, it could be termed a "reasonable bicyclist," will be the view considered when deciding what is "safe" for purposes of the ordinance. This clarification is important to counter any bias caused by many law enforcement officers, judges, and potential members of a jury not being familiar with bicycling upon roadways.

2. Some guidelines for what is meant by "safety reasons." In our model law, this is done in part by providing conditions that a person operating a bicycle shall not be expected or required to ride over or through. These guidelines are important so that law enforcement officers and the general public understand what is expected by requiring a bicyclist to ride "far to the right." It creates conditions where a bicyclist can show those conditions in order to justify their behavior rather than being required to show that their behavior was "safe" or possibly more "safe" than an alternative.

73.04(B) is a step forward from the current requirement of Fayetteville City Code 73.04 which requires "Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway." While paths provide a very different experience for bicyclists and can be highly variable in quality and usefulness for different types of bicycling, bicycle lanes are more accommodating of various types of bicycling and bicyclists are arguably required to use them in most circumstances under 73.04(A), which requires them to ride to the right of the right hand lane in most circumstances. As with 73.04(A), this portion of the proposed ordinance could be improved by addressing what is meant by "safety reasons." In addition, it would be improved by addressing whether "available" is a sufficient standard for use. Many states have incorporated quality-based standards so that the use of a bicycle lane, or path, is only required when it meets a certain quality standard. For example, the state of Georgia requires municipalities that want to require the use of a bicycle path to provide a mechanism for citizen review of the quality of bicycle paths and provides that any paths that bicyclists are required to use by a municipality meet the standards created by the American Association of State Highway and Transportation Officials (AASHTO). See Ga. Code Ann. §§40-6-294(c) & (d).

I hope that you take these suggestions into account when you review your Traffic Code. Please contact me with any questions you have about the provisions in our model laws or our Bicycle Friendly Community process.

Sincerely,

Ken McLeod

Legal & Policy Specialist
1612 K Street NW, Suite 308
Washington, DC 20006

BACKGROUND
the on-street bicycle network

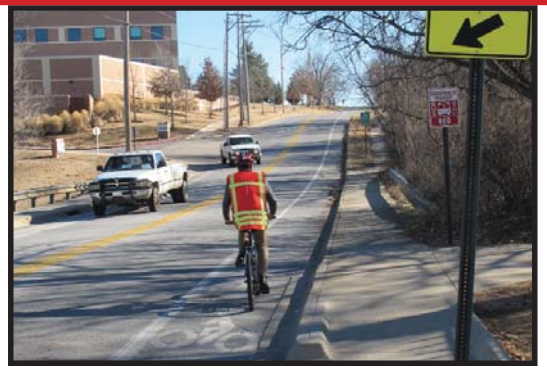
THE ON-STREET BICYCLE NETWORK

Shared-use paved trails serve as the foundation of our active transportation infrastructure, but on-street linkages provide a critical link for cyclists to reach trails and other destinations using city streets. Fayetteville's on-street bicycle network has been rapidly developed in recent years; 25 miles of on-street bike lanes and shared bikeways were added to Fayetteville streets in the years between 2010 and 2014. Fayetteville has gone from a patchy inadequate pattern of on-street bike facilities to a network of usable and navigable bike routes, yet continued progress is needed to meet the growing demand for these on-street facilities.

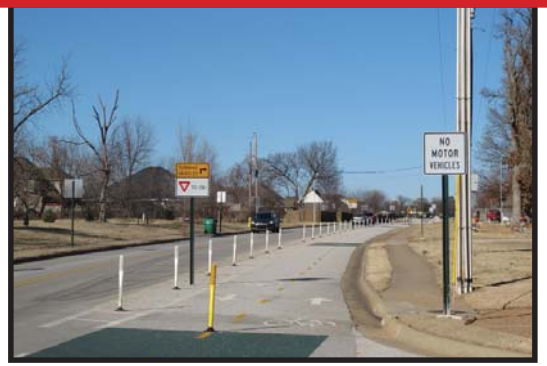
Fayetteville's varied development patterns and occasionally steep terrain require a variety of on-street solutions to make the most efficient use of space while providing safe and comfortable travelways for cyclists. On-street shared lanes, bike lanes, climbing lanes, buffered bike lanes and bike ways have all been implemented in Fayetteville. Other facilities such as cycletracks, which are fully protected bike lanes, may be constructed in the future. As part of Fayetteville's commitment to the continued expansion of on-street bicycle facilities, City Plan 2030 requires all new street projects and significant street reconstruction incorporate some form of bicycle infrastructure in the public right-of-way where the City Plan indicates bicycle infrastructure is appropriate. The images bellow illustrate examples of the context-sentitive solutions used in various locations in Fayetteville and other regional cities.

ON-STREET SHARED LANES
Willow Avenue - Fayetteville

CLIMBING LANES
Ash Street - Fayetteville



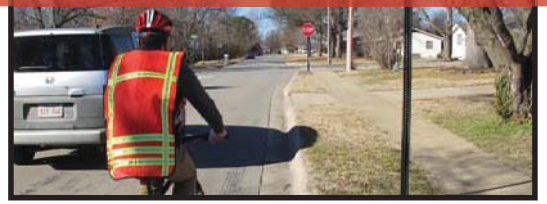
BIKE LANES
Appleby Road - Fayetteville



CYCLETRACKS
Silent Grove Rd. - Springdale

BUFFERED BIKE LANES
Rolling Hills Drive - Fayetteville

On-street bicycle facilities exclusively for the use of bicyclists



BICYCLE WAYS
Asbell Bike way - Fayetteville

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0462

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: C. 8

VULNERABLE ROAD USERS PROTECTION:

A RESOLUTION TO AFFIRM THE CITY'S PERSISTENT EFFORTS AND LENGTHY COMMITMENT TO ALTERNATIVE AND ACTIVE TRANSPORTATION INFRASTRUCTURE, ROAD AND TRAIL SAFETY AND THE PROTECTION OF ALL VEHICULAR AND VULNERABLE ROAD USERS

WHEREAS, a vulnerable road user is defined as anyone on or near the roadway with a legitimate and legal right to the road who is not protected within a motor vehicle; and

WHEREAS, Fayetteville is a bronze-level Bicycle Friendly Community and is seeking to earn a silver designation in 2016; and

WHEREAS, the City is and has long been committed to continuing to build necessary infrastructure to increase the safety of bicyclists and other vulnerable road users; and

WHEREAS, more than half of Fayetteville residents now live within a half mile of a city trail because Fayetteville has constructed the region's most comprehensive trail system begun in the 1990's and significantly increased over the last dozen years; and

WHEREAS, because of Mayor Jordan and the City Council's efforts to increase trail construction, it is anticipated that over 80% of Fayetteville residents will live within a half mile of a trial by 2020 with continuing efforts to exceed 90% in the future; and

WHEREAS, for over 20 years our development regulations have required all new residential, commercial and industrial development to construct sidewalks for public use; and to fill in the gaps where sidewalks were not constructed in older developments, the City's Transportation Division constructs two to three miles of new sidewalks annually; and

WHEREAS, our citizens and residents increasingly rely on active transportation daily and the City is committed to do everything possible to enhance the safety and expand the availability of our active transportation resources.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby affirms the City's

persistent efforts and lengthy commitment to improve alternative and active transportation infrastructure, road and trail safety and the protection of all vehicular and vulnerable road users.

City of Fayetteville Staff Review Form

2015-0462

Legistar File ID

11/3/2015

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

Dane Eifling	10/16/2015	Chief of Staff
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends that a vulnerable road user protection resolution be presented to City Council for adoption.

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?	No	Budget Adjustment		
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 3, 2015

TO: Mayor and City Council

THRU: Peter Nierengarten, Sustainability and Resilience Department Director

FROM: Dane Eifling, Bicycle Programs Coordinator

DATE: October 15, 2015

SUBJECT: **Vulnerable Road User Protection Resolution:** Submitted by STAFF for the City Council to approve a resolution that recognizes that vulnerable road users are protected through a variety of state and local traffic ordinance.

RECOMMENDATION:
Staff recommends that a vulnerable road user protection resolution be presented to City Council for adoption.

BACKGROUND:
A vulnerable road user is anyone on or near a roadway with legitimate and legal right to the road who is not protected within a motor vehicle. Vulnerable road users are protected under a variety of state and local traffic laws, pedestrian protections and bicycle codes; a vulnerable road user protection resolution should emphasis these protections and convey Fayetteville's commitment to road safety and active transportation. It is the duty of our city government to make every effort to ensure the safety of our roadways for all users regardless of his or her chosen mode of travel.

DISCUSSION:
The following key points and facts should be considered when drafting a vulnerable road user protection resolution.

- This resolution is intended to be part of a broad effort to help Fayetteville to be more walkable, bike-friendly, and less car-dependent.
- A vulnerable road user is anyone on or near the roadway, with a legitimate and legal right to the road, who is not protected within a motor vehicle.
- The Fayetteville City Council has adopted the 2015 Active Transportation Plan which sets goals of doubling the active transportation mode share from 7.5 percent to 15 percent by the year 2020.
- Currently, 45 percent of Fayetteville residents live more than half a mile from a city trail.
- Currently, at least 40 percent of the linear footage of Fayetteville streets have no sidewalk on either side of the road.

- Concern for one's personal safety and fear of automobile traffic are consistently cited as the top factors preventing people from attempting to walk or cycle for transportation or exercise.
- Thousands Fayetteville citizens rely on active transportation every day. Public safety, and the safety these citizens is of the highest priority for the City of Fayetteville.
- Fayetteville is a bronze-level Bicycle Friendly Community seeking to earn a sliver designation in 2016. As part of that effort we are committed to taking measures to ensure the safety of bicyclists as well as all other vulnerable road users.
- The City of Fayetteville has adopted the *Northwest Arkansas Regional Bicycle and Pedestrian Master Plan* which describes some of the obstacles Fayetteville faces with regard to walkability on and around "high speed, high traffic corridors" through our community.
- Any person with legal right to use Fayetteville roadways shall be afforded all protections under federal, state and local laws to ensure such a person's safety, and freedom to use and enjoy the public roadway without fear of endangerment, harassment, or hostility for any reason.

On September 2nd 2015 the Fayetteville Active Transportation Advisory Committee voted unanimously to forward this item to City Council with a recommendation for approval.

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:
Walk Bike Northwest Arkansas Program & Policy Recommendations for Fayetteville
Feedback from the League of American Bicyclists Bicycle Friendly Community, 2014 Application

BICYCLE FRIENDLY COMMUNITY FEEDBACK

FAYETTEVILLE, AR

Fall 2014

Our Bicycle Friendly Community review panel was very pleased to see the current efforts and dedication to make Fayetteville a safe, comfortable and convenient place to bicycle.

Below, reviewers provided recommendations to help you further promote bicycling in Fayetteville. **Key recommendations are highlighted in bold**.

We strongly encourage you to use this feedback to build on your momentum and improve your community for bicyclists.

There may also be initiatives, programs, and facilities that are not mentioned here that would benefit your bicycling culture, so please continue to try new things to increase your ridership, safety, and awareness.

The cost of bicycle facilities and possible funding options are discussed on the last page of this report.

RECOMMENDATIONS

Engineering

Adopt a more comprehensive Complete Streets policy that also addresses retrofitting existing roads with context sensitive bike/ped infrastructure, and offer implementation guidance.

Develop and implement streetscape design guidelines that foster a pleasant and comfortable environment for pedestrians and cyclists. Beautiful streetscaping has also shown to increase community livability and pride, reduce crime and increase property values.

Pass an ordinance that would require larger employers to provide shower and locker facilities.

Continue to increase the amount of high quality bicycle parking throughout the community, especially at commercial buildings. Ensure that people arriving by bicycle have a secure and legal place to lock their bikes at popular destinations.

Continue to expand the bike network, especially along arterials, through the use of different types of bicycle facilities, and to increase connectivity between neighborhoods and paved trails. On roads where automobile speeds exceed 25 mph, it is recommended in your local context to provide protected bicycle infrastructure such as cycle tracks, buffered bike lanes or parallel 10ft wide shared-use paths. Note that shared lane markings should be used sparingly and only on low speed roads. On-street improvements coupled with the expansion of the off-street system will encourage more people to cycle and will improve safety. Ensure smooth and comfortable transitions for bicyclists between the local and regional trail network, and the street network. These improvements will also increase the effectiveness of encouragement efforts by providing a broader range of facility choices for users of various abilities and comfort levels.

BICYCLE FRIENDLY COMMUNITY FEEDBACK

Make intersections safer and more comfortable for cyclists. Include elements such as color, signage, medians, signal detection, and pavement markings. The level of treatment required for bicyclists at an intersection will depend on the bicycle facility type used, whether bicycle facilities are intersecting, the adjacent street function and land use. See the NACTO intersection design guidelines (preferred) and the 2012 AASHTO Guide for the Development of Bicycle Facilities for recommended intersection treatments.

Schools and the surrounding neighborhoods should be particularly safe and convenient for biking and walking.

Education

Work with your local bicycle groups or interested parents to expand the Safe Routes to School program to K-2nd grade with balance bikes.

Offer a greater variety of bicycling skills training opportunities for adults or encourage your local bicycle advocacy group or bike shop to help. There are options from short videos and 1-2 hour courses to more in-depth training incorporating in-classroom and on-bike instruction. Other education materials, such as the League Quick Guide, offer the opportunity to share bike education in an easily accessible format. For more information visit: http://bikeleague.org/ridesmart.

Encouragement

Continue to expand encouragement efforts during Bike Month in partnership with local bicycle advocacy groups. Host, sponsor and encourage more bicycle-themed community events, campaigns and programs. Increase your efforts on Bike to Work Day and Bike to School Day. Ensure to widely advertise all bicycle-themed community events and programs. For ideas and more information, visit http://bikeleague.org/bikemonth.

Consider offering a 'Ciclovia' or Open Streets type event, closing off a major corridor to auto traffic and offering the space to cyclists and pedestrians. See Open Streets in action.

Promote cycling throughout the year by offering or supporting more family-oriented community and charity rides, free bike valet parking at events, and bicycle-themed festivals, parades or shows.

Launch a bike share system that is open to the public. Bike sharing is a convenient, cost effective, and healthy way of encouraging locals and visitors to make short trips by bike and to bridge the "last mile" between public transit and destinations. See what is being done across the country at http://nacto.org/bikeshare/

Encourage local businesses and organizations to promote cycling to their employees and customers and to seek recognition through the Bicycle Friendly Business program. Businesses will profit from a healthier, happier and more productive workforce while the community will benefit

from less congestion, better air quality, increased amenities and new destinations for cyclists, new and powerful partners in advocating for bike infrastructure and programs, and business-sponsored public bike events or classes. Your chamber of commerce or local business association can help promote the program and its benefits. The League offers many tools to help promote the Bicycle Friendly Business program in your community.

Encourage the University of Arkansas to promote cycling to students, staff, and faculty and to seek recognition through the Bicycle Friendly University program. Many colleges and universities have embraced the growing enthusiasm for more bicycle-friendly campuses by incorporating bike share programs, bike co-ops, bicycling education classes and policies to promote bicycling as a preferred means of transportation. The community will benefit as well: Communities near BFUs have a higher number of regular bicyclists (as many students bike to campus, shops and restaurants), less congestion around campus, safer streets, and university-hosted public bicycle events, programs, and classes. The League offers many tools to help promote the Bicycle Friendly University program in your community.

Enforcement

Ask police officers to target both motorist and cyclist infractions to ensure that laws are being followed by all road users. Ensure that bicycle/motor vehicle crashes are investigated thoroughly and that citations are given fairly.

Pass additional ordinances that protect cyclists, e.g. make it illegal to park or drive in a bike lane (intersections excepted), implement penalties for motor vehicle users that 'door' cyclists, ban cell phone use while driving, and pass laws/ordinances protecting all vulnerable road users. Ensure that local law enforcement received training on any new bicycle-related laws.

Repeal the local law that requires cyclists to use bike lanes when provided.

Evaluation & Planning

Have your Bicycle Advisory Committee meet monthly and review all road and construction projects, to step up your Bicycle Friendly Community efforts.

Update your 2003 and 2009 alternative transportation and trail plans to ensure that state-of-the-art bicycle recommendations are included.

Regularly conduct research on bicycle usage beyond the U.S. Census' Journey to Work report to more efficiently distribute resources according to demand. Conduct at least yearly counts using automated or manual counters in partnership with advocacy organizations. Consider participating in the National Bicycle and Pedestrian Documentation Project.

Ensure that your bicycle counts capture the gender of cyclists. If women ride significantly less than men, this gender gap can be addressed through infrastructure improvements, and targeted education and encouragement efforts. Learn more at bikeleague.org/womenbike.

BICYCLE FRIENDLY COMMUNITY FEEDBACK

Establish a mechanism that ensures that bicycle facilities and programs are implemented in traditionally underserved neighborhoods.

COSTS AND FUNDING OPTIONS

Costs

Building a new roadway for motor vehicles can cost millions of dollars to construct, and many of the pedestrian and bicycle infrastructure facilities are extremely low-cost in comparison. Use this database to review up-to-date estimates of infrastructure costs of pedestrian and bicycle treatments from states and cities across the country.

Federal Funding

Since 1992 bicycle and pedestrian projects have been eligible for federal transportation funding. To learn more about what federal funds are available for bicycle projects, use Advocacy Advance's interactive Find it, Fund it tool to search for eligible funding programs by bike/ped project type or review the same information as a PDF here.

State Funding

Biking and walking dollars aren't only available from the federal government. States can also have their own revenue sources that can be used to fund active transportation. Use this report and an online tool to explore your state's funding sources for bicycle and pedestrian improvements.

Local Funding

Local governments can also create their own revenue streams to improve conditions for bicycling and walking. Three common approaches include: special bond issues, dedications of a portion of local sales taxes or a voter-approved sales tax increase, and use of the annual capital improvement budgets of Public Works and/or Parks agencies. Bicycle facility improvements can also be tagged on to larger projects to create economies of scale that results in reduced costs and reduced impacts to traffic, businesses, and residents. For example, if there is an existing road project, it is usually cheaper to add bike lanes and sidewalks to the project than to construct them separately. To learn more about public funding of bicycle infrastructure improvements, visit pedbikeinfo.org/planning/funding_government.cfm.

Resources and Support

Advocacy Advance offers several tools, resources, and workshops to help advocates and agency staff maximize eligible funding programs.

City of Fayetteville, Arkansas

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

Text File

File Number: 2015-0517

Agenda Date: 11/17/2015 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: C. 9

ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM:

A RESOLUTION TO ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM

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 adopts the 2016 Annual Budget and Work Program. A copy of the Budget is attached to this Resolution and made a part hereof.

City of Fayetteville Staff Review Form

2015-0517

Legistar File ID

11/17/2015

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

Kevin Springer	11/3/2015	Budget & Information Management / Finance & Internal Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

A RESOLUTION ADOPTING THE 2016 ANNUAL BUDGET AND WORK PROGRAM

Budget Impact:

Citywide	Citywide
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?	No	Budget Adjustment		
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 17, 2015

TO: Mayor Jordan and City Council

THRU: Don Marr, Chief of Staff

FROM: Paul A. Becker, Chief Financial Officer
Kevin Springer, Budget Director

DATE: October 31, 2015

SUBJECT: **Proposed 2016 Annual Budget & Work Program**

RECOMMENDATION:
Consider the Proposed 2016 Annual Budget & Work Program for adoption by the December 15, 2015 City Council meeting.

BACKGROUND / DISCUSSION:
The Proposed 2016 Annual Budget & Work Program will be distributed to City Council on Tuesday, November 10, 2015. Listed below is a schedule of hearing dates for the Proposed 2016 Annual Budget & Work Program.

Date	Budget Meeting / Location
Tuesday, November 10, 2015	**City Council Agenda Meeting, Room 326**
Saturday, November 14, 2015 (8:30 AM)	**Budget Discussion Meeting, Room 326**
Tuesday, November 17, 2015	**City Council Meeting, Room 219**
Additional meetings to be scheduled if needed.	

If you have any questions concerning the Proposed 2016 Annual Budget & Work Program, please feel free to contact either Paul A. Becker at 575-8330 or Kevin Springer at 575-8226. Thank you for your attention to this matter.

BUDGET/STAFF IMPACT:

Attachments:

Agenda Session 11-10-15

City of Fayetteville, Arkansas

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

Meeting Agenda - Tentative Agenda

Tuesday, November 10, 2015

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent:

A. 1 2014-0515

APPROVAL OF THE OCTOBER 30, 2015 SPECIAL CITY COUNCIL MEETING MINUTES.

A. 2 2015-0514

OFFICE DEPOT, INC.:

A RESOLUTION TO APPROVE A CONTRACT WITH OFFICE DEPOT, INC. FOR THE PURCHASE OF OFFICE SUPPLIES PURSUANT TO A WESTERN STATES CONTRACTING ALLIANCE-NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS COOPERATIVE PURCHASING AGREEMENT

Attachments: 2015-0514. Office Depot, Inc.

A. 3 2015-0511

CONTECH ENGINEERED SOLUTIONS, LLC:

A RESOLUTION TO AWARD BID NO. 15-58 AND AUTHORIZE THE PURCHASE OF A PREFABRICATED STEEL TRAIL BRIDGE FROM CONTECH ENGINEERED SOLUTIONS, LLC IN THE AMOUNT OF $87,126.00 PLUS APPLICABLE TAXES FOR INSTALLATION ON THE TOWN BRANCH TRAIL OVER TOWN BRANCH CREEK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $19,124.16

Attachments: 2015-0511 Town Branch Trail Bridge Award

A. 4 2015-0512

COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA:

A RESOLUTION TO APPROVE A CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF $153,570.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2016, CONTINGENT ON APPROVAL OF THE 2016 ANNUAL CITY BUDGET

Attachments: Public Access Provider Contract 2016_Legistar3

A. 5 2015-0505

2015 ADEQ BOSTON MOUNTAIN RECYCLING GRANT:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2015 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF $8,000.00 FOR THE PURCHASE OF PUBLIC SPACE RECYCLING CONTAINERS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: SRP Public Space Recycling Containers Boston Mountain 2015

BA Public Space Recycling Containers Boston Mountain 2015

B. Unfinished Business:

B. 1 2015-0495

TREE PRESERVATION AREA VACATION FOR CRAIN AUTOMOTIVE:

A RESOLUTION TO REJECT THE RECOMMENDATION OF THE URBAN FORESTER WHO DETERMINED THAT THE TREE PRESERVATION AND MITIGATION AREAS IN EASEMENTS AND DEDICATIONS AGREED TO AND SIGNED BY THE OWNER/DEVELOPER ON JUNE 25, 2014, SHOULD NOT BE VACATED OR CHANGED BY A NEW DEVELOPMENT PROPOSAL FOR THIS ACREAGE

Attachments: 2015-0495 Crain Automotive Tree Preservation Vacation

At the November 3, 2015 City Council meeting, this resolution was tabled to the November 17, 2015 City Council meeting.

C. New Business:

C. 1 2015-0509

Consent

SPECIAL NEEDS ASSISTANCE PROGRAMS GRANTS (SNAP):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $414,161.00 RECOGNIZING SPECIAL NEEDS ASSISTANCE PROGRAM GRANT REVENUE, AND TO AUTHORIZE THE ADDITION OF 2.0 TEMPORARY FULL TIME EQUIVALENT POSITIONS TO THE COMMUNITY RESOURCES DIVISION TO HIRE CASE MANAGERS TO PROVIDE HOUSING SERVICES FOR HOMELESS FAYETTEVILLE RESIDENTS

Attachments: Agenda Packet Legistar Item 2015-0509

SNAP Grants BA Form - Legistar

C. 2 2015-0485

RZN 15-5196 (3422 N. COLLEGE AVE./SCOTT PLAZA):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5196 FOR APPROXIMATELY 0.57 ACRES LOCATED AT 3422 N. COLLEGE AVENUE FROM R-O, RESIDENTIAL-OFFICE TO C-1, NEIGHBORHOOD COMMERCIAL

Attachments: 15-5196 CC EXHIBITS

15-5196 CC DOCUMENTS

C. 3 2015-0516

VAC 15-5204 (722 S. LOCUST AVE./SOUTHSIDE TOWNHOMES):

AN ORDINANCE TO APPROVE VAC 15-5204 SUBMITTED BY INFILL GROUP, INC. FOR PROPERTY LOCATED AT 722 S. LOCUST AVENUE TO VACATE PORTIONS OF ALLEY AND STREET RIGHTS-OF-WAY

Attachments: 15-5204 CC EXHIBITS

15-5204 CC DOCUMENTS

C. 4 2015-0515

AMEND § 150.02 PURPOSE:

AN ORDINANCE TO AMEND § 150.02 **PURPOSE** OF THE UNIFIED DEVELOPMENT CODE BY ENACTING FURTHER LANGUAGE

Attachments: 15-5195 EX A

15-5195 CC reports

C. 5 2015-0513

AMEND CHAPTERS 160, 161 AND 167:

AN ORDINANCE TO AMEND § 160.01 **ESTABLISHMENT OF DISTRICT**, § 161.10 **DISTRICT RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE**, AND TABLE 1 **MINIMUM CANOPY REQUIREMENTS** OF § 167.04 **TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT**, ALL WITHIN THE UNIFIED DEVELOPMENT CODE

Attachments: 15-5093 Amend CCreports

C. 6 2015-0469

AMEND CHAPTER 97 PARKS AND RECREATION:

AN ORDINANCE TO AMEND CHAPTER 97 **PARKS AND RECREATION** OF THE FAYETTEVILLE CITY CODE TO ALLOW TWENTY FOUR (24) HOUR ACCESS TO SHARED USE PAVED TRAILS; TO ADD LEASH REQUIREMENTS FOR ANIMALS IN CERTAIN PARKS; TO PROHIBIT CERTAIN ACTIVITIES IN PARKS INCLUDING UNAUTHORIZED VEHICLE OPERATION, USE OF PADDLE BOARDS ON CITY LAKES, AND SHOOTING OF MODEL ROCKETS; TO PROVIDE FOR CERTAIN ACTIVITIES IN PARKS INCLUDING CAMPING, HORSEBACK RIDING, LIMITED VENDING AT PARK EVENTS, AND POSTING OF TEMPORARY SIGNS; AND TO MAKE OTHER TECHNICAL REVISIONS

Attachments: Exhibit A - Proposed Chapter 97

Legistar Packet - Chapter 97

C. 7 2015-0463

AMEND § 73.04 RIDING ON ROADWAYS AND BICYCLE PATHS AND § 73.05 RIDING ON SIDEWALKS:

AN ORDINANCE TO AMEND § 73.04 **RIDING ON ROADWAYS AND BICYCLE PATHS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON ROADWAYS AND BICYCLE PATHS, AND TO AMEND § 73.05 **RIDING ON SIDEWALKS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS

Attachments: CC packet - Bicycle Ordinance Amendments

Bicycle Ordinance Package CC Memo - Amendment Package w out Map

C. 8 2015-0462

Consent

VULNERABLE ROAD USERS PROTECTION:

A RESOLUTION TO AFFIRM THE CITY'S PERSISTENT EFFORTS AND LENGTHY COMMITMENT TO ALTERNATIVE AND ACTIVE TRANSPORTATION INFRASTRUCTURE, ROAD AND TRAIL SAFETY AND THE PROTECTION OF ALL VEHICULAR AND VULNERABLE ROAD USERS

Attachments: CC packet vulnerable road users

C. 9 2015-0517

ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM:

A RESOLUTION TO ADOPT THE 2016 ANNUAL BUDGET AND WORK PROGRAM

Attachments: 2016 Proposed Budget_2015_0517.pdf

D. City Council Agenda Session Presentations:

E. City Council Tour:

F. Announcements:

G. Adjournment

Agenda Additions: Appleseeds Appeal

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Courtesy and respect.

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Pre Agenda Meeting 11-4-15

City of Fayetteville, Arkansas

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

Meeting Agenda - Tentative Agenda

Tuesday, November 10, 2015

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent:

A. 1 2014-0515

APPROVAL OF THE OCTOBER 30, 2015 SPECIAL CITY COUNCIL MEETING MINUTES.

A. 2 **2015-0514**

OFFICE DEPOT, INC.:

A RESOLUTION TO APPROVE A CONTRACT WITH OFFICE DEPOT, INC. FOR THE PURCHASE OF OFFICE SUPPLIES PURSUANT TO A WESTERN STATES CONTRACTING ALLIANCE-NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS COOPERATIVE PURCHASING AGREEMENT

Attachments: 2015-0514, Office Depot, Inc.

A. 3 **2015-0509**

SPECIAL NEEDS ASSISTANCE PROGRAMS GRANTS (SNAP):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $414,161.00 RECOGNIZING SPECIAL NEEDS ASSISTANCE PROGRAM GRANT REVENUE, AND TO AUTHORIZE THE ADDITION OF 2.0 TEMPORARY FULL TIME EQUIVALENT POSITIONS TO THE COMMUNITY RESOURCES DIVISION TO HIRE CASE MANAGERS TO PROVIDE HOUSING SERVICES FOR HOMELESS FAYETTEVILLE RESIDENTS

Attachments: Agenda Packet Legistar Item 2015-0509

SNAP Grants BA Form - Legistar

A4 **2015-0511**

CONTECH ENGINEERED SOLUTIONS, LLC:

A RESOLUTION TO AWARD BID NO. 15-58 AND AUTHORIZE THE PURCHASE OF A PREFABRICATED STEEL TRAIL BRIDGE FROM CONTECH ENGINEERED SOLUTIONS, LLC IN THE AMOUNT OF $87,126.00 PLUS APPLICABLE TAXES FOR INSTALLATION ON THE TOWN BRANCH TRAIL OVER TOWN BRANCH CREEK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $19,124.16

Attachments: 2015-0511 Town Branch Trail Bridge Award

A5 2015-0512

COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA:

A RESOLUTION TO APPROVE A CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF $153,570.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2016, CONTINGENT ON APPROVAL OF THE 2016 ANNUAL CITY BUDGET

Attachments: Public Access Provider Contract 2016 Legistar3

A6 **2015-0505**

2015 BOSTON MOUNTAIN RECYCLING GRANT:

Attachments: SRP Public Space Recycling Containers Boston Mountain 2015

BA Public Space Recycling Containers Boston Mountain 2015

B. Unfinished Business:

B1 2015-0495

TREE PRESERVATION AREA VACATION FOR CRAIN AUTOMOTIVE:

A RESOLUTION TO REJECT THE RECOMMENDATION OF THE URBAN FORESTER WHO DETERMINED THAT THE TREE PRESERVATION AND MITIGATION AREAS IN EASEMENTS AND DEDICATIONS AGREED TO AND SIGNED BY THE OWNER/DEVELOPER ON JUNE 25, 2014, SHOULD NOT BE VACATED OR CHANGED BY A NEW DEVELOPMENT PROPOSAL FOR THIS ACREAGE

Attachments: 2015-0495 Crain Automotive Tree Preservation Vacation

At the November 3, 2015 City Council meeting, this resolution was tabled to the November 17, 2015 City Council meeting.

C. New Business:

C1 **2015-0485**

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