

Council Member Adella Gray
Ward 1 Position 1

Council Member Sarah Marsh
Ward 1 Position 2

Council Member Mark Kinion
Ward 2 Position 1

Council Member Matthew Petty
Ward 2 Position 2



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

Council Member Justin Tennant
Ward 3 Position 1

Council Member Sarah Bunch
Ward 3 Position 2

Council Member John La Tour
Ward 4 Position 1

Alderman Kyle Smith
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
January 2, 2018**

A meeting of the Fayetteville City Council was held on January 2, 2018 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports, and Discussion Items.

1. Election of Vice Mayor. Mark Kinion was elected.
2. Monthly Financial Report - Paul Becker.
3. Report of The Firemen's and Policemen's Pension and Relief Fund.

Agenda Additions

A. Consent:

1. Approval of the December 19, 2017 City Council Meeting Minutes.

Approved

2. **ARKANSAS DEPARTMENT OF TRANSPORTATION:** A resolution to approve an agreement of understanding with the Arkansas Department of Transportation for the acceptance of an 80/20 Arkansas Transportation Alternatives Program Federal-Aid Grant in the amount of \$280,000.00 for the installation of lighting along the Cato Springs Trail, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 01-18

3. **BID #17-49 SUMMIT TRUCK GROUP:** A resolution to award Bid #17-49 and authorize the purchase of three (3) International 7300 4x2 Recycling Trucks with Kann Bodies in the total amount of \$507,300.00 from Summit Truck Group of Lowell, Arkansas for use by The Recycling and Trash Collection Division.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 02-18

4. **BID #17-64 WILLIAMS TRACTOR:** A resolution to award bid #17-64 and authorize the purchase of a Bobcat S-595 Skid Steer and 84-Inch Angle Broom in the total amount of \$46,298.00 from Williams Tractor of Fayetteville, Arkansas for use by The Recycling and Trash Collection Division.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 03-18

5. **BID #17-59 BULK CRUSHED ROCK SALT:** A resolution to award bid #17-59 and authorize the purchase of bulk crushed rock salt from Central Salt, LLC for \$73.00 per ton for materials picked up and \$75.65 per ton for materials delivered as needed through the 2018 winter season.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 04-18

6. **BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC:** A resolution to award bid #18-01 and authorize the purchase of reflectorized paint markings from Custom Pavement Maintenance and Safety, LLC in variable amounts and for varying unit prices as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 05-18

7. **BID #18-02 CURB AND GUTTER CONSTRUCTION:** A resolution to award bid #18-02 and authorize the purchase of curb and gutter construction from Fochtman Enterprises, Inc. as a primary supplier in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 06-18

8. **BID #18-03 TRUCK HAULING SERVICES:** A resolution to award bid #18-03 and authorize the purchase of truck hauling services from B&B Roofing and Construction of

Arkansas, LLC as primary supplier, and to authorize the use of other bidders based on price and availability as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 07-18

9. **BID #18-04 CONCRETE PURCHASE:** A resolution to award bid #18-04 and authorize the purchase of concrete from Tune Trucking, Inc. d/b/a Tune Concrete Company as primary supplier in variable amounts and to authorize the use of other bidders based on price and availability as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 08-18

10. **BID #18-05 AGGREGATE MATERIALS:** A resolution to award bid #18-05 and authorize the purchase of aggregate materials from Hunt Rogers Materials, LLC as primary supplier and to authorize the use of various secondary vendors as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 09-18

11. **BID #18-07 HILLSIDE GRAVEL:** A resolution to award bid #18-07 and authorize the purchase of hillside gravel from Les Rogers, Inc. in varying amounts and for variable unit prices as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 10-18

12. **BID #18-08 PLASTIC DRAINAGE PIPE:** A resolution to award bid #18-08 and authorize the purchase of plastic drainage pipe from Ferguson Waterworks as the primary supplier and authorizing the use of other bidders based on price and availability, as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 11-18

13. **BID #18-09 CONCRETE DRAINAGE PIPE:** A resolution to award bid #18-09 and authorize the purchase of concrete drainage pipe from Scurlock Industries, Inc. in variable amounts and for varying unit prices as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 12-18

14. **BID #18-10 SCREENED TOPSOIL:** A resolution to award bid #18-10 and authorize the purchase of screened topsoil from Les Rogers, Inc. as primary supplier and Sweetser Construction, Inc. as secondary supplier in variable amounts and for varying prices as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 13-18

15. **BID #18-11 RETAINING WALL BLOCKS:** A resolution to award bid #18-11 and authorize the purchase of retaining wall blocks from various vendors for varying unit prices as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 14-18

- 16. BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT:** A resolution to award bid #18-12 and authorize the purchase of high performance cold mix asphalt from Hutchens Construction Co. as primary supplier and Atlas Asphalt, Inc. as secondary supplier in variable amounts and for varying prices as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 15-18

- 17. BID #18-13 CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES:** A resolution to award bid #18-13 and authorize the purchase of construction debris waste disposal services from Holtzclaw Excavating, Inc. in the amount of \$10.00 per load as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 16-18

- 18. BID #18-15 DECORATIVE FENCING:** A resolution to award bid #18-15 and authorize the purchase of decorative fencing from Thomas Fence as primary supplier and Robinson Fence as secondary supplier and authorizing the use of other bidders based on price and availability as needed through the end of 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 17-18

- 19. 2018 T-HANGAR LEASE AGREEMENTS:** A resolution to approve t-hangar lease agreements in 2018 at the current rental rate or as adjusted upward by the airport board for all t-hangars rented at the Fayetteville Executive Airport.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 18-18

- 20. MCGOODWIN, WILLIAMS AND YATES, INC.:** A resolution to approve a professional engineering services agreement with McGoodwin, Williams and Yates, Inc. in the amount of \$573,309.00 for the engineering design of the East Fayetteville Water System Improvements and Township Tank Project, and approving a contingency in the amount of \$57,331.00.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 19-18

- 21. 833 NORTH CROSSOVER ROAD:** A resolution to approve a budget adjustment in the amount of \$174,135.00 recognizing revenue from the sale of the Fire Prevention Bureau at 833 North Crossover Road.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 20-18

- 22. G&W DIESEL SERVICE, INC.:** A resolution to approve the purchase of a 2018 Pierce Arrow XT Fire Apparatus from G&W Diesel Service, Inc. in the amount of \$893,472.00 plus a performance and payment bond at a cost of \$3,000.00 pursuant to the Houston-Galveston Area Council Cooperative purchasing contract, to approve a project contingency in the amount of \$15,000.00, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 21-18

- 23. BLACK HILLS ENERGY ARKANSAS, INC.:** A resolution to approve the conveyance of right of way and easement to Black Hills Energy Arkansas, Inc. across a portion of the West Side Wastewater Treatment Facility property and other city-owned property along Broyles Road.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 22-18

- 24. ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD:** A resolution to approve a budget adjustment in the amount of \$1,600.00 recognizing revenue from the Arkansas Fire and Police Pension Review Board for the future supplemental benefits paid to pensioners.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 23-18

- 25. WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AGREEMENT:** A resolution to approve the ninth amended interlocal agreement for jail services with Washington County, Arkansas continuing the booking fee at \$62.00 per prisoner in 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 24-18

B. Unfinished Business:

- 1. ENERGY ACTION PLAN:** A resolution to accept and adopt an energy action plan for the City of Fayetteville.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 25-18

C. Public Hearing:

- 1. RAZE AND REMOVAL 171 E MEADOW STREET:** A resolution to order the razing and removal of a dilapidated and unsafe structure on property owned by Paul Brickman located at 171 East Meadow Street in the city of Fayetteville, Arkansas, and to approve a budget adjustment of \$4,715.00.

THIS RESOLUTION WAS TABLED TO THE FEBRUARY 6, 2018 CITY COUNCIL MEETING.

D. New Business:

- 1. AMERICAN TOWER, LLC:** A resolution to approve the agreements for assignment of two leases for cell tower sites from Smith Communications, LLC to American Tower, LLC as requested by Smith Communications, LLC.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 26-18

2. **AUTOMATIC ENGINEERING:** An ordinance to waive competitive bidding and to accept a repair quote of \$208,198.00, plus any applicable tax with Automatic Engineering to repair seven aerator gearboxes for the Noland Wastewater Facility.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6023

3. **2018 ASPHALT MATERIALS:** An ordinance to waive the requirements of formal competitive bidding during 2018 for the purchase of asphalt materials for use by the transportation division, but to require informal quarterly bids or quotes.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6024

4. **2018 OVERLAY AND SIDEWALK PROJECTS:** A resolution to approve the Transportation Division Overlay and Sidewalk Projects list for 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 27-18

5. **RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER):** An ordinance to rezone that property described in rezoning petition rzn 17-5997 for approximately 0.54 acres located at 690 West Whillock Street from rsf-4, residential single family, 4 units per acre to ri-12, residential intermediate, 12 units per acre.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6025

6. **RZN 17-6004 (1620 N. PORTER RD./REAGOR):** An ordinance to rezone that property described in rezoning petition rzn 17-6004 for approximately 0.55 acres located at 1620 North Porter Road from rsf-4, residential single family, 4 units per acre to ri-u, residential intermediate-urban.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6026

7. **RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2):** An ordinance to rezone that property described in rezoning petition rzn 17-6015 for approximately 0.86 acres located south of Wedington Drive between 46th Street and Broyles Avenue from rsf-4, residential single family, 4 units per acre to nc, neighborhood conservation.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6027

8. **ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD):** An ordinance to amend residential planned zoning district 04-1154 Timber Trails to allow single family homes on lots 24-42, 68 and 69.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6028

9. **AMEND § 97.081 INTOXICATING BEVERAGES:** An ordinance to amend § 97.081 intoxicating beverages in Chapter 97: Parks and Recreation of the Fayetteville Code to

allow the Mayor or the Mayor's Designee to authorize the consumption, possession and sale of alcoholic beverages in city parks during special events.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6029

- 10. 512 E REBECCA ST. DRAINAGE IMPROVEMENTS COST SHARE:** An ordinance to waive the requirements of formal competitive bidding and approve a cost share agreement with Bradford and Erin Wheeler for the installation of drainage improvements along a portion of East Rebecca Street with the City of Fayetteville's share of the costs not to exceed \$40,387.06, and to approve a project contingency in the amount of \$5,000.00.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6030

- 11. OZARK REGIONAL TRANSIT ADDITIONAL FUNDING:** A resolution to approve a budget adjustment in the amount of \$122,908.00 to provide additional funds to maintain Ozark Regional Transit Services in the City of Fayetteville at the 2017 service levels.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 28-18

- 12. OZARK REGIONAL TRANSIT, INC.:** An ordinance to waive the requirements of formal competitive bidding and approve a five-year contract with Ozark Regional Transit, Inc. in the amount of \$300,000.00 in 2018, and subject to annual budget approval in future years, for public transit services for Fayetteville Residents.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 6031

- 13. 2018 RULES OF ORDER AND PROCEDURE:** A resolution to adopt the rules of order and procedure of the Fayetteville City Council for 2018.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 29-18

E. City Council Agenda Session Presentations

F. City Council Tour

G. Announcements

Adjournment: 9:36 p.m.

Subject:	Roll				
	Bunch	✓			
	La Tour	✓			
	Smith	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Mayor Jordan	✓			

9-0

Subject:	Election of Vice Mayors				
Motion To:	Elect	Kinion	Petty		
Motion By:		Marsh	La Tour		
Seconded:					
Mark Kinion Elected	Bunch	✓	Petty		
	La Tour	abstain	did		
	Smith	✓	not want		
	Gray	✓	to be		
	Marsh	✓	considered		
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Mayor Jordan				

7-0

Subject:	Consent				
Motion To:		<i>Approve</i>			
Motion By:		<i>Marsh</i>			
Seconded:		<i>Kinion</i>			
A.1 - A. 25 <i>01-18</i> <i>24-18</i> <u><i>Approved</i></u>	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Smith	<i>✓</i>			
	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Mayor Jordan				

8-2

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Bunch				
	La Tour				
	Smith				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Mayor Jordan				

Subject:	ENERGY ACTION PLAN				
Motion To:					
Motion By:		<i>Approve</i> <i>Marsh</i>			
Seconded:		<i>Kinion</i>			
B. 1 Unfinished Business <i>25-18</i> <u><i>Approved</i></u>	Bunch	✓			
	La Tour	✓			
	Smith	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Mayor Jordan				

7-1

Subject:					
Motion To:					
Motion By:					
Seconded:					
Unfinished Business	Bunch				
	La Tour				
	Smith				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Mayor Jordan				

Subject:	RAZE AND REMOVAL 171 E MEADOW STREET				
Motion To:		<i>Table to 1st meeting in Feb., 2018</i>			
Motion By:		<i>Marsh</i>			
Seconded:		<i>La Tour</i>			
C. 1 Public Hearing <i>Tabled to February 6, 2018</i>	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Smith	<i>✓</i>			
	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Mayor Jordan				

8-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Bunch				
	La Tour				
	Smith				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Mayor Jordan				

Subject:	AMERICAN TOWER, LLC				
Motion To:		<i>Approve</i>			
Motion By:		<i>Petty</i>			
Seconded:		<i>La Tour</i>			
D. 1 New Business <i>Approved</i> <i>2-10-18</i>	Bunch	✓			
	La Tour	✓			
	Smith	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Mayor Jordan				

8-0

Subject:	AUTOMATIC ENGINEERING				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Approve</i>	
Motion By:		<i>Kinion</i>	<i>Gray</i>		
Seconded:		<i>Gray</i>	<i>Kinion</i>		
D. 2 New Business <i>Approved</i> <i>10023</i>	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Smith	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:	2018 ASPHALT MATERIALS				
Motion To:		2nd Read	2nd Read	Approve	
Motion By:		Gray	Marsh		
Seconded:		Tennant	Gray		
D. 3 New Business <u>Approved</u> 10024	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Smith	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:	2018 OVERLAY AND SIDEWALK PROJECTS				
Motion To:				Table (1st Meet) 2-6-18	Amend to
Motion By:		Amend Remove: Halsey & Oliver Replace: Double Springs &		Marsh	Remove Halsey & Oliver
Seconded:			Salen	Smith	Smith
D. 4 New Business 27-18	Bunch			N	✓
	La Tour			N	N
	Smith			✓	✓
	Gray			N	N
	Marsh			✓	✓
	Kinion			✓	✓
	Petty			N	✓
	Tennant			N	✓
	Mayor Jordan				

3-5
Failed

6-2

Subject:	2018 Overlay E, Sidewalk				
Motion To:		Approve			
Motion By:		Marsh			
Seconded:		Smith			
Approved as Amended	Bunch	✓			
	La Tour	N			
	Smith	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Mayor Jordan				

7-1

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Bunch				
	La Tour				
	Smith				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Mayor Jordan				

Subject:	RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Approve</i>	
Motion By:		<i>Gray</i>	<i>Tennant</i>		
Seconded:		<i>Marsh</i>	<i>Marsh</i>		
D. 5 New Business <i>Approved</i> <i>6025</i>	Bunch	☒	☒	☒	
	La Tour	☒	☒	☒	
	Smith	☒	☒	☒	
	Gray	☒	☒	☒	
	Marsh	☒	☒	☒	
	Kinion	☒	☒	☒	
	Petty	☒	☒	☒	
	Tennant	☒	☒	☒	
	Mayor Jordan				
		<i>8-0</i>	<i>8-0</i>	<i>8-0</i>	

Subject:	RZN 17-6004 (1620 N. PORTER RD./REAGOR)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Approve</i>	
Motion By:		<i>Marsh</i>	<i>Kinion</i>		
Seconded:		<i>Kinion</i>	<i>Marsh</i>		
D. 6 New Business <i>Approved</i> <i>6026</i>	Bunch	☒	☒	☒	
	La Tour	☒	☒	☒	
	Smith	☒	☒	☒	
	Gray	☒	☒	☒	
	Marsh	☒	☒	☒	
	Kinion	☒	☒	☒	
	Petty	☒	☒	☒	
	Tennant	☒	☒	☒	
	Mayor Jordan				
		<i>8-0</i>	<i>8-0</i>	<i>8-0</i>	

Subject:	RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2)				
Motion To:		2nd Read	3rd Read	Approve	
Motion By:		Gray	Kinion		
Seconded:		Kinion	Smith		
D. 7 New Business <u>Approved</u> 6027	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Smith	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:	ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD)				
Motion To:		2nd Read	3rd Read	Approve	
Motion By:		Marsh	Kinion		
Seconded:		Kinion	Tennant		
D. 8 New Business <u>Approved</u> 6028	Bunch	✓	✓	✓	
	La Tour	Absent	Absent	Absent	
	Smith	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Mayor Jordan				

7-0

7-0

7-0

Subject: AMEND § 97.081 INTOXICATING BEVERAGES					
Motion To:		2nd Read	3rd Read	Approve	
Motion By:		Petty	Tennant		
Seconded:		Tennant	Marsh		
D. 9 New Business <u>Approved</u> 6029	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Smith	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject: 512 E REBECCA ST. DRAINAGE IMPROVEMENTS COST SHARE					
Motion To:		2nd Read	3rd Read	Approve	
Motion By:		Kinion	Tennant		
Seconded:		La Tour	Kinion		
D. 10 New Business <u>Approved</u> 6030	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Smith	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:		OZARK REGIONAL TRANSIT ADDITIONAL FUNDING			
Motion To:		Approve			
Motion By:		Marsh			
Seconded:		Gray			
D. 11 New Business <u>Approved</u> 28-8	Bunch	✓			
	La Tour	✓			
	Smith	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Mayor Jordan				

8-0

Subject:		OZARK REGIONAL TRANSIT, INC.			
Motion To:		Contract Amount Amend	2nd Read	3rd Read	Approve
Motion By:		Smith	Gray	Marsh	
Seconded:		Marsh	Marsh	Gray	
D. 12 New Business <u>Approved</u> 6031	Bunch	✓	✓	✓	✓
	La Tour	✓	✓	✓	✓
	Smith	✓	✓	✓	✓
	Gray	✓	✓	✓	✓
	Marsh	✓	✓	✓	✓
	Kinion	✓	✓	✓	✓
	Petty	✓	✓	✓	✓
	Tennant	✓	✓	✓	✓
	Mayor Jordan				

8-0

8-0

8-0

8-0

Subject:	2018 RULES OF ORDER AND PROCEDURE				
Motion To:		<i>Approve</i>			
Motion By:		<i>Gray</i>			
Seconded:		<i>Kinion</i>			
D. 13 New Business <i>Approve</i> <i>29-8</i>	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Smith	<i>✓</i>			
	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Mayor Jordan				

8-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Bunch				
	La Tour				
	Smith				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Mayor Jordan				



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Rhonda Lynch
Paralegal

TO: **Mayor Jordan**

THRU: **Sondra Smith**, City Clerk

FROM: **Kit Williams**, City Attorney

DATE: **January 3, 2018**

RE: **Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of January 2, 2018**

1. A resolution to approve an agreement of understanding with the Arkansas Department of Transportation for the acceptance of an 80/20 Arkansas Transportation Alternatives Program Federal-Aid Grant in the amount of \$280,000.00 for the installation of lighting along the Cato Springs Trail, and to approve a budget adjustment.

2. A resolution to award bid #17-49 and authorize the purchase of three (3) International 7300 4x2 Recycling Trucks with Kann Bodies in the total amount of \$507,300.00 from Summit Truck Group of Lowell, Arkansas for use by the Recycling and Trash Collection Division.

3. A resolution to award bid #17-64 and authorize the purchase of a Bobcat S-595 skid steer and 84-inch angle broom in the total amount of \$46,298.00 from Williams Tractor of Fayetteville, Arkansas for use by the Recycling and Trash Collection Division.

4. A resolution to award bid #17-59 and authorize the purchase of bulk crushed rock salt from Central Salt, LLC for \$73.00 per ton for materials picked up and \$75.65 per ton for materials delivered as needed through the 2018 winter season.

5. A resolution to award bid #18-01 and authorize the purchase of reflectorized paint markings from Custom Pavement Maintenance and Safety, LLC in variable amounts and for varying unit prices as needed through the end of 2018.

6. A resolution to award bid #18-02 and authorize the purchase of curb and gutter construction from Fochtman Enterprises, Inc. as a primary supplier in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of 2018.

7. A resolution to award bid #18-03 and authorize the purchase of truck hauling services from B&B Roofing and Construction of Arkansas, LLC as primary supplier, and to authorize the use of other bidders based on price and availability as needed through the end of 2018.
8. A resolution to award bid #18-04 and authorize the purchase of concrete from Tune Trucking, Inc. d/b/a Tune Concrete Company as primary supplier in variable amounts and to authorize the use of other bidders based on price and availability as needed through the end of 2018.
9. A resolution to award bid #18-05 and authorize the purchase of aggregate materials from Hunt Rogers Materials, LLC as primary supplier and to authorize the use of various secondary vendors as needed through the end of 2018.
10. A resolution to award bid #18-07 and authorize the purchase of hillside gravel from Les Rogers, Inc. in varying amounts and for variable unit prices as needed through the end of 2018.
11. A resolution to award bid #18-08 and authorize the purchase of plastic drainage pipe from Ferguson Waterworks as the primary supplier and authorizing the use of other bidders based on price and availability, as needed through the end of 2018.
12. A resolution to award bid #18-09 and authorize the purchase of concrete drainage pipe from Scurlock Industries, Inc. in variable amounts and for varying unit prices as needed through the end of 2018.
13. A resolution to award bid #18-10 and authorize the purchase of screened topsoil from Les Rogers, Inc. as primary supplier and Sweetser Construction, Inc. as secondary supplier in variable amounts and for varying prices as needed through the end of 2018.
14. A resolution to award bid #18-11 and authorize the purchase of retaining wall blocks from various vendors for varying unit prices as needed through the end of 2018.
15. A resolution to award bid #18-12 and authorize the purchase of high performance cold mix asphalt from Hutchens Construction Co. as primary supplier and Atlas Asphalt, Inc. as secondary supplier in variable amounts and for varying prices as needed through the end of 2018.
16. A resolution to award bid #18-13 and authorize the purchase of construction debris waste disposal services from Holtzclaw Excavating, Inc. in the amount of \$10.00 per load as needed through the end of 2018.
17. A resolution to award bid #18-15 and authorize the purchase of decorative fencing from Thomas Fence as primary supplier and Robinson Fence as secondary supplier and authorizing the use of other bidders based on price and availability as needed through the end of 2018.

18. A resolution to approve T-Hangar lease agreements in 2018 at the current rental rate or as adjusted upward by the airport board for all T-Hangars rented at the Fayetteville Executive Airport.

19. A resolution to approve a professional engineering services agreement with McGoodwin, Williams and Yates, Inc. in the amount of \$573,309.00 for the engineering design of the East Fayetteville water system improvements and Township Tank Project, and approving a contingency in the amount of \$57,331.00.

20. A resolution to approve a budget adjustment in the amount of \$174,135.00 recognizing revenue from the sale of the fire prevention bureau at 833 North Crossover Road.

21. A resolution to approve the purchase of a 2018 Pierce Arrow XT fire apparatus from G&W Diesel Service, Inc. in the amount of \$893,472.00 plus a performance and payment bond at a cost of \$3,000.00 pursuant to the Houston-Galveston Area Council Cooperative Purchasing Contract, to approve a project contingency in the amount of \$15,000.00, and to approve a budget adjustment.

22. A resolution to approve the conveyance of right of way and easement to Black Hills Energy Arkansas, Inc. across a portion of the West Side Wastewater Treatment Facility property and other city-owned property along Broyles Road.

23. A resolution to approve a budget adjustment in the amount of \$1,600.00 recognizing revenue from the Arkansas Fire and Police Pension Review Board for the future supplemental benefits paid to pensioners.

24. A resolution to approve the ninth amended interlocal agreement for jail services with Washington County, Arkansas continuing the booking fee at \$62.00 per prisoner in 2018.

25. A resolution to accept and adopt an Energy Action Plan for the City of Fayetteville.

26. A resolution to approve the agreements for assignment of two leases for cell tower sites from Smith Communications, LLC to American Tower, LLC as requested by Smith Communications, LLC.

27. An ordinance to waive competitive bidding and to accept a repair quote of \$208,198.00, plus any applicable tax with automatic engineering to repair seven aerator gearboxes for the Noland Wastewater Facility.

28. An ordinance to waive the requirements of formal competitive bidding during 2018 for the purchase of asphalt materials for use by the Transportation Division, but to require informal quarterly bids or quotes.

29. A resolution to approve the Transportation Division Overlay and Sidewalk Projects list for 2018.

30. An ordinance to rezone that property described in rezoning petition RZN 17-5997 for approximately 0.54 acres located at 690 West Whillock Street from RSF-4, Residential Single Family, 4 units per acre to RI-12, Residential Intermediate, 12 units per acre.

31. An ordinance to rezone that property described in rezoning petition RZN 17-6004 for approximately 0.55 acres located at 1620 North Porter Road from RSF-4, Residential Single Family, 4 units per acre to RI-U, Residential Intermediate Urban.

32. An ordinance to rezone that property described in rezoning petition RZN 17-6015 for approximately 0.86 acres located South of Wedington Drive between 46th Street and Broyles Avenue from RSF-4, Residential Single Family, 4 units per acre to NC, Neighborhood Conservation.

33. An ordinance to amend residential planned zoning district 04-1154 Timber Trails to allow single family homes on lots 24-42, 68 and 69.

34. An ordinance to amend § 97.081 **Intoxicating Beverages** in Chapter 97: Parks and Recreation of the Fayetteville Code to allow the Mayor or the Mayor's designee to authorize the consumption, possession and sale of alcoholic beverages in city parks during special events.

35. An ordinance to waive the requirements of formal competitive bidding and approve a cost share agreement with Bradford and Erin Wheeler for the installation of drainage improvements along a portion of East Rebecca Street with the City of Fayetteville's share of the costs not to exceed \$40,387.06, and to approve a project contingency in the amount of \$5,000.00.

36. A resolution to approve a budget adjustment in the amount of \$122,908.00 to provide additional funds to maintain Ozark Regional Transit Services in the City of Fayetteville at the 2017 service levels.

37. An ordinance to waive the requirements of formal competitive bidding and approve a five-year contract with Ozark Regional Transit, Inc. in the amount of \$300,000.00 in 2018, and subject to annual budget approval in future years, for public transit services for Fayetteville residents.

38. A resolution to adopt the rules of order and procedure of the Fayetteville City Council for 2018.

City of Fayetteville, Arkansas

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



City Council Meeting Final Agenda

Tuesday, January 2, 2018

5:30 PM

City Hall Room 219

City Council Members

Adella Gray Ward 1

Sarah Marsh Ward 1

Mark Kinion Ward 2

Matthew Petty Ward 2

Justin Tennant Ward 3

Sarah Bunch Ward 3

John S. La Tour Ward 4

Kyle Smith 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****1. [2017-0746](#)**

ELECTION OF VICE MAYOR

2. [2017-0540](#)

MONTHLY FINANCIAL REPORT - PAUL BECKER

3. [2017-0683](#)

REPORT OF THE FIREMEN'S AND POLICEMEN'S PENSION AND RELIEF FUND

Agenda Additions**A. Consent****A. 1 [2016-0590](#)**

APPROVAL OF THE DECEMBER 19, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 [2017-0737](#)**ARKANSAS DEPARTMENT OF TRANSPORTATION:**

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM FEDERAL-AID GRANT IN THE AMOUNT OF \$280,000.00 FOR THE INSTALLATION OF LIGHTING ALONG THE CATO SPRINGS TRAIL, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

[BA_ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

A. 3 [2017-0743](#)**BID #17-49 SUMMIT TRUCK GROUP:**

A RESOLUTION TO AWARD BID #17-49 AND AUTHORIZE THE PURCHASE OF THREE (3) INTERNATIONAL 7300 4X2 RECYCLING TRUCKS WITH KANN BODIES IN THE TOTAL AMOUNT OF \$507,300.00 FROM SUMMIT TRUCK GROUP OF LOWELL, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: [BID #17-49 SUMMIT TRUCK GROUP](#)

A. 4 [2017-0742](#)**BID #17-64 WILLIAMS TRACTOR:**

A RESOLUTION TO AWARD BID #17-64 AND AUTHORIZE THE PURCHASE OF A BOBCAT S-595 SKID STEER AND 84-INCH ANGLE BROOM IN THE TOTAL AMOUNT OF \$46,298.00 FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: [BID #17-64 WILLIAMS TRACTOR](#)

A. 5 [2017-0714](#)**BID #17-59 BULK CRUSHED ROCK SALT:**

A RESOLUTION TO AWARD BID #17-59 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC FOR \$73.00 PER TON FOR MATERIALS PICKED UP AND \$75.65 PER TON FOR MATERIALS DELIVERED AS NEEDED THROUGH THE 2018 WINTER SEASON

Attachments: [BID #17-59 BULK CRUSHED ROCK SALT](#)

A. 6 [2017-0710](#)**BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC:**

A RESOLUTION TO AWARD BID #18-01 AND AUTHORIZE THE PURCHASE OF REFLECTORIZED PAINT MARKINGS FROM CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC](#)

A. 7 [2017-0711](#)**BID #18-02 CURB AND GUTTER CONSTRUCTION:**

A RESOLUTION TO AWARD BID #18-02 AND AUTHORIZE THE PURCHASE OF CURB AND GUTTER CONSTRUCTION FROM FOCHTMAN ENTERPRISES, INC. AS A PRIMARY SUPPLIER IN VARIABLE AMOUNTS, AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-02 CURB AND GUTTER CONSTRUCTION](#)

A. 8 [2017-0712](#)**BID #18-03 TRUCK HAULING SERVICES:**

A RESOLUTION TO AWARD BID #18-03 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM B&B ROOFING AND CONSTRUCTION OF ARKANSAS, LLC AS PRIMARY SUPPLIER, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-03 TRUCK HAULING SERVICES](#)

A. 9 [2017-0713](#)**BID #18-04 CONCRETE PURCHASE:**

A RESOLUTION TO AWARD BID #18-04 AND AUTHORIZE THE PURCHASE OF CONCRETE FROM TUNE TRUCKING, INC. D/B/A TUNE CONCRETE COMPANY AS PRIMARY SUPPLIER IN VARIABLE AMOUNTS AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-04 CONCRETE PURCHASE](#)

A. 10 [2017-0715](#)**BID #18-05 AGGREGATE MATERIALS:**

A RESOLUTION TO AWARD BID #18-05 AND AUTHORIZE THE PURCHASE OF AGGREGATE MATERIALS FROM HUNT ROGERS MATERIALS, LLC AS PRIMARY SUPPLIER AND TO AUTHORIZE THE USE OF VARIOUS SECONDARY VENDORS AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-05 AGGREGATE MATERIALS](#)

A. 11 [2017-0716](#)**BID #18-07 HILLSIDE GRAVEL:**

A RESOLUTION TO AWARD BID #18-07 AND AUTHORIZE THE PURCHASE OF HILLSIDE GRAVEL FROM LES ROGERS, INC. IN VARYING AMOUNTS AND FOR VARIABLE UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-07 HILLSIDE GRAVEL](#)

A. 12 [2017-0718](#)**BID #18-08 PLASTIC DRAINAGE PIPE:**

A RESOLUTION TO AWARD BID #18-08 AND AUTHORIZE THE PURCHASE OF PLASTIC DRAINAGE PIPE FROM FERGUSON WATERWORKS AS THE PRIMARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-08 PLASTIC DRAINAGE PIPE](#)

A. 13 [2017-0719](#)**BID #18-09 CONCRETE DRAINAGE PIPE:**

A RESOLUTION TO AWARD BID #18-09 AND AUTHORIZE THE PURCHASE OF CONCRETE DRAINAGE PIPE FROM SCURLOCK INDUSTRIES, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-09 CONCRETE DRAINAGE PIPE](#)

A. 14 [2017-0720](#)**BID #18-10 SCREENED TOPSOIL:**

A RESOLUTION TO AWARD BID #18-10 AND AUTHORIZE THE PURCHASE OF SCREENED TOPSOIL FROM LES ROGERS, INC. AS PRIMARY SUPPLIER AND SWEETSER CONSTRUCTION, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-10 SCREENED TOPSOIL](#)

A. 15 [2017-0721](#)**BID #18-11 RETAINING WALL BLOCKS:**

A RESOLUTION TO AWARD BID #18-11 AND AUTHORIZE THE PURCHASE OF RETAINING WALL BLOCKS FROM VARIOUS VENDORS FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-11 RETAINING WALL BLOCKS](#)

A. 16 [2017-0722](#)**BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT:**

A RESOLUTION TO AWARD BID #18-12 AND AUTHORIZE THE PURCHASE OF HIGH PERFORMANCE COLD MIX ASPHALT FROM HUTCHENS CONSTRUCTION CO. AS PRIMARY SUPPLIER AND ATLAS ASPHALT, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT](#)

A. 17 [2017-0723](#)**BID #18-13 CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES:**

A RESOLUTION TO AWARD BID #18-13 AND AUTHORIZE THE PURCHASE OF CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES FROM HOLTZCLAW EXCAVATING, INC. IN THE AMOUNT OF \$10.00 PER LOAD AS NEEDED THROUGH THE END OF 2018

Attachments: [CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES](#)

A. 18 [2017-0724](#)**BID #18-15 DECORATIVE FENCING:**

A RESOLUTION TO AWARD BID #18-15 AND AUTHORIZE THE PURCHASE OF DECORATIVE FENCING FROM THOMAS FENCE AS PRIMARY SUPPLIER AND ROBINSON FENCE AS SECONDARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-15 DECORATIVE FENCING](#)

A. 19 [2017-0734](#)**2018 T-HANGAR LEASE AGREEMENTS:**

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2018 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Attachments: [2018 T-HANGAR LEASE AGREEMENTS](#)

A. 20 [2017-0729](#)**MCGOODWIN, WILLIAMS AND YATES, INC.:**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN THE AMOUNT OF \$573,309.00 FOR THE ENGINEERING DESIGN OF THE EAST FAYETTEVILLE WATER SYSTEM IMPROVEMENTS AND TOWNSHIP TANK PROJECT, AND APPROVING A CONTINGENCY IN THE AMOUNT OF \$57,331.00

Attachments: [MCGOODWIN, WILLIAMS AND YATES, INC.](#)

A. 21 [2017-0611](#)**833 NORTH CROSSOVER ROAD:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$174,135.00 RECOGNIZING REVENUE FROM THE SALE OF THE FIRE PREVENTION BUREAU AT 833 NORTH CROSSOVER ROAD

Attachments: [833 NORTH CROSSOVER ROAD](#)
 [BA_833 NORTH CROSSOVER ROAD](#)

A. 22 [2017-0753](#)**G&W DIESEL SERVICE, INC.:**

A RESOLUTION TO APPROVE THE PURCHASE OF A 2018 PIERCE ARROW XT FIRE APPARATUS FROM G&W DIESEL SERVICE, INC. IN THE AMOUNT OF \$893,472.00 PLUS A PERFORMANCE AND PAYMENT BOND AT A COST OF \$3,000.00 PURSUANT TO THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [G&W DIESEL SERVICE, INC.](#)
 [BA G&W DIESEL SERVICE, INC.](#)

A. 23 [2017-0754](#)**BLACK HILLS ENERGY ARKANSAS, INC.:**

A RESOLUTION TO APPROVE THE CONVEYANCE OF RIGHT OF WAY AND EASEMENT TO BLACK HILLS ENERGY ARKANSAS, INC. ACROSS A PORTION OF THE WEST SIDE WASTEWATER TREATMENT FACILITY PROPERTY AND OTHER CITY-OWNED PROPERTY ALONG BROYLES ROAD

Attachments: [BLACK HILLS ENERGY ARKANSAS, INC.](#)

A. 24 [2017-0756](#)**ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,600.00 RECOGNIZING REVENUE FROM THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD FOR THE FUTURE SUPPLEMENTAL BENEFITS PAID TO PENSIONERS

Attachments: [ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD](#)
 [BA ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD](#)

A. 25 [2017-0689](#)**WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AGREEMENT:**

A RESOLUTION TO APPROVE THE NINTH AMENDED INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY, ARKANSAS CONTINUING THE BOOKING FEE AT \$62.00 PER PRISONER IN 2018

Attachments: [WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AG](#)

B. Unfinished Business**B. 1** [2017-0703](#)**ENERGY ACTION PLAN:**

A RESOLUTION TO ACCEPT AND ADOPT AN ENERGY ACTION PLAN FOR THE CITY OF FAYETTEVILLE

Attachments: [ENERGY ACTION PLAN](#)
 [ADDITIONAL ENERGY ACTION PLAN](#)

This resolution was tabled to the January 2, 2018 City Council meeting.

C. Public Hearing**C. 1** [2017-0757](#)**RAZE AND REMOVAL 171 E MEADOW STREET:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY PAUL BRICKMAN LOCATED AT 171 EAST MEADOW STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT OF \$4,715.00

Attachments: [RAZE AND REMOVAL 171 E MEADOW STREET](#)
 [BA_RAZE AND REMOVAL 171 E MEADOW STREET](#)

D. New Business

D. 1 [2018-0006](#)**AMERICAN TOWER, LLC:**

A RESOLUTION TO APPROVE THE AGREEMENTS FOR ASSIGNMENT OF TWO LEASES FOR CELL TOWER SITES FROM SMITH COMMUNICATIONS, LLC TO AMERICAN TOWER, LLC AS REQUESTED BY SMITH COMMUNICATIONS, LLC

Attachments: [AMERICAN TOWER, LLC](#)

D. 2 [2017-0705](#)**AUTOMATIC ENGINEERING:**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO ACCEPT A REPAIR QUOTE OF \$208,198.00, PLUS ANY APPLICABLE TAX WITH AUTOMATIC ENGINEERING TO REPAIR SEVEN AERATOR GEARBOXES FOR THE NOLAND WASTEWATER FACILITY

Attachments: [AUTOMATIC ENGINEERING](#)

D. 3 [2017-0707](#)**2018 ASPHALT MATERIALS:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING 2018 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION, BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

Attachments: [2018 ASPHALT MATERIALS](#)

D. 4 [2017-0706](#)**2018 OVERLAY AND SIDEWALK PROJECTS:**

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2018

Attachments: [2018 OVERLAY AND SIDEWALK PROJECTS](#)
 [ADDITIONAL_2018 OVERLAY AND SIDEWALK PROJECTS](#)

D. 5 [2017-0761](#)**RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5997 FOR APPROXIMATELY 0.54 ACRES LOCATED AT 690 WEST WHILLOCK STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

Attachments: [RZN 17-5997 \(690 W. WHILLOCK ST./MOLDENHAUER\)](#)

D. 6 [2017-0749](#)**RZN 17-6004 (1620 N. PORTER RD./REAGOR):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6004 FOR APPROXIMATELY 0.55 ACRES LOCATED AT 1620 NORTH PORTER ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Attachments: [RZN 17-6004 \(1620 N. PORTER RD./REAGOR\)](#)

D. 7 [2017-0748](#)**RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6015 FOR APPROXIMATELY 0.86 ACRES LOCATED SOUTH OF WEDINGTON DRIVE BETWEEN 46TH STREET AND BROYLES AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

Attachments: [RZN 17-6015 \(SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2\)](#)

D. 8 [2017-0747](#)**ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD):**

AN ORDINANCE TO AMEND RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS TO ALLOW SINGLE FAMILY HOMES ON LOTS 24-42, 68 AND 69

Attachments: [ADM 17-6010 \(LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD\)](#)

D. 9 [2017-0751](#)**AMEND § 97.081 INTOXICATING BEVERAGES:**

AN ORDINANCE TO AMEND § 97.081 INTOXICATING BEVERAGES IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW THE MAYOR OR THE MAYOR'S DESIGNEE TO AUTHORIZE THE CONSUMPTION, POSSESSION AND SALE OF ALCOHOLIC BEVERAGES IN CITY PARKS DURING SPECIAL EVENTS

Attachments: [AMEND § 97.081 INTOXICATING BEVERAGES](#)

D. 10 [2017-0738](#)**512 E REBECCA ST. DRAINAGE IMPROVEMENTS COST SHARE:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BRADFORD AND ERIN WHEELER FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ALONG A PORTION OF EAST REBECCA STREET WITH THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS NOT TO EXCEED \$40,387.06, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

Attachments: [512 E REBECCA ST. DRAINAGE IMPROVEMENTS](#)

D. 11 [2017-0766](#)**OZARK REGIONAL TRANSIT ADDITIONAL FUNDING:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$122,908.00 TO PROVIDE ADDITIONAL FUNDS TO MAINTAIN OZARK REGIONAL TRANSIT SERVICES IN THE CITY OF FAYETTEVILLE AT THE 2017 SERVICE LEVELS

Attachments: [OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS](#)
 [BA OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS](#)

D. 12 [2017-0755](#)**OZARK REGIONAL TRANSIT, INC.**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A FIVE-YEAR CONTRACT WITH OZARK REGIONAL TRANSIT, INC. IN THE AMOUNT OF \$300,000.00 IN 2018, AND SUBJECT TO ANNUAL BUDGET APPROVAL IN FUTURE YEARS, FOR PUBLIC TRANSIT SERVICES FOR FAYETTEVILLE RESIDENTS

Attachments: [OZARK REGIONAL TRANSIT, INC.](#)

D. 13 [2017-0730](#)**2018 RULES OF ORDER AND PROCEDURE:**

A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2018

Attachments: [2018 RULES OF ORDER AND PROCEDURE](#)

E. City Council Agenda Session Presentations**F. City Council Tour****G. Announcements****H. Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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.

Unfinished 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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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 City Council. 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 City Council member 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 a City Council member 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 Telecommunications Device for the Deaf (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 on our website at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.

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

Branson, Lisa

From: Smith, Sondra
Sent: Friday, December 22, 2017 1:04 PM
To: Bolinger, Bonnie; Pennington, Blake; Broyles, Lana; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Gulley, Terry; esimpson@uark.edu
Subject: FW: Halsell Road sidewalk proposal

From: Ethel C. Simpson [mailto:esimpson@uark.edu]
Sent: Friday, December 22, 2017 12:50 PM
To: Smith, Sondra <:ssmith@fayetteville-ar.gov>
Cc: University Heights Neighborhood Association <UNIVERSITY-HEIGHTS-NA@LISTSERV.UARK.EDU>
Subject: Halsell Road sidewalk proposal

Please forward this post to the mayor and the members of the City Council, and to the Transportation committee person in charge of the Sidewalk program.
Thank you very much.

I live at the northwest corner of Halsell Road and Oliver Avenue, and so am intensely interested in the proposal to build a sidewalk along those two streets. I am completely opposed this proposal, on the grounds that the sidewalk is not needed and would significantly alter and damage the character of the neighborhood where three generations of my family have lived.

A walkable city is a good idea. It has succeeded in cities where walkability was established decades ago and influenced the development of residential and other districts. It makes sense where the terrain is relatively flat, where people can ride their bikes or walk without fear of a seizure. It makes sense where young people living in single-family residential districts don't have to drive considerable distances to their part time jobs after attending classes on the campus. But none of this applies to Halsell Road.

Fayetteville has begun planning toward that kind of development, where people can live close enough to the drug store or the market or a movie theater or restaurant to walk there. But older established neighborhoods like ours are too far out from retail, commercial, or entertainment centers (unless you count the painfully close athletic complex) to be walkable. The only congestion we experience along Halsell Road occurs on a few Saturdays in the fall, when people must walk to Razorback Stadium. Our residential street, created long before the University had a stadium, much less a Southeastern Conference membership, includes one of the steepest grades in this part of the city. The road is bounded by large mature trees, old houses, many of them built close to the street, gardens, and some examples of the work of distinguished local architects. We really don't walk anywhere, except to exercise our dogs. There is no destination convenient enough for the people who actually live on Halsell Road to walk to except the University, and we have been doing that for decades already. We could walk down the hill to a bus stop, but public transportation is still too sporadic to be a practical resource

I think “walkability” has become a mantra in Fayetteville, and I wish people would not embrace it without considering whether it is universally applicable.

I expect the City to consider the interests of the tax paying citizens, and not mess up our streets for the sake of the Razorback fans who are here only a few Saturdays a year. There are other, better, ways to manage the foot and vehicular traffic .

Ethel Simpson
Fayetteville AR

Branson, Lisa

From: Smith, Sondra
Sent: Wednesday, December 27, 2017 12:30 PM
To: Bolinger, Bonnie; Pennington, Blake; Broyles, Lana; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: gilmet_root@msn.com
Subject: FW: Sidewalk Project

-----Original Message-----

From: Greg and Jodie Gilmet_Root [mailto:gilmet_root@msn.com]
Sent: Wednesday, December 27, 2017 7:59 AM
To: Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: Sidewalk Project

Good Morning Ms. Smith,

We would appreciate if you would be so kind as to refer the following comments to the Major and City Council and Transportation Committee members whom we understand will be discussing a sidewalk project for the area of University Heights:

We recently moved to Fayetteville and understand that there is a sidewalk project being discussed for approval for the area of Oliver Avenue and Haskell Road in University Heights. We are contacting you to let you know of our strong support for this and other sidewalk projects.

Sidewalks mean safety first and foremost. This should be the most important consideration. The area we live in does not have a significant number of street lights causing us to resort to flashlights at night. Further, while traffic is light it still exists and cars travel at speeds sufficient to cause injury or death. There are many people who walk dogs in the roads, including ourselves. There is also football traffic and many walkers in the road during games.

In addition we fully support any effort to improve walkability anywhere in the city and especially in our neighborhood. Sidewalks improve the overall ambience of the city and improve property. Even homes built close to the road improve their look and accessibility with proper sidewalks. We have lived in such homes and neighborhoods in the past. Our experience is that in the long term sidewalks improve property values. We would welcome one on our property.

Thank you for your consideration.

Gregory Gilmet, M.D. and Jodie Root
639 North Oliver Avenue

Sent from my iPad

Branson, Lisa

From: Smith, Sondra
Sent: Thursday, December 28, 2017 2:23 PM
To: Bolinger, Bonnie; Pennington, Blake; Broyles, Lana; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Gulley, Terry
Subject: FW: Halsell Road Sidewalk Plan

From: William Curington [mailto:william.curington@gmail.com]
Sent: Thursday, December 28, 2017 11:23 AM
To: Gray, Adella <ward1_pos1@fayetteville-ar.gov>; Marsh, Sarah <ward1_pos2@fayetteville-ar.gov>; ward2_pos1@ci.fayetteville.ar.us; citycouncil@matthewpetty.org; ward3_pos1@ci.fayetteville.ar.us; ward3_pos2@ci.fayetteville.ar.us; La Tour, John <ward4_pos1@fayetteville-ar.gov>; Smith, Kyle <ward4_pos2@fayetteville-ar.gov>; Mayor <Mayor@fayetteville-ar.gov>; Smith, Sondra <:ssmith@fayetteville-ar.gov>
Cc: William Curington <William.Curington@gmail.com>
Subject: Halsell Road Sidewalk Plan

To: Mayor Jordan and Fayetteville City Council

From: Bill and Jackie Curington

1611 W. Halsell Rd.

Re: Halsell Road Sidewalk Plan

We are writing to express our opposition to the plan to build a sidewalk on Halsell Road. The sidewalk construction would severely damage the neighborhood character and environment and is an inefficient allocation of the city's scarce resources.

Most of the homes along this section of the street were built many years ago and are close to the street. A number are the work of architects whose work is treasured in Fayetteville. A sidewalk would drastically alter the front yards of many homes and require the removal of a number of mature trees. We are told that the rationale for a sidewalk is to make walking on the street safer. While walkability is a good idea, the only time there is a concern about the people walking on the street is during the few Saturdays a year when there is a football game. Most of this traffic is created by temporary game day parking businesses. We think an occasional problem generated by temporary businesses is best addressed with a creative solution that can be implemented on those occasions. We are confident that the creative minds in our city government can design an approach to this game day problem – possibly through traffic control – that would be more appropriate to the neighborhood than a sidewalk.

We also know that the city's resources for sidewalk construction are finite. We would argue that scarce resources are best allocated where they generate the most benefit relative to their cost – both the direct cost and the indirect costs of neighborhood damage. We notice that this is the only sidewalk project planned for Ward 4.

While we do not think it is necessary to allocate sidewalk resources by ward, there are certainly other locations in Ward 4 where a sidewalk would generate more benefits and impose less cost. We think that an examination of alternative allocations of the funds that would be used for a Halsell Road sidewalk would yield a number of sites with more favorable benefit-cost comparisons. We trust that, as stewards of our city's resources, you will seek a more efficient allocation of these resources.

Thank you for taking time to consider our concerns ---- and thank you for your service to Fayetteville.

Branson, Lisa

From: Smith, Sondra
Sent: Thursday, December 28, 2017 2:24 PM
To: Bolinger, Bonnie; Pennington, Blake; Broyles, Lana; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Gulley, Terry; greycap@uark.edu
Subject: FW: Proposed sidewalk on Halsell and Olliver

From: David W. Hart [mailto:greycap@uark.edu]
Sent: Thursday, December 28, 2017 12:38 PM
To: Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: Proposed sidewalk on Halsell and Olliver

I write to protest against the plan to install sidewalks on Halsell (from Cross to Oliver) and Oliver (from Halsell to Maple) because there is little or no need there and because the problems and landscape invasion that would be involved make it unfeasible. I support everything contained in a patient, reasoned message from Ethel Simpson to all of you. As Ethel writes, the terrain itself defies "walkability" on the Halsell part at least. And foot traffic is light to nonexistent except on football game days. Difficulties of car and pedestrian traffic on those few occasions can be handled in other ways.

I want to add this point. The roads are narrow, there are steep inclines, visibility is limited over much of the distance. The only way that sidewalks could be installed is to broaden the roadway extensively. For much loss and little gain.

Before the Council proceeds with this plan, I suggest that the members go and look at the place itself to see what problems are presented. So far as I know, only one Council member is familiar with this stretch of roadway. Seeing it with your own eyes is instructive.

David W Hart
1549 Markham Rd

David W. Hart

"I should like to flee like a wounded hart into Arkansas."

-- Oscar Wilde

Council Member Adella Gray
Ward 1 Position 1

Council Member Sarah Marsh
Ward 1 Position 2

Council Member Mark Kinion
Ward 2 Position 1

Council Member Matthew Petty
Ward 2 Position 2



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

Council Member Justin Tennant
Ward 3 Position 1

Council Member Sarah Bunch
Ward 3 Position 2

Council Member John La Tour
Ward 4 Position 1

Council Member Kyle Smith
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
December 19, 2017**

A meeting of the Fayetteville City Council was held on December 19, 2017 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: Council Members Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Sarah Bunch, John La Tour, Kyle Smith, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports, and Discussion Items:

Nominating Committee Report

Council Member Kinion presented the Nominating Committee report and recommended the appointments as submitted.

A copy of the report is attached.

Council Member Marsh moved to approve the Nominating Committee Report. Council Member Gray seconded the motion. Upon roll call the motion passed 7-1. Council Members Tennant, Bunch, Smith, Gray, Marsh, Kinion, and Petty voting yes. Council Member La Tour voting no.

Agenda Additions: None

Consent:

Approval of the December 5, 2017 City Council Meeting Minutes.

Approved

Animal Services Donation Revenue: A resolution to approve a budget adjustment in the amount of \$48,478.00 representing donation revenue to Animal Services from January through November of 2017.

Resolution 265-17 as recorded in the office of the City Clerk

Ranger's Pantry and Senior Giving Tree Donations: A resolution to approve a budget adjustment in the total amount of \$1,006.00 representing donations to Ranger's Pantry in the amount of \$481.00 and the Senior Giving Tree in the amount of \$525.00.

Resolution 266-17 as recorded in the office of the City Clerk

Garver, LLC Task Order No. 10: A resolution to authorize the application for Arkansas Department of Aeronautics Grant Funds in the amount of \$117,000.00, and to approve Task Order No. 10 with Garver, LLC in the amount of \$19,000.00 for bid package development, bidding services, and construction phase services for an Airfield Pavement Marking Rehabilitation Project at Drake Field.

Resolution 267-17 as recorded in the office of the City Clerk

Garver, LLC Agreement No. 2: A resolution to approve Supplemental Agreement No. 2 to the contract with Garver, LLC in an amount not to exceed \$307,167.00 for construction management services, additional archeological testing and mitigation services, and additional design services associated with the design and construction of a portion of Ruppel Road between West Starry Night View and West Mount Comfort Road, and to approve a budget adjustment.

Resolution 268-17 as recorded in the office of the City Clerk

Town Center Entry Stairs and Landing: A resolution to approve a budget adjustment in the amount of \$170,000.00 to provide funds for engineering and construction costs associated with the removal and replacement of the Town Center entry stairs and landing.

Resolution 269-17 as recorded in the office of the City Clerk

Council Member Marsh moved to accept the Consent Agenda as read. Council Member Kinion seconded the motion. Upon roll call the motion passed unanimously.

Unfinished Business:

Area Agency on Aging of Northwest Arkansas: An ordinance to waive the requirements of formal competitive bidding and approve a contract between the City of Fayetteville, Arkansas and the Area Agency on Aging of Northwest Arkansas in the amount of \$98,887.00 to provide public recreation services for the Senior Citizens of Fayetteville for 2018. *This ordinance was left on the first reading at the December 5, 2017 City Council meeting.*

Council Member Gray moved to suspend the rules and go to the second reading. Council Member Tennant seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Connie Edmonston, Parks & Recreation Director gave a brief description of the ordinance. She spoke about an addition to the contract for the Parks & Recreation Director or designee to participate in the interviews of the Senior Center Director.

Aubrey Shepherd, Citizen spoke about the interviewing of the new Senior Center Director. He stated his satisfaction with the previous Director and would like to have her reinstated.

Council Member Kinion moved to suspend the rules and go to the third and final reading. Council Member Marsh seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Council Member Marsh: Thank you to the staff at the Area Agency on Aging for addressing all the requests and concerns I had.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 6019 as Recorded in the office of the City Clerk

Public Hearing:

Raze and Removal 265 West Nonnamaker Drive: A resolution certifying to the tax collector of Washington County, Arkansas the costs of razing and removal of a dilapidated and unsafe structure upon the property owned by Harold and Rosetta Harmon located at 265 west Nonnamaker drive in the City of Fayetteville, Arkansas.

Mayor Jordan opened the Public Hearing.

David Carver, Code Compliance Administrator gave a brief description of the resolution.

City Attorney Kit Williams: Is it correct that we hired an independent contractor to do this?

David Carver: Yes.

Council Member La Tour: I am always concerned about being fair with everybody. I spoke with the owner and he looked to be making attempts to meet the standards we are setting for him. What became of all of that?

David Carver: He failed to acquire a building permit from our Building Safety Division. He was granted another grace period after the required 30 days from approval of the resolution. I believe it was close to 80 days after the resolution before we started work. Building Safety tried to the best of their ability, but you can't force somebody to apply for a building permit. He failed to acquire one.

City Attorney Kit Williams: This is the first time I ever remember that we had to hire a contractor and demolish one of these houses. That's not what we like to do. There were efforts to try and get him to fix up his property. He did not come forward with a contractor that was going to do everything required to make this house safe, according to our Building Safety Division. They felt a piecemeal wasn't sufficient and that's why the city, after giving him almost three times as much time as he's really allowed under the statute, went ahead and had the contractor remove the house. It's never a happy time when this happens. We don't like to see that, but from the evidence we gave you, there really wasn't anything else reasonable for the city to do.

Council Member La Tour: The house has already been razed?

City Attorney Kit Williams: It has been razed and removed. This is the bill for doing that.

Paula Smith stated she is the oldest daughter of the property owner and is representing him. She stated that the land was under a federal land patent. She doesn't believe the city had jurisdiction to tear the house down.

City Attorney Kit Williams: Before we razed and removed, her father and mother filed suit against the City of Fayetteville saying we didn't have the legal right to raze and remove the property. I filed a motion for summary judgment laying out the fact that his complaint should be dismissed with prejudice. No response was made to my motion by Mr. Harmon. The judge then granted the city's motion and granted us summary judgement and dismissed his complaint with prejudice. If there had been another kind of defense other than the one he raised, then it must be brought in the cause of action when he initially sued us. A federal patent is a way to receive your property from the government. I don't think that gives any special privileges to it. You can sell, divide, and build on it. I don't think that provides any special protection and if it did then it would have to been raised in the time when Mr. Harmon sued us. The city has prevailed in that law suit and the judge found we were correct. The law is clear that what we did was correct, we filed the right statutes, and we provided notice. The City Council was extremely lenient. There was a report from Code Compliance and the Building Safety official about all the problems in that house. You had sufficient grounds to pass the raze and removal.

Daniel Harmon stated he is the son of the property owner. He spoke about the work performed on the house. He spoke about trying to obtain a permit. He spoke about the homeless population in the area. He stated the house was livable and it was unethical for you to tear the house down.

Council Member La Tour: I toured the house and it's not a house I would choose to live in. It's below my family's standard. To a homeless person living under a bridge, that house was a step up. It is arrogant of us to say this house is deplorable and below the standard we think is acceptable. In the future, I would hope we see that perspective before we raze a house. It doesn't meet our standards, but we probably put somebody under a bridge by tearing down the house.

City Attorney Kit Williams: The reason Code Compliance went to the house was because the person who was living there, called them. They said it was unfit. When Code Compliance verified that, they started trying to work with Mr. Harmon to get it fixed. Unfortunately, he was never willing to get a regular contractor. In Fayetteville, not having plumbing or a septic system that works, is not acceptable. We did everything we were required to do.

Don Marr, Chief of Staff: The staffs' job is to execute policy passed by the Council. This Council voted 7-1 to have the house removed within a certain time. That time was extended. The contract was executed. The taxpayers for the City of Fayetteville paid for that cost. This item is to reimburse the taxpayers by putting a lien on the property should it sell in the future for the cost to remove it. The staff didn't do something without the complete authorization of this Council.

Mayor Jordan closed the Public Hearing.

Council Member Marsh moved to approve the resolution. Council Member Gray seconded the motion. Upon roll call the resolution passed 7-1. Council Members Tennant, Bunch, Smith, Gray, Marsh, Kinion, and Petty voting yes. Council Member La Tour voting no.

Resolution 270-17 as recorded in the office of the City Clerk

New Business:

Bid #17-67 Crossland Heavy Contractors, Inc.: A resolution to award Bid #17-67 and authorize a contract with Crossland Heavy Contractors, Inc. in the amount \$5,574,726.35 for the construction of a portion of Ruppel Road between West Starry Night View and West Mount Comfort Road, to approve a project contingency in the amount of \$418,104.00, and to approve a budget adjustment.

Chris Brown, City Engineer gave a brief description of the resolution.

Will Dockery, 4149 West Brad Street Lane stated Ward 4 needs more parks and a diverse commercial district. He stated it also needs better transportation. He spoke about the traffic in Ward 4 being a problem because of sprawl and a lack of connections.

Mayor Jordan thanked Chris Brown, staff, and the Transportation Committee for their work on the project.

Council Member Kinion moved to approve the resolution. Council Member Marsh seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 271-17 as recorded in the office of the City Clerk

Seven Hills Homeless Center: An ordinance to waive the requirements of formal competitive bidding and approve a contract with Seven Hills Homeless Center in the amount of \$103,000.00 for services to homeless and needy residents in Fayetteville in 2018.

City Attorney Kit Williams read the ordinance.

Paul Becker, Chief Financial Officer gave a brief description of the ordinance.

Council Member Marsh moved to suspend the rules and go to the second reading. Council Member Kinion seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Council Member Gray moved to suspend the rules and go to the third and final reading. Council Member Kinion seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Council Member Tennant: I am in support of us helping Seven Hills Homeless Center, but this is not just a Fayetteville homeless shelter. The people there are from all over the region needing help. I'm glad we are helping. The Mayor and staff have done a good job over the years to try to get other cities to help us. I don't think they have been able to get a tremendous amount of cooperation from other cities to do that. It's hard to prove or for another city to take any responsibility that they should help. I believe other cities should consider helping the homeless shelter here. We have a situation where a lot of communities have folks that are using the shelter, not just Fayetteville. I would like to see a more regional approach to homelessness in this city.

Mayor Jordan: We are certainly trying. I agree with everything that Council Member Tennant said. This is a regional issue. I'm proud of this city for stepping up and helping people. Most Americans in this country are about one paycheck away from being homeless.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 6020 as Recorded in the office of the City Clerk

VAC 17-5995 (1100 W. 15th St./Pinnacle Foods) Street Right-of-Way: An ordinance to approve VAC 17-5995 for property located at 1100 West 15th Street to vacate a portion of a street right-of-way.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning Commission voted unanimously in favor. City staff recommends approval.

Scott Collins, 1630 South Brooks spoke about three health and safety issues with the development. He spoke in opposition of the ordinance.

Council Member Marsh: You spoke about the poor intersection at Brooks. I agree with you that it's a dangerous intersection. You spoke about a 6-inch sewer line that's creating backflow issues into the creek. What's the third issue?

Scott Collins: The flooding.

Council Member La Tour: Did you say that people are getting raw sewage backed up into their homes or yards?

Scott Collins: The city installed pop-up backflow preventers on the 6-inch sewer line, which are in the stormwater ditch to prevent backflow into the homes. Apparently at some point they had this problem and the city installed the pop-ups. The sewage would come out into the stormwater ditch instead of the homes.

Mayor Jordan: We wouldn't do that because it is against code.

Scott Collins: The city sanitary people told me they installed them to prevent the sewage from going into the homes.

Mayor Jordan: That would be correct, but we wouldn't put it down a storm drain.

Scott Collins: There are two of them in a storm drain.

Mayor Jordan: I will look into that. It is against code.

Scott Collins: When the city came out in July and repaired the one that had popped off in the storm drain, they did no sampling or reporting.

Mayor Jordan: I'll look into that.

City Attorney Kit William: I think this argument has been made before. I spoke with our Wastewater Director and I believe he's mistaken about that. We don't put sewage down the creeks or storm drains. That would never be a way we would try to get rid of it. There is some

misunderstanding. I agree with Mayor Jordan that it would not be up to code and it wouldn't be something we would do.

Aubrey Shepherd spoke about wetlands and flooding concerns. He stated it is critical that absorbent soil is used all over the city instead of putting in pipes.

Council Member Kinion stated he would like to have the item held so there could be further discussion. He spoke about flooding and stormwater management. He stated the item would be discussed at the Water, Sewer, & Solid Waste Committee in January.

Don Marr, Chief of Staff: This is a \$30 million-dollar expansion for Pinnacle Foods and job retention in the City of Fayetteville. We competed against a location in another state and won this expansion so we didn't lose all the jobs going to another state. The staff is aware of these concerns about drainage. Our codes are set so that post-development should not impact land more than it did pre-development. Keep in mind, you are looking at development decisions that are needed for this \$30 million-dollar expansion. This is a job retention and expansion of one of Fayetteville's legacy employers.

Mayor Jordan: During conversations with the applicant, we wanted to make sure that it remained environmentally sensitive. I wanted them to contact Aubrey Shepherd because he is familiar with the area. They said they would contact and work with him to be sure that everything is like it should be on the wetlands.

Don Marr stated they have been very accommodating to most of the city's environmental discussions. He spoke about some of the proposed plans. He stated they are being a good steward of the development codes.

Mayor Jordan: You all can hold it on this reading. Devin, do you have anything to add?

Devin Howland, Director of Economic Vitality spoke about Pinnacle Foods intention to leave the area better than they found it, regarding environmental aspects and drainage.

City Attorney Kit Williams: The issue before the Council is whether this unused street right-of-way has any corporate purpose left or should it just be vacated. This won't approve the development. I would suggest that development issues be postponed until that comes either before you or the Planning Commission. This is merely a vacation of unused street right-of-way.

Council Member Kinion: The concern is not so much the developmental aspect as we look at the property, but we have a total understanding and open transparency that we've considered the impact on the stormwater management. Is there an urgency to get the vacation? If there is an urgency then that could be considered. We will be meeting in January and could have further discussion. We need an open discussion on this. It's not in any way trying to impair the development of one of our legacy industries that I have respect for.

Mayor Jordan: I don't know if it is time sensitive or not.

City Attorney Kit Williams: If you look at the map where the street easement is, that they are asking to have removed, it runs into their project. They might be concerned about grading and doing other activities over a street right-of-way until it has been approved for vacation by the City Council. I can't speak for them.

It was determined there wasn't a representative for Pinnacle Foods in attendance.

Council Member La Tour: Somebody is making a \$30 million-dollar investment. Timing is always of the essence and we need to show these people that we have a commitment to them. They are keeping jobs in Fayetteville and we need to act quickly. We aren't talking about development issues. We are deciding if this piece of land has no corporate purposes.

Council Member Gray: I would like to see us move on as a matter of encouragement to Pinnacle Foods. This is a simple matter and has nothing to do with the big development.

Council Member Marsh: Vacating the utility easement won't exasperate the legitimate concerns that citizens have raised. Whether we hold this on the first reading or pass it tonight, we have some work to do in the Water, Sewer, & Solid Waste Committee. I would like us to look at the poor intersection at Brooks Avenue and 15th. It is a dangerous spot. The construction vehicles entering and leaving the site are creating additional hazards.

Council Member Kinion: I just want to make sure we have an open discussion as we move forward.

Mayor Jordan: That is the way I perceived it.

Council Member Kinion: Thank you.

Mayor Jordan: This vacation is not really the issue. Later, when we get more into the development I can understand how you would want to make sure the drainage and wetlands will remain as they are.

Don Marr, Chief of Staff: The work being done is being done through an approved grading permit that went through Engineering review and approval. This is to be able to have the things necessary for the development submittal, which is planned for in January so you can have discussions on these other topics that relate more to the actual building.

Mayor Jordan: They have been very reasonable and easy to work with.

Council Member Petty moved to suspend the rules and go to the second reading. Council Member La Tour seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Council Member Gray moved to suspend the rules and go to the third and final reading. Council Member La Tour seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 6021 as Recorded in the office of the City Clerk

VAC 17-5994 (1100 W. 15th St./Pinnacle Foods) Utility Easement: An ordinance to approve VAC 17-5994 for property located at 1100 West 15th Street to vacate a portion of a utility easement.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. He stated staff met with Scott Collins and visited with him about his concerns. He stated the Water & Sewer Director addressed his claim about unsafe or illegal sewage being dumped into the creek and the Water & Sewer Director said it is not the case. He stated everything is being done legal. City staff recommends approval.

Council Member Gray moved to suspend the rules and go to the second reading. Council Member La Tour seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Council Member Gray moved to suspend the rules and go to the third and final reading. Council Member Tennant seconded the motion. Upon roll call the motion passed 7-0. Council Members Tennant, Bunch, La Tour, Smith, Gray, Kinion, and Petty voting yes. Council Member Marsh was absent during the vote.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 6022 as Recorded in the office of the City Clerk

ADM 17-6007 (Decatur Drive Between 15th Street and Shiloh Drive/Barrett Dev. Group - Master Street Plan Amend): A resolution to amend the Master Street Plan by downgrading 15th Street West of Razorback Road and Decatur Drive all the way to Shiloh Drive from principal arterial to collector status.

Andrew Garner, City Planning Director gave a brief description of the resolution. City staff recommends approval. The Planning Commission recommends in favor of the request.

Mayor Jordan: I don't see a four-lane going through there.

Council Member Marsh moved to approve the resolution. Council Member Gray seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 272-17 as recorded in the office of the City Clerk

Energy Action Plan: A resolution to accept and adopt an Energy Action Plan for the City of Fayetteville.

Peter Nierengarten, Sustainability & Resilience Director gave a brief description of the resolution. Staff recommends approval. He requested for the resolution to be tabled to the January 2, 2018 City Council meeting to allow more public input.

Council Member La Tour: Could you define clean energy?

Peter Nierengarten: Clean energy is generally accepted to be cleaner than what we're using right now. Our current mix of energy we receive from our utility companies is fairly coal heavy. It is roughly 60% coal in our energy blend, another 30% natural gas, and some renewables.

Council Member La Tour: Give me examples of cleaner energy.

Peter Nierengarten: Wind power, solar, bio mass, natural gas that could be procured from landfill gas, from other sources that weren't extracting it from the earth.

Council Member La Tour: If I get methane gas from a landfill, that's clean energy, but if I take natural gas out of the earth, that's not clean energy?

Peter Nierengarten: It's not as clean. Emissions associated with natural gas are cleaner than coal. Methane is a greenhouse gas and its about 25 times more destructive than carbon dioxide. If we are able to take methane and keep it from being released to the atmosphere and burn it to generate electricity instead, there by offsetting natural gas that might have to be extracted from the earth, then that is accepted as being cleaner.

Council Member La Tour: Your definition of clean energy, is cleaner energy?

Peter Nierengarten: Yes.

Council Member La Tour: Maybe what we move to is not really clean in and of itself. Solar energy is one of the cleanest?

Peter Nierengarten: Absolutely.

Council Member La Tour: Wind turbines produce noise and kill birds from the motion. Solar is passive and would be perfectly clean if it wasn't for the manufacturing of the solar panel. When we move to clean energy in our area, that's wonderful, but we are simply substituting dirty energy in some other place. Some people believe there is no net gain, but instead a loss. It cost more energy to manufacture a solar panel than it does to use energy to produce heat, cooling, or transportation. It's not as easy as what we sometimes believe it to be. What is a green roof?

Peter Nierengarten: A green roof is more structurally sound and substantial than a traditional roof. It has some level of a soil layer with plants growing on it. It provides greater insulating value to the space below it. It absorbs and captures stormwater that lands onto it, which is less stormwater runoff. Because it has plants growing on it, it's able to absorb carbon dioxide and breath atmosphere out as a living organism.

A discussion followed about green roofs.

Council Member La Tour: I like the idea of a green roof, but I don't want to be forced to put one in.

Mayor Jordan: This is just a plan. We will bring back parts of the plan and you will get a choice whether you approve it or don't approve it.

Council Member Marsh spoke about the benefits and cost of green roofs.

Council Member La Tour stated he likes the idea, but would like more information about the cost.

A discussion followed about the maintenance of a green roof.

Council Member Smith thanked Peter and his staff for their work on the plan.

Council Member Bunch stated she appreciated the breakdown of the plan and the way it was presented. She requested a hard copy of the document.

City Attorney Kit Williams: It is available on our website for anyone to download.

Chris McNamara, Fayetteville resident stated he helps run a statewide non-profit advocating public policy to address climate change. He participated in the stakeholder group for Fayetteville's Energy Action Plan. He spoke about the Energy Action Plan being a vision and commitment that aligns with a long tradition of leadership in Fayetteville.

Council Member Petty: You have listed the big five emission sources. Does this constitute all our emission sources or what proportion of our total emissions does these big five make up?

Peter Nierengarten stated they used the standard protocol for local government to conduct a community wide greenhouse gas inventory and requested Rachael Schaffner, Sustainability Project Coordinator to speak.

Rachael Schaffner, Sustainability Project Coordinator gave a brief description of the estimate.

Council Member Petty: Do you think the big five constitute more than 80% of total emissions?

Rachael Schaffner: Yes, you are very close.

Council Member Petty: I'm thrilled with this and some of these moves are huge. It's tempting to dive into discussions about things like green roofs or other technologies, but we must be careful. Things like that make up such a small impact in this plan when we look at these big five emission sources. When we talk about 50% community wide clean energy by 2030, that requires huge institutional partnerships. These are the kinds of moves that changed the types of jobs that people are employed in. It goes far beyond any particular building technology. We need to make sure we keep our awareness around what we need to focus our attention on. When we talk about this challenge, it's going to be up to us, our kids, and other young people to solve this. As things go forward we need to understand this is only the beginning of huge moves. It must be entirely institutional or societal in nature and this plan captures that.

Mayor Jordan: When looking at this study, about 27% of greenhouse emissions coming from this city comes from transportation. Construction debris is 22%. Food waste is 18%. This is like our Economic Development Plan. We don't implement the whole thing at once. We take it in pieces. Our goal is to have all our city buildings on clean energy by 2030 and the whole city by 2050. It will take some work. I believe climate change is real. We need to get off fossil fuels and we need to start in this city.

Council Member Petty moved to table the resolution to the January 2, 2018 City Council meeting. Council Member Marsh seconded the motion. Upon roll call the motion to table passed unanimously.

This resolution was tabled to the January 2, 2018 City Council meeting.

Announcements:

Don Marr, Chief of Staff stated there is a new signal crosswalk on North College Avenue at Rebecca and Trenton. He spoke about what the colors on the crosswalk meant and more information can be viewed on the city website.

City offices will be closed on December 25, 2017 and December 26, 2017 for Christmas Eve and Christmas Day. Offices will reopen for business on December 27, 2017.

Agenda Session will be on Thursday, December 28, 2017.

The Police Department has issued safety tips and guidelines for reducing car break-ins and the information can be viewed on the city website.

Council Member La Tour wished everyone Happy Holidays and Merry Christmas.

Mayor Jordan thanked the City Council for their service to the City of Fayetteville. He wished all citizens a Merry Christmas and Happy New Year.

City Council Agenda Session Presentations: None

City Council Tour: None

Adjournment: 7:25 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith, City Clerk Treasurer

The Fayetteville Arkansas, Energy Action Plan

This Energy Action Plan was created to build a framework and energize action around the City of Fayetteville's efforts to be a resource and energy efficient community.

An Excellent Plan

- Sets clear **Goals**
- Establishes **Metrics** to measure progress
- Identifies **Actions** to be taken if progress does not meet plan

Except for one item

- In Chapter Three: A FRAMEWORK FOR ACTION, under Transportation, on page 48 of the plan:
- “We will make **appropriate** infill and revitalization our highest priority”

We will make **appropriate** infill and revitalization our highest priorities

- (Infill) is inherently more **sustainable**
 - maintained at a steady level without exhausting natural resources or causing severe ecological damage - why is this more sustainable than new development?
- Infill and revitalization is often driven by **local government investments**
 - infrastructure maintenance & upgrade, to meet expanded load, will be paid for by the City, rather than a developer - is this a positive?
- Infill also helps to strengthen the core of the City by **placing peoples' homes near the places they work, learn, shop and play**

Infill and **revitalization** as energy conservation

- Markham Hill is a large area, largely owned by a developer, where **infill** and **revitalization** would result in many new housing-units, allowing the **placing of peoples' homes near the places they work, learn, shop and play**
- Subdividing this area into 48' wide lots and erecting two 16' wide and 50' tall housing units on each lot could satisfy all of the Fayetteville population growth for years to come.
- If this **infill** and **revitalization** should-not be done to Markham Hill; why should it be done elsewhere in the City?

Appropriate, Covfefe, Pornography

- Make **appropriate** infill and revitalization our highest priority (Chapter Three: Transportation [p48])
- “Despite the constant negative press **covfefe**” (President Donald Trump: Tweet, 12:06 a.m. ET on May 31, 2017)
- The term **pornography** applies to the depiction of the act rather than the act itself (wikipedia)

Appropriate, Covfefe, Pornography

- All three of these terms are similar because there is no established metric to measure these terms.
 - **is an infill** that results in an overloaded sewage-main **appropriate**?
 - **is an infill** that results in stormwater flooding someone's home **appropriate**?
 - **is an infill** that results in traffic fatalities **appropriate**?
 - is an infill that displaces older, long-term residents with short-term residents revitalization?
 - when **is pornography bad**?

Exploitation

- the action, or fact, of **treating someone unfairly** in order **to benefit**
 - **is infill** that overloads a sewage-main, **exploitation** of the existing residents?
 - **is infill** that increases stormwater flooding, **exploitation** of the existing residents?
 - **is infill** that results in traffic fatalities, **exploitation** of the existing residents?
 - **is infill** that displaces older, long-term residents with short-term residents, **exploitation** of the existing residents?
 - **is pornography that exploits** the subject person, **always bad**?

In Closing

- “We will make **appropriate** Infill and Revitalization our highest priority”
- **needs to be removed** from the City’s Energy Action Plan **because it is not definable**

* D.4
* Saved in addit
docs.

CityClerk

From: Barbara G. Taylor <btaylor@uark.edu>
Sent: Sunday, December 31, 2017 4:07 PM
To: Gray, Adella; Marsh, Sarah; Kinion, Mark; 'citycouncil@matthewpetty.org'; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Mayor; CityClerk
Subject: Proposed Sidewalks on Halsell Road and Oliver Avenue

Dear City Council Members:

I know that you have heard from many of my neighbors on Halsell Road and Oliver Avenue about the proposal to build sidewalks on these narrow streets. Like most – perhaps all -- of my neighbors on Halsell Road, I believe that destroying large trees, other landscaping, front yards, fences, rock walls and other features that give our historic area its unique quality is a terrible idea.

I have lived on Halsell Road for nearly 25 years, the second owner of a house designed by Cyrus Sutherland for the late Dr. Robbin Anderson, who was Dean of the College of Arts and Sciences, and his wife Peg, who served on the Washington County Quorum Court and was one of the most active early members of the League of Women Voters of Washington County. By University Heights standards, it is one of the newer houses, not quite 50 years old. Cy Sutherland's lovely curving rock wall on the north (street) side of my property would be endangered were the sidewalk to be built on the south side of Halsell. I know that is not the current proposal, but it was an earlier one, and both sides of our road would present almost insuperable engineering challenges to sidewalk installation.

I am one of the few people in my neighborhood who walk regularly along part of the route of the proposed sidewalks. Twice a day, my small dog and I walk east on Halsell, north on Oliver, then west on either Maple or Cardwell, north or south on Gray and back to our house at 1599 Halsell. I don't walk west on Halsell because the street in that direction is too steep.

There is no pedestrian traffic to speak of except of the six or seven football Saturdays in the fall. Automobile traffic is relatively light, even between 11:30 and noon and between 4:30 and 5:00 pm, when we usually walk – except on football Saturdays. My father taught me, nearly 75 years ago, to walk on the left, facing traffic and on non-football days I feel safe.

You have heard many suggestions that make more sense than the proposed sidewalks, among them making the streets one-way on football Saturdays and building sidewalks on routes in Ward 4 that are frequently used by pedestrians. Halsell is not a direct route to or from the University or its stadium and its steepness would discourage pedestrians if it were. They use Markham, possibly Cross, sometimes Maple east of Oliver, all of which already have sidewalks.

I urge you to amend the 2018 sidewalk plan and remove Halsell Road and Oliver Avenue from the list of projects. Please build sidewalks, instead, where they are needed and wanted.

Respectfully yours,

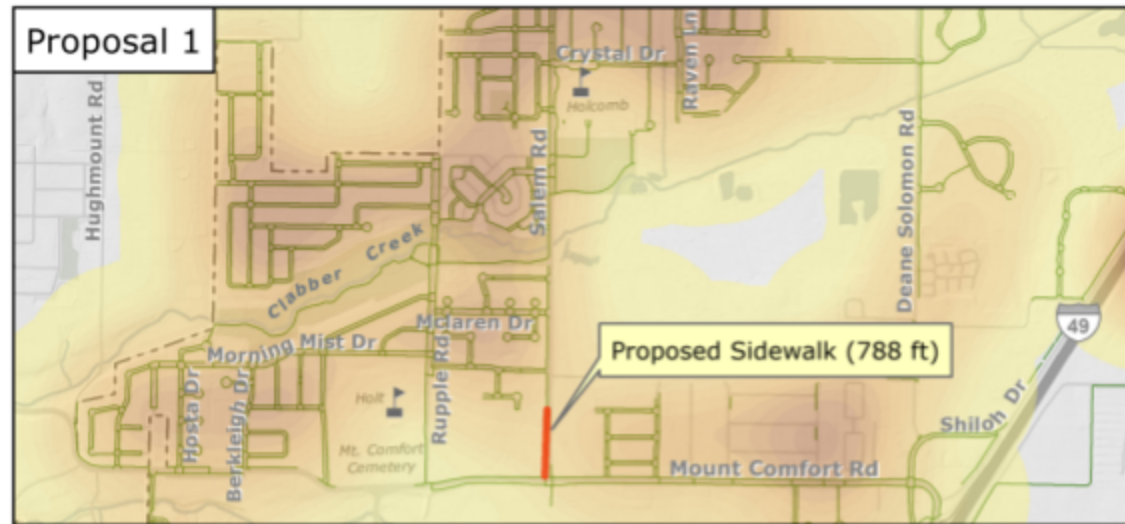
Barbara G. Taylor
1599 West Halsell Road
Fayetteville, AR 72701-3902
479-530-1098
btaylor@uark.edu

ADD TO EXISTING PLAN

Salem Rd

Connect Mt Comfort neighborhoods to:

- Holcomb Elementary
- Gary Hampton Park
- Clabber Creek Trail



Double Springs Rd

Access Wedington Dr path from:

- Harmony Pointe Park
- Legacy Point/Legacy Heights
- Active New Development otherwise disconnected from outside sidewalk network



Year*	Ward	Street	From	To	Placement	Type	SW Feet	SW Width	Curb Feet	Ramp Each	Drives Each	Pipe Lngth	Boxes Each	Const Time	Est Material Cost
2013	4	Salem Rd	Clearwood Dr	Mt Comfort Rd	West side	New	1010	5	1010	2	6	1000	4	59.2	\$110,258
R2014	4	Double Springs Rd	Abilene Dr	Greens Chapel Rd	East side	New	750	5	750	0	2	500	0	24	\$54,189
							1760	10	1760	2	8	1500	4	83.2	\$164,447

REMOVE FROM EXISTING PLAN

Alternative Routes Available

Non-local foot traffic from Sang Valley:

- Markham Rd to Razorback Stadium
- Cleveland St to Leverett Elementary



Year*	Ward	Street	From	To	Placement	Type	SW Feet	SW Width	Curb Feet	Ramp Each	Drives Each	Pipe Lngth	Boxes Each	Const Time	Est Material Cost
R2014	4	Halsell Rd	Cross Ave	Oliver Ave	North side	New	1100	5	1100	1	2	500	3	43.5	\$83,291
R2014	4	Oliver Ave	Maple St	Halsell Rd	East side	New	650	5	650	1	12	400	3	53.5	\$81,836
							1750	10	1750	2	14	900	6	97	\$165,127

Amended 2018 Sidewalk Project List

Amended at City Council Meeting 1/2/18

Ward	Street	From	To	Placement	Length (ft)
1	MLK Jr. Blvd.	College Ave.	Washington Ave.	North side	150
1	Huntsville Rd.	Blair Ave.	Morningside Dr	Both sides	1,000
2	Dickson St.	Washington Ave.	Willow Ave.	North side	410
2	Green Acres Rd.	Poplar St.	College Ave.	West side	1,050
2	Meadow St.	Block Ave.	East Ave.	Both sides	660
3	Mission Blvd.	East Oaks Dr.	Crossover Rd.	North side	250
ANY	2018 Maint. Repairs	Various	Locations	Any side	900

Total footage: 4,420

2018 Proposed Asphalt Overlays – Ward 1

Ward	Street	From	To	Length (ft)
1	Leroy Pond Dr.	Razorback Rd.	Stadium Dr.	590
1	Graham Ave	Center St.	Nettleship St.	646
1	Nettleship St.	Eastern Ave.	Cross Ave.	981
1	Cross Ave.	Stone St.	Nettleship St.	628
1	Main St.	Cross Ave.	Sang Ave.	605
1	Morningside Dr.	15 th St.	Pump Station Rd.	2,312
1	Conner St.	Dead end	Trent Ave.	282
1	Trent Ave.	Conner St.	Spring St.	236
1	Washington Ave.	Conner St.	Spring St.	222
1	Huntsville Rd.	Wood Ave.	Happy Hollow Rd.	5,466
1	Wood Ave.	MLK Blvd.	Huntsville Rd.	524
1	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlays – Ward 2

Ward	Street	From	To	Length (ft)
2	School Ave.	Spring St.	Mountain St.	222
2	West Ave.	Spring St.	Center St.	705
2	Spring St.	West Ave.	School Ave.	340
2	Alley 451	Spring St.	Dead end	236
2	Alley 318	Gregg St.	Dead end	279
2	Gregg Ave.	Lafayette St.	Dickson St.	689
2	Eagle St.	Storer Ave.	Leverett Ave.	330
2	Mountain St.	School Ave.	Block Ave.	1,050
2	Storer Ave.	North St.	Cleveland St.	1,270
2	Saint Charles Ave.	Lafayette St.	Dickson St.	975
2	East Ave.	Mountain St.	Block St.	347
2	Center St.	Church Ave.	Block Ave.	363
2	Block Ave.	Mountain St.	Rock St.	374
2	South St.	West Ave.	School Ave.	329
2	Lindell Ave.	Cleveland St.	Douglas St.	742
2	Dickson St.	Arkansas Ave.	Intersection	115
2	University Ave.	Dickson St.	Center St.	1,259
2	Green Acres Rd.	Colt Square Dr.	Poplar St.	1,435
2	Center St.	School Ave.	Locust Ave.	120
2	Maple St.	West Ave.	College Ave.	2,770
2	Meadow St.	Block St.	East Ave.	235
2	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlays – Ward 3

Ward	Street	From	To	Length (ft)
3	Masonic Dr.	Nottingham Pl.	Cul de sac	768
3	Summerhill Dr.	Masonic Dr.	Stubblefield Rd.	1,002
3	Windsor Pl.	Summerhill Dr.	Cul de sac	274
3	Oxford Pl.	Cul de sac	Summerhill Dr.	229
3	Langston Pl.	Summerhill Dr.	Cul de sac	291
3	Wimbledon Pl.	Cul de sac	Summerhill Dr.	253
3	Joyce Blvd.	College Ave.	Vantage Dr.	7,270
3	Rolling Hills Dr.	College Ave	300 feet	445
3	Applebury Dr.	Hope St.	Columbus Blvd.	1,640
3	Farr Ln.	Old Missouri Rd.	Dead end	650
3	Columbus Blvd.	Eastwood Dr.	Applebury Dr.	1,018
3	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlays – Ward 4

Ward	Street	From	To	Length (ft)
4	Salem Rd.	City Limits	Mt. Comfort Rd.	6,437
4	Moore Ln.	Deane Solomon Rd.	Shiloh Dr.	2,220
4	Salem Rd.	Add turn lane		500
4	Center St.	Razorback Rd.	Palmer Ave.	825
4	Palmer Ave.	Center St.	Markham Rd.	1,269
4	Hotz Dr.	Razorback Rd.	Palmer Ave.	795
4	Thomas Ave.	Hotz Dr.	Markham Rd.	490
4	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlay

City of Fayetteville Street Program

Ward 1	2.37 Miles
Ward 2	2.69 Miles
Ward 3	2.62 Miles
Ward 4	2.37 Miles
Total	10.05 Miles

City of Fayetteville, Arkansas

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



City Council Agenda Session Tentative Agenda

Thursday, December 28, 2017

4:30 PM

City Hall Room 326

City Council Members

Adella Gray Ward 1

Sarah Marsh Ward 1

Mark Kinion Ward 2

Matthew Petty Ward 2

Justin Tennant Ward 3

Sarah Bunch Ward 3

John S. La Tour Ward 4

Kyle Smith 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:**

1. [2017-0746](#)
ELECTION OF VICE MAYOR
2. [2017-0540](#)
MONTHLY FINANCIAL REPORT - PAUL BECKER
3. [2017-0683](#)
REPORT OF THE FIREMEN'S AND POLICEMEN'S PENSION AND RELIEF FUND

Agenda Additions**A. Consent:**

- A. 1 [2016-0590](#)
APPROVAL OF THE DECEMBER 19, 2017 CITY COUNCIL MEETING MINUTES.

- A. 2 [2017-0737](#)
ARKANSAS DEPARTMENT OF TRANSPORTATION:

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM FEDERAL-AID GRANT IN THE AMOUNT OF \$280,000.00 FOR THE INSTALLATION OF LIGHTING ALONG THE CATO SPRINGS TRAIL, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [ARKANSAS DEPARTMENT OF TRANSPORTATION](#)
[BA_ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

A. 3 [2017-0743](#)

BID #17-49 SUMMIT TRUCK GROUP:

A RESOLUTION TO AWARD BID #17-49 AND AUTHORIZE THE PURCHASE OF THREE (3) INTERNATIONAL 7300 4X2 RECYCLING TRUCKS WITH KANN BODIES IN THE TOTAL AMOUNT OF \$507,300.00 FROM SUMMIT TRUCK GROUP OF LOWELL, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: [BID #17-49 SUMMIT TRUCK GROUP](#)

A. 4 [2017-0742](#)

BID #17-64 WILLIAMS TRACTOR:

A RESOLUTION TO AWARD BID #17-64 AND AUTHORIZE THE PURCHASE OF A BOBCAT S-595 SKID STEER AND 84-INCH ANGLE BROOM IN THE TOTAL AMOUNT OF \$46,298.00 FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: [BID #17-64 WILLIAMS TRACTOR](#)

A. 5 [2017-0714](#)

BID #17-59 BULK CRUSHED ROCK SALT:

A RESOLUTION TO AWARD BID #17-59 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC FOR \$73.00 PER TON FOR MATERIALS PICKED UP AND \$75.65 PER TON FOR MATERIALS DELIVERED AS NEEDED THROUGH THE 2018 WINTER SEASON

Attachments: [BID #17-59 BULK CRUSHED ROCK SALT](#)

A. 6 [2017-0710](#)

BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC:

A RESOLUTION TO AWARD BID #18-01 AND AUTHORIZE THE PURCHASE OF REFLECTORIZED PAINT MARKINGS FROM CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC](#)

A. 7 [2017-0711](#)

BID #18-02 CURB AND GUTTER CONSTRUCTION:

A RESOLUTION TO AWARD BID #18-02 AND AUTHORIZE THE PURCHASE OF CURB AND GUTTER CONSTRUCTION FROM FOCHTMAN ENTERPRISES, INC. AS A PRIMARY SUPPLIER IN VARIABLE AMOUNTS, AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-02 CURB AND GUTTER CONSTRUCTION](#)

A. 8 [2017-0712](#)

BID #18-03 TRUCK HAULING SERVICES:

A RESOLUTION TO AWARD BID #18-03 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM B&B ROOFING AND CONSTRUCTION OF ARKANSAS, LLC AS PRIMARY SUPPLIER, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-03 TRUCK HAULING SERVICES](#)

A. 9 [2017-0713](#)

BID #18-04 CONCRETE PURCHASE:

A RESOLUTION TO AWARD BID #18-04 AND AUTHORIZE THE PURCHASE OF CONCRETE FROM TUNE TRUCKING, INC. D/B/A TUNE CONCRETE COMPANY AS PRIMARY SUPPLIER IN VARIABLE AMOUNTS AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-04 CONCRETE PURCHASE](#)

A. 10 [2017-0715](#)

BID #18-05 AGGREGATE MATERIALS:

A RESOLUTION TO AWARD BID #18-05 AND AUTHORIZE THE PURCHASE OF AGGREGATE MATERIALS FROM HUNT ROGERS MATERIALS, LLC AS PRIMARY SUPPLIER AND TO AUTHORIZE THE USE OF VARIOUS SECONDARY VENDORS AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-05 AGGREGATE MATERIALS](#)

A. 11 [2017-0716](#)

BID #18-07 HILLSIDE GRAVEL:

A RESOLUTION TO AWARD BID #18-07 AND AUTHORIZE THE PURCHASE OF HILLSIDE GRAVEL FROM LES ROGERS, INC. IN VARYING AMOUNTS AND FOR VARIABLE UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-07 HILLSIDE GRAVEL](#)

A. 12 [2017-0718](#)

BID #18-08 PLASTIC DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-08 AND AUTHORIZE THE PURCHASE OF PLASTIC DRAINAGE PIPE FROM FERGUSON WATERWORKS AS THE PRIMARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-08 PLASTIC DRAINAGE PIPE](#)

A. 13 [2017-0719](#)

BID #18-09 CONCRETE DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-09 AND AUTHORIZE THE PURCHASE OF CONCRETE DRAINAGE PIPE FROM SCURLOCK INDUSTRIES, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-09 CONCRETE DRAINAGE PIPE](#)

A. 14 [2017-0720](#)

BID #18-10 SCREENED TOPSOIL:

A RESOLUTION TO AWARD BID #18-10 AND AUTHORIZE THE PURCHASE OF SCREENED TOPSOIL FROM LES ROGERS, INC. AS PRIMARY SUPPLIER AND SWEETSER CONSTRUCTION, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-10 SCREENED TOPSOIL](#)

A. 15 [2017-0721](#)

BID #18-11 RETAINING WALL BLOCKS:

A RESOLUTION TO AWARD BID #18-11 AND AUTHORIZE THE PURCHASE OF RETAINING WALL BLOCKS FROM VARIOUS VENDORS FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-11 RETAINING WALL BLOCKS](#)

A. 16 [2017-0722](#)

BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT:

A RESOLUTION TO AWARD BID #18-12 AND AUTHORIZE THE PURCHASE OF HIGH PERFORMANCE COLD MIX ASPHALT FROM HUTCHENS CONSTRUCTION CO. AS PRIMARY SUPPLIER AND ATLAS ASPHALT, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT](#)

A. 17 [2017-0723](#)

BID #18-13 CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES:

A RESOLUTION TO AWARD BID #18-13 AND AUTHORIZE THE PURCHASE OF CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES FROM HOLTZCLAW EXCAVATING, INC. IN THE AMOUNT OF \$10.00 PER LOAD AS NEEDED THROUGH THE END OF 2018

Attachments: [CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES](#)

A. 18 [2017-0724](#)

BID #18-15 DECORATIVE FENCING:

A RESOLUTION TO AWARD BID #18-15 AND AUTHORIZE THE PURCHASE OF DECORATIVE FENCING FROM THOMAS FENCE AS PRIMARY SUPPLIER AND ROBINSON FENCE AS SECONDARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: [BID #18-15 DECORATIVE FENCING](#)

A. 19 [2017-0734](#)

2018 T-HANGAR LEASE AGREEMENTS:

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2018 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Attachments: [2018 T-HANGAR LEASE AGREEMENTS](#)

A. 20 [2017-0729](#)

MCGOODWIN, WILLIAMS AND YATES, INC.:

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN THE AMOUNT OF \$573,309.00 FOR THE ENGINEERING DESIGN OF THE EAST FAYETTEVILLE WATER SYSTEM IMPROVEMENTS AND TOWNSHIP TANK PROJECT, AND APPROVING A CONTINGENCY IN THE AMOUNT OF \$57,331.00

Attachments: [MCGOODWIN, WILLIAMS AND YATES, INC.](#)

A. 21 [2017-0611](#)

833 NORTH CROSSOVER ROAD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$174,135.00 RECOGNIZING REVENUE FROM THE SALE OF THE FIRE PREVENTION BUREAU AT 833 NORTH CROSSOVER ROAD

Attachments: [833 NORTH CROSSOVER ROAD](#)
 [BA_833 NORTH CROSSOVER ROAD](#)

A. 22 [2017-0753](#)

G&W DIESEL SERVICE, INC.:

A RESOLUTION TO APPROVE THE PURCHASE OF A 2018 PIERCE ARROW XT FIRE APPARATUS FROM G&W DIESEL SERVICE, INC. IN THE AMOUNT OF \$893,472.00 PLUS A PERFORMANCE AND PAYMENT BOND AT A COST OF \$3,000.00 PURSUANT TO THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [G&W DIESEL SERVICE, INC.](#)
 [BA_G&W DIESEL SERVICE, INC.](#)

A. 23 [2017-0754](#)

BLACK HILLS ENERGY ARKANSAS, INC.:

A RESOLUTION TO APPROVE THE CONVEYANCE OF RIGHT OF WAY AND EASEMENT TO BLACK HILLS ENERGY ARKANSAS, INC. ACROSS A PORTION OF THE WEST SIDE WASTEWATER TREATMENT FACILITY PROPERTY AND OTHER CITY-OWNED PROPERTY ALONG BROYLES ROAD

Attachments: [BLACK HILLS ENERGY ARKANSAS, INC.](#)

A. 24 [2017-0756](#)

ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,600.00 RECOGNIZING REVENUE FROM THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD FOR THE FUTURE SUPPLEMENTAL BENEFITS PAID TO PENSIONERS

Attachments: [ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD](#)
 [BA_ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD](#)

A. 25 [2017-0689](#)

WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED
INTERLOCAL AGREEMENT:

A RESOLUTION TO APPROVE THE NINTH AMENDED INTERLOCAL
AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY,
ARKANSAS CONTINUING THE BOOKING FEE AT \$62.00 PER PRISONER
IN 2018

Attachments: [WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AG](#)

B. Unfinished Business:**B. 1** [2017-0703](#)

ENERGY ACTION PLAN:

A RESOLUTION TO ACCEPT AND ADOPT AN ENERGY ACTION PLAN
FOR THE CITY OF FAYETTEVILLE

Attachments: [ENERGY ACTION PLAN](#)
 [ADDITIONAL ENERGY ACTION PLAN](#)

This resolution was tabled to the January 2, 2018 City Council meeting.

C. Public Hearing:**C. 1** [2017-0757](#)

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A
DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY
PAUL BRICKMAN LOCATED AT 171 EAST MEADOW STREET IN THE
CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET
ADJUSTMENT OF \$4,715.00

Attachments: [RAZE AND REMOVAL 171 E MEADOW STREET](#)
 [BA_RAZE AND REMOVAL 171 E MEADOW STREET](#)

D. New Business:

D. 1 [2017-0705](#)

AUTOMATIC ENGINEERING:

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO ACCEPT A REPAIR QUOTE OF \$208,198.00, PLUS ANY APPLICABLE TAX WITH AUTOMATIC ENGINEERING TO REPAIR SEVEN AERATOR GEARBOXES FOR THE NOLAND WASTEWATER FACILITY

Attachments: [AUTOMATIC ENGINEERING](#)

D. 2 [2017-0707](#)

2018 ASPHALT MATERIALS:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING 2018 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION, BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

Attachments: [2017-0707 Asphalt Bid Waver](#)

D. 3 [2017-0706](#)

2018 OVERLAY AND SIDEWALK PROJECTS:

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2018

Attachments: [2018 OVERLAY AND SIDEWALK PROJECTS](#)

D. 4 [2017-0761](#)

RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5997 FOR APPROXIMATELY 0.54 ACRES LOCATED AT 690 WEST WHILLOCK STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

Attachments: [RZN 17-5997 \(690 W. WHILLOCK ST./MOLDENHAUER\)](#)

D. 5 [2017-0749](#)

RZN 17-6004 (1620 N. PORTER RD./REAGOR):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6004 FOR APPROXIMATELY 0.55 ACRES LOCATED AT 1620 NORTH PORTER ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Attachments: [RZN 17-6004 \(1620 N. PORTER RD./REAGOR\)](#)

D. 6 [2017-0748](#)

RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6015 FOR APPROXIMATELY 0.86 ACRES LOCATED SOUTH OF WEDINGTON DRIVE BETWEEN 46TH STREET AND BROYLES AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

Attachments: [RZN 17-6015 \(SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2\)](#)

D. 7 [2017-0747](#)

ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD):

AN ORDINANCE TO AMEND RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS TO ALLOW SINGLE FAMILY HOMES ON LOTS 24-42, 68 AND 69

Attachments: [ADM 17-6010 \(LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD\)](#)

D. 8 [2017-0751](#)

AMEND § 97.081 INTOXICATING BEVERAGES:

AN ORDINANCE TO AMEND § 97.081 INTOXICATING BEVERAGES IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW THE MAYOR OR THE MAYOR'S DESIGNEE TO AUTHORIZE THE CONSUMPTION, POSSESSION AND SALE OF ALCOHOLIC BEVERAGES IN CITY PARKS DURING SPECIAL EVENTS

Attachments: [AMEND § 97.081 INTOXICATING BEVERAGES](#)

D. 9 [2017-0738](#)

512 E REBECCA ST. DRAINAGE IMPROVEMENTS COST SHARE:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BRADFORD AND ERIN WHEELER FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ALONG A PORTION OF EAST REBECCA STREET WITH THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS NOT TO EXCEED \$40,387.06, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

Attachments: [512 E REBECCA ST. DRAINAGE IMPROVEMENTS](#)

D. 10 [2017-0766](#)

OZARK REGIONAL TRANSIT ADDITIONAL FUNDING:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$122,908.00 TO PROVIDE ADDITIONAL FUNDS TO MAINTAIN OZARK REGIONAL TRANSIT SERVICES IN THE CITY OF FAYETTEVILLE AT THE 2017 SERVICE LEVELS

Attachments: [OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS](#)
 [BA_OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS](#)

D. 11 [2017-0755](#)

OZARK REGIONAL TRANSIT, INC.

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A FIVE-YEAR CONTRACT WITH OZARK REGIONAL TRANSIT, INC. IN THE AMOUNT OF \$300,000.00 IN 2018, AND SUBJECT TO ANNUAL BUDGET APPROVAL IN FUTURE YEARS, FOR PUBLIC TRANSIT SERVICES FOR FAYETTEVILLE RESIDENTS

Attachments: [OZARK REGIONAL TRANSIT, INC.](#)

D. 12 [2017-0730](#)

2018 RULES OF ORDER AND PROCEDURE:

A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2018

Attachments: [2018 RULES OF ORDER AND PROCEDURE](#)

E. City Council Agenda Session Presentations:

F. City Council Tour:

G. Announcements:

H. Adjournment



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0746

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Vice Mayor

Agenda Number: 1.

ELECTION OF VICE MAYOR



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0540

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Report

Agenda Number: 2.

MONTHLY FINANCIAL REPORT - PAUL BECKER



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0683

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Report

Agenda Number: 3.

REPORT OF THE FIREMEN'S AND POLICEMEN'S PENSION AND RELIEF FUND



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0590

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Minutes

Agenda Number: A. 1

APPROVAL OF THE DECEMBER 19, 2017 CITY COUNCIL MEETING MINUTES.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0737

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 2

ARKANSAS DEPARTMENT OF TRANSPORTATION:

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM FEDERAL-AID GRANT IN THE AMOUNT OF \$280,000.00 FOR THE INSTALLATION OF LIGHTING ALONG THE CATO SPRINGS TRAIL, 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 approves an agreement of understanding with the Arkansas Department of Transportation for the acceptance of an 80/20 Arkansas Transportation Alternatives Program Federal-Aid Grant in the amount of \$280,000.00 for the installation of lighting along the Cato Springs Trail.

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

2017-0737

Legistar File ID

1/2/2018

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

Matt Mihalevich

12/13/2017

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of an Agreement of Understanding with the Arkansas Department of Transportation for the Cato Springs Trail Lighting project and authorizing the Mayor to sign additional documents as necessary to utilize \$280,000.00 in federal-aid funds through the Transportation Alternatives Program (TAP) for the installation of lighting along Cato Springs Trail and approving a budget adjustment to recognize the revenue and fund other project costs.

Budget Impact:

4470.800.8830-5814.05

Sales Tax Capital Trail Development

Account Number

Fund

02016.1801

Cato Springs Trail Lighting

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 1,500,000.00

Funds Obligated \$ -

Current Balance \$ **1,500,000.00**

Does item have a cost? Yes

Item Cost \$ 361,000.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 361,000.00

Remaining Budget \$ **1,500,000.00**

V20140610

Previous Ordinance or Resolution # 125-17

Original Contract Number:

Approval Date:

Comments: The Budget Adjustment will allocate a portion of the 2018 trail development funds for the required 20% match, public notification and engineering contra charges associated with the Cato Springs Trail Lighting Project.

MEETING OF JANUARY 2ND, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Terry Gulley, Transportation Services Director
Garner Stoll, Development Services Director
Chris Brown, City Engineer

FROM: Matt Mihalevich, Trails Coordinator

DATE: December 14th, 2017

SUBJECT: **2017-0737 Transportation Alternatives Program – Cato Springs Trail Lighting**

RECOMMENDATION:

Staff recommends approval of an Agreement of Understanding with the Arkansas Department of Transportation for the Cato Springs Trail Lighting project and authorizing the Mayor to sign additional documents as necessary to utilize \$280,000.00 in federal-aid funds through the Transportation Alternatives Program (TAP) for the installation of lighting along Cato Springs Trail and approving a budget adjustment to recognize the revenue and fund other project costs.

BACKGROUND:

The Cato Springs Trail is nearing completion extending 2.9 miles from the Town Branch Trail to the Kessler Mountain Regional Park. Due to budget constraints, lighting was excluded from the original construction project. The electrical design is complete and the electrical conduit has been installed in preparation for future lighting. This grant will provide funding to award a bid for the installation of the wire and trail lights along the entire trail length of the Cato Springs Trail from the Town Branch Trail to the Regional Park. The Fayetteville Regional Park and Kessler Mountain have become major recreational destinations and the inclusion of lighting along the Cato Springs Trail will enhance the hours of use and increase safety along the corridor.

DISCUSSION:

The Northwest Arkansas Regional Planning Commission (NWARPC), serving as the NWA Metropolitan Planning Organization (MPO) manages the portion of TAP funding for the region. A willingness to apply for funding for the Cato Springs Trail lighting project was approved on June 20th, 2017 by resolution 125-17. In November of 2017, the City was awarded the full amount requested in the amount of \$280,000 through the NWARPC Transportation Alternatives Program administered through the Arkansas Department of Transportation.

The proposed trail lighting project would include 2.9 miles of new trail lighting at an estimated cost including design costs of \$361,000. This estimate includes approximately 156 new LED

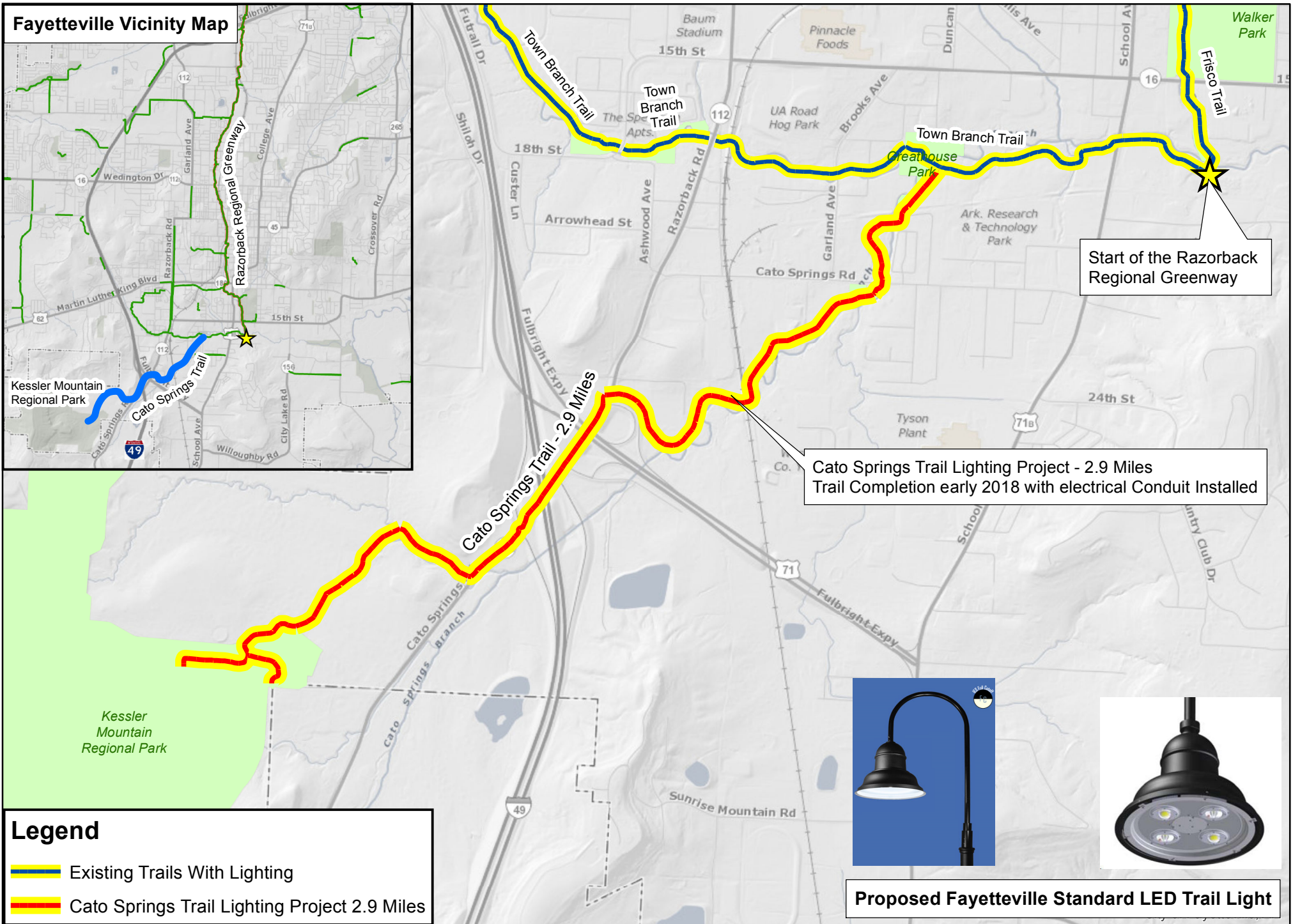
light fixtures matching the city standard shown below. If approved, the lighting project will be competitively bid to an electrical contractor.

BUDGET/STAFF IMPACT:

Through the Transportation Alternatives Program, the City will be responsible for 20% of the total grant amount, or \$70,000 plus design costs of \$11,000 for a total of \$81,000 in City funding. Sufficient funding for the match has been budgeted through the 2018 Sales Tax Capital Trail Development Program.

Attachments:

Mud Creek Trail Lighting Map
Agreement of Understanding – Cato Springs Trail Lighting
Attachment B
Attachment C
Attachment N
Attachment O
Budget Adjustment





ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Scott E. Bennett, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

December 1, 2017

The Honorable Lioneld Jordan
Mayor of Fayetteville
113 W. Mountain Street
Fayetteville, AR 72701

Re: Fayetteville Cato Springs Trail Lighting

Dear Mayor Jordan:

Reference is made to the City's recent request that the Department begin project development on the Cato Springs Trail Lighting project recently approved by the Northwest Arkansas Regional Planning Commission. We are in possession of City Resolution No. 125-17 authorizing you to enter into agreements with the Department for the project.

In order to proceed, you and the City Attorney must sign the enclosed Agreement of Understanding and return it to the Department. Upon receipt of the Agreement, the Department will execute the Agreement of Understanding and return a signed copy to you. When submitting the Agreement to the Department for execution, you will also need to complete Attachment B, sign Attachment N, and complete Attachment O.

If you have any questions, please contact Daniel Siskowski or Carlos Meredith in our Program Management Division at (501) 569-2481.

Sincerely,

A handwritten signature in blue ink that reads 'Kevin Thornton'.

Kevin Thornton
Assistant Chief Engineer – Planning

Enclosure

c: Deputy Director and Chief Engineer
Program Management
Transportation Planning and Policy
District 4
Mr. Jeff Hawkins, Executive Director – NWA Regional Planning Commission

**AGREEMENT OF UNDERSTANDING
BETWEEN
THE CITY OF FAYETTEVILLE
AND
THE ARKANSAS DEPARTMENT OF TRANSPORTATION**

In Cooperation with the
U. S. Department of Transportation
Federal Highway Administration

RELATIVE TO

Construction of **Cato Springs Trail Lighting** (hereinafter called the "Project") as a Federal-aid project.

WHEREAS, funding in the Fixing America's Surface Transportation (FAST) Act includes 80% Federal-aid funds to be matched with 20% non-federal funds for approved Transportation Alternatives Program (TAP) projects; and

WHEREAS, **the City of Fayetteville** (hereinafter called "Sponsor") has expressed its desire to use Federal-aid funds for the eligible Project and to provide necessary matching cash share for such funds; and

WHEREAS, the Northwest Arkansas Regional Planning Commission has awarded the Sponsor TAP funding for the construction of the Project; and

WHEREAS, the Sponsor has transmitted to the Arkansas Department of Transportation (hereinafter called the "Department") a signed and sealed Resolution from the City Council authorizing the Mayor to execute agreements and contracts with the Department for the Project; and

WHEREAS, funding participation will be as follows, subject to the amount of Federal-aid approved for the Project:

	Maximum <u>Federal %</u>	Minimum <u>Sponsor %</u>
Project Design:	0	100
Right-of-Way/Utilities:	0	100
Construction:	80	20
Construction Inspection:	0	100
Department Administrative Cost (1% of Const. Amt.):	0	100

WHEREAS, the Sponsor knows of no legal impediments to the completion of the Project; and

WHEREAS, it is understood that the Sponsor and the Department will adhere to the General Requirements for Recipients and Sub-Recipients Concerning Disadvantaged Business Enterprises (DBEs) (Attachment A) and that, as part of these requirements, the Department may set goals for DBE participation in the Project ranging from 0% to 100% that are practical and related to the potential availability of DBEs in desired areas of expertise.

WHEREAS, the parties agree, unless specifically stated otherwise, that the provisions of this agreement are not intended to created or confer a third party benefit or right in any person or entity, not a party to this agreement.

IT IS HEREBY AGREED that the Sponsor and the Department, in cooperation with the Federal Highway Administration, will participate in a cooperative program for implementation of the Project and will accept the responsibilities and assigned duties as described hereinafter.

THE SPONSOR WILL:

1. Notify the Department in writing who the Sponsor designates as its full-time employee to be in responsible charge of the day to day oversight of the Project (Attachment B). The duties and functions of this person are:
 - Oversee project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;
 - Maintains familiarity of day to day project operations, including project safety issues;
 - Makes or participates in decisions about changed conditions or scope changes that require change orders and/or supplemental agreements;
 - During construction, visits and reviews the project on a daily basis;
 - Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse;
 - Directs project staff, Sponsor or consultant, to carry out project administration and contract oversight, including proper documentation;
 - Be aware of the qualifications, assignments and on-the-job performance of the Sponsor and consultant staff at all stages of the project.
2. Request review from the Arkansas Historic Preservation Program (AHPP) (Attachment C). Then, forward AHPP's approval to the Department.
3. Prepare plans, specifications, and a cost estimate for construction. A registered professional engineer must sign the plans and specifications for the Project.
4. Be responsible for any necessary coordination with effected railroads including preliminary and final plan review and for executing any formal railroad maintenance and construction agreements that may be necessary for the project. This includes ensuring that potential bidders are aware of railroad coordination required during construction including flagging services and insurance.
5. Complete the process for all permits that might be required for the project. This could include, but is not limited to, the US Army Corp of Engineers Section 404 permit; and the Arkansas Department of Environmental Quality's Section 401 Water Quality Certification, Short Term Activity Authorization, and National Pollutant Discharge Elimination System permit. The Section 404 permitting application(s) and/or determination information should be submitted with the plans to the Department in order to aid in the completion of the environmental documentation.
6. Provide any necessary higher levels of investigation for the required environmental document should the Project have uncertain or significant cultural, environmental or social impacts; have a likelihood of generating controversy; and/or possible economic impacts. For

projects located on federal lands, the Sponsor must submit a completed environmental document for the Project, approved by the agency with authority over the federal lands.

7. Ensure that the plans and specifications comply with the Americans with Disabilities Act (ADA), the American Association of State Highway and Transportation Officials (AASHTO) design standards, and all other applicable state and federal regulations, including airport clearance when necessary, for the type of work involved (See Attachment D for items to be included in the bid proposal).
8. Before acquiring property or relocating utilities, contact the Department's Right of Way Division to obtain the procedures for acquiring right-of-way and adjusting utilities in conformance with federal regulations. **NOTE: Failure to notify the Department prior to initiating these phases of work may result in all project expenditures being declared non-participating in federal funds.**
9. Acquire property in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (commonly referred to as the "Uniform Act").
10. Provide a copy of the registered deed or other approved documentation and an appropriate certification stating the Sponsor's clear and unencumbered title to any right-of-way to be used for the Project and the land is accessible to the general public for recreational purposes (See Attachment E1). If property has been acquired for the Project, use Attachment E2 for certification of the right-of-way.
11. Submit a certification letter (Attachment F), including all items noted, to the Department when requesting authority to advertise the Project for construction bids.
12. Advertise for bids in accordance with federal procedures as shown in Attachment G. **NOTE: FHWA authorization and Department approval must be given prior to advertising for construction bids.**
13. Forward a copy of all addenda to the Project during the advertisement to the Department.
14. After bids are opened and reviewed, submit a certification (Attachment H), including all items noted, to the Department and request concurrence in award of the contract.
15. Prior to issuing the notice to proceed to the Contractor, hold a pre-construction meeting with the Contractor and invite the Department's Resident Engineer assigned to the Project.
16. Perform construction inspection in accordance with Attachment I.
17. Make payments to the contractor for work accomplished in accordance with the plans and specifications and then request reimbursement from the Department on the Construction Certification and Reimbursement Request (CCRR) form (Attachment J).
18. Attach Report of Daily Work Performed (Attachment K) for all days that correspond with each CCRR submittal.
19. Prior to executing the work, submit change orders to the contract to the Department's Resident Engineer assigned to the Project for review and approval for program eligibility.

20. Upon completion of the Project, hold a final acceptance meeting for the Project and submit the LPA Final Acceptance Report form certifying that the Project was accomplished in accordance with the plans and specifications (Attachment L). This form must be signed by the engineer performing construction inspection on the Project, the Department's Resident Engineer assigned to the project, the Sponsor's full-time employee in responsible charge, and the Sponsor's CEO.
21. Maintain accounting records to adequately support reimbursement with Federal-aid funds and be responsible for the inspection, measurement and documentation of pay items, and certification of all work in accordance with the plans and specifications for the Project and for monitoring the Contractor and subcontractor(s) for compliance with the provisions of FHWA-1273, Required Contract Provisions, Federal-aid Construction Contracts, and Supplements.
22. Pay all unpaid claims for all materials, labor, and supplies entered into contingent or incidental to the construction of said work or used in the course of said work including but not limited to materials, labor, and supplies described in and provided for in Act Nos. 65 and 368 of 1929, Act No. 82 of 1935, and Acts amendatory thereof.
23. Agree that any and all claims for damages to property or injury to persons caused by any act or omission, negligence, or misconduct from the performance of work by the Sponsor's contractor on the Project shall be the sole responsibility of the Sponsor's contractor and in this regard the Sponsor shall require the contractor on the Project to procure and maintain a General Public Liability Insurance Policy during the duration of the Project which shall be endorsed to include broad form general liability and complete operations coverage on the Project. The contractor shall furnish the Sponsor with documentation of proof of liability insurance coverage with submission of the signed contract.
24. Agree that any claims, liability, costs, expenses, demands, settlements, or judgments arising from misconduct or the negligent acts or omissions of the Sponsor, its employees, agents or contractors in the performance of the Project and this Agreement must be presented to the Sponsor. Further, the Sponsor by acceptance of this grant, agrees that the Department and the Arkansas State Highway Commission, as the pass-through entity, have no duty or responsibility for the design, construction, maintenance or operation of the Project that is the subject of this grant, and, therefore shall have no liability related to the design, construction, maintenance or operation of the Project. The Sponsor also agrees to assume all risks associated with the work to be performed by its agents, employees, and contractors under this grant and Agreement and the Department and the Arkansas State Highway Commission, as the pass-through entity, shall not be responsible or liable for any damages whatsoever from the actions of the Sponsor, its employees, agents and contractors.
25. Assure that its policies and practices with regard to its employees, any part of whose compensation is reimbursed from federal funds, will be without regard to race, color, religion, sex, national origin, age, or disability in compliance with the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, The Americans with Disabilities Act of 1990, as amended, and Title 49 of the Code of Federal Regulations Part 21 (49 CFR 21), Nondiscrimination in Federally-Assisted Programs of the Department of Transportation.
26. Retain all records relating to inspection and certification, the Contractor's billing statements, and any other files necessary to document the performance and completion of the work in

accordance with requirements of 49 CFR 18.42 - Retention and access requirements for records (Attachment M).

27. Grant the right of access to Sponsor's records pertinent to this Project and the right to audit by the Department and Federal Highway Administration officials.
28. Be responsible for its portion of the total project cost and 1% of the contract amount for Department administration costs. The funds to be submitted for Department administrative costs shall have a maximum value equaling 1% of the TAP award plus the required non-federal match.
29. Be responsible for 100% of all project costs incurred should the Project not be completed as specified.
30. Be responsible for 100% of any and all expenditures for which federal funds do not participate or that are not approved for federal funds.
31. Sign and transmit to the Department the Certification for Grants, Loans, and Cooperative Agreements (Attachment N), which is necessary for Project participation.
32. Repay to the Department the federal share of the cost of any portion of this Project if, for any reason, federal participation is removed due to actions or inactions of the Sponsor, its agents, its employees, or its assigns or the Sponsor's consultants or contractors or their agents. Such actions or inactions shall include, but are not limited to, federal non-participation arising from problems with design plans, specifications, construction, change orders, construction inspection, or contractor payment procedures. The Sponsor understands and agrees that the Department may cause necessary funds to be withheld from the Sponsor's Motor Fuel Tax allotment should the Sponsor fail to pay to the Department any required funds, fail to complete the Project as specified, or fail to adequately maintain or operate the Project.
33. Repay all federal funds if this is determined necessary for any reason.
34. Retain total, direct control over the Project throughout the life of the improvements and **not, without prior approval from the Department:**
 - sell, transfer, or otherwise abandon any portion of the Project;
 - change the intended use of the Project as approved;
 - make significant alterations to any improvements constructed with Federal-aid funds; or
 - cease maintenance or operation of a project due to the Project's obsolescence.
35. Be responsible for satisfactory maintenance and operation of all improvements and for adopting regulations and ordinances as necessary to ensure this. Failure to adequately maintain and operate the Project in accordance with Federal-aid requirements may result in the Sponsor's repayment of federal funds and may result in withholding all future Federal-aid.
36. Submit to the Department a Single Audit in accordance with the Office of Management and Budget (OMB) Circular A-133 each fiscal year that the Sponsor expends more than \$500,000 of Federal-aid from any federal source including, but not limited to, the U.S. Department of Transportation. The fiscal year used for the reporting is based on the Sponsor's fiscal year. The \$500,000 threshold is subject to change after OMB periodic reviews.

37. Promptly notify the Department if the Project is rendered unfit for continued use by natural disaster or other cause.
38. Complete and transmit to the Department both pages of the Federal Funding Accountability and Transparency Act (FFATA) Reporting Requirements (Attachment O).

THE DEPARTMENT WILL:

1. Maintain an administrative file for the Project and be responsible for administering Federal-aid funds.
2. Provide routine environmental documentation for the Project.
3. Notify the Sponsor when right-of-way and/or utility plans are approved and the Sponsor may proceed with right-of-way acquisition and/or utility adjustments.
4. Upon receipt of the Sponsor's certification of right-of-way (property) ownership, provide the appropriate documentation to the file.
5. Review plans and specifications for project/program eligibility.
6. Ensure substantial compliance with federal contracting requirements through review of the bidding proposal for inclusion of required federal forms, review of the administration of the DBE program provisions, and general compliance with 23 CFR 635.
7. Advise the Sponsor when to proceed with advertisement of the Project for construction bids.
8. Review bid tabulations and concur in award of the construction contract for the Project.
9. Participate in the Sponsor's preconstruction and final acceptance meetings.
10. Visually verify (insofar as is reasonably possible) that the work meets contract requirements before reimbursement is made to the Sponsor.
11. Review and approve any necessary change orders for project/program eligibility.
12. Reimburse the Sponsor 80% (Federal-aid share) for eligible costs up to the maximum Federal-aid amount as approved in the CCRR form (Attachment J). This reimbursement will be limited to the maximum Federal-aid amount and to the federal amount available at the time payment is requested. If the payment requested exceeds the Federal-aid available at the time, the difference will be reimbursed as additional Federal-aid for the Project becomes available.
13. Subject to the availability of Federal-aid allocated for the Project, pay the Sponsor the remaining amount due upon completion of the Project and submittal of the certified LPA Final Acceptance Report form (Attachment L).

IT IS FURTHER AGREED that should the Sponsor fail to fulfill its responsibilities and assigned duties as related in this Agreement, such failure may disqualify the Sponsor from receiving all future Federal-aid funds administered by the Department.

IT IS FURTHER AGREED that should the Sponsor fail to pay to the Department any required funds due for implementation of the Project or fail to complete the Project as specified in this Agreement or fail to adequately maintain or operate the Project, the Department may cause funds as may be required to be withheld from the Sponsor's Motor Fuel Tax allotment.

IN WITNESS WHEREOF, the parties thereto have executed this Agreement on this _____ day of _____, _____.

ARKANSAS DEPARTMENT OF
TRANSPORTATION

CITY OF FAYETTEVILLE

Scott E. Bennett, P.E.
Director

Lioneld Jordan
Mayor

Kit Williams
City Attorney

**ARKANSAS DEPARTMENT OF TRANSPORTATION
NOTICE OF NONDISCRIMINATION**

The Arkansas Department of Transportation (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the Federal Motor Carrier Safety Administration Title VI Program), disability, Limited English Proficiency (LEP), or low-income status in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden Section Head - EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov

Free language assistance for Limited English Proficient individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.



OFFICE OF THE MAYOR

January 2, 2018

Mr. Emanuel Banks
Deputy Director and Chief Engineer
Arkansas State Highway and Transportation Department
P. O. Box 2261
Little Rock, AR 72203

Re: ***Cato Springs Trail Lighting***
Washington County

Dear Mr. Banks:

The full-time employee in responsible charge of the day to day oversight for the referenced project will be Matt Mihalevich, Trails Coordinator. This letter certifies that the employee is aware of the duties and functions they are in charge of as outlined in the Agreement of Understanding. This employee can be reached by phone at (479) 444-3416 or by email at mmihalevich@fayetteville-ar.gov.

Sincerely,

Lioneld Jordan
Mayor



Attachment C

OFFICE OF THE MAYOR

January 2, 2018

Ms. Marian Boyd
Interim Director
Arkansas Historic Preservation Program
1100 North Street
Little Rock, AR 72201

Re: ***Cato Springs Trail Lighting***
Washington County

Dear Ms. Boyd:

The City of Fayetteville proposes the enhancement of the Cato Springs Trail Lighting in southwest Fayetteville.

The Cato Springs Trail is a 2.9 mile trail extending from Town Branch Trail to the new Fayetteville Regional Park at Kessler Mountain. The project is complete and the electrical conduit has been installed. This project will include the placement of wire through the empty conduits and installation of direct bury light poles and fixtures. A location map is enclosed.

We appreciate any comments you may have regarding the handling of this project. If you need anything, please contact Matt Mihalevich at (479) 444-3416 or mmihalevich@fayetteville-ar.gov can be of assistance in this activity, please let us know.

Sincerely,

Lioneld Jordan
Mayor

Enclosure(s)

CERTIFICATION FOR GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including sub grants, and contracts and subcontracts under grants, sub grants, loans and cooperative agreements) which exceed \$100,000, and that all such sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CITY OF
FAYETTEVILLE

Lioneld Jordan
Mayor

Federal Funding Accountability and Transparency Act (FFATA)

Reporting Requirements

(For more information go to <https://www.fsrs.gov/>)

FFATA was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is www.USASpending.gov.

A Prime Grant Recipient (hereinafter called AHTD (the Arkansas State Highway and Transportation Department)) awarded a new Federal grant greater than or equal to \$25,000 as of October 1, 2010 is subject to FFATA sub-award reporting requirements as outlined in the Office of Management and Budget guidance issued August 27, 2010. AHTD is required to file a FFATA sub-award report for any sub-grant awarded to a sub-awardee greater than or equal to \$25,000. As a sub-awardee, The City of Fayetteville shall provide the following information to AHTD in order to fulfill FFATA reporting requirements:

- ✓ A unique identifier (Dun & Bradstreet DUNS Number) of the sub-awardee receiving the award and the parent entity of the recipient, should the sub-awardee be owned by another entity;
- ✓ The names and total compensation of the five most highly compensated officers of the sub-awardee if the sub-awardee in the preceding Federal fiscal year received 80 percent or more of its annual gross revenues in Federal awards; and \$25,000,000 or more in annual gross revenues from Federal awards; and the public does not have access to information about the compensation of the senior executives of the sub-awardee through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. See FFATA § 2(b)(1).

Required Sub-Awardee Information

(A) Sub-Awardee – DUNS Number: 075657742

Parent (if applicable) – DUNS Number: N/A

- (B) In the preceding completed Federal fiscal year, did your business or organization (the legal entity to which the DUNS number entered above belongs) receive (1) 80 percent or more of its annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and (2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

Yes / ☒ No (Circle one)

If "Yes" is selected, answer (C).

- (C) Does the public have access to information about the compensation of the executives in your business or organization (the legal entity to which the DUNS number entered above belongs) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?

☒ Yes / No (Circle one)

If "Yes" is selected, visit <http://www.sec.gov/edgar.shtml> for reference.

If "No" is selected, answer (D).

- (D) If "No" was selected in Question "C", complete the following information for the five (5) most highly compensated executives in your business or organization (the legal entity to which the DUNS number entered above belongs). Amount should reflect the Total Compensation Amount in the preceding completed Federal fiscal year in U.S. whole dollars.

Sub-Awardee Names and Compensation of Most Highly Compensated Officers

1. Name: _____ Amount: \$ _____
2. Name: _____ Amount: \$ _____
3. Name: _____ Amount: \$ _____
4. Name: _____ Amount: \$ _____
5. Name: _____ Amount: \$ _____

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

Budget Year 2018 (BY)	Division /Org2 TRANSPORTATION SERVICES (410) Requestor: John Nelson	Adjustment Number
---------------------------------	--	--------------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

This budget adjustment recognizes federal-aid Transportation Alternatives Program (TAP) funds for the installation of trail lighting along Cato Springs Trail.

A willingness to apply for grant funds was approved on June 20, 2017 (Res. No. 125-17).

RESOLUTION/ORDINANCE	COUNCIL DATE: 1/2/2018
	LEGISTAR FILE ID#: 2017-0737
	<i>Barbara Fell</i> 12/15/2017 10:57 AM
	Budget Director _____ Date _____
	TYPE: _____
	DESCRIPTION: _____
	GLDATE: _____
	POSTED: /

TOTAL	280,000	280,000	v.20170707			
Account Number	Increase / (Decrease)		Project.Sub#		AT	Account Name
	Expense	Revenue	Project	Sub		
4470.800.8830-4309.00	-	280,000	02016	1801	RE	Federal Grants - Capital
4470.800.8830-5814.05	350,000	-	02016	1801	EX	Sidewalk/Trails - Trails
4470.800.8830-5301.00	1,000	-	02016	1801	EX	Public Notification - :
4470.800.8830-5314.04	10,000	-	02016	1801	EX	Professional Services - Engineering Contra
4470.800.8830-5814.05	(81,000)	-	02016	1	EX	Sidewalk/Trails - Trails
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0743

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 3

BID #17-49 SUMMIT TRUCK GROUP:

A RESOLUTION TO AWARD BID #17-49 AND AUTHORIZE THE PURCHASE OF THREE (3) INTERNATIONAL 7300 4X2 RECYCLING TRUCKS WITH KANN BODIES IN THE TOTAL AMOUNT OF \$507,300.00 FROM SUMMIT TRUCK GROUP OF LOWELL, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

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 #17-49 and authorizes the purchase of three (3) International 7300 4x2 Recycling Trucks with Kann Bodies in the total amount of \$507,300.00 from Summit Truck Group of Lowell, Arkansas for use by the Recycling and Trash Collection Division.

City of Fayetteville Staff Review Form

2017-0743

Legistar File ID

1/2/2018

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

Jesse Beeks/Sara Glenn

12/13/2017

FLEET OPERATIONS (770)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution to authorize the purchase of three International 7300 4x2 Recycling Truck with Kann Bodies for the lowest Bid 17-49 price of \$169,100.00 each, for a total of \$507,300.00 available through Summit Truck Group of Lowell, AR for use by Recycling and Trash Department.

Budget Impact:

9700.770.1920-5802.00

Shop Fund

Account Number

Fund

02082.2018

Solid Waste Equipment

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 1,166,000.00

Funds Obligated \$ -

Current Balance \$ 1,166,000.00

Does item have a cost? Yes

Item Cost \$ 507,300.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 658,700.00

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Terry Gulley, Director of Transportation

FROM: Jesse Beeks, Fleet Operations Superintendent

DATE: December 13, 2017

SUBJECT: Purchase of three Recycling Trucks for Recycling and Trash

RECOMMENDATION:

City Council approve the purchase of three International 7300 4x2 Recycling Truck with Kann Bodies for the lowest Bid 17-49 price of \$169,100.00 each, for a total of \$507,300.00 available through Summit Truck Group of Lowell, AR.

BACKGROUND:

Unit 495 is 2009 Freightliner Recycle Truck that has exceeded its 8 year life expectancy. Currently it has 51,496 miles, 13,040 hours and is at 80% of its original purchase price in life to date maintenance costs.

Unit 496 is 2009 Freightliner Recycle Truck that has exceeded its 8 year life expectancy. Currently it has 56,848 miles, 12,867 hours and is at 89% of its original purchase price in life to date maintenance costs.

Unit 497 is 2009 Freightliner Recycle Truck that has exceeded its 8 year life expectancy. Currently it has 57,133 miles, 11,984 hours and is at 75% of its original purchase price in life to date maintenance costs.

Each of these units will exceed its 60,000 mileage expectancy by the time the replacements arrive in 9-11 months. These trucks match our existing fleet, to continue the current recycling operation.

DISCUSSION:

Fleet recommends the purchase of three International 7300 4x2 Recycling Trucks with Kann Bodies for the lowest Bid 17-49 price of \$169,100.00 each, for a total of \$507,300.00 available through Summit Truck Group of Lowell, AR.

BUDGET/STAFF IMPACT:

Sufficient funds have been budgeted and collected for these purchases.
This item was presented to the Equipment Committee on December 12, 2017.

Attachments:

Bid 17-49



CITY OF
FAYETTEVILLE
ARKANSAS

Recycle Truck

Bid No. 17-49
Official Bid Tabulation

Bid No. 17-49
Date: 09.28.2017
Time: 2:00 PM

Lionel Jordan, Mayor

Addendums: 0

Item	Description	Each	J & R Equipment		Summit Truck Group (1 of 2)		Summit Truck Group (2 of 2)		Truck Centers of Arkansas (1 of 2)		Truck Centers of Arkansas (2 of 2)	
			Price Each	Extended Price	Price Each	Extended Price	Price Each	Extended Price	Price Each	Extended Price	Price Each	Extended Price
1	Chassis	5	\$ 76,712.00	\$ 383,560.00	\$ 91,600.00	\$ 458,000.00	\$ 91,600.00	\$ 458,000.00	\$ 94,077.00	\$ 470,385.00	\$ 96,333.00	\$ 481,665.00
	Chassis: Manufacturer		Freightliner		International		International		Freightliner		Freightliner	
	Chassis: Model		M2 106		7300 4x2		7300 4x2		M2 106		M2 106	
2	Recycling Body	5	\$ 102,872.00	\$ 514,360.00	\$ 77,500.00	\$ 387,500.00	\$ 84,695.00	\$ 423,475.00	\$ 77,144.00	\$ 385,720.00	\$ 77,144.00	\$ 385,720.00
	Body: Manufacturer		Labrie		Kann		Labrie		Kann		Kann	
	Body: Model		Top Select 1000		Versa Haul		Tope Select 1000		Versa Haul		Versa Haul	
Total Base Bid			\$ 897,920.00		\$ 845,500.00		\$ 881,475.00		\$ 856,105.00		\$ 867,385.00	
Meets Minimum Specification Requirements			NO		YES		NO		YES		Yes	

CERTIFIED:

A. Rennie, Purchasing Manager

Witness

Date

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0742

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 4

BID #17-64 WILLIAMS TRACTOR:

A RESOLUTION TO AWARD BID #17-64 AND AUTHORIZE THE PURCHASE OF A BOBCAT S-595 SKID STEER AND 84-INCH ANGLE BROOM IN THE TOTAL AMOUNT OF \$46,298.00 FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

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 #17-64 and authorizes the purchase of a Bobcat S-595 Skid Steer and 84-inch Angle Broom in the total amount of \$46,298.00 from Williams Tractor of Fayetteville, Arkansas for use by the Recycling and Trash Collection Division.

City of Fayetteville Staff Review Form

2017-0742

Legistar File ID

1/2/2018

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

Jesse Beeks/Sara Glenn

12/13/2017

FLEET OPERATIONS (770)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution to authorize the purchase of a Bobcat S-595 Skid Steer in the amount of \$42,391.00 and a Bobcat 84" Angle Broom in the amount of \$3,907.00, for a total of \$46,298.00, the lowest Bid 17-64 price, available through Williams Tractor of Fayetteville, AR for use by the Recycling and Trash Department.

Budget Impact:

9700.770.1920-5802.00

Shop

Account Number

Fund

02076.2017 & 02080.2014

Backhoes/Loaders & Other Equipment

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 297,214.00

Funds Obligated \$ -

Current Balance \$ 297,214.00

Does item have a cost? Yes

Item Cost \$ 46,298.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 250,916.00

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Terry Gulley, Director of Transportation

FROM: Jesse Beeks, Fleet Operations Superintendent

DATE: December 13, 2017

SUBJECT: Purchase of one Skid Steer and Attachment for Recycling and Trash

RECOMMENDATION:

City Council approve the purchase of a Bobcat S-595 Skid Steer in the amount of \$42,391.00 and a Bobcat 84" Angle Broom in the amount of \$3,907.00, for a total of \$46,298.00, the lowest Bid 17-64 price, available through Williams Tractor of Fayetteville, AR.

BACKGROUND:

Unit 694 is a 2011 Caterpillar Skid Steer. This unit has reached its 6 year life expectancy and is at 96% of its original purchase price in life to date maintenance cost.

Unit 674 is a 2006 Bobcat Broom Attachment. This unit has long passed its 8 year life expectancy and is at 132% of its original purchase price in life to date maintenance cost. This item was in the 2014 budget, but pushed back to be purchased with the new Skid Steer.

DISCUSSION:

Fleet recommends the purchase of a Bobcat S-595 Skid Steer in the amount of \$42,391.00 and a Bobcat 84" Angle Broom in the amount of \$3,907.00, for a total of \$46,298.00, the lowest Bid 17-64 price, available through Williams Tractor of Fayetteville, AR.

BUDGET/STAFF IMPACT:

Sufficient funds have been budgeted and collected for this purchase.

This item was presented to the Equipment Committee on December 12, 2017.

Attachments:

Bid 17-64



CITY OF
FAYETTEVILLE
ARKANSAS

Skid Steer with Broom

Bid No. 17-64

Official Bid Tabulation

Bid No. 17-64

Date: 11.14.2017

Time: 2:00 PM

Lioneld Jordan, Mayor

Number of Addendums: 1

			Riggs Cat	Springdale Tractor	Willims Tractor
Item	Description	Each	Extended Price	Extended Price	Extended Price
1	Skid Steer	1	\$ 42,450.00	\$ 39,417.80	\$ 42,391.00
Manufacturer			Caterpillar	Kubota	Bobcat
Model			236 D	SSV65HRC	S-595
2	Broom Attachment	1	\$ 7,400.00	\$ 4,750.00	\$ 3,907.00
Manufacturer			Caterpillar	Erskin	Bobcat
Model			BA 118C	840x	84" Angle Broom
Total Base Bid			\$ 49,850.00	\$ 44,167.80	\$ 46,298.00

CERTIFIED:


A. Rennie, Purchasing Manager


Witness

11/14/17
Date

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0714

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 5

BID #17-59 BULK CRUSHED ROCK SALT:

A RESOLUTION TO AWARD BID #17-59 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC FOR \$73.00 PER TON FOR MATERIALS PICKED UP AND \$75.65 PER TON FOR MATERIALS DELIVERED AS NEEDED THROUGH THE 2018 WINTER SEASON

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 #17-59 and authorizes the purchase of bulk crushed rock salt from Central Salt, LLC for \$73.00 per ton for materials picked up and \$75.65 per ton for materials delivered as needed through the 2018 Winter season.

City of Fayetteville Staff Review Form

2017-0714

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 17-59 to and authorizing the purchase of bulk crushed rock salt from Central Salt LLC for a unit price of \$73.00 per ton if picked up or \$75.65 per ton if delivered, as needed, throughout the 2018 winter season.

Budget Impact:

2100.410.4120-5204.00

Street

Account Number

Fund

Project Number

Project Title

Budgeted Item? Yes

Current Budget

Funds Obligated

Current Balance

Does item have a cost? Yes

Item Cost

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget

\$ -

\$ -

\$ -

\$ -

V20140610

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" box has been left blank because the exact item cost will vary depending upon the Transportation Division's fluctuating needs based on the severity of the next winter weather season.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 17-59, Bulk Crushed Rock Salt

RECOMMENDATION:

A resolution awarding Bid 17-59 to and authorizing the purchase of bulk crushed rock salt from Central Salt LLC for a unit price of \$73.00 per ton if picked up or \$75.65 per ton if delivered, as needed, throughout the 2018 winter season.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of these materials have been budgeted in Street Fund. Bulk crushed rock salt will be purchased on an "as needed" basis with payment remitted via procurement card.

Attachments:

Bid 17-59 Tabulation



Bulk Crushed Rock Salt

Bid No. 17-59

Official Bid Tabulation

Lionel Jordan, Mayor

Number of Addendums: 1

Bid No. 17-59

Date: 08.22.2017

Time: 2:00 PM

Plant Address for Pick up			Cargill, Inc.	Central Salt LLC		Compass Minerals	Independent Salt Co.		Morton Salt	Oakley Fertilizer, Inc. - Option 1		Oakley Fertilizer, Inc. - Option 2	
			NO BID	1420 State Hwy 14, Lyons, KS 67554		NO BID	1126 20th Rd Kanopolis, KS 67454		NO BID	200 Navy Rd Fort Smith, AR 72901		201 Navy Rd Fort Smith, AR 72901	
Item	Description	EST TONS		Price Each	Total Price		Price Each	Total Price		Price Each	Total Price	Price Each	Total Price
1	Medium Crushed Clean Rock Salt for Snow and Ice Removal: Maximum size 3/8 inch with no more than 5% greater than 3/8" in the mix, meeting AHTD specifications - DELIVERED to the City of Fayetteville, 1525 S. Happy Hollow, Fayetteville, AR 72701 - Through July 31, 2017	500		\$ 75.65	\$ 37,825.00		\$ 83.62	\$ 41,810.00		\$ 120.00	\$ 60,000.00	\$ 118.00	\$ 59,000.00
Salt Producer: Item 1													
2	Medium Crushed Clean Rock Salt for Snow and Ice Removal: Maximum size 3/8 inch with no more than 5% greater than 3/8" in the mix, meeting AHTD specifications - PICKED UP BY the City of Fayetteville - Through July 31, 2017	100		\$ 73.00	\$ 7,300.00		\$ 30.00	\$ 3,000.00		\$ 90.00	\$ 9,000.00	\$ 95.00	\$ 9,500.00
Salt Producer: Item 2													
Total Base Bid: Item 1 and 2			NO BID	\$ 45,125.00		NO BID	\$ 44,810.00		NO BID	\$ 69,000.00		\$ 68,500.00	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

* Bid may be accepted by line item or as a total bid.

CERTIFIED:

A. Rennie, Purchasing Manager

Witness

Date

8/24/17



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0710

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 6

BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC:

A RESOLUTION TO AWARD BID #18-01 AND AUTHORIZE THE PURCHASE OF REFLECTORIZED PAINT MARKINGS FROM CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

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 #18-01 and authorizes the purchase of reflectORIZED paint markings from Custom Pavement Maintenance and Safety, LLC in variable amounts and for varying unit prices as shown in the bid sheet attached to this Resolution as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0710

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-01 to and authorizing the purchase of reflectorized paint markings from Custom Pavement Maintenance and Safety, LLC, in variable amounts, through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-01, Construction – Reflectorized Paint Markings

RECOMMENDATION:

A resolution awarding Bid 18-01 to and authorizing the purchase of reflectorized paint markings from Custom Pavement Maintenance and Safety, LLC, in variable amounts, through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program. Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

DISCUSSION:

The low bid was submitted by Custom Pavement Maintenance and Safety, LLC.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

ATTACHMENTS:

Bid 18-01 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

BID: 18-01
DATE: 11/16/2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-01, Construction - Reflectorized Paint Markings

Item	Description	Estimated Quantity	Unit	Customize Pavement Maintenance & Safety	
				Price/Unit	Ext Price
1	Reflectorized Paint Marking - WHITE - 4 inch	35,000	LF	\$ 0.14	\$ 4,900.00
2	Reflectorized Paint Marking - YELLOW - 4 inch	210,500	LF	\$ 0.14	\$ 29,470.00
3	Reflectorized Paint Marking Arrows - WHITE	110	EA	\$ 90.00	\$ 9,900.00
4	Reflectorized Paint Marking (Words Only: Lane, etc)	100	EA	\$ 90.00	\$ 9,000.00
5	Reflectorized Paint Marking - (Symbols only: Bike, ADA, Etc.)	75	EA	\$ 50.00	\$ 3,750.00
6	Reflectorized Paint Marking - YELLOW (4 inch walk-behind trail striping)	30,000	LF	\$ 0.28	\$ 8,400.00
TOTAL BID BASED ON ESTIMATES =				\$	65,420.00

CERTIFIED:

A. RENNIE, PURCHASING MGR

Certified Bid Tabulation

WITNESS

12/01/17
DATE



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0711

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 7

BID #18-02 CURB AND GUTTER CONSTRUCTION:

A RESOLUTION TO AWARD BID #18-02 AND AUTHORIZE THE PURCHASE OF CURB AND GUTTER CONSTRUCTION FROM FOCHTMAN ENTERPRISES, INC. AS A PRIMARY SUPPLIER IN VARIABLE AMOUNTS, AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

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 #18-02 and authorizes the purchase of curb and gutter construction from Fochtman Enterprises, Inc. as a primary supplier in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0711

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-02 to and authorizing the purchase of Construction - Curb & Gutter from Fochtman Enterprises, Inc. as primary supplier, in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-02, Construction – Curb & Gutter

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-02 to and authorizing the purchase of Construction - Curb & Gutter from Fochtman Enterprises, Inc. as primary supplier, in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-02 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid 18-02
Date: 11/16/2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-02, Construction - Curb & Gutter

Item	DESCRIPTION	Est. Qty	Unit	Fochtman Enterprises, Inc.		Sweetser Construction, Inc.		Tomlinson Asphalt Co. Inc.	
				Price Per Unit	EXTENDED PRICE	Price Per Unit	EXTENDED PRICE	Price Per Unit	EXTENDED PRICE
1	Hand Formed "Type A" Curb and Gutter (per attached specifications) - Contractor supplies form work, concrete materials, labor to place and finish, saw cutting, and joint sealing	2,500	LF	\$ 14.00	\$ 35,000.00	\$ 14.00	\$ 35,000.00	\$ 16.00	\$ 40,000.00
2	Hand Formed "Type D" Curb and Gutter (per attached specifications) - Contractor supplies form work, concrete materials, labor to place and finish, saw cutting, and joint sealing	500	LF	\$ 14.50	\$ 7,250.00	\$ 15.00	\$ 7,500.00	\$ 16.00	\$ 8,000.00
3	Flatwork - 4" Thick (Sidewalk, Driveway Approaches, Access Ramps) - Contractor supplies form work, concrete materials, labor to place and finish, saw cutting, and joint sealing	10,000	SF	\$ 4.00	\$ 40,000.00	\$ 4.25	\$ 42,500.00	\$ 4.00	\$ 40,000.00
4	Flatwork - 6" Thick (Sidewalk, Driveway Approaches, Access Ramps) - Contractor supplies form work, concrete materials, labor to place and finish, saw cutting, and joint sealing	5,000	SF	\$ 5.50	\$ 27,500.00	\$ 4.90	\$ 24,500.00	\$ 6.00	\$ 30,000.00
5	Street Repair - 8" Thick - Contractor supplies form work, concrete materials, labor to place and finish, saw cutting, and joint sealing	2,000	SF	\$ 6.00	\$ 12,000.00	\$ 6.50	\$ 13,000.00	\$ 6.00	\$ 12,000.00
6	Drop inlet 4 ft. inside dimension (per attached City specifications) - Contractor supplies form work, concrete materials, labor to place and finish	10	EA	\$ 3,100.00	\$ 31,000.00	\$ 3,400.00	\$ 34,000.00	\$ 3,000.00	\$ 30,000.00
7	Drop inlet 5 ft. inside dimension (per attached City specifications) - Contractor supplies form work, concrete materials, labor to place and finish	10	EA	\$ 3,600.00	\$ 36,000.00	\$ 4,300.00	\$ 43,000.00	\$ 3,600.00	\$ 36,000.00
8	Drop inlet 6 ft. inside dimension (per attached City specifications) - Contractor supplies form work, concrete materials, labor to place and finish	5	EA	\$ 4,400.00	\$ 22,000.00	\$ 5,300.00	\$ 26,500.00	\$ 4,500.00	\$ 22,500.00
9	4 foot inlet extension (per attached City Specifications) - Contractor supplies form work, concrete materials, labor to place and finish, saw cutting, and joint sealing	15	EA	\$ 800.00	\$ 12,000.00	\$ 800.00	\$ 12,000.00	\$ 625.00	\$ 9,375.00
10	Reinforced headwalls or wingwalls (size varies) w/ footings and aprons per AHTD specifications - Contractor supplies concrete materials, reinforcement, steel, form work, labor to place and finish	25	CY	\$ 550.00	\$ 13,750.00	\$ 1,800.00	\$ 45,000.00	\$ 1,800.00	\$ 45,000.00
11	Concrete Reinforced Retaining Wall (Bid as square foot wall face) (per attached City specifications) - Contractor supplies form work, concrete materials, labor to place and finish	250	SF	\$ 49.00	\$ 12,250.00	\$ 75.00	\$ 18,750.00	\$ 65.00	\$ 16,250.00
Total Bid Based On Estimates				\$	248,750.00	\$	301,750.00	\$	289,125.00
				Primary Vendor		Authorized for use based on price and availability			

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:

Spennie
SPENNIE PURCHASING MGR

[Signature]
Contractor

12/01/17
Date:



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0712

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 8

BID #18-03 TRUCK HAULING SERVICES:

A RESOLUTION TO AWARD BID #18-03 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM B&B ROOFING AND CONSTRUCTION OF ARKANSAS, LLC AS PRIMARY SUPPLIER, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

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 #18-03 and authorizes the purchase of truck hauling services from B&B Roofing and Construction of Arkansas, LLC as primary supplier, and to authorize the use of other bidders based on price and availability as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0712

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-03 to and authorizing the purchase of truck hauling services from B&B Roofing and Construction LLC and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-03, Truck Hauling Services

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-03 to and authorizing the purchase of truck hauling services from B&B Roofing and Construction LLC and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-03 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid: 18-03
11/16/2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-03, Truck Hauling Services

Item	Description	Est Hours	B+B Roofing and Construction, LLC		Les Rogers, Inc.		S+R Trucking, LLC		W.C. & Associates, Inc.	
			Price Per Unit	Ext Price	Price Per Unit	Ext Price	Price Per Unit	Ext Price	Price Per Unit	Ext Price
1	Truck Hauling Services – Asphalt Hauling Hot mix asphalt from plant to paver. Truck bed shall be clean and free of contaminants. No trail hitches protruding past rear tires. COMPANIES THAT BID ON THIS LINE ITEM SHALL BE WILLING TO HAUL THE ASPHALT!!!!	1,500	\$ 68.00	\$ 102,000.00	\$ -	\$ -	\$ 74.95	\$ 112,425.00	\$ 69.48	\$ 104,220.00
2	Truck Hauling Services – Miscellaneous Hauling excavation/construction debris which may include rock, dirt, chunks of concrete, etc. EXCLUDES ASPHALT	500	\$ 68.00	\$ 34,000.00	\$ 74.95	\$ 37,475.00	\$ 74.95	\$ 37,475.00	\$ 69.48	\$ 34,740.00

CERTIFIED:

A. Renne
A. Renne, Purchasing Manager

[Signature]
Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0713

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 9

BID #18-04 CONCRETE PURCHASE:

A RESOLUTION TO AWARD BID #18-04 AND AUTHORIZE THE PURCHASE OF CONCRETE FROM TUNE TRUCKING, INC. D/B/A TUNE CONCRETE COMPANY AS PRIMARY SUPPLIER IN VARIABLE AMOUNTS AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

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 #18-04 and authorizes the purchase of concrete from Tune Trucking, Inc. d/b/a Tune Concrete Company as primary supplier as specified in the bid sheet attached to this Resolution and further authorizes the use of other bidders based on price and availability as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0713

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-04 to and authorizing the purchase of concrete from Tune Concrete Company as primary supplier, in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-04, Concrete

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-04 to and authorizing the purchase of concrete from Tune Concrete Company as primary supplier, in variable amounts, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-04 Tabulation



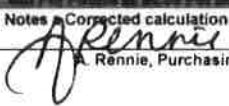
**CITY OF
FAYETTEVILLE
ARKANSAS**

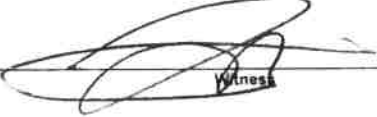
Bid: 18-04
Date: 11/16/16
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-04, Concrete

Item #	Description	Est Qty (cubic yards)	APAC Central, Inc.		GCC Ready Mix		Tune Concrete Co.	
			Per Item	Extended	Per Item	Extended	Per Item	Extended
1	3500 PSI 3/4" Max. Aggregate Size, 4" Slump	500	\$102.00	\$ 51,000.00	\$92.00	\$ 46,000.00	\$86.00	\$ 43,000.00
2	4000 PSI 3/4" Max. Aggregate Size, 4" Slump	4,000	\$104.00	\$ 416,000.00	\$94.25	\$ 377,000.00	\$93.00	\$ 372,000.00
3	4000 PSI 1" Max. Aggregate Size, 4" Slump	500	\$100.00	\$ 50,000.00	\$93.25	\$ 46,625.00	\$91.00	\$ 45,500.00
4	4000 PSI 1" Max. Aggregate Size With Fiber Reinforcement, 4" Slump	100	\$106.00	\$ 10,600.00	\$99.25	\$ 9,925.00	\$96.50	\$ 9,650.00
5	4000 PSI 3/4" Max. Aggregate Size, 4" Slump, high early, 7 bag mix	100	\$107.00	\$ 10,700.00	\$106.25	\$ 10,625.00	\$99.00	\$ 9,900.00
6	5500 PSI 1" Max. Aggregate Size, 4" Slump	100	\$117.00	\$ 11,700.00	\$100.00	\$ 10,000.00	\$99.00	\$ 9,900.00
7	Flowable Fill	50	\$85.00	\$ 4,250.00	\$77.00	\$ 3,850.00	\$82.00	\$ 4,100.00
8	1% Calcium Chloride Admixture - price to be added to concrete	100	\$3.00	\$ 300.00	\$3.00	\$ 300.00	\$2.50	\$ 250.00
9	2% Calcium Chloride Admixture - price to be added to concrete	60	\$6.00	\$ 360.00	\$6.00	\$ 360.00	\$5.00	\$ 300.00
10	Air Entraining Admixture - price to be added to concrete	2,500	\$0.00	\$ -	\$0.00	\$ -	\$0.00	\$ -
11	Hot Water - price to be added to concrete	500	\$5.00	\$ 2,500.00	\$5.00	\$ 2,500.00	\$5.00	\$ 2,500.00
12	Chilled Water - price to be added to concrete	500	\$0.00	\$ -	\$5.00	\$ 2,500.00	\$4.00	\$ 2,000.00
13	Ice - price to be added to concrete	100	\$6.00	\$ 600.00	\$12.00	\$ 1,200.00	\$8.00	\$ 800.00
14	Exposed Aggregate - price to be added to concrete	50	\$12.00	\$ 600.00	\$15.00	\$ 750.00	\$15.00	\$ 750.00
		Est Qty (per ton)	Price Per Ton	Extended	Price Per Ton	Extended	Price Per Ton	Extended
16	Type I Portland Cement	100	\$0.00	\$ -	\$135.00	\$ 13,500.00	\$145.00	\$ 14,500.00
18	Concrete Sand	100	\$28.00	\$ 2,800.00	\$25.00	\$ 2,500.00	\$26.00	\$ 2,600.00
17	Masonry Sand	50	\$28.00	\$ 1,400.00	\$30.00	\$ 1,500.00	\$26.00	\$ 1,300.00
		Est Qty (each)	Price Each	Extended	Price Each	Extended	Price Each	Extended
18	Mobilization Fee (After Hours & Weekends)	1	\$500.00	\$ 500.00	\$0.00	\$ -	\$500.00	\$ 500.00
19	Colored Concrete Washout Fee (Per Truck)	1	\$0.00	\$ -	\$45.00	\$ 45.00	\$0.00	\$ -
TOTAL BID PRICE=			\$563,310.00		\$529,180.00		\$519,580.00	
			Award Intent: Authorize Use Based on Price and Availability.				Award Intent: Primary	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

Bid Per Pound @ \$0.25 Per pound.
Notes: Corrected calculation error.
CERTIFIED: 
A. Rennie, Purchasing Manager


Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0715

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 10

BID #18-05 AGGREGATE MATERIALS:

A RESOLUTION TO AWARD BID #18-05 AND AUTHORIZE THE PURCHASE OF AGGREGATE MATERIALS FROM HUNT ROGERS MATERIALS, LLC AS PRIMARY SUPPLIER AND TO AUTHORIZE THE USE OF VARIOUS SECONDARY VENDORS AS NEEDED THROUGH THE END OF 2018

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 #18-05 and authorizes the purchase of aggregate materials from Hunt Rogers Materials, LLC as primary supplier and to authorize the use of other bidders based on price and availability, as shown in the staff memorandum and bid sheet attached to this Resolution, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0715

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-05 to Hunt Rogers Materials, LLC (Fayetteville) as primary supplier with the secondary supplier awarded on a line item basis as specified in this memo, authorizing the use of other bidders based on price and availability, and approving the purchase of aggregate materials for the unit price amounts specified on the attached bid tabulation, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-05, Aggregate Materials

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-05 to Hunt Rogers Materials, LLC (Fayetteville) as primary supplier with the secondary supplier awarded on a line item basis as specified in this memo, authorizing the use of other bidders based on price and availability, and approving the purchase of aggregate materials for the unit price amounts specified on the attached bid tabulation, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

Sealed formal bids for aggregate materials were publicly read and the results are attached to this memo. The following in-house hauling costs were disclosed in the Invitation to Bid.

City Costs:

- i. City Staff – Maintenance Worker III (Truck Driver) = \$14.28 / hour
- ii. 10-Wheel Dump Truck (15 ton capacity) = \$10.36 / hour
- iii. Tri-Axle Dump Truck (18 ton capacity) = \$10.89 / hour
- iv. 10-Wheel Dump Truck (15 tons) + Truck Driver = \$24.64 / hour
- v. Tri-Axle Dump Truck (18 tons) + Truck Driver = \$25.17 / hour

The following mileages were calculated based on the distance from each supplier's location to the City of Fayetteville Transportation Division, utilizing Google Maps:

- APAC – Central, Inc. – 17.1 miles, 22 minutes
- Rogers Group, Inc. (Springdale Quarry) – 15.0 miles, 23 minutes
- Rogers Group, Inc. (Hamstring Quarry) – 10.1 miles, 19 minutes

The following City hauling costs were calculated based on the information shown above and added to the unit price per ton in order to fairly evaluate the bids submitted by each potential supplier. The calculation method consisted of converting the mileage and drive time to a

percentage of an hour. The resulting percentages were multiplied by the tri-axle dump truck + truck driver cost and divided the dump truck capacity to arrive at the cost per ton added to the original unit price in each bid. Based on the aforementioned method of calculation, the following unit costs were added to the unit bid prices for each potential supplier:

- APAC – Central, Inc. – \$0.52 per ton
- Rogers Group, Inc. (Springdale Quarry) – \$0.53 per ton
- Rogers Group, Inc. (Hamestring Quarry) – \$0.45 per ton

DISCUSSION:

Staff recommends awarding the aggregate materials bid on a line item basis as follows:

1. Class 7 Base (SB-2): Primary Supplier: Rogers Group, Inc. (Hamestring Quarry)
Secondary Supplier: APAC – Central, Inc.
2. Concrete Aggregate – 1.5”: Primary Supplier: APAC – Central, Inc.
Secondary Supplier: Rogers Group, Inc. (Springdale Quarry)
3. Concrete Aggregate – ¾”: Primary Supplier: Rogers Group, Inc. (Hamestring Quarry)
Secondary Supplier: Rogers Group, Inc. (Springdale Quarry)
4. “B” Stone: Primary Supplier: Rogers Group, Inc. (Hamestring Quarry)
Secondary Supplier: Rogers Group, Inc. (Springdale Quarry)
5. Abrasives / Grit: Primary Supplier: APAC – Central, Inc.
6. Shot Rock: Primary Supplier: Rogers Group, Inc. (Springdale Quarry)
Secondary Supplier: APAC – Central, Inc.
7. Rip Rap – Limestone Primary Supplier: APAC – Central, Inc.
Secondary Supplier: Rogers Group, Inc. (Springdale Quarry)
8. Abrasives / Grit (1/4” clean) Primary Supplier: APAC – Central, Inc.

Secondary suppliers are awarded for use on an “as needed” basis in the event that the primary supplier cannot provide the necessary materials or services within the time frame required to complete a project.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-05 Tabulation



Bid: 18-05
Date: 11/16/17
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-05, Aggregate Materials

			APAC-Central, Inc.		Hunt-Rogers Materials, LLC		Hunt-Rogers Materials, LLC	
Plant Location			Sharps -13585 Puppy Creek Rd.; Hindsville - 19953 Hwy 303		15557 Hamestrung Rd, Fayetteville, AR 72703		21202 N Parsons Road, Springdale AR 72764	
Item	DESCRIPTION	Est. Tons	PRICE PER EACH	EXTENDED PRICE	PRICE PER EACH	EXTENDED PRICE	PRICE PER EACH	EXTENDED PRICE
1	Class 7 Base (SB-2) -- includes wet and dry	30,000	\$ 9.50	\$ 285,000.00	\$ 9.50	\$ 285,000.00	\$ 9.50	\$ 285,000.00
2	Concrete Aggregate - 1.5"	500	\$ 12.00	\$ 6,000.00	\$ -	\$ -	\$ 13.00	\$ 6,500.00
3	Concrete Aggregate - 3/4"	500	\$ 15.00	\$ 7,500.00	\$ 14.00	\$ 7,000.00	\$ 14.00	\$ 7,000.00
4	"B" Stone	2,500	\$ 9.00	\$ 22,500.00	\$ 8.75	\$ 21,875.00	\$ 8.75	\$ 21,875.00
5	Abrasives / Grit (1/4" chips)	500	\$ 8.25	\$ 4,125.00	\$ -	\$ -	\$ -	\$ -
6	Shot Rock	500	\$ 8.00	\$ 4,000.00	\$ -	\$ -	\$ 7.75	\$ 3,875.00
7	Rip Rap - LIMESTONE	1,500	\$ 18.00	\$ 27,000.00	\$ -	\$ -	\$ 18.00	\$ 27,000.00
8	Abrasives / Grit (1/4" clean chips)	500	\$ 9.50	\$ 4,750.00	\$ -	\$ -	\$ -	\$ -
TOTAL BID PRICE:			\$	360,875.00	\$	313,875.00	\$	351,250.00
Award Intent: Award by line item.								

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:

A. Rennie
A. Rennie, Purchasing Manager

[Signature]
Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0716

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 11

BID #18-07 HILLSIDE GRAVEL:

A RESOLUTION TO AWARD BID #18-07 AND AUTHORIZE THE PURCHASE OF HILLSIDE GRAVEL FROM LES ROGERS, INC. IN VARYING AMOUNTS AND FOR VARIABLE UNIT PRICES AS NEEDED THROUGH THE END OF 2018

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 #18-07 and authorizes the purchase of hillside gravel from Les Rogers, Inc. in varying amounts and for variable unit prices as specified in the bid calculation attached to this Resolution as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0716

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-07 to and authorizing the purchase of hillside gravel from Les Rogers, Inc. as primary supplier for materials picked up and for materials delivered for the unit prices shown on the attached bid tabulation, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-07, Hillside Gravel

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-07 to and authorizing the purchase of hillside gravel from Les Rogers, Inc. as primary supplier for materials picked up and for materials delivered for the unit prices shown on the attached bid tabulation, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-07 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid: 18-07
Date: 11-16-17
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-07, Hillside Gravel

				Les Rogers, Inc.	
Item	DESCRIPTION	Est. Qty	Unit	Price Per Unit	Ext. Price
1	Red Hillside Gravel – Per Cubic Yard Pickup and Loaded on City Truck (Material Cost Only)	15,000	CY	\$ 2.24	\$ 33,600.00
2	2 Red Hillside Gravel – Per Cubic Yard (Price of delivery only – this price shall be added to the cost of material)	10,000	CY	\$ 4.35	\$ 43,500.00
Total Bid Based On Estimate:					\$ 77,100.00

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:

A. Rennie, Purchasing Manager

Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0718

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 12

BID #18-08 PLASTIC DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-08 AND AUTHORIZE THE PURCHASE OF PLASTIC DRAINAGE PIPE FROM FERGUSON WATERWORKS AS THE PRIMARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

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 #18-08 and authorizes the purchase of drainage pipe from Ferguson Waterworks as primary supplier and authorizes the use of other bidders based on price and availability, as needed, as shown in the bid sheet attached to this Resolution as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0718

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-08 to and authorizing the purchase of plastic drainage pipe from Ferguson Waterworks as primary supplier and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-08, Plastic Drainage Pipe

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-08 to and authorizing the purchase of plastic drainage pipe from Ferguson Waterworks as primary supplier and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-08 Tabulation



**CITY OF
FAYETTEVILLE
ARKANSAS**

Bid 18-08, Plastic Drainage Pipe

Bid: 18-08
Date: 11-16-2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Item	Size in Diameter	Description	Est Qty	Unit of Measure	Core and Main, LP		Ferguson Waterworks		Metal Culverts, Inc.	
					Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1	15"	Plastic Drainage Pipe N-12 Soil Tight	100	Feet	\$ 7.51	\$ 751.00	\$ 7.48	\$ 748.00	NO BID	NO BID
2	18"	Plastic Drainage Pipe N-12 Soil Tight	500	Feet	\$ 8.59	\$ 4,295.00	\$ 8.58	\$ 4,290.00	NO BID	NO BID
3	24"	Plastic Drainage Pipe N-12 Soil Tight	500	Feet	\$ 14.26	\$ 7,130.00	\$ 14.23	\$ 7,115.00	NO BID	NO BID
4	30"	Plastic Drainage Pipe N-12 Soil Tight	300	Feet	\$ 22.46	\$ 6,738.00	\$ 22.43	\$ 6,729.00	NO BID	NO BID
5	36"	Plastic Drainage Pipe N-12 Soil Tight	100	Feet	\$ 32.29	\$ 3,229.00	\$ 32.26	\$ 3,226.00	NO BID	NO BID
6	42"	Plastic Drainage Pipe N-12 Soil Tight	60	Feet	\$ 44.16	\$ 2,649.60	\$ 44.14	\$ 2,648.40	NO BID	NO BID
7	48"	Plastic Drainage Pipe N-12 Soil Tight	60	Feet	\$ 48.26	\$ 2,895.60	\$ 48.23	\$ 2,893.80	NO BID	NO BID
8	15"	Flared End Section	2	Each	\$ 153.00	\$ 306.00	\$ 144.08	\$ 288.16	NO BID	NO BID
9	18"	Flared End Section	2	Each	\$ 202.00	\$ 404.00	\$ 193.54	\$ 387.08	NO BID	NO BID
10	24"	Flared End Section	2	Each	\$ 256.00	\$ 512.00	\$ 248.39	\$ 496.78	NO BID	NO BID
11	30"	Flared End Section	2	Each	\$ 609.00	\$ 1,218.00	\$ 603.97	\$ 1,207.94	NO BID	NO BID
12	36"	Flared End Section	2	Each	\$ 645.00	\$ 1,290.00	\$ 639.49	\$ 1,278.98	NO BID	NO BID
13	42"	Flared End Section	2	Each	NO BID	\$ -	\$ 996.42	\$ 1,992.84	NO BID	NO BID
14	48"	Flared End Section	2	Each	NO BID	\$ -	\$ 1,159.45	\$ 2,318.90	NO BID	NO BID
15	15"	Plastic Drainage Pipe High Performance	100	Feet	\$ 8.33	\$ 833.00	\$ 8.33	\$ 833.00	NO BID	NO BID
16	18"	Plastic Drainage Pipe High Performance	300	Feet	\$ 10.63	\$ 3,189.00	\$ 10.62	\$ 3,186.00	NO BID	NO BID
17	24"	Plastic Drainage Pipe High Performance	300	Feet	\$ 18.00	\$ 5,400.00	\$ 17.97	\$ 5,391.00	NO BID	NO BID
18	30"	Plastic Drainage Pipe High Performance	500	Feet	\$ 27.59	\$ 13,795.00	\$ 27.56	\$ 13,780.00	NO BID	NO BID
19	36"	Plastic Drainage Pipe High Performance	60	Feet	\$ 36.15	\$ 2,169.00	\$ 36.14	\$ 2,168.40	NO BID	NO BID
20	42"	Plastic Drainage Pipe High Performance	60	Feet	\$ 44.85	\$ 2,691.00	\$ 44.89	\$ 2,693.40	NO BID	NO BID
21	48"	Plastic Drainage Pipe High Performance	60	Feet	\$ 61.65	\$ 3,699.00	\$ 61.72	\$ 3,703.20	NO BID	NO BID
Total Bid Price					\$	63,194.20		\$ 67,375.88		NO BID
					Authorize Use Based on Price and Availability		Primary Vendor		NO BID	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials

CERTIFIED:

A. Rennie
A. Rennie, Purchasing Manager

Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0719

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 13

BID #18-09 CONCRETE DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-09 AND AUTHORIZE THE PURCHASE OF CONCRETE DRAINAGE PIPE FROM SCURLOCK INDUSTRIES, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

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 #18-09 and authorizes the purchase of concrete drainage pipe from Scurlock Industries, Inc. in variable amounts and for varying prices as set forth in the bid sheet attached to this Resolution, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0719

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-09 to and authorizing the purchase of concrete drainage pipe from Scurlock Industries Inc. as primary supplier, in variable amounts, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-09, Concrete Drainage Pipe

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-09 to and authorizing the purchase of concrete drainage pipe from Scurlock Industries Inc. as primary supplier, in variable amounts, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-09 Tabulation



**CITY OF
FAYETTEVILLE
ARKANSAS**

Bid: 18-09
Date: 11-16-2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-09, Concrete Drainage Pipe

					Scurlock Industries	
Item	Size in Diameter	Description	Est Qty	Unit of Measure	Unit Price	Extended Price
CONCRETE DRAINAGE PIPE						
1	15"	Reinforced Concrete Pipe, Class III, Round	90	Feet	\$ 12.25	\$ 1,102.50
2	18"	Reinforced Concrete Pipe, Class III, Round	180	Feet	\$ 15.00	\$ 2,700.00
3	24"	Reinforced Concrete Pipe, Class III, Round	180	Feet	\$ 21.00	\$ 3,780.00
4	30"	Reinforced Concrete Pipe, Class III, Round	45	Feet	\$ 32.25	\$ 1,451.25
5	36"	Reinforced Concrete Pipe, Class III, Round	45	Feet	\$ 49.00	\$ 2,205.00
6	42"	Reinforced Concrete Pipe, Class III, Round	45	Feet	\$ 61.00	\$ 2,745.00
7	48"	Reinforced Concrete Pipe, Class III, Round	45	Feet	\$ 72.00	\$ 3,240.00
8	15"	Flared End Section Concrete, Round	2	Each	\$ 275.00	\$ 550.00
9	18"	Flared End Section Concrete, Round	2	Each	\$ 315.00	\$ 630.00
10	24"	Flared End Section Concrete, Round	2	Each	\$ 400.00	\$ 800.00
11	30"	Flared End Section Concrete, Round	2	Each	\$ 475.00	\$ 950.00
12	36"	Flared End Section Concrete, Round	2	Each	\$ 880.00	\$ 1,760.00
13	42"	Flared End Section Concrete, Round	2	Each	\$ 1,150.00	\$ 2,300.00
14	48"	Flared End Section Concrete, Round	2	Each	\$ 1,375.00	\$ 2,750.00
15	14"x23"	Reinforced Concrete Pipe, Class III, Elliptical	75	Feet	\$ 28.75	\$ 2,156.25
16	19"x30"	Reinforced Concrete Pipe, Class III, Elliptical	75	Feet	\$ 31.00	\$ 2,325.00
17	24"x38"	Reinforced Concrete Pipe, Class III, Elliptical	75	Feet	\$ 43.75	\$ 3,281.25
18	29"x45"	Reinforced Concrete Pipe, Class III, Elliptical	75	Feet	\$ 64.00	\$ 4,800.00
19	34"x53"	Reinforced Concrete Pipe, Class III, Elliptical	45	Feet	\$ 84.00	\$ 3,780.00
20	38"x60"	Reinforced Concrete Pipe, Class III, Elliptical	45	Feet	\$ 104.00	\$ 4,680.00
PRE-CAST REINFORCED CONCRETE BOXES						
Item	Size					
21	4'X 4'X 4'	Reinforced Concrete Junction Box (No Top)	10	Each	\$ 1,000.00	\$ 10,000.00
22	5'X 5'X 5'	Reinforced Concrete Junction Box (No Top)	5	Each	\$ 1,300.00	\$ 6,500.00
23	6'X 6'X 6'	Reinforced Concrete Junction Box (No Top)	5	Each	\$ 2,100.00	\$ 10,500.00
24	4'X 4'X 4'	Reinforced Concrete Inlet Box (No Top)	10	Each	\$ 1,000.00	\$ 10,000.00
25	5'X 5'X 5'	Reinforced Concrete Inlet Box (No Top)	5	Each	\$ 1,300.00	\$ 6,500.00
26	6'X 6'X 6'	Reinforced Concrete Inlet Box (No Top)	5	Each	\$ 2,100.00	\$ 10,500.00
PRE-CAST REINFORCED CONCRETE BOXES						
Item	Size					
27	3' Rise x 8' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 220.00	\$ 9,240.00
28	3' Rise x 12' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 325.00	\$ 13,650.00
29	3' Rise x 16' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 400.00	\$ 16,800.00
30	4' Rise x 4' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 165.00	\$ 6,930.00
31	4' Rise x 8' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 235.00	\$ 9,870.00
32	4' Rise x 12' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 340.00	\$ 14,280.00
33	5' Rise x 12' Span	Reinforced Concrete Culvert Box (WITH top)	42	Lineal Feet	\$ 380.00	\$ 15,960.00
Total Bid Price					\$	188,716.25

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED: 
A. Rehnle, Purchasing Manager


Witness

12/01/17
Date

** Denotes Calculation Error



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0720

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 14

BID #18-10 SCREENED TOPSOIL:

A RESOLUTION TO AWARD BID #18-10 AND AUTHORIZE THE PURCHASE OF SCREENED TOPSOIL FROM LES ROGERS, INC. AS PRIMARY SUPPLIER AND SWEETSER CONSTRUCTION, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

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 #18-10 and authorizes the purchase of screened topsoil from Les Rogers, Inc. as primary supplier and Sweetser Construction, Inc. as secondary supplier in variable amounts and for varying prices as set forth in the bid sheet attached to this Resolution, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0720

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-10 to and authorizing the purchase of screened topsoil from Les Rogers, Inc. as primary supplier and Sweetser Construction Inc. as secondary supplier, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-10, Screened Topsoil

RECOMMENDATION:

A resolution awarding Bid 18-10 to and authorizing the purchase of screened topsoil from Les Rogers, Inc. as primary supplier and Sweetser Construction Inc. as secondary supplier, as needed through the end of calendar year 2017.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

ATTACHMENTS:

Bid 18-10 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid: 18-10
Date: 11-16-2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-10, Screened Topsoil

			Les Rogers, Inc.	
PLANT LOCATION FOR PICKUP:			707 S. Main Greenland, AR	
Item	Description	Est CY	Price Per Unit	Extended Price
1	Topsoil – DELIVERY – Per cubic yard for top dressing and landscaping projects. All Topsoil shall be screened to remove large rocks, roots, and other debris	1,500	\$ 13.70	\$ 20,550.00
2	Topsoil – PICK UP BY CITY STAFF – Per cubic yard for top dressing and landscaping projects. All Topsoil shall be screened to remove large rocks, roots, and other debris	1,500	\$ 9.40	\$ 14,100.00

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:


A. Rennie, Purchasing Manager


Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0721

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 15

BID #18-11 RETAINING WALL BLOCKS:

A RESOLUTION TO AWARD BID #18-11 AND AUTHORIZE THE PURCHASE OF RETAINING WALL BLOCKS FROM VARIOUS VENDORS FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

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 #18-11 and authorizes the purchase of retaining wall blocks from various vendors for varying unit prices, as shown in the staff memorandum and the bid sheet attached to this Resolution, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0721

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution to award Bid No. 18-11 and authorize the purchase of retaining wall blocks for varying unit prices from various vendors, based on individual job design, specification and cost evaluation, as needed through the end of 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-11, Retaining Wall Blocks

RECOMMENDATION:

Staff recommends a resolution to award Bid No. 18-11 and authorize the purchase of retaining wall blocks for varying unit prices from various vendors, based on individual job design, specification and cost evaluation, as needed through the end of 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-11 Tabulation



**CITY OF
FAYETTEVILLE
ARKANSAS**

Official Bid Tabulation

**Bid: 18-11
Date: 11-16-2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE**

Bid 18-11, Retaining Wall Blocks

			Arrowhead Precast, LLC		Industrial Precast, Inc.	
Section 1: North Shore Granite or Limestone Face						
Item	Description	Est Qty	PRICE PER UNIT	EXTENDED PRICE	PRICE PER UNIT	EXTENDED PRICE
1	Full Top Block 28" or 24" Series	100	\$ 74.47	\$ 7,447.00	\$ 75.00	\$ 7,500.00
2	Half Top Block – 28" or 24" series	25	\$ 62.86	\$ 1,571.50	\$ 55.00	\$ 1,375.00
3	Half Middle Block – 28" or 24" Series	25	\$ 62.86	\$ 1,571.50	\$ 55.00	\$ 1,375.00
4	Full Middle Block – 28" or 24" Series	250	\$ 86.80	\$ 21,700.00	\$ 85.00	\$ 21,250.00
5	Full Base Block - 28" or 24" Series	25	\$ 86.80	\$ 2,170.00	\$ 85.00	\$ 2,125.00
6	Full Middle Block - 41" or 39" Series	50	\$ 103.55	\$ 5,177.50	\$ 100.00	\$ 5,000.00
7	Half Middle Block – 41" or 39" Series	10	\$ 50.79	\$ 507.90	\$ 55.00	\$ 550.00
8	Full Base Block – 41" or 39" Series	25	\$ 103.55	\$ 2,588.75	\$ 100.00	\$ 2,500.00
9	Full Middle Block – 60" Series	25	\$ 136.75	\$ 3,418.75	\$ 135.00	\$ 3,375.00
10	Half Middle Block – 60" Series	10	\$ 69.03	\$ 690.30	\$ 75.00	\$ 750.00
11	Full Base Block – 60" Series	10	\$ 136.75	\$ 1,367.50	\$ 135.00	\$ 1,350.00
12	Left Corner Top Block – 24"	10	\$ 85.37	\$ 853.70	\$ 80.00	\$ 800.00
13	Right Corner Top Block – 24"	10	\$ 85.37	\$ 853.70	\$ 80.00	\$ 800.00
14	Full High Cap End Block – 24"	25	\$ 88.06	\$ 2,201.50	\$ 80.00	\$ 2,000.00
15	Full Middle Block 45"	50	\$ 118.37	\$ 5,918.50	\$ -	\$ -
16	Half Middle Block 45"	10	\$ 50.79	\$ 507.90	\$ -	\$ -
17	Full Middle Block 66"	25	\$ 134.73	\$ 3,368.25	\$ -	\$ -
18	Full Middle Block 72"	10	\$ 141.98	\$ 1,419.80	\$ -	\$ -

19	Full Middle Block 78"	10	\$ 155.72	\$ 1,557.20	\$ -	\$ -
20	Full Middle Block 84"	10	\$ 161.93	\$ 1,619.30	\$ -	\$ -
21	Full Base Block 45"	25	\$ 118.37	\$ 2,959.25	\$ -	\$ -
22	Full Base Block 66"	10	\$ 134.73	\$ 1,347.30	\$ -	\$ -
23	Full Base Block 72"	10	\$ 141.98	\$ 1,419.80	\$ -	\$ -
24	Full Base Block 78"	10	\$ 155.72	\$ 1,557.20	\$ -	\$ -
25	Full Base Block 84"	10	\$ 161.93	\$ 1,619.30	\$ -	\$ -
Section 2: Weather Edge or LedgeStone						
26	Full Top Block 28" or 24" Series	100	\$ 74.47	\$ 7,447.00	\$ 85.00	\$ 8,500.00
27	Half Top Block – 28" or 24" series	25	\$ 62.86	\$ 1,571.50	\$ 60.00	\$ 1,500.00
28	Half Middle Block – 28" or 24" Series	25	\$ 62.86	\$ 1,571.50	\$ 60.00	\$ 1,500.00
29	Full Middle Block – 28" or 24" Series	250	\$ 86.80	\$ 21,700.00	\$ 90.00	\$ 22,500.00
30	Full Base Block - 28" or 24" Series	25	\$ 86.80	\$ 2,170.00	\$ 90.00	\$ 2,250.00
31	Full Middle Block - 41" or 39" Series	50	\$ 103.55	\$ 5,177.50	\$ 108.00	\$ 5,400.00
32	Half Middle Block – 41" or 39" Series	10	\$ 50.79	\$ 507.90	\$ 55.00	\$ 550.00
33	Full Base Block – 41" or 39" Series	25	\$ 103.55	\$ 2,588.75	\$ 108.00	\$ 2,700.00
34	Full Middle Block – 60" Series	25	\$ 136.75	\$ 3,418.75	\$ 140.00	\$ 3,500.00
35	Half Middle Block – 60" Series	10	\$ 69.03	\$ 690.30	\$ 65.00	\$ 650.00
36	Full Base Block – 60" Series	10	\$ 136.75	\$ 1,367.50	\$ 140.00	\$ 1,400.00
37	Left Corner Top Block – 24"	10	\$ 85.37	\$ 853.70	\$ -	\$ -
38	Right Corner Top Block – 24"	10	\$ 85.37	\$ 853.70	\$ -	\$ -
39	Full High Cap End Block – 24"	25	\$ 88.06	\$ 2,201.50	\$ -	\$ -

40	Full Middle Block 45"	50	\$ 118.37	\$ 5,918.50	\$ -	\$ -
41	Half Middle Block 45"	10	\$ 50.79	\$ 507.90	\$ -	\$ -
42	Full Middle Block 66"	25	\$ 134.73	\$ 3,368.25	\$ -	\$ -
43	Full Middle Block 72"	10	\$ 141.98	\$ 1,419.80	\$ -	\$ -
44	Full Middle Block 78"	10	\$ 155.72	\$ 1,557.20	\$ -	\$ -
45	Full Middle Block 84"	10	\$ 161.93	\$ 1,619.30	\$ -	\$ -
46	Full Base Block 45"	25	\$ 118.37	\$ 2,959.25	\$ -	\$ -
47	Full Base Block 66"	10	\$ 134.73	\$ 1,347.30	\$ -	\$ -
48	Full Base Block 72"	10	\$ 141.98	\$ 1,419.80	\$ -	\$ -
49	Full Base Block 78"	10	\$ 155.72	\$ 1,557.20	\$ -	\$ -
50	Full Base Block 84"	10	\$ 161.93	\$ 1,619.30	\$ -	\$ -
Section 3: Bin Blocks						
51	Full Bin Block – 2' x 2' x 6'	350	\$ 112.00	\$ 39,200.00	\$ 110.00	\$ 38,500.00
52	Half Bin Block – 2' x 2' x 3'	100	\$ 62.50	\$ 6,250.00	\$ 65.00	\$ 6,500.00
TOTAL BID BASED ON ESTIMATES:			\$ 196,276.80		\$ 146,200.00	
			Award Intent: Award based on Individual Job Design, Specifications, and Cost Evaluation.			

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.


A. Rennie, Purchasing Manager


Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0722

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 16

BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT:

A RESOLUTION TO AWARD BID #18-12 AND AUTHORIZE THE PURCHASE OF HIGH PERFORMANCE COLD MIX ASPHALT FROM HUTCHENS CONSTRUCTION CO. AS PRIMARY SUPPLIER AND ATLAS ASPHALT, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

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 #18-12 and authorizes the purchase of high performance cold mix asphalt from Hutchens Construction Co. as primary supplier and Atlas Asphalt, Inc. as secondary supplier in variable amounts and for varying prices, as set forth in the bid sheet attached to this Resolution, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0722

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-12 to and authorizing the purchase of high performance cold mix asphalt from Hutchens Construction Co. as primary supplier and Atlas Asphalt, Inc. as secondary supplier as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" box has been left blank because the exact item cost will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction project progress, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-12, High Performance Cold Mix Asphalt

RECOMMENDATION:

A resolution awarding Bid 18-12 to and authorizing the purchase of high performance cold mix asphalt from Hutchens Construction Co. as primary supplier and Atlas Asphalt, Inc. as secondary supplier as needed through the end of calendar year 2018.

BACKGROUND:

Due to travel distance and staff time required to obtain the material from the low bidder, we evaluated the use of bid truck hauling services. However, when these costs were calculated, the lowest net cost for the material was obtained using the local supplier. Therefore, we recommend awarding the bid to Hutchens Construction Co as primary supplier.

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement projects outlined in the Capital Improvements Program and annual budget and work program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of these materials have been budgeted in the In-House Pavement Improvements capital project.

Attachments:

Bid 18-12 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid: 18-12
Date: 11/16/2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 18-12, High Performance Cold Mix

Item	Description	Est Tons	Atlas Asphalt, Inc.		Hutchens Construction Co.	
			Pickup Location: 1653 Batesville Blvd Batesville, AR 72501		Pickup Location: 5270 North Oak Springdale, AR 72764	
			Price Per Unit	Extended Price	Price Per Unit	Extended Price
1	High Performance Cold Mix – for pick up by the City of Fayetteville at vendors location UPM - Mix	400	\$ 95.00	\$ 38,000.00	\$ 104.00	\$ 41,600.00
TOTAL BID BASED ON ESTIMATE			\$	38,000.00	\$	41,600.00
			Award Intent: Secondary		Award Intent: Primary (based on Mileage and Manpower Cost)	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED: A. Rennie
A. Rennie, Purchasing Manager

[Signature] Witness
Date 12/01/17



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0723

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 17

BID #18-13 CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES:

A RESOLUTION TO AWARD BID #18-13 AND AUTHORIZE THE PURCHASE OF CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES FROM HOLTZCLAW EXCAVATING, INC. IN THE AMOUNT OF \$10.00 PER LOAD AS NEEDED THROUGH THE END OF 2018

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 #18-13 and authorizes the purchase of construction debris waste disposal services from Holtzclaw Excavating, Inc. in the amount of \$10.00 per load as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0723

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends a resolution awarding Bid 18-13 to and authorizing the purchase of waste disposal for construction debris from Holtzclaw Excavating, Inc., as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Terry Gulley, Transportation Services Director

DATE: December 1, 2017

SUBJECT: Bid 18-13, Waste Disposal for Construction Debris

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-13 to and authorizing the purchase of waste disposal for construction debris from Holtzclaw Excavating, Inc., as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund.

Attachments:

Bid 18-13 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid: 18-13
Date: 11/16/2017
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Official Bid Tabulation

Bid 18-13, Waste Disposal for Construction Debris

			Holtzclaw Ecavating	
Waste Disposal Location:			6922 W. Wedington, Fayetteville, AR	
Item	Description	Est Qty	Price Per Unit	Extended Price
1	Wase Disposal Services for Construction Debris Consisting of soil, rock, and concrete product	2,500 loads each consisting of 12-15 CY per load	\$ 10.00	\$ 25,000.00
TOTAL BID BASED ON ESTIMATE			\$ 25,000.00	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:

A. Rennie, Purchasing Agent

Witness

12/01/17



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0724

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 18

BID #18-15 DECORATIVE FENCING:

A RESOLUTION TO AWARD BID #18-15 AND AUTHORIZE THE PURCHASE OF DECORATIVE FENCING FROM THOMAS FENCE AS PRIMARY SUPPLIER AND ROBINSON FENCE AS SECONDARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

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 #18-15 and authorizes the purchase of decorative fencing from Thomas Fence as primary supplier and Robinson Fence as secondary supplier, as shown in the staff memorandum and the bid sheet attached to this Resolution, and authorizing the use of other bidders based on price and availability, as needed through the end of 2018.

City of Fayetteville Staff Review Form

2017-0724

Legistar File ID

1/2/2018

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

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution awarding Bid 18-15 to and authorizing the purchase of decorative fencing from Thomas Fence as primary supplier and Robinson Fence as secondary supplier, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid 18-15, Decorative Fencing

RECOMMENDATION:

Staff recommends a resolution awarding Bid 18-15 to and authorizing the purchase of decorative fencing from Thomas Fence as primary supplier and Robinson Fence as secondary supplier, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2018.

BACKGROUND:

The purchase of bulk construction materials and services is necessary to maintain current infrastructure and to implement the projects outlined in the Capital Improvements Program and Annual Budget and Work Program.

DISCUSSION:

Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

BUDGET/STAFF IMPACT:

Funds for the acquisition of materials and services have been budgeted in various capital projects within the Sales Tax Capital Improvements Fund and Street Fund operating programs.

Attachments:

Bid 18-15 Tabulation



CITY OF
FAYETTEVILLE
ARKANSAS

Bid 18-15, Construction - Decorative Fence

			Robinson Fence		Thomas Fence	
Item	Description	Linear Feet	Price Per Unit	Extended Price	Price Per Unit	Extended Price
1	Prefabricated Decorative Fencing, With Mounting Plates (Installed)	1,500	\$ 75.00	\$ 112,500.00	\$ 42.94	\$ 64,410.00
2	Prefabricated Decorative Fencing, Without Mounting Plates (Installed)	500	\$ 75.00	\$ 37,500.00	\$ 47.97	\$ 23,985.00
TOTAL BID BASED ON ESTIMATE			\$	150,000.00	\$	88,395.00
			Award Intent: Secondary		Award Intent: Primary	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED: A. Rennie
A. Rennie, Purchasing Manager

[Signature]
Witness

12/01/17
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0734

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 19

2018 T-HANGAR LEASE AGREEMENTS:

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2018 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

WHEREAS, the City constructed T-Hangars at the Fayetteville Executive Airport serve pilots based at out airport and provide revenue to the City's Airport Services Division so that it has not had to be subsidized from the City's general revenues as other City Departments are funded; and

WHEREAS, the Airport Board, working with the Airport Services Division, has set the reasonable rental rates for all such T-Hangar rentals for many years; and

WHEREAS, it is appropriate for the City Council to approve numerous standard lease agreements for the T-Hangars as a group through the end of 2018, at which time the rates will be reviewed and potentially increased.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves all T-Hangar leases in the standard form and for the existing amount, or an increased amount as established by the Airport Board, that come up for renewal or begin in 2018 and authorizes Mayor Jordan or his designee to execute the T-Hangar leases.

City of Fayetteville Staff Review Form

2017-0734

Legistar File ID

1/2/2018

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

Terry Gulley

11/14/2016

Aviation /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution to approve and allow the Mayor to sign all T-Hangar lease agreements for 2018 at the current rental rate or as adjusted upward by the Airport Board for all T-Hangars rented at the Fayetteville Airport, Drake Field.

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:



MEETING OF JANUARY 2, 2018

TO: Mayor Lioneld Jordan
Fayetteville City Council

THRU: Don Marr, Chief of Staff

FROM: Summer Fallen, Airport Services Manager

DATE: December 11, 2017

SUBJECT: T-Hangar Lease Approvals

Recommendation

Staff requests a resolution to approve and allow the Mayor to sign all T-Hangar lease agreements for 2018 at the current rental rate or as adjusted upward by the Airport Board for all T-Hangars rented at the Fayetteville Airport, Drake Field.

Background

Drake Field operates 94 T-Hangar units which are designed to store single and twin-engine personal aircraft. The units are similar and feature the same amenities: electricity, lighting, and an electric bi-fold door.

Discussion

A standardized lease agreement format is used when the unit is leased. A copy of this lease agreement is attached.

Budget Impacts

None. Revenue from T-Hangar leases is budgeted. Rates are reviewed by the Airport Board every two years.

Attachments

Staff Review Form
Staff Review Memo
T-Hangar Lease Agreement

HANGAR RENTAL AGREEMENT
Fayetteville Executive Airport, Drake Field
Lease Application and Accounting Information Form

Name: Company/Leaseholder/Individual:

Name: Corporate Representatives(s):

Home Address:

Mailing Address (if different):

Current Status of Corporation:
(Provide Copy of Certificate of Good
Standing or other documentation)

Business and/or Services to Be Provided:

Phone/Work: Phone/Cell:

Phone/Home: Email:

Emergency Contact Name: Emerg Phone:

Social Security or Tax I.D No. Date of Birth:

Hangar Number: Aircraft Number: N

Effective Date: Aircraft Make/Model/Year:

Monthly Rental: \$ Aircraft Color Scheme: (Ex: White/Red)

Aircraft Type: Single Engine Aircraft

Person conducting the business and/or providing the service if different from above:

Name: Phone: E-mail:

Description of tools, equipment, services and inventory required to conduct proposed business and /or service: Please provide a description of the type of tools and equipment used, how services will be delivered to the customer, and types/amounts of materials to be stored including potentially hazardous materials

Hours of Operation: Total Number of Employees:

I, _____, agrees to provide the Airport with changes to current address, telephone, aircraft, and insurance information.

Would you like to be included in a T-Hangar Tenant Directory? No Please check the information you would like to include in the Directory:

☐ Name

☐ Email

☐ Address

☐ T-Hangar number

☐ Tail number

☐ Aircraft type

☐ Telephone # (home)

☐ Telephone # (work)

☐ Telephone # (cell)

LEASE AGREEMENT

The City of Fayetteville, Fayetteville Executive Airport, Drake Field hereby leases to _____, a hangar for the above described aircraft on the following terms and conditions. This lease is intended for the private storage of an aircraft. It is not intended to be used for aircraft maintenance, storage of hazardous materials or storage of non-aviation materials.

1. AIRPORT RULES AND ACCESS:

A. _____ shall abide by "The Minimum Standards for Fayetteville Executive Airport, Drake Field", City of Fayetteville codes and ordinances, county, state, federal Statutes, Federal Aviation Regulations, and environmental laws.

B. Hazardous activities such as, but not limited to: smoking, welding, use of spark producing devices (i.e. grinders), painting, doping, open fuel lines or the application of hazardous substances are expressly prohibited.

C. _____ shall keep the aircraft storage space clean and free of grease, oil, paper and other debris. All flammables must be stored in a metal container with a tight fitting lid with sump capability at minimum or any other approved containment device. Combustible liquids such as lube oil may be stored in small quantities. (See Airport's Minimum Standards). No additional label is necessary if company label already indicates flammable liquid or type liquid contained. Flammable storage (other than inside the aircraft fuel storage tank) is limited to a maximum of 10 gallons in each Hangar unit. The premises covered by this Agreement shall not be used for the storage of explosive substances or items.

D. Aircraft shall be removed from a hangar for any activity involving fueling or defueling.

E. The Airport and its designated agents may enter hangars at any time for inspection. Only locks provided by the Airport may be used on hangar doors.

F. Flying Clubs shall provide copies of the flying club bylaws, current insurance documents, and current membership roster to be submitted annually to the Airport Administration Office.

2. RENT:

A. A security deposit of \$100.00 is due and payable upon commencement of the lease. The City may use the entire security deposit, or any portion thereof, to cure a default in the terms of the lease, as compensation for damages to the hangar beyond normal wear and tear, for cleaning of the premises, or for replacement of locks or other equipment necessary to secure the premises. Any amount not used for these purposes shall be refunded within sixty (60) days after termination of the tenancy and delivery of possession to the City.

B. The hangar rent is invoiced in advance and shall be due on the first day of each month. _____ further agrees to pay upon demand any excise or other tax on the leasehold interest.

C. The non-payment of rent may be grounds for termination of this Agreement. will also be subject to a late fee for delinquent rental payment. Delinquent accounts will be sent to a collection agency in accordance with City of Fayetteville's collection/termination policies after 90 days.

D. The rent stated above is subject to periodic adjustment by the Airport Board. Notice of increase shall be sent out at least thirty days prior to the increase.

3.STRUCTURAL MODIFICATIONS:

A. No structural or electrical modifications, painting, or alterations will be made to the storage space without the prior written approval of the Airport Director.

B. _____ shall not attach any hoisting, winching or holding mechanism to any part of the storage space, or pass any such mechanism over the beams or braces thereof.

4.ELECTRICAL APPLIANCES:

A. Limited electrical appliances are allowed in a hangar including portable fans, televisions, refrigerators, radios, dehumidifiers, engine heaters, powered tow bars, battery trickle chargers, and small air compressors. Prohibited appliances include, but are not limited to, air conditioners, electric heaters, hot plates, heat lamps, and stoves. Any appliance not having an explosion-proof motor which generates a glow, flame, or spark must be elevated at least eighteen (18) inches above the floor. No appliances, except refrigerators, dehumidifiers, battery trickle chargers and engine heaters, may remain connected to any electrical receptacle when the hangar is not occupied.

B. _____ shall not overload electrical circuits. Hangar electrical circuits are designed for 20 amps.

5.MOTOR VEHICLES:

A. Vehicles shall be driven on the airport only by a licensed driver in accordance with policy established in the Airport's Minimum Standards. _____ shall maintain currency of registration as well as limits of liability and property damage insurance, as mandated by the State of Arkansas, on its vehicle. _____ will exercise all controls and restraints necessary as to its employees, agents, and invitees so as to comply with this Agreement.

B. Vehicles must be located so as not to block aircraft access route between any hangars, as per the Airport's Minimum Standards. Vehicles will be parked in accordance with the airport parking plan, signage and pavement markings.

6.ENGINE OPERATION: No aircraft engine shall be operated inside a hangar or in a negligent manner so that the propeller or exhaust blast may cause injury to persons or damage to property.

7.PROPERTY DAMAGE/PERSONAL INJURY: Aircraft and other personal property are stored at _____'s sole risk. Any insurance protecting _____'s personal property against fire, theft or damage must be provided by _____. _____ agrees to save the Airport Harmless from any and all liability by reason of the storage or maintenance of said aircraft upon the Fayetteville Executive Airport, Drake Field, or from injury or damage caused to any persons or property by reason of the operations of said aircraft. Insurance requirement shall be in accordance with the Airport's Minimum Standards and a current Certificate of Insurance shall be on file at the Airport Administration Office. This clause shall not be construed to waive that tort immunity as set forth under Arkansas Law.

8.AIRCRAFT MAINTENANCE: Maintenance repair work that requires open flame, use of spark producing devices (i.e. grinders), welding, or the use of flammable liquids is not in this Aircraft Storage Hangar. Opening fuel cells and fuel lines is not permitted in a storage hangar.

9. NO COMMERCIAL ACTIVITY: No commercial or revenue-producing activities shall be conducted or permitted from any aircraft storage space without written approval of the Airport Director.

10. NO ASSIGNMENT: The aircraft storage space designated above is rented on a month-to-month basis for aircraft storage only. Such space may not be sublet, assigned or otherwise transferred without the prior written approval of the Airport Director. Only the aircraft identified in this Agreement may be stored in this hangar.

11. TERMINATION:

A. This Agreement shall be deemed a “month-to-month” tenancy and may be terminated by either party upon giving thirty (30) days notice to the other in writing, prior to the end of any such rental period.

B. This Agreement may be terminated by the Airport upon ten (10) days written notice for any violation of the terms or conditions of this Agreement.

12. NOTICE: Any Notice or consent required by this Agreement shall be sufficient if sent by Certified Mail, return receipt requested, postage paid, to the following address for the City/Airport, or for the tenant, the last known address or copy thereof may be posted upon the entryway door of the above mentioned hangar.

CITY OF FAYETTEVILLE

Airport Administration Office
4500 S. School Ave., Suite F
Fayetteville, AR 72701
Phone: 479-718-7642

13. If _____ fails to make any payment due hereunder within ten (10) days of the date on which such payment is due, the City of Fayetteville may, at its option, terminate this agreement and take possession of such of _____ personal property as is reasonably necessary to secure payment of the amount due and unpaid.

14. Upon expiration or other termination of this lease, _____’s rights to use of the demised premises shall cease, and _____ shall vacate the premises without unreasonable delay.

All fixtures, improvements, equipment, and other property brought, installed, erected or placed by _____ on the demised premises shall be deemed to be personalty and shall remain the property of _____. _____ shall have the right at any time during the term of this agreement, to remove any or all of such property from the Airport, subject, however, to _____’s obligations to repair all damages, if any, resulting from such removal. Any and all property not removed by _____ prior to the expiration of this lease shall thereupon become the property of the City of Fayetteville and title thereto shall thereupon vest in the City of Fayetteville.

15. All covenants, conditions and provisions in this agreement shall extend to and bind the legal representatives, successors and assigns of the respective parties hereto.

_____: I have received a copy of “The Minimum Standards for the Fayetteville Municipal Airport Drake Field” _____. (initial)

Mandatory Acknowledgment “By signing this application, acknowledge that I am ultimately responsible for the payment of any and all sums of money arising as a result of this grant of temporary credit.”

_____	_____	_____
Signature of Responsible Party	Title	Date

APPROVED:

THE CITY OF FAYETTEVILLE:

_____	_____	_____	_____
Airport Services Manager	Date	Lioneld Jordan, Mayor	Date

ATTEST:

Sondra Smith,
City Clerk and Treasurer

**Attachment "A" to Hangar Rental Agreement
For Execution by Partners in Aircraft**

I agree to be bound by the terms and conditions of the hangar Rental Agreement

Effective _____ (day/month/year) for Hangar # _____

Lessee Name: _____

Partner #1: _____

Address _____

Signature: _____

Partner #2: _____

Address _____

Signature: _____

Partner #3: _____

Address _____

Signature: _____

Partner #4 _____

Address _____

Signature: _____



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0729

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 20

MCGOODWIN, WILLIAMS AND YATES, INC.:

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN THE AMOUNT OF \$573,309.00 FOR THE ENGINEERING DESIGN OF THE EAST FAYETTEVILLE WATER SYSTEM IMPROVEMENTS AND TOWNSHIP TANK PROJECT, AND APPROVING A CONTINGENCY IN THE AMOUNT OF \$57,331.00

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a professional engineering services agreement, a copy of which is attached to this Resolution, with McGoodwin, Williams and Yates, Inc., pursuant to RFQ # 17-01 (Engineer and Architect), in the amount of \$573,309.00 for the engineering design of the East Fayetteville Water System Improvements and the Township Tank Project, and further approves a project contingency in the amount of \$57,331.00.

City of Fayetteville Staff Review Form

2017-0729

Legistar File ID

1/2/2018

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

Tim Nyander

12/7/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends a resolution approving an engineering design services contract with McGoodwin, Williams and Yates, Inc. for the engineering design of the East Fayetteville Water System Improvements and Township Tank Project in the amount of \$573,309.00, and approving a contingency in the amount of \$57,331.00 for a total amount of \$630,640.00.

Budget Impact:

5400.720.5600-5301.00

Water and Sewer

Account Number

Fund

12009.1800

Water System Rehabilitation/Replacement

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 6,540,630.00

Funds Obligated \$ 2,355,645.88

Current Balance \$ 4,184,984.12

Does item have a cost? Yes

Item Cost \$ 630,640.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 3,554,344.12

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water & Sewer Committee

FROM: Tim Nyander, Utilities Director

DATE: December 7, 2017

SUBJECT: **Approval of an Engineering Design Services Contract with McGoodwin, Williams and Yates, Inc. for East Fayetteville Water System Improvements and the Township Tank Project**

RECOMMENDATION:

Staff recommends a resolution approving an engineering design services contract with McGoodwin, Williams and Yates, Inc. for the engineering design of the East Fayetteville Water System Improvements and Township Tank Project in the amount of \$573,309.00, and approving a contingency in the amount of \$57,331.00 for a total amount of \$630,640.00.

BACKGROUND:

The recommended projects are the East Fayetteville Water System Improvements and the Township Tank and Ash Street Pump Station improvements. The proposed projects are requested to improve water delivery for growth and fire flow requirements in the (1) Gulley and Goshen pressure planes and (2) the Township Pressure plane.

DISCUSSION:

On October 13, 2017, the City of Fayetteville conducted a formal Engineering Selection meeting, City of Fayetteville RFQ 17-01, Engineer and Architect - Selection #4. At this meeting the firm of McGoodwin, Williams and Yates, Inc. (MWY) was selected as the top consultant for the potential contract.

The proposed engineering design services contract is based upon the 2017 Water Master Plan Update as accepted and adopted by the City Council (December 5, 2017).

The proposed schedule includes design in 2018 and construction in 2019-2020. The contract scope and the not to exceed costs were negotiated by City Utilities staff.

BUDGET/STAFF IMPACT:

Funds are available in the Water System Rehabilitation/Replacement project.

Attachments:

Professional Engineering Services Agreement

AGREEMENT
For
PROFESSIONAL ENGINEERING SERVICES
Between
CITY OF FAYETTEVILLE, ARKANSAS
And
MCGOODWIN, WILLIAMS, AND YATES, INC.

EAST FAYETTEVILLE AND TOWNSHIP PRESSURE PLANE IMPROVEMENTS

THIS AGREEMENT is made as of _____, 2018, by and between City of Fayetteville, Arkansas, acting by and through its Mayor (hereinafter called CITY OF FAYETTEVILLE) and McGoodwin, Williams, and Yates, Inc. (hereinafter called ENGINEER).

CITY OF FAYETTEVILLE from time to time requires professional engineering services in connection with the evaluation, design, and/or construction administration of capital improvement projects. Therefore, CITY OF FAYETTEVILLE and ENGINEER in consideration of their mutual covenants agree as follows:

ENGINEER shall serve as CITY OF FAYETTEVILLE's professional engineering consultant in those assignments to which this Agreement applies, and shall give consultation and advice to CITY OF FAYETTEVILLE during the performance of ENGINEER's services. All services shall be performed under the direction of a professional engineer registered in the State of Arkansas and qualified in the particular field.

SECTION 1 - AUTHORIZATION OF SERVICES

- 1.1 Services on any assignment shall be undertaken only upon written Authorization of CITY OF FAYETTEVILLE and agreement of ENGINEER.
- 1.2 Assignments may include services described hereafter as Basic Services or as Additional Services of ENGINEER.
- 1.3 Changes, modifications or amendments in scope, price or fees to this contract shall **not** be allowed without a formal contract amendment approved by the Mayor and the City Council **in advance** of the change in scope, costs, fees, or delivery schedule.

SECTION 2 - BASIC SERVICES OF ENGINEER

- 2.1 Perform professional services in connection with the Project as hereinafter stated.
 - 2.1.1 The Scope of Services to be furnished by ENGINEER during the Project is included in Appendix A attached hereto and made part of this Agreement.
- 2.2 ENGINEER shall coordinate their activities and services with the CITY OF FAYETTEVILLE. ENGINEER and CITY OF FAYETTEVILLE agree that ENGINEER has full responsibility for the engineering services.

SECTION 3 - RESPONSIBILITIES OF CITY OF FAYETTEVILLE

- 3.1 CITY OF FAYETTEVILLE shall, within a reasonable time, so as not to delay the services of ENGINEER.
- 3.1.1 Provide full information as to CITY OF FAYETTEVILLE's requirements for the Project.
- 3.1.2 Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to the assignment including previous reports and any other data relative thereto.
- 3.1.3 Assist ENGINEER in obtaining access to property reasonably necessary for ENGINEER to perform its services under this Agreement.
- 3.1.4 Examine all studies, reports, sketches, cost opinions, proposals, and other documents presented by ENGINEER and render in writing decisions pertaining thereto.
- 3.1.5 The Utilities Director is the CITY OF FAYETTEVILLE's project representative with respect to the services to be performed under this Agreement. The Utilities director shall have complete authority to transmit instructions, receive information, interpret and define CITY OF FAYETTEVILLE's policies and decisions with respect to materials, equipment, elements and systems to be used in the Project, and other matters pertinent to the services covered by this Agreement.
- 3.1.6 CITY OF FAYETTEVILLE and/or its representative will review all documents and provide written comments to ENGINEER in a timely manner.

SECTION 4 - PERIOD OF SERVICE

- 4.1 This Agreement will become effective upon the first written notice by CITY OF FAYETTEVILLE authorizing services hereunder.
- 4.2 The provisions of this Agreement have been agreed to in anticipation of the orderly progress of the Project through completion of the services stated in the Agreement. ENGINEER will proceed with providing the authorized services immediately upon receipt of written authorization from CITY OF FAYETTEVILLE. Said authorization shall include the scope of the services authorized and the time in which the services are to be completed. The anticipated schedule for this project is included as Appendix A.

SECTION 5 - PAYMENTS TO ENGINEER

- 5.1 The maximum not-to-exceed amount authorized for this Agreement is **\$573,309.00**. The CITY OF FAYETTEVILLE shall compensate ENGINEER based on a Unit Price or Lump Sum basis as described in Appendix A.
- 5.2 Statements
 - 5.2.1 Monthly statements for each calendar month shall be submitted to CITY OF FAYETTEVILLE or such parties as CITY OF FAYETTEVILLE may designate for professional services consistent with ENGINEER's normal billing schedule. Once established, the billing schedule shall be maintained throughout the duration of the Project. Applications for payment shall be made in accordance with a format to be developed by ENGINEER and approved by CITY OF FAYETTEVILLE. Applications for payment shall be accompanied each month by the updated project schedule as the basis for determining the value earned as the work is accomplished. Final payment for professional services shall be

made upon CITY OF FAYETTEVILLE's approval and acceptance with the satisfactory completion of the study and report for the Project.

5.3 Payments

- 5.3.1 All statements are payable upon receipt and due within thirty (30) days. If a portion of ENGINEER's statement is disputed by CITY OF FAYETTEVILLE, the undisputed portion shall be paid by CITY OF FAYETTEVILLE by the due date. CITY OF FAYETTEVILLE shall advise ENGINEER in writing of the basis for any disputed portion of any statement. CITY OF FAYETTEVILLE will make reasonable effort to pay invoices within 30 days of date the invoice is approved, however, payment within 30 days is not guaranteed.

5.4 Final Payment

- 5.4.1 Upon satisfactory completion of the work performed under this Agreement, as a condition before final payment under this Agreement, or as a termination settlement under this Agreement, ENGINEER shall execute and deliver to CITY OF FAYETTEVILLE a release of all claims against CITY OF FAYETTEVILLE arising under or by virtue of this Agreement, except claims which are specifically exempted by ENGINEER to be set forth therein. Unless otherwise provided in this Agreement or by State law or otherwise expressly agreed to by the parties to this Agreement, final payment under this Agreement or settlement upon termination of this Agreement shall not constitute a waiver of CITY OF FAYETTEVILLE's claims against ENGINEER or his sureties under this Agreement or applicable performance and payment bonds, if any.

SECTION 6 - GENERAL CONSIDERATIONS

6.1 Insurance

- 6.1.1 During the course of performance of these services, ENGINEER will maintain (in United States Dollars) the following minimum insurance coverages:

<u>Type of Coverage</u>	<u>Limits of Liability</u>
Workers' Compensation Employers' Liability	Statutory \$500,000 Each Accident
Commercial General Liability Bodily Injury and Property Damage	\$1,000,000 Combined Single Limit
Automobile Liability: Bodily Injury and Property Damage	\$1,000,000 Combined Single Limit
Professional Liability Insurance	\$1,000,000 Each Claim

ENGINEER will provide to CITY OF FAYETTEVILLE certificates as evidence of the specified insurance within ten days of the date of this Agreement and upon each renewal of coverage.

6.1.2 CITY OF FAYETTEVILLE and ENGINEER waive all rights against each other and their officers, directors, agents, or employees for damage covered by property insurance during and after the completion of ENGINEER's services.

6.2 Professional Responsibility

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

6.3 Cost Opinions and Projections

6.3.1 Cost opinions and projections prepared by ENGINEER relating to construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are based on ENGINEER's experience, qualifications, and judgment as a design professional. Since ENGINEER has no control over weather, cost and availability of labor, material and equipment, labor productivity, construction Contractors' procedures and methods, unavoidable delays, construction Contractors' methods of determining prices, economic conditions, competitive bidding or market conditions, and other factors affecting such cost opinions or projections, ENGINEER does not guarantee that actual rates, costs, performance, schedules, and related items will not vary from cost opinions and projections prepared by ENGINEER.

6.4 Changes

6.4.1 CITY OF FAYETTEVILLE shall have the right to make changes within the general scope of ENGINEER's services, with an appropriate change in compensation and schedule only after Fayetteville City Council approval of such proposed changes and, upon execution of a mutually acceptable amendment or change order signed by the Mayor of the CITY OF FAYETTEVILLE and the duly authorized officer of ENGINEER.

6.5 Termination

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

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

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

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

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

- 6.5.2.2 An opportunity for consultation with the terminating party prior to termination.
- 6.5.3 If termination for default is effected by CITY OF FAYETTEVILLE, an equitable adjustment in the price provided for in this Agreement shall be made, but
 - 6.5.3.1 No amount shall be allowed for anticipated profit on unperformed services or other work,
 - 6.5.3.2 Any payment due to ENGINEER at the time of termination may be adjusted to cover any additional costs to CITY OF FAYETTEVILLE because of ENGINEER's default.
- 6.5.4 If termination for default is effected by ENGINEER, or if termination for convenience is effected by CITY OF FAYETTEVILLE, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to ENGINEER for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by ENGINEER relating to commitments which had become firm prior to the termination.
- 6.5.5 Upon receipt of a termination action under Paragraphs 6.5.1 or 6.5.2 above, ENGINEER shall:
 - 6.5.5.1 Promptly discontinue all affected work (unless the notice directs otherwise),
 - 6.5.5.2 After payment in accordance with Paragraphs 6.5.3 and 6.5.4 above, deliver or otherwise make available to CITY OF FAYETTEVILLE all project deliverables at the latest stage of completion (e.g. 30%, 90%, etc.) CITY OF FAYETTEVILLE shall have the limited right to use the deliverables subject to the provisions of Paragraph 6.12.2.
- 6.5.6 Upon termination under Paragraphs 6.5.1 or 6.5.2 above CITY OF FAYETTEVILLE may take over the work and may award another party an agreement to complete the work under this Agreement.
- 6.5.7 If, after termination for failure of ENGINEER to fulfill contractual obligations, it is determined that ENGINEER had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of CITY OF FAYETTEVILLE. In such event, adjustments of the agreement price shall be made as provided in Paragraph 6.5.4 of this clause.
- 6.6 Delays
 - 6.6.1 In the event the services of ENGINEER are suspended or delayed by CITY OF FAYETTEVILLE or by other events beyond ENGINEER's reasonable control, ENGINEER shall be entitled to additional compensation and time for reasonable costs incurred by ENGINEER in temporarily closing down or delaying the Project.
- 6.7 Rights and Benefits
 - 6.7.1 ENGINEER's services will be performed solely for the benefit of CITY OF FAYETTEVILLE and not for the benefit of any other persons or entities.
- 6.8 Dispute Resolution
 - 6.8.1 Scope of Paragraph: The procedures of this Paragraph shall apply to any and all disputes between CITY OF FAYETTEVILLE and ENGINEER which arise from, or in any way are

related to, this Agreement, including, but not limited to the interpretation of this Agreement, the enforcement of its terms, any acts, errors, or omissions of CITY OF FAYETTEVILLE or ENGINEER in the performance of this Agreement, and disputes concerning payment.

- 6.8.2 Exhaustion of Remedies Required: No action may be filed unless the parties first negotiate. If timely Notice is given under Paragraph 6.8.3, but an action is initiated prior to exhaustion of these procedures, such action shall be stayed, upon application by either party to a court of proper jurisdiction, until the procedures in Paragraphs 6.8.3 and 6.8.4 have been complied with.
- 6.8.3 Notice of Dispute
 - 6.8.3.1 For disputes arising prior to the making of final payment promptly after the occurrence of any incident, action, or failure to act upon which a claim is based, the party seeking relief shall serve the other party with a written Notice.
 - 6.8.3.2 For disputes arising within one year after the making of final payment, CITY OF FAYETTEVILLE shall give ENGINEER written Notice at the address listed in Paragraph 6.14 within thirty (30) days after occurrence of any incident, accident, or first observance of defect or damage. In both instances, the Notice shall specify the nature and amount of relief sought, the reason relief should be granted, and the appropriate portions of this Agreement that authorize the relief requested.
- 6.8.4 Negotiation: Within seven days of receipt of the Notice, the Project Managers for CITY OF FAYETTEVILLE and ENGINEER shall confer in an effort to resolve the dispute. If the dispute cannot be resolved at that level, then, upon written request of either side, the matter shall be referred to the President of ENGINEER and the Mayor of CITY OF FAYETTEVILLE or his designee. These officers shall meet at the Project Site or such other location as is agreed upon within 30 days of the written request to resolve the dispute.
- 6.9 CITY OF FAYETTEVILLE represents that it has sufficient funds or the means of obtaining funds to remit payment to ENGINEER for services rendered by ENGINEER.
- 6.10 Publications
 - 6.10.1 Recognizing the importance of professional development on the part of ENGINEER's employees and the importance of ENGINEER's public relations, ENGINEER may prepare publications, such as technical papers, articles for periodicals, and press releases, pertaining to ENGINEER's services for the Project. Such publications will be provided to CITY OF FAYETTEVILLE in draft form for CITY OF FAYETTEVILLE's advance review. CITY OF FAYETTEVILLE shall review such drafts promptly and provide CITY OF FAYETTEVILLE's comments to ENGINEER. CITY OF FAYETTEVILLE may require deletion of proprietary data or confidential information from such publications, but otherwise CITY OF FAYETTEVILLE will not unreasonably withhold approval. The cost of ENGINEER's activities pertaining to any such publication shall be for ENGINEER's account.
- 6.11 Indemnification
 - 6.11.1 CITY OF FAYETTEVILLE agrees that it will require all construction Contractors to indemnify, defend, and hold harmless CITY OF FAYETTEVILLE and ENGINEER from and against any and all loss where loss is caused or incurred or alleged to be caused or incurred in

whole or in part as a result of the negligence or other actionable fault of the Contractors, or their employees, agents, Subcontractors, and Suppliers.

6.12 Ownership of Documents

6.12.1 All documents provided by CITY OF FAYETTEVILLE including original drawings, CAD drawings, estimates, field notes, and project data are and remain the property of CITY OF FAYETTEVILLE. ENGINEER may retain reproduced copies of drawings and copies of other documents.

6.12.2 The CITY OF FAYETTEVILLE acknowledges the Engineer's plans and specifications, including all documents on electronic media ("delivered documents"), as instruments of professional service. Nevertheless, the delivered documents prepared under this Agreement shall be delivered to and become the property of the CITY OF FAYETTEVILLE upon completion of the services and payment in full of all monies due to the Engineer. Except for the Engineer's services provided for by this Agreement as related to the construction and completion of the Project, the ENGINEER accepts no liability arising from any reuse of the delivered documents by the CITY OF FAYETTEVILLE, unless the Engineer is retained by CITY OF FAYETTEVILLE to make modifications or otherwise reuse the delivered documents. Except where the CITY OF FAYETTEVILLE reuses the delivered documents subsequent to the completion of the Project, nothing contained in this paragraph shall alter the Engineer's responsibilities and obligations under this Agreement.

6.12.3 Any files delivered in electronic medium may not work on systems and software different than those with which they were originally produced. ENGINEER makes no warranty as to the compatibility of these files with any other system or software. Because of the potential degradation of electronic medium over time, in the event of a conflict between the sealed original drawings/hard copies and the electronic files, the sealed drawings/hard copies will govern.

6.13 Notices

6.13.1 Any Notice required under this Agreement will be in writing, addressed to the appropriate party at the following addresses:

CITY OF FAYETTEVILLE's address:
113 West Mountain Street
Fayetteville, Arkansas 72701

ENGINEER's address:
302 E. Millsap Road
Fayetteville, Arkansas 72703

6.14 Successor and Assigns

6.14.1 CITY OF FAYETTEVILLE and ENGINEER each binds himself and his successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; except as above, neither CITY OF FAYETTEVILLE nor ENGINEER shall assign, sublet, or transfer his interest in the Agreement without the written consent of the other.

6.15 Controlling Law

- 6.15.1 This Agreement shall be subject to, interpreted and enforced according to the laws of the State of Arkansas without regard to any conflicts of law provisions.

6.16 Entire Agreement

- 6.16.1 This Agreement represents the entire Agreement between ENGINEER and CITY OF FAYETTEVILLE relative to the Scope of Services herein. Since terms contained in purchase orders do not generally apply to professional services, in the event CITY OF FAYETTEVILLE issues to ENGINEER a purchase order, no preprinted terms thereon shall become a part of this Agreement. Said purchase order document, whether or not signed by ENGINEER, shall be considered as a document for CITY OF FAYETTEVILLE's internal management of its operations.

SECTION 7 - SPECIAL CONDITIONS

7.1 Additional Responsibilities of ENGINEER

- 7.1.1 CITY OF FAYETTEVILLE's review, approval, or acceptance of design drawings, specifications, reports and other services furnished hereunder shall not in any way relieve ENGINEER of responsibility for the technical adequacy of the work. Neither CITY OF FAYETTEVILLE's review, approval or acceptance of, nor payment for any of the services shall be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.
- 7.1.2 ENGINEER shall be and shall remain liable, in accordance with applicable law, for all damages to CITY OF FAYETTEVILLE caused by ENGINEER's negligent performance of any of the services furnished under this Agreement except for errors, omissions or other deficiencies to the extent attributable to CITY OF FAYETTEVILLE or CITY OF FAYETTEVILLE-furnished data.
- 7.1.3 ENGINEER's obligations under this clause are in addition to ENGINEER's other express or implied assurances under this Agreement or State law and in no way diminish any other rights that CITY OF FAYETTEVILLE may have against ENGINEER for faulty materials, equipment, or work.

7.2 Remedies

- 7.2.1 Except as may be otherwise provided in this Agreement, all claims, counter-claims, disputes and other matters in question between CITY OF FAYETTEVILLE and ENGINEER arising out of or relating to this Agreement or the breach thereof will be decided in a court of competent jurisdiction within Arkansas.

7.3 Audit: Access to Records

- 7.3.1 ENGINEER shall maintain books, records, documents and other evidence directly pertinent to performance on work under this Agreement in accordance with generally accepted accounting principles and practices consistently applied in effect on the date of execution of this Agreement. ENGINEER shall also maintain the financial information and data used by ENGINEER in the preparation of support of the cost submission required for any negotiated agreement or change order and send to CITY OF FAYETTEVILLE a copy of the cost

summary submitted. CITY OF FAYETTEVILLE, the State or any of their authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. ENGINEER will provide proper facilities for such access and inspection.

7.3.2 Records under Paragraph 7.3.1 above, shall be maintained and made available during performance on assisted work under this Agreement and until three years from the date of final payment for the project. In addition, those records which relate to any controversy arising out of such performance, or to costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.

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

7.3.3.1 Negotiated prime agreements:

7.3.3.2 Negotiated change orders or agreement amendments in excess of \$10,000 affecting the price of any formally advertised, competitively awarded, fixed price agreement:

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

7.3.3.3.1 With respect to record pertaining directly to subagreement performance, excluding any financial records of ENGINEER;

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

7.3.3.3.3 If the subagreement is terminated for default or for convenience.

7.4 Covenant Against Contingent Fees

7.4.1 ENGINEER warrants that no person or selling agency has been employed or retained to solicit or secure this Agreement upon an agreement of understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ENGINEER for the purpose of securing business. For breach or violation of this warranty, CITY OF FAYETTEVILLE shall have the right to annul this Agreement without liability or at its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

7.5 Gratuities

7.5.1 If CITY OF FAYETTEVILLE finds after a notice and hearing that ENGINEER or any of ENGINEER's agents or representatives, offered or gave gratuities (in the form of entertainment, gifts or otherwise) to any official, employee or agent of CITY OF FAYETTEVILLE, in an attempt to secure an agreement or favorable treatment in awarding, amending or making any determinations related to the performance of this Agreement, CITY OF FAYETTEVILLE may, by written notice to ENGINEER terminate this Agreement. CITY OF FAYETTEVILLE may also pursue other rights and remedies that the law or this Agreement provides. However, the existence of the facts on which CITY OF

FAYETTEVILLE bases such finding shall be in issue and may be reviewed in proceedings under the Remedies clause of this Agreement.

7.5.2 In the event this Agreement is terminated as provided in Paragraph 7.5.1, CITY OF FAYETTEVILLE may pursue the same remedies against ENGINEER as it could pursue in the event of a breach of the Agreement by ENGINEER. As a penalty, in addition to any other damages to which it may be entitled by law, CITY OF FAYETTEVILLE may pursue exemplary damages in an amount (as determined by CITY OF FAYETTEVILLE) which shall be not less than three nor more than ten times the costs ENGINEER incurs in providing any such gratuities to any such officer or employee.

7.6 Arkansas Freedom of Information Act

7.6.1 City contracts and documents, including internal documents and documents of subcontractors and sub-consultants, prepared while performing City contractual work are subject to the Arkansas Freedom of Information Act (FOIA). If a Freedom of Information Act request is presented to the CITY OF FAYETTEVILLE, ENGINEER will 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.

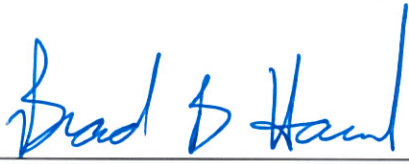
7.6.2 Pursuant to Ark. Code Ann. § 25-19-105(b)(20), the personal information of City water system customers must be treated as confidential information and shall not be made available for inspection except by ENGINEER'S employees as required to fulfill the terms of this agreement. Upon completion of its contractual duties and after approval of the Water Master Plan, ENGINEER agrees to destroy or return to the CITY OF FAYETTEVILLE any copies of records containing information about City water system customers.

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

CITY OF FAYETTEVILLE, ARKANSAS

McGOODWIN, WILLIAMS & YATES, INC.

By : _____
Mayor, Lioneld Jordan

By:  _____
Brad B. Hammond, P.E.

ATTEST:

By: _____
City Clerk

Title: President

END OF AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

**CITY OF FAYETTEVILLE
AGREEMENT FOR ENGINEERING SERVICES**

APPENDIX A – SCOPE OF SERVICES

This is **Appendix A**, consisting of 5 pages, referred to in and part of the **Agreement For Professional Engineering Services** between CITY OF FAYETTEVILLE, ARKANSAS and McGOODWIN, WILLIAMS, AND YATES, INC. dated January 2, 2018.

Initial:

CITY OF FAYETTEVILLE

McGOODWIN, WILLIAMS, AND YATES, INC.



The following contains additional Scope of Services tasks.

A.1 General Scope

The work covered by this agreement includes improvements recommended by the City of Fayetteville Water Master Plan dated 2017, including East Fayetteville Improvements and Township Improvements. A more detailed project scope description is included as Attachment 1 to this Appendix A. For the purposes of project accounting, and to appropriately package construction plans, the project is separated into phases with distinct project names and reference numbers as follows:

1. East Fayetteville Improvements (MWY Project No. FY0373)
2. Township Pressure Plane Improvements (MWY Project No. FY0374)

A.2 Specific Scope of Services

McGOODWIN, WILLIAMS, AND YATES shall provide a suitable engineering staff to complete the necessary field surveys, to perform detailed design, to prepare plans and specifications, to provide needed services during the bid phase, and to provide other services as may be directed by the CITY OF FAYETTEVILLE. The staff shall consist of engineers, engineering technicians, inspectors and other assistants as may be necessary to carry on the work in an efficient and expeditious manner. McGOODWIN, WILLIAMS, AND YATES will provide the following services:

A2.1 Detailed Design and Preparation of Construction Plans and Specifications

1. Meet with the CITY OF FAYETTEVILLE to understand the project needs.
2. Consult with regulatory and governmental authorities having jurisdiction over the project.
3. Prepare construction specifications and drawings, including necessary surveying, engineering design, and drafting.
4. Prepare an opinion of probable cost of the authorized construction.
5. Prepare easement documents. Easement acquisition will be the responsibility of the Owner, although McGOODWIN, WILLIAMS, AND YATES will provide information and attend meetings with the Owner and property owners upon request.
6. Submit, on behalf of the CITY OF FAYETTEVILLE, construction specifications, drawings and design criteria for approval to the Arkansas Department of Health and other agencies, if required.

7. Prepare necessary environmental and other permitting applications, including SWPPP and BMP plans, and assist with submittal to appropriate federal, state and local agencies. Permitting fees will be paid directly by the CITY OF FAYETTEVILLE and are not included in the professional design fees. The scope does NOT include biological surveys or archeological/cultural resource surveys. If required by regulatory agencies, biological surveys and/or archeological/cultural resource surveys will be provided as a reimbursable expense.

A2.2 Bidding and Preconstruction Services

McGOODWIN, WILLIAMS, AND YATES will provide technical interpretation of the plans and specifications as needed, prepare addenda as required, attend a pre-bid conference and the bid opening, provide an engineering analysis of the bids received, make recommendations concerning award of the construction contract and assist in the preparation of contract documents. Supporting documents will be prepared and submitted to the CITY OF FAYETTEVILLE.

A.3 Project Deliverables

The following will be submitted to the CITY OF FAYETTEVILLE, or others indicated, by the McGOODWIN, WILLIAMS, AND YATES as part of the Project.

A.3.1 Deliverables for Each Construction Contract Section

1. Two (2) copies of Construction Documents for up to three review phases.
2. Two (2) copies of Construction Bid Documents
3. Two (2) copies of Easement Documents.
4. Electronic files in accordance with the Agreement.

A.4 Compensation

In consideration of the performance of the foregoing services by McGOODWIN, WILLIAMS, AND YATES, the CITY OF FAYETTEVILLE shall pay to McGOODWIN, WILLIAMS, AND YATES compensation as follows:

1. Compensation shall be paid to McGOODWIN, WILLIAMS, AND YATES on the basis of McGOODWIN, WILLIAMS, AND YATES's standard hourly rates in effect at the time the work is performed, plus reimbursable expenses. Rates are adjusted annually at the beginning of each calendar year. McGOODWIN, WILLIAMS, AND YATES agrees to keep the CITY OF FAYETTEVILLE apprised in a timely manner of costs incurred.
2. The reimbursable expenses for which McGOODWIN, WILLIAMS, AND YATES will be reimbursed shall include travel expenses when traveling outside Northwest Arkansas in connection with the project, rental expenses for special equipment needed for completion of the work, purchase of material, and other expenses directly attributable to the project, including any work performed by subcontractors. McGOODWIN, WILLIAMS, AND YATES shall charge the CITY OF FAYETTEVILLE for reimbursable expenses at actual cost plus ten percent (10%).
3. Maximum not-to-exceed amounts for each project/project phase are set forth below.

A4.1 East Fayetteville Improvements (MWY Project No. FY0373)

1. The maximum not-to-exceed amount for services described in Section A2.1 Detailed Design and Preparation of Construction Plans and Specifications and Section A2.2 Bidding and Preconstruction Services is \$406,547.00.

A4.2 Township Pressure Plane Improvements (MWY Project No. FY0374)

1. The maximum not-to-exceed amount for services described in Section A2.1 Detailed Design and Preparation of Construction Plans and Specifications and Section A2.2 Bidding and Preconstruction Services is \$166,762.00.

A.5 Project Design Schedule

McGOODWIN, WILLIAMS, AND YATES shall begin work under this Agreement within seven (7) working days of a Notice to Proceed (NTP) and shall complete the work described in Section A2 above in accordance with the schedules shown in Sections A5.1 through A5.3 below. It is anticipated that work on the design projects will be done concurrently with completion of construction documents for agency/city review no later than January 2019, contingent upon reasonable intermediate review times and/or other events beyond the control of the Engineer. Construction for all work described below is anticipated to take approximately 1 ½ years, which would place improvements in service by June 2020.

A.5.1 East Fayetteville Improvements Contract Section I (MWY Project No. FY0373)

1. Submit 30% design drawings and preliminary opinions of probable construction cost.
 - o 60 Calendar days after NTP
2. Revise 30% design drawings and submit 60% design drawings, opinion of probable cost.
 - o 30 Calendar days after receipt of written comments from the City of Fayetteville regarding 30% design drawings
3. Revise 60% design drawings and submit 100% design drawings, opinion of probable cost, and easements.
 - o 30 Calendar days after receipt of written comments from the City of Fayetteville regarding 60% design drawings
4. Anticipated overall design timeline to produce biddable construction documents for agency/city review:
 - o January 2018 through June 2018

A.5.2 East Fayetteville Improvements Contract Sections II and III (MWY Project No. FY0373)

1. Submit 30% design drawings and preliminary opinions of probable construction cost.
 - o 90 Calendar days after NTP
2. Revise 30% design drawings and submit 60% design drawings, opinion of probable cost.
 - o 120 Calendar days after receipt of written comments from the City of Fayetteville regarding 30% design drawings
3. Revise 60% design drawings and submit 100% design drawings, opinion of probable cost, and easements.
 - o 120 Calendar days after receipt of written comments from the City of Fayetteville regarding 60% design drawings

4. Anticipated overall design timeline to produce biddable construction documents for agency/city review:
 - January 2018 through January 2019

A.5.3 Township Pressure Plane Improvements (MWY Project No. FY0374)

1. Submit 30% design drawings and preliminary opinions of probable construction cost.
 - 90 Calendar days after NTP
2. Revise 30% design drawings and submit 60% design drawings, opinion of probable cost.
 - 120 Calendar days after receipt of written comments from the City of Fayetteville regarding 30% design drawings
3. Revise 60% design drawings and submit 100% design drawings, opinion of probable cost, and easements.
 - 120 Calendar days after receipt of written comments from the City of Fayetteville regarding 60% design drawings
4. Anticipated overall design timeline to produce biddable construction documents for agency/city review:
 - January 2018 through January 2019

A.6 Attachments

1. Project Scope – East Fayetteville and Township Pressure Plane Improvements
2. McGoodwin, Williams & Yates Fee Estimate - East Fayetteville Improvements CSI
3. McGoodwin, Williams & Yates Fee Estimate - East Fayetteville Improvements CSII
4. McGoodwin, Williams & Yates Fee Estimate - East Fayetteville Improvements CSIII
5. McGoodwin, Williams & Yates Fee Estimate – Township Pressure Plane Improvements
6. McGoodwin, Williams & Yates Fee Estimate – Summary
7. Schedule of Classifications and Rates for 2017

Preliminary Scope of Work

East Fayetteville and Township Pressure Plane Improvements

The task items summarized below shall include the following services:

- Surveying
- Design (Plans & Specifications)
- Bidding

MWY Project No. FY-0373 – East Fayetteville Improvements:

Contract Section I

1. Evaluation and refurbishing of existing pressure reducing valves (PRV) and vaults (if needed) at the following locations.
 - a. Box Street
 - b. Setter Street
 - c. Guy Terry Road
2. Approx. 3,700-lf of 8" PVC waterline along Guy Terry Road
3. Continued evaluation and refurbishing of two (2) existing pressure sustaining valves (PSV) on the existing 36" and 42" transmission lines from BWD. Work also includes additional controls/equipment to assist the City's water department with operation.

Contract Section II

1. New 0.75-MG tank on existing Gulley Rd city property (Tank-1)
2. Misc. inter-connection piping between existing Gulley Rd. tank and new tank

Contract Section III

1. New pump station on existing Gulley Rd city property (PS-1)
2. Approx. 8,500-lf of 18" DI waterline (Line EF-1 & EF-2)
3. Approx. 3,000-lf of 8" PVC waterline (Line EF-3)
4. Approx. 420-lf of 8" PVC waterline (Line I-5)
5. Misc. connections/disconnections along Hwy. 45
6. New altitude valve and vault @ E. Paul Pray Dr. (AV-1)
7. Removal of existing Slaughter Mtn. flow control valves (FCV) and vault. Cap waterline feeds to FCV's (2 total)

MWY Project No. FY-0374 – Township Pressure Plane Improvements:

1. New pump station along Ash Street (PS-2)
2. Dismantling existing 0.075-MG Township tank
3. New 0.25-MG elevated tank (Tank-2)
4. De-commission of existing Ash Street pump station
5. Approx. 400-lf of 8" PVC waterline (Line T-1)
6. Approx. 570-lf of 8" PVC waterline (Line T-2)
7. Evaluation, Survey & Design of 12" PVC waterline along Juneway or alternate tank site

PROJECT NUMBERS FY0373 & FY0374

McGOODWIN, WILLIAMS & YATES - FEE ESTIMATE
EAST FAYETTEVILLE A IMPROVEMENTS - CONTRACT SECTION I
Design & Bid Phase

TASK	MAN-HOURS																						TASK	TASK
	ENGR 7	ENGR 6	ENGR 5	ENGR 4	ENGR 3	ENGR 2	ENGR 1	ARCH 3	ARCH 2	ARCH 1	TECH 6	TECH 5	TECH 4	TECH 3	TECH 2	TECH 1	ADMIN 5	ADMIN 4	ADMIN 3	ADMIN 2	ADMIN 1	GPS	MAN-HRS	COST
East Fayetteville Improvements (FY0373)																								
Contract Section I - Guy Terry Road 8-Inch Waterline & System Improvements																								
Design & Preparation of Plans and Specifications																								
Survey																								
Existing Utility Locates											3			3									6	\$600
Set Control and Topo Route											12			12							2		26	\$2,552
Process Data											1			3									4	\$360
																							0	\$0
Easements (9 Parcels)																								
Research											4			4									8	\$800
Field Work											2			2							2		6	\$552
Prepare Easements & Plot Deeds											27						9						36	\$4,050
																							0	\$0
Preparation of Plans and Specifications																								
Develop Title and Index Sheets		1	2									4											7	\$913
Develop Alignment Map with Aerial Photo		1	2									8											11	\$1,361
Develop Plan and Profile Sheets (5) on 22"x34" Sheets		2	10			16						72											100	\$11,594
Detail Sheets		1	2			4						8											15	\$1,801
PRV and Vault Improvement Detail Sheets		2	4			8						10											24	\$2,930
PSV and Vault Improvement Detail Sheets		2	24			16						24											66	\$8,178
Coordinate Electrical and Controls		2	8									8											18	\$2,386
Quantities and Develop Opinion of Probable Cost		1	2			8						4											15	\$1,793
Develop SWPPP and BMP Plans		1	2			8						12											23	\$2,689
Develop Specifications and Contract Documents		4	32			40						2					16						94	\$11,284
Meetings with City Staff for plan reviews		16	16																				32	\$5,200
Revise plans per Easement Negotiations			12			12						24											48	\$5,688
MWY In-house plan review		1	8								8												17	\$2,265
Allowance for Owner-Requested Additions or Changes		4	12			12						12											40	\$5,084
Run copies and assemble plan and specification sets			2									8					8						18	\$1,896
																							0	\$0
Bid and Preconstruction Phase Services																								
Coordinate Advertisement and Distribute Plans			2														8						10	\$1,000
Attend Pre-Bid Conference and Prepare Minutes			4														4						8	\$920
Questions from Planholders			4																				4	\$560
Assist Addendum Preparation			4														8						12	\$1,280
Attend Bid Opening & Assist with Evaluation of Bids		2	4																				6	\$930
Recommendation & Contract Award		1	2														2						5	\$645
Attend Public Meetings			4																				4	\$560
Assist with Construction Contract Preparation		2															4						6	\$730
																							0	\$0
																							0	\$0
																							0	\$0
																							0	\$0
TOTAL MAN-HOURS	0	43	162	0	0	124	0	0	0	0	57	196	0	24	0	0	59	0	0	0	0	4	669	

Subtotals**East Fayetteville Improvements (FY0373)****Contract Section I - Guy Terry Road 8-Inch Waterline & System Improvements**

Survey	\$3,512
Easements (9 Parcels)	\$5,402
Preparation of Plans and Specifications	\$65,062
Bid and Preconstruction Phase Services	\$6,625
Subtotal MWY Services	\$80,601

Reimbursables/Additional Services

Miscellaneous (Review Fees, Title Work, Arkups)	\$1,500
Electrical Engineer	\$5,000

TOTAL Contract Section I \$87,101

PROJECT NUMBERS FY0373 & FY0374

McGOODWIN, WILLIAMS & YATES - FEE ESTIMATE
EAST FAYETTEVILLE IMPROVEMENTS - CONTRACT SECTION II
Design & Bid Phase

TASK	MAN-HOURS																					TASK MAN-HRS	TASK COST
	ENGR 7	ENGR 6	ENGR 5	ENGR 4	ENGR 3	ENGR 2	ENGR 1	ARCH 3	ARCH 2	ARCH 1	TECH 6	TECH 5	TECH 4	TECH 3	TECH 2	TECH 1	ADMIN 5	ADMIN 4	ADMIN 3	ADMIN 2	ADMIN 1	GPS	
East Fayetteville Improvements (FY0373)																							
Contract Section II - Gulley Road Tank & Site Piping Improvements																							
Design & Preparation of Plans and Specifications																							
Survey																							
Existing Utility Locates											1			1								2	\$200
Set Control and Topo											16			16							1	33	\$3,276
Process Data											1			3								4	\$360
																						0	\$0
Preparation of Plans and Specifications																							
Develop Title and Index Sheets		1	2									4										7	\$913
Develop Vicinity Map with Aerial Photo		1	2									8										11	\$1,361
Develop Access Road Improvements Sheet		2	6									16										24	\$3,002
Develop Tank Site Plan and Yard Piping Sheet		2	24			24						40										90	\$10,850
Develop Tank Plan and Elevation Sheet		4	24			24						40										92	\$11,220
Coordinate Electrical and Controls		2	8									8										18	\$2,386
Detail Sheet		2	4			24						24										54	\$6,258
Quantities and Develop Opinion of Probable Cost		2	4			8						2										16	\$2,034
Develop SWPPP and BMP Plans		2	2			8						8										20	\$2,426
Develop Specifications and Contract Documents		8	40			40											16					104	\$12,920
Meetings with City Staff for plan reviews		16	16																			32	\$5,200
MWY In-house plan review		2	8								16											26	\$3,410
Allowance for Owner-Requested Additions or Changes		4	12			12						12										40	\$5,084
Run copies and assemble plan and specification sets			2									8					8					18	\$1,896
																						0	\$0
Bid and Preconstruction Phase Services																							
Coordinate Advertisement and Distribute Plans			2														8					10	\$1,000
Attend Pre-Bid Conference and Prepare Minutes			8														8					16	\$1,840
Questions from Planholders																						12	\$1,680
Assist Addendum Preparation			8														8					16	\$1,840
Attend Bid Opening & Assist with Evaluation of Bids		2	4																			6	\$930
Recommendation & Contract Award		1	2														2					5	\$645
Attend Public Meetings			4																			4	\$560
Assist with Construction Contract Preparation		2															4					6	\$730
																						0	\$0
																						0	\$0
																						0	\$0
																						0	\$0
TOTAL MANHOURS	0	53	194	0	0	140	0	0	0	0	34	170	0	20	0	0	54	0	0	0	0	1	666

Subtotals

East Fayetteville Improvements (FY0373)
Contract Section II - Gulley Road Tank & Site Piping Improvements

Survey	\$3,836
Preparation of Plans and Specifications	\$68,960
Bid and Preconstruction Phase Services	\$9,225
Subtotal MWY Services	\$82,021

Reimbursables/Additional Services

Miscellaneous (Review Fees, Title Work, Arkups)	\$800
Electrical and Instrumentation	\$5,000
TOTAL Contract Section II	\$87,821

PROJECT NUMBERS FY0373 & FY0374

McGOODWIN, WILLIAMS & YATES - FEE ESTIMATE
EAST FAYETTEVILLE IMPROVEMENTS - CONTRACT SECTION III
Design & Bid Phase

TASK	MAN-HOURS																						TASK	TASK
	ENGR 7	ENGR 6	ENGR 5	ENGR 4	ENGR 3	ENGR 2	ENGR 1	ARCH 3	ARCH 2	ARCH 1	TECH 6	TECH 5	TECH 4	TECH 3	TECH 2	TECH 1	ADMIN 5	ADMIN 4	ADMIN 3	ADMIN 2	ADMIN 1	GPS	MAN-HRS	COST
East Fayetteville Improvements (FY0373)																								
Contract Section III - Gulley Road Pump Station & Waterline Improvements																								
Design & Preparation of Plans and Specifications																								
Survey																								
Existing Utility Locates											9		9										18	\$1,800
Set Control and Topo Route											64		64								8		136	\$13,408
Process Data											6		16										22	\$2,000
Boundary Survey (New Goshen Altitude Valve Vault)											16		6										22	\$2,400
																							0	\$0
Easements (40 Parcels)																								
Research											20												20	\$2,400
Field Work											30		30										60	\$6,000
Prepare Easements & Plot Deeds											120						40						160	\$18,000
																							0	\$0
Preparation of Plans and Specifications																								
Develop Title and Index Sheets			1	2								4											7	\$945
Develop Vicinity Map with Aerial Photo			1	2								8											11	\$1,425
Develop Plan and Profile Sheets (15) on 22"x34" Sheets			16	32			60				240												348	\$42,840
Connection/Bore Profiles, Waterline Detail Sheets (3)			4	8			24				24												60	\$7,380
Develop Detail Sheets for Vault Improvements			2	8			24				24												58	\$7,010
Booster Station Site Plan			2	8			24				40												74	\$8,930
Booster Station Plan, Sections and Schedule			2	8			24				40												74	\$8,930
Booster Pump Station Foundation Plan, Gen Pad			2	24							32												58	\$7,570
Booster Station Site Details			2	4			16				32												54	\$6,530
Coordinate Electrical and Instrumentation			1	8							8												17	\$2,265
Quantities and Develop Opinion of Probable Cost			2	2			8				8												20	\$2,490
Develop SWPPP and BMP Plans			2	8			32				60												102	\$12,210
Develop Specifications and Contract Documents			8	40			40											24					112	\$13,640
Meetings with City Staff for plan reviews			24	24																			48	\$7,800
MWY In-house plan review			2	8							16												26	\$3,410
Revise plans per Easement Negotiations			8	16			24				60												108	\$13,560
Allowance for Owner-Requested Additions or Changes			4	24			24				24												76	\$9,620
Run copies and assemble plan and specification sets				2								8					8						18	\$1,896
																							0	\$0
Bid and Preconstruction Phase Services																								
Coordinate Advertisement and Distribute Plans				2													8						10	\$1,000
Attend Pre-Bid Conference and Prepare Minutes				8													8						16	\$1,840
Questions from Planholders			4	24																			28	\$4,100
Assist Addendum Preparation				8													8						16	\$1,840
Attend Bid Opening & Assist with Evaluation of Bids			2	4																			6	\$930
Recommendation & Contract Award			1	2													2						5	\$645
Attend Public Meetings				4																			4	\$560
Assist with Construction Contract Preparation			2														4						6	\$730
																							0	\$0
																							0	\$0
																							0	\$0
																							0	\$0
TOTAL MANHOURS	0	92	280	0	0	300	0	0	0	0	885	8	0	125	0	0	102	0	0	0	0	8	1800	

Subtotals**East Fayetteville Improvements (FY0373)****Contract Section III - Gulley Road Pump Station & Waterline Improvements**

Survey	\$19,608
Easements (40 Parcels)	\$26,400
Preparation of Plans and Specifications	\$158,451
Bid and Preconstruction Phase Services	\$11,645
Subtotal MWY Services	\$226,104

Reimbursables/Additional Services

Miscellaneous (Review Fees, Title Work, Arkups)	\$3,500
Electrical and Instrumentation	\$10,000
TOTAL Contract Section III	\$229,604

PROJECT NUMBERS FY0373 & FY0374

**McGOODWIN, WILLIAMS & YATES - FEE ESTIMATE
TOWNSHIP PRESSURE PLANE IMPROVEMENTS**

Design & Bid Phase

TASK	MAN-HOURS																					TASK	TASK	
	ENGR 7	ENGR 6	ENGR 5	ENGR 4	ENGR 3	ENGR 2	ENGR 1	ARCH 3	ARCH 2	ARCH 1	TECH 6	TECH 5	TECH 4	TECH 3	TECH 2	TECH 1	ADMIN 5	ADMIN 4	ADMIN 3	ADMIN 2	ADMIN 1	GPS	MAN-HRS	COST
Township Pressure Plane Improvements (FY0374)																								
Design & Preparation of Plans and Specifications																								
Survey																								
Existing Utility Locates											3		3										6	\$600
Set Control and Topo Route											14		14								14		42	\$3,864
Process Data											2		4										6	\$560
Boundary Survey (Ash Street Pump Station)											21		12									6	39	\$3,936
																							0	\$0
Easements (4 Parcels)																								
Research											4		4										8	\$800
Field Work											2		2								2		6	\$552
Prepare Easements & Plot Deeds											12						4						16	\$1,800
																							0	\$0
Preparation of Plans and Specifications																								
Develop Title and Index Sheets			1	2								4											7	\$913
Develop Vicinity Map with Aerial Photo			1	2								8											11	\$1,361
Develop Plan and Profile Sheets (2) on 22"x34" Sheets			2	4		8						32											46	\$5,394
Existing Pump Station Decommissioning			1	8								6											15	\$1,977
Booster Station Site Plan			2	16		24						40											82	\$9,730
Booster Station Plan, Sections and Schedule			2	16		24						40											82	\$9,730
Booster Pump Station Foundation Plan, Gen Pad			2	24								40											66	\$8,210
Booster Station Site Details			2	4		16						32											54	\$6,274
Develop Tank Site Plan and Yard Piping Sheet			2	16		24						40											82	\$9,730
Develop Tank Plan and Elevation Sheet			2	8		24						40											74	\$8,610
Develop Tank Detail Sheets			2	8		16						24											50	\$5,938
Coordinate Electrical and Instrumentation			2	8																			10	\$1,490
Evaluation, Survey & Design of 12" Waterline or alternate Tank Site (5 sheets)			2	8		16					10	64		11							3	114	\$12,726	
Quantities and Develop Opinion of Probable Cost			2	4		8						4											18	\$2,258
Develop SWPPP and BMP Plans (2)			2	8		32						8											50	\$5,906
Develop Specifications and Contract Documents			8	32		40											24						104	\$12,520
Meetings with City Staff for plan reviews			24	24								2											50	\$8,024
Revise plans per Easement Negotiations				12		12						24											48	\$5,688
MWY In-house plan review			2	8							16												26	\$3,410
Allowance for Owner-Requested Additions or Changes			4	40		40						40											124	\$15,220
Run copies and assemble plan and specification sets				2								8					8						18	\$1,896
																							0	\$0
Bid and Preconstruction Phase Services																								
Coordinate Advertisement and Distribute Plans				2													8						10	\$1,000
Attend Pre-Bid Conference and Prepare Minutes				8													8						16	\$1,840
Questions from Planholders			4	24																			28	\$4,100
Assist Addendum Preparation				8													8						16	\$1,840
Attend Bid Opening & Assist with Evaluation of Bids			2	4																			6	\$930
Recommendation & Contract Award			1	2													2						5	\$645
Attend Public Meetings				4																			4	\$560
Assist with Construction Contract Preparation			2														4						6	\$730
																							0	\$0
																							0	\$0
																							0	\$0
																							0	\$0
TOTAL MANHOURS	0	74	306	0	0	284	0	0	0	0	84	456	0	50	0	0	66	0	0	0	0	25	1345	

Subtotals

Township Pressure Plane Improvements (FY0374)

Survey	\$8,960
Easements (4 Parcels)	\$3,152
Preparation of Plans and Specifications	\$137,005
Bid and Preconstruction Phase Services	\$11,645
Subtotal MWY Services	\$160,762

Reimbursables/Additional Services

Miscellaneous (Review Fees, Title Work, Arkups)	\$1,000
Electrical and Instrumentation	\$5,000
Total	\$166,762

**McGOODWIN, WILLIAMS & YATES - FEE ESTIMATE
SUMMARY**

East Fayetteville Improvements (FY0373) (Total)	
Survey	\$28,312
Easements (52 Parcels)	\$33,828
Preparation of Plans and Specifications	\$291,112
Bid and Preconstruction Phase Services	\$27,495
Subtotal MWY Services	\$380,747
Reimbursables/Additional Services	
Miscellaneous (Review Fees, Title Work, Arkups)	\$5,800
Electrical and Instrumentation	\$20,000
Total	\$406,547

Township Pressure Plane Improvements (FY0374)	
Survey	\$8,960
Easements (4 Parcels)	\$3,152
Preparation of Plans and Specifications	\$137,005
Bid and Preconstruction Phase Services	\$11,645
Subtotal MWY Services	\$160,762
Reimbursables/Additional Services	
Miscellaneous (Review Fees, Title Work, Arkups)	\$1,000
Electrical and Instrumentation	\$5,000
Total	\$166,762

Total Both Projects	\$573,309
----------------------------	------------------

SCHEDULE OF CLASSIFICATIONS AND RATES FOR 2017

<u>Classification</u>	<u>Hourly Rate</u>
Engineer 7	\$230.00
Engineer 6	185.00
Engineer 5	140.00
Engineer 4	130.00
Engineer 3	120.00
Engineer 2	110.00
Engineer 1	98.00
Architect 3.....	\$ 140.00
Architect 2.....	99.00
Architect 1.....	88.00
Technician 6	\$ 120.00
Technician 5	112.00
Technician 4	95.00
Technician 3	80.00
Technician 2	64.00
Technician 1	50.00
Admin 6.....	\$100.00
Admin 5.....	90.00
Admin 4.....	82.00
Admin 3.....	73.00
Admin 2.....	55.00
Admin 1.....	38.00
GPS Surveying Equipment (when utilized)	\$ 76.00

Hourly rate schedules will be adjusted annually each January 1.

McGoodwin, Williams and Yates, Inc.
Consulting Engineers
Fayetteville, Arkansas

January 1, 2017



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0611

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 21

833 NORTH CROSSOVER ROAD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$174,135.00 RECOGNIZING REVENUE FROM THE SALE OF THE FIRE PREVENTION BUREAU AT 833 NORTH CROSSOVER ROAD

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 \$174,135.00 recognizing revenue from the sale of the Fire Prevention Bureau at 833 North Crossover Road and moving those funds into the Fire Facility Maintenance account and Fire Apparatus Purchases account.

City of Fayetteville Staff Review Form

2017-0611

Legistar File ID

1/2/2018

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

David Dayringer

12/14/2017

FIRE (300)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a Budget Adjustment to utilize the revenue received from the sale of the Fire Prevention Bureau located at 833 N. Crossover Rd. The funds will be moved to the expense accounts of Capital Project: Fire Facility Maintenance and Capital Project: Fire Apparatus Purchases. These funds will be utilized for fire facility improvements and future fire apparatus purchases.

Budget Impact:

4470.300.8300-5400.00

4470.300.8300-5802.00

Account Number

02006.1

03019.1

Project Number

Sales Tax Capital

Fund

Fire Facility Maintenance

Fire Apparatus Purchases

Project Title

Budgeted Item? Yes

Current Budget \$ 744,411.00

Funds Obligated \$ 619,711.56

Current Balance \$ 124,699.44

Does item have a cost? NA

Item Cost

Budget Adjustment Attached? Yes

Budget Adjustment \$ 174,135.00

Remaining Budget \$ 298,834.44

V20140710

Previous Ordinance or Resolution # 238-17

Original Contract Number: _____

Approval Date: _____

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

FROM: David Dayringer, Fire Chief

DATE: December 14, 2017

SUBJECT: Staff recommends Approval of a Budget Adjustment to utilize the revenue received from the sale of the Fire Prevention Bureau located at 833 N. Crossover Rd.

RECOMMENDATION:

Staff recommends Approval of a Budget Adjustment to utilize the revenue received from the sale of the Fire Prevention Bureau located at 833 N. Crossover Rd.

BACKGROUND:

The Fayetteville Fire Department wants to utilize the revenue received in the Fire Capital Projects of Fire Facility Maintenance and Fire Apparatus Purchases.

DISCUSSION:

The Fire Department will utilize this revenue for renovating the existing Fire Department property located at 4140 South School to develop offices for the Fire Prevention Bureau and assist with funding for future fire apparatus purchases. \$74,135 will be moved into the Fire Facility Maintenance account and \$100,000 will be moved into the Fire Apparatus Purchases account upon Council approval of the Budget Adjustment.

BUDGET/STAFF IMPACT:

The funds will be moved to the expense accounts of Capital Project: Fire Facility Maintenance and Capital Project: Fire Apparatus Purchases.

Attachments:

Closing Documents; Budget Adjustment

SELLER/BORROWER'S AFFIDAVIT

STATE OF ARKANSAS, COUNTY OF: WASHINGTON

The undersigned, referred to as Seller/Borrower (whether one or more) being first duly sworn on oath that the Seller/Borrower is the owner of the following described lands, situated in Washington County, Arkansas, to-wit:

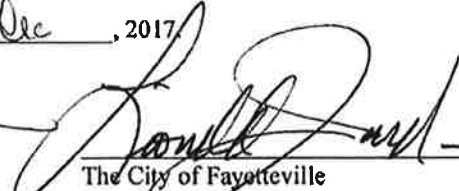
Lot Numbered Seven (7) in Block Numbered Three (3) of Eastwood Subdivision to the City of Fayetteville, Arkansas, as per plat of said subdivision on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. Less and except that portion laying within the right of way of line of Arkansas State Highway 265.

Seller/Borrower further states the following facts are true:

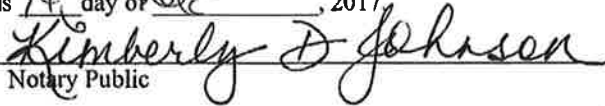
1. There is no adverse occupant of the property described above.
2. Seller/Borrower and those, under whom Seller/Borrower claims title, have been in peaceful possession of said lands for more than 7 years past.
3. There are no unrecorded options to purchase, Sales Contracts or Lease Agreements outstanding, which affects the property described above.
4. There have been no improvements made on the property described above during the past 130 days for which a Mechanic's and Materialmen's Lien may be filed.
5. No appliances have been installed in the property described above on deferred payments, which are unpaid for.
6. The property described above is not traversed by any roadways or easements, except those shown on record.
7. There are no delinquent assessments due on the resident's association on the property described above, if applicable.
8. That no money whatsoever is owed on subject property to any person, firm or corporation other than the following:
 NONE
9. There are no outstanding judgments against Seller/Borrower as a result of legal action to include, but not limited to, Tax Liens, Divorce, Bankruptcy or Foreclosure.
10. There are no pending litigations against Seller/Borrower which may result in a judgment.
11. That the marital status of Seller/Borrower has not changed since they acquired above described property.

Witness the hand and seal of the undersigned this 14 day of Dec, 2017.


Washington County Regional Ambulance Authority


The City of Fayetteville

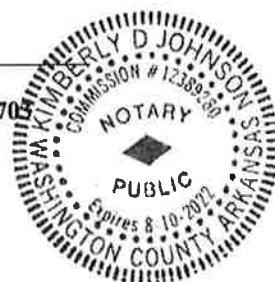
Subscribed and sworn to before me, a Notary Public, on this 14 day of Dec, 2017.


Notary Public

My Commission Expires:

8-10-2022

Please return this to Bronson Abstract Company, Inc., 3810 Front Street, Suite #5, Fayetteville, AR 72703
File Number: 23183-17



CLOSING CERTIFICATION

FILE No: 23183-17

Address: 833 N. Crossover Road, Fayetteville, AR 72701-3000

We the undersigned hereby state that we are the party(ies) with respect the property referenced above and theretofore make the following certifications where applicable:

PROPERTY ADDRESS PRORATIONS

Bronson Abstract Company, Inc. (hereinafter referred to as "Closing Agent") has prorated the current years real estate taxes (if a purchase) from January first of the current year through the date of the closing and have given the purchaser(s) credit for same on the settlement statement. The purchaser will therefore be responsible for payment of those taxes when they become due and payable the next payment cycle.

If an escrow is being established for payment of taxes and/or insurance then the Closing Agent has made the necessary entries on the settlement statement as instructed by the Lender. The reserves and monthly payments for the escrow have been established by using the current amounts provided by the County Assessor for the current year without consideration of any existing credits.

It is the responsibility of the undersigned Borrower(s)/Purchaser(s) to contact the County Assessor's office for the purpose of applying for any credits for which they may be entitled. It will also be the responsibility of the undersigned to provide the Lender with any information which would be necessary for the purpose of changes to any of the escrow payment amounts.

The Closing Agent hereby disclosed that the valuations as provided by the County Assessor's office at the time of closing may be changed at any time for the closing date forward and said Closing Agent shall not be held responsible or liable to the undersigned for any discrepancies and/or adjustments which may occur subsequent to the date of the closing.

TITLE INSURANCE AFFIDAVIT

The undersigned, where applicable, hereby affirm that they have received a copy of the title insurance commitment and are aware of any matters contained therein.

SURVEY-WAIVER

The undersigned affirm and acknowledge that they did not receive, unless previously agreed and/or required, a survey of the property, and further will have no coverage or protection on the title policy with respect to matters that would have been disclosed by an accurate survey of the property. It is the responsibility of the undersigned to request such coverage, including but not limited to survey matters, directly from the title insurance issuing agent prior to the closing and be responsible for additional coverage. In the even the survey coverage is requested and/or required, it is further the responsibility of the undersigned to provide the title insurance issuing agent a survey which would meet the criteria and requirements as determined by the title insurance company guidelines.

ERRORS AND OMISSIONS

The undersigned party(ies) affirm and acknowledge that they will cooperate and agree to re-executed any documents, initial any changes, or pay any additional amounts and/or fees which my result from clerical errors or other matters, including but not limited to misspellings, incorrect names, addresses, legal descriptions, costs, terms, conditions, computations, taxes collected or due and expenses which were all done in good faith by the Closing Agent and further agree to respond to any such request made by Closing Agent, Lender, or other parties involved, in a manner which is timely and consistent with such request.

We further agree to indemnify and hold Closing Agent, Lender and Realtors harmless from loss or damage or liability resulting from matters herein.

Dated this 8th day of December, 2017.

PURCHASER

Washington County Regional Ambulance Authority

By: Owen McAdoo, President

SELLER

The City of Fayetteville

WARRANTY DEED

BE IT KNOWN BY THESE PRESENTS:

THAT the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTOR, for and in consideration of the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000.00), the receipt of which is hereby acknowledged, and the public interest, does hereby grant, bargain, sell and convey unto **Washington County Regional Ambulance Authority**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, the following described land situated in the County of Washington, State of Arkansas, to-wit:

Lot Number Seven (7) in Block Numbered Three (3) of Eastwood Subdivision to the City of Fayetteville, Arkansas, as per plat of said subdivision on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. Less and except that portion lying within the right of way Arkansas State Highway 265. Subject to all easements and rights-of-way of record.

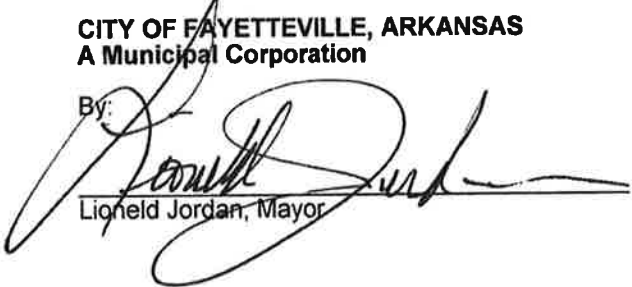
TO HAVE AND TO HOLD the said lands and appurtenances hereunto belonging unto the said Grantee and Grantee's successors and assigns, forever. And the said Grantor hereby covenants that it is lawfully seized of said lands and premises; that the same is unencumbered, and that the Grantor will forever warrant and defend the title to the said lands against all legal claims whatever.

Consideration for the conveyance of this property includes the public interest to help ensure that Grantee can adequately provide ambulance or other governmental-type emergency services to Fayetteville residents. If the Grantee attempts to convey the property for a non-governmental use at any time within twenty (20) years from the date of this conveyance, then the Grantor, City of Fayetteville, Arkansas shall have the right of first refusal to re-purchase the property for \$175,000.00. If the City desires to exercise this right of first refusal, it shall deliver written notice to that effect to Grantee within sixty (60) days of receiving notice in writing of Grantee's intent to convey the property.

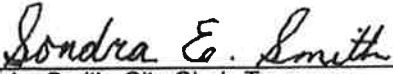
WITNESS the execution hereof on this the 4 day of December, 2017.

CITY OF FAYETTEVILLE, ARKANSAS
A Municipal Corporation

By:


Lioneld Jordan, Mayor

ATTEST:

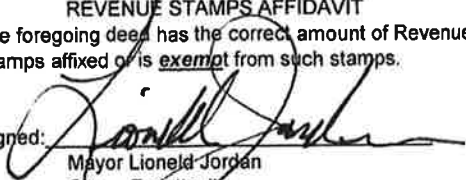

Sondra Smith, City Clerk-Treasurer



REVENUE STAMPS AFFIDAVIT

The foregoing deed has the correct amount of Revenue Stamps affixed or is exempt from such stamps.

Signed:


Mayor Lioneld Jordan
City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

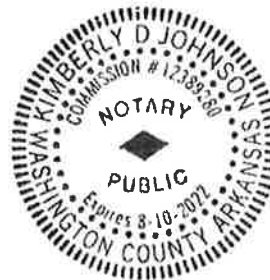
ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON }

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **Lionel Jordan** and **Sondra Smith**, to me well known as the persons who executed the foregoing document, and who stated and acknowledged that they are the **Mayor** and **City Clerk-Treasurer**, respectively, of the **City of Fayetteville, Arkansas, a Municipal Corporation**, and are duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said City of Fayetteville, Arkansas, and further stated and acknowledged that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this 14 day of December, 2017.

Kimberly D. Johnson
Notary Public
My Commission Expires: 8-10-2022





FINAL

A. SETTLEMENT STATEMENT (HUD-1)

OMB No. 2502-0265

B. TYPE OF LOAN		
1. ☐ FHA	2. ☐ FHMA	3. ☐ CONV. UNINS.
4. ☐ VA	5. ☐ CONV. INS.	
6. FILE NUMBER: 23183-17		7. LOAN NUMBER
8. MORTGAGE INS. CASE NO.:		

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. NAME & ADDRESS OF BORROWER: Washington County Regional Ambulance Authority

E. NAME & ADDRESS OF SELLER: The City of Fayetteville

F. NAME & ADDRESS OF LENDER: Cash

G. PROPERTY LOCATION: 833 N. Crossover Road, Fayetteville, AR 72701-3000

H. SETTLEMENT AGENT: Bronson Abstract Company, Inc.

PLACE OF SETTLEMENT: 3810 Front Street, Suite 5, Fayetteville, AR 72703 (479) 442-2700

I. SETTLEMENT DATE: 12/14/2017

DISBURSEMENT DATE: 12/14/2017

J. Summary of Borrower's Transaction

K. Summary of Seller's Transaction

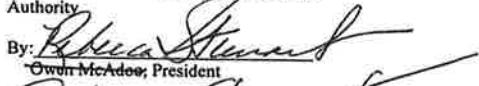
100. Gross Amount Due From Borrower:		400. Gross Amount Due To Seller:	
101. Contract sales price	175,000.00	401. Contract sales price	175,000.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower: (line 1400)	425.00	403.	
104.		404.	
105.		405.	
Adjustments For Items Paid By Seller In Advance:		Adjustments For Items Paid By Seller In Advance:	
106. City/town taxes to		406. City/town taxes to	
107. County taxes to		407. County taxes to	
108. Assessments to		408. Assessments to	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
116.		416.	
120. Gross Amount Due From Borrower:	175,425.00	420. Gross Amount Due To Seller:	175,000.00
200. Amounts Paid By Or In Behalf Of Borrower:		500. Reductions In Amount Due To Seller:	
201. Deposit or earnest money		501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	865.00
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff 1st Mtg. Ln.	
205.		505. Payoff 2nd Mtg. Ln.	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments For Items Unpaid By Seller:		Adjustments For Items Unpaid By Seller:	
210. City/town taxes to		510. City/town taxes to	
211. County taxes to		511. County taxes to	
212. Assessments to		512. Assessments to	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid By/For Borrower:		520. Total Reductions In Amount Due Seller:	865.00
300. Cash At Settlement From/To Borrower:		600. Cash At Settlement From/To Seller:	
301. Gross amount due from borrower (line 120)	175,425.00	601. Gross amount due to seller (line 420)	175,000.00
302. Less amount paid by/for borrower (line 220)		602. Less reductions in amount due seller (line 520)	865.00
303. Cash (☒FROM) (☐TO) Borrower:	175,425.00	603. Cash (☒TO) (☐FROM) Seller:	174,135.00

L.		SETTLEMENT	CHARGES	Escrow: 23183-17	
700. Total Sales/Broker's Commission:					
Based On Price \$ 175,000.00 @ % =					
Division of Commission (line 700) As Follows:					
701. \$	to			Paid From Borrower's Funds At Settlement	Paid From Seller's Funds At Settlement
702. \$	to				
703. Commission paid at settlement					
704.					
800. Items Payable In Connection With Loan:					
801. Loan Origination fee %					
802. Loan Discount %					
803. Appraisal fee to: Cash Appraisal Fee					
804. Credit report to: Cash Credit Report Fee					
805. Lender's inspection fee					
806. Mortgage insurance application fee to					
807. Assumption fee					
808. Loan Fee To: Cash Loan Fee					
809. Underwriting Fee To: Cash Underwriting Fee					
810.					
811.					
812.					
813.					
814.					
815.					
816.					
817.					
818.					
819.					
820.					
821.					
900. Items Required By Lender To Be Paid In Advance:					
901. Interest from to @ \$ /day (0 days)					
902. Mortgage insurance premium for mo. to					
903. Hazard insurance premium for yrs. to					
904. Flood insurance premium for yrs. to					
905.					
906.					
1000. Reserves Deposited With Lender:					
1001. Hazard insurance 0 months @ \$ 0.00 per month					
1002. Mortgage insurance 0 months @ \$ 0.00 per month					
1003. City property taxes 0 months @ \$ 0.00 per month					
1004. County property taxes 0 months @ \$ 0.00 per month County Taxes Reserves					
1005. Annual assessments 0 months @ \$ 0.00 per month					
1006. Flood insurance 0 months @ \$ 0.00 per month					
1007. 0 months @ \$ 0.00 per month					
1008. Aggregate Adjustment					
1009.					
1100. Title Charges					
1101. Settlement or closing fee to Bronson Abstract Company, Inc. Title-Settlement Agent Fee				275.00	275.00
1102. Abstract or title search to Bronson Abstract Company, Inc. Title-Title Search				125.00	125.00
1103. Title examination to					
1104. Title insurance binder to					
1105. Document preparation to Bronson Abstract Company, Inc. Title - Document Preparation Fee					
1106. Notary fees to					
1107. Attorney's fees to					
(includes above item Numbers:)					
1108. Title insurance to Bronson Abstract Company, Inc. Title-Lender/Mortgagee Premium					
(includes above item Numbers:)					465.00
1109. Lender's coverage \$ 0.00 Premium: \$ 0.00					
1110. Owner's coverage \$ 175,000.00 Premium: \$ 465.00					
1111.					
1112.					
1113.					
1114.					
1200. Government Recording and Transfer Charges:					
1201. Recording fees: Deed \$ 25.00 ;Mortgage \$ 0.00 ;Releases \$ 0.00				25.00	
1202. City/county tax/stamps: Deed \$ 0.00 ;Mortgage \$ 0.00					
1203. State tax/Stamps: Deed \$ 0.00 ;Mortgage \$ 0.00					
1204.					
1205.					
1300. Additional Settlement Charges:					
1301. Survey to					
1302. Pest inspection to					
1303.					
1304.					
1305.					
1306.					
1307.					
1308.					
1400. Total Settlement Charge (Enter on line 103, Section J - and - line 502, Section K)				425.00	865.00

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

Borrowers/Purchasers

Washington County Regional Ambulance
Authority

By: 
Owon McCadee, President

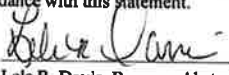


Sellers

The City of Fayetteville

By: 

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Settlement Agent: 

Date: 12-14-17

Lela R. Davis, Bronson Abstract Company, Inc.

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine or imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

ORIGINAL DOCUMENT HAS RED KEYHOLE ICON THAT DISAPPEARS WITH HEAT

DOCUMENT IS PRINTED ON CHEMICALLY REACTIVE PAPER - THE BACK OF THIS DOCUMENT INCLUDES A TAMPER EVIDENT CHEMICAL WASH WARNING BOX

025505

BRONSON ASTRAC COMPANY, INC.
ESCROW ACCOUNT
310 FRONT ST., SUITE 500
FAYETTEVILLE, AR 72701

FAYETTEVILLE, AR 72701
FAYETTEVILLE, AR 72701
81-117829
23183-11

12/14/2017

File No.:

PAY TO THE ORDER OF The City of Fayetteville
ONE HUNDRETH SEVEN THOUSAND FOUR HUNDRED THIRTY FIVE AND NO/100 DOLLARS \$ 174,135.00
DOLLARS

The City of Fayetteville
113 W. Mountain Street
Fayetteville, AR 72701

Lela Davis

AUTHORIZED SIGNATURE

MEMO

025505 082907477 2098772



THE BACK OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES

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

Budget Year 2018 (BY)	Division /Org2 FIRE (300) Requestor: David Dayringer	Adjustment Number
---------------------------------	---	--------------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Adjustment of Funds to utilize the revenue received from the sale of the Fire Prevention Bureau located at 833 N. Crossover Rd. The funds will be moved to the expense accounts of Capital Project: Fire Facility Maintenance and Capital Project: Fire Apparatus Purchases. These funds will be utilized for fire facility improvements and future fire apparatus purchases.

RESOLUTION/ORDINANCE	COUNCIL DATE:	1/2/2018
	LEGISTAR FILE ID#:	2017-0611
	<i>Barbara Fell</i>	
	12/15/2017 8:27 AM	
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/

TOTAL		348,270	348,270				v.20170707
Account Number	Increase / (Decrease)		Project.Sub#		AT	Account Name	
	Expense	Revenue	Project	Sub			
1010.300.3020-4881.02	-	174,135			RE	**Gain/Loss - Sale of Assets - Gain/Loss - !	
1010.090.6600-7602.47	174,135	-	57039	1701	EX	Transfers To Funds - Capital Improvement	
4470.300.8300-6602.01	-	74,135	02006	1	RE	Transfer from Fund - General	
4470.300.8300-6602.01	-	100,000	03019	1	RE	Transfer from Fund - General	
4470.300.8300-5400.00	74,135	-	02006	1	EX	Building & Grounds - Maintenance	
4470.300.8300-5802.00	100,000	-	03019	1	EX	Vehicles & Equipment - base	
	-	-					
	-	-					
	-	-					
	-	-					
	-	-					
	-	-					
	-	-					
	-	-					
	-	-					



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0753

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 22

G&W DIESEL SERVICE, INC.:

A RESOLUTION TO APPROVE THE PURCHASE OF A 2018 PIERCE ARROW XT FIRE APPARATUS FROM G&W DIESEL SERVICE, INC. IN THE AMOUNT OF \$893,472.00 PLUS A PERFORMANCE AND PAYMENT BOND AT A COST OF \$3,000.00 PURSUANT TO THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, the Fire Department needs to replace Unit 35, a 2004 E-One Pumper Fire Engine based on the recommendation of the Fleet Division; and

WHEREAS, the City will receive a pre-pay discount of \$35,329.00 in exchange for the purchase of a performance and payment bond at a cost of \$3,000.00 which will allow the City to receive a net total discount of \$32,329.00; and

WHEREAS, the Fire Department recommends the purchase of a 2018 Pierce Arrow XT Single Axle 75' Quint Apparatus from G&W Diesel Service, Inc.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves the purchase of a 2018 Pierce Arrow XT Single Axle 75' Quint Apparatus from G&W Diesel Service, Inc. in the amount of \$893,472.00 plus a performance and payment bond at a cost of \$3,000.00 pursuant to the Houston-Galveston Area Council Contract, approves a project contingency in the amount of \$15,000.00, and authorizes Mayor Jordan to sign any contract or other document to exercise and pay for this approved contract.

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

2017-0753

Legistar File ID

1/2/2018

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

David Dayringer

12/14/2017

**Fire /
Fire Department**

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a resolution to purchase a new quint apparatus for use by the Fayetteville Fire Department from G & W/EVS through the Houston-Galveston Area Council (HGAC) Contract # FS12-17 Member #14-3975. The purchase amount will be \$893,472 plus the performance and payment bond cost of \$3,000 for a total of \$896,472 using the bonded pre-pay net discount; Approval of a Contingency in the amount of \$15,000; And Approval of a Budget Adjustment

Budget Impact:

4470.300.8300-5802.00		Sales Tax Capital	
4470.300.8300-5210.00			
Account Number		Fund	
03019.1		Fire Apparatus Purchases	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 865,000.00
		Funds Obligated	\$ -
		Current Balance	\$ 865,000.00
		Item Cost	\$ 911,472.00
Does item have a cost?		Yes	
Budget Adjustment Attached?	Yes	Budget Adjustment	\$ 66,106.00
		Remaining Budget	\$ 19,634.00

V20140610

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments: The quote from G&W Diesel/EVS through the HGAC Contract # FS12-17 is for one Pierce Arrow XT Single Axle 75' Quint Apparatus for \$928,801 with pre-payment discount of \$35,329.00 minus the cost of \$3,000 for the Performance and Payment Bond. This makes the amount \$896,472.00. With approval of contingency funds of \$15,000 added, the total funds needed will be \$911,472.00. The Budget Adjustment will allow for funds in Capital Project: Fire Apparatus Purchases Project #03019.1.



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
FROM: David Dayringer, Fire Chief
DATE: December 14, 2017

SUBJECT: Approval of a resolution to purchase a new quint fire apparatus for use by the Fayetteville Fire Department; Approval of a Contingency in the amount of \$15,000; And Approval of a Budget Adjustment

RECOMMENDATION:

Approval of a resolution to purchase a new quint fire apparatus for use by the Fayetteville Fire Department from G & W/EVS through the Houston-Galveston Area Council (HGAC) Contract # FS12-17 Member #14-3975. The purchase amount will be \$893,472 plus the performance and payment bond cost of \$3,000 for a total of \$896,472 using the bonded pre-pay net discount; Approval of a Contingency in the amount of \$15,000; And Approval of a Budget Adjustment.

BACKGROUND:

We will be replacing (fleet recommendation) unit 35, a 2004 E-One Pumper Fire Engine. The replacement will be a 2018 Pierce Arrow XT Single Axle 75' Quint Apparatus. The Fire Department's internal equipment committee has spent almost a year in developing specifications to customize a fire truck for Fayetteville's unique features such as narrow streets and mountainous terrain. This makes it the best buy for the City. They have chosen a unit from Pierce Manufacturing through G&W Diesel/EVS. The truck recommended by the Fire Department was presented to the Council Equipment Committee at their meeting of December 12, 2017.

DISCUSSION:

The unit proposed for purchase is a 2018 Pierce Arrow XT Single Axle 75' Quint Apparatus. The truck is designed and built to National Fire Protection Association (NFPA) 1901, Standard for Fire Apparatus. By adhering to these standards, the Fire Department is assured of getting the necessary required equipment.

BUDGET/STAFF IMPACT:

The quote from G&W Diesel/EVS through the HGAC Contract # FS12-17 is for one Pierce Arrow XT Single Axle 75' Quint Apparatus for \$928,801 with pre-payment discount of \$35,329.00 minus the cost of \$3,000 for the Performance and Payment Bond. This makes the amount \$896,472.00. With approval of contingency funds of \$15,000 added, the total funds needed will be \$911,472.00. The approval of the Budget Adjustment will allow for the purchase of the new fire apparatus in January to receive the discount price before the February apparatus price increase. The purchase must occur prior to the March, 2018 re-appropriations. This will enable the discounted purchase to occur.

ATTACHMENTS:

Purchasing Documentation; Budget Adjustment

**CONTRACT PRICING WORKSHEET**
For MOTOR VEHICLES OnlyContract
No.:

FS12-17

Date
Prepared:

11/16/17

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	Fayetteville Fire Department	Contractor:	G&W/EVS
Contact Person:	Harley Hunt	Prepared By:	Scott Jones
Phone:	479-575-8365	Phone:	479-422-6800
Fax:		Fax:	
Email:	hhunt@fayetteville-ar.gov	Email:	sjones@gwevs.com

Product Code:	TA01	Description:	Enforcer Chassis 4 Door Full Tilt Alum Cab, Formed Alum Body, Single Axle 75' Ladder
---------------	------	--------------	--

A. Product Item Base Unit Price Per Contractor's H-GAC Contract:	\$746,013.00
---	--------------

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
101 Add "L" Frame Liner	\$1,729.00	145 Bumper Tray With Cover	\$1,014.00
103 Upgrade to 22,800# front axle	\$2,203.00	147 Linex Bumper Coating	\$398.00
106 TAK 4 Suspension	\$15,969.00	148 Mirrors Bus Style Cab Corner	\$2,980.00
111 Tire Chains Rear Axle	\$4,398.00	153 Mounting Plate On Engine Tunnel	\$404.00
114 Aluminum wheels Front	\$2,187.00	164 Handsfree SCBA x 4 @ 731	\$2,924.00
115 Aluminum Wheels, Rear Single Axle	\$3,874.00	172 Upgrade Enforcer To Arrow	\$39,006.00
119 Mud Flaps	\$578.00	179 Spare Radio Wiring	\$120.00
120 Wheel Chocks and Mounts	\$921.00	180 Radio Weatherband	\$1,168.00
125 Air Inlet	\$690.00	183 Install Customer MDT With Power Wiring	\$993.00
128 Brake Fittings Compression Type	\$1,370.00	191 Camera System sides and Rear	\$2,151.00
133 Detroit DD13 470 to Cummins ISX 505 HP	\$15,835.00	Subtotal From Additional Sheet(s):	\$62,626.00
143 Add Extended Bumper	\$2,641.00	Subtotal B:	\$166,179.00

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		Subtotal From Additional Sheet(s):	\$14,609.00
		Subtotal C:	\$14,609.00

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).	For this transaction the percentage is:	1.60%
---	--	-------

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	926801	=	Subtotal D:	\$926,801.00
-------------------	---	--------------------------	--------	---	--------------------	--------------

E. H-GAC Order Processing Charge (Amount Per Current Policy)	Subtotal E:	\$2,000.00
---	--------------------	------------

F. Trade-Ins / Other Allowances / Special Discounts / Freight / Installation

Description	Cost	Description	Cost
Performance Bond	\$3,000.00	Aerial Pre-Payment Discount	
100% Pre-Payment Discount	-\$35,329.00	Trade-in Allowance	
		Subtotal F:	-\$32,329.00

Delivery Date:	G. Total Purchase Price (D+E+F):	\$896,472.00
-----------------------	---	--------------

Budget Year	Division	Adjustment Number
2018 (BY)	FIRE (300)	
	/Org2	
	Requestor: David Dayringer	

Adjustment of funds within project to allow for purchase of new fire apparatus in January to receive discount price before February Apparatus Price Increase. Purchase must occur prior to the March,2018 re-appropriations. This will enable the discounted purchase to occur.

RESOLUTION/ORDINANCE	COUNCIL DATE:	1/2/2018
	LEGISTAR FILE ID#:	2017-0753
		Barbara Fell
		12/15/2017 2:05 PM
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0754

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 23

BLACK HILLS ENERGY ARKANSAS, INC.:

A RESOLUTION TO APPROVE THE CONVEYANCE OF RIGHT OF WAY AND EASEMENT TO BLACK HILLS ENERGY ARKANSAS, INC. ACROSS A PORTION OF THE WEST SIDE WASTEWATER TREATMENT FACILITY PROPERTY AND OTHER CITY-OWNED PROPERTY ALONG BROYLES ROAD

WHEREAS, Black Hills Energy Arkansas, Inc. has requested the dedication of right of way and easement so it can construct and maintain a gas line necessary to increase the capacity of its system on the west side of Fayetteville; and

WHEREAS, the requested right of way and easement runs along or on top of existing easements held by various other entities and will not interfere with the City's use of the properties.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to execute the Right-of-Way Grant attached to this Resolution in favor of Black Hills Energy Arkansas, Inc. for the purpose of constructing and maintaining a gas pipeline to serve residents in west Fayetteville.

City of Fayetteville Staff Review Form

2017-0754

Legistar File ID

1/2/2018

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

Tim Nyander

12/14/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends City Council approval of a resolution to dedicate an easement to Black Hills Energy Arkansas, Inc. d/b/a Black Hills Energy to allow for construction of a gas line necessary to increase the capacity of their system on the west side of Fayetteville.

Budget Impact:

N/A

N/A

Account Number

Fund

N/A

N/A

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:



MEETING OF JANUARY 2, 2017

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Tim Nyander, Utilities Director
DATE: December 14, 2017
SUBJECT: Approval of an Easement Dedication to Black Hills Energy

RECOMMENDATION:

Staff recommends City Council approval of a resolution to dedicate an easement to Black Hills Energy Arkansas, Inc. d/b/a Black Hills Energy to allow for construction of a gas line necessary to increase the capacity of their system on the west side of Fayetteville.

BACKGROUND:

The property upon which the easement is requested includes the west side treatment plant property, and the city-owned property to the south east on the east side of Broyles Road, across the street from the treatment plant. The proposed easement is either on top of or directly adjacent to existing easements held by various other entities.

DISCUSSION:

The proposed easement is a total of approximately 2.61 acres, beginning at the southeast corner of the City-owned property on the east side of Broyles Road, and running north to Broyles Road, crossing the road, and then running north along the west side of Broyles. As noted, the proposed easement is located within existing easement holdings of various entities, and does not encumber additional lands.

BUDGET/STAFF IMPACT:

None.

ATTACHMENTS:

Right-of-Way Grant Document
Exhibit "A" – Proposed Right of Way and Easement Description
Exhibit "B" – Proposed Easement Drawing

RIGHT-OF-WAY GRANT
Black Hills Energy Arkansas, Inc.

AFTER FILING, PLEASE RETURN DOCUMENT TO:

Name: Black Hills Energy Arkansas, Inc.

Address: 655 East Millsap Road Suite 104
Fayetteville, AR 72703

This Instrument Prepared by

Beth Trenary, of

Fayetteville, Arkansas

KNOW ALL MEN BY THESE PRESENTS:

That **City of Fayetteville, Arkansas**, a municipal corporation, whose address is 113 W Mountain Street, Fayetteville, AR 72701 ("Grantor"), for itself, its heirs, successors and assigns, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does hereby grant, convey and confirm unto **Black Hills Energy Arkansas, Inc. d/b/a Black Hills Energy**, an Arkansas corporation whose address is 655 E. Millsap Rd., Suite 104, Fayetteville, AR 72703, its successors assigns, and licensees ("Grantee"), a right-of-way and easement to survey, construct, install, inspect, maintain, renew, repair, remove, replace and operate pipeline(s) and appurtenances, including all above-ground structures associated therewith, for the transportation of natural gas or any other substance which can be transported by pipeline, in, on, over, under, upon and through the following described lands, situated in portions of Section(s) Fourteen (14), Township(s) Sixteen (16) North, Range(s) Thirty-one (31) West of the Fifth (5th) Principal Meridian, County of Washington, State of Arkansas, more particularly described as follows:

A part of the Southeast Quarter (SE¼) of Section Fourteen (14), Township Sixteen (16) North, Range Thirty-one (31) West, Washington County, Arkansas, further described in Deed Book 1999 at page 62516 and in Deed Book 2007 at page 45026.

Parcel # 765-16201-030 & 765-16201-031

The right-of-way and easement shall consist of:

See attached Exhibit A for a legal description of the right-of-way and easement.

See attached Exhibit B for a drawing of the above described right-of-way and easement.

(the "Subject Lands")

In addition, Grantor is hereby granting to Grantee a temporary construction easement thirty (30) feet in width located along the south and west boundary lines of the above described permanent easement for the installation of the pipeline within the permanent easement.

(the "TCE")

This Right-of-Way Grant is subject to any and all other easements, rights-of-way, variances, memorandums and/or agreements currently of record.

TO HAVE AND TO HOLD said right-of-way and easement unto Grantee so long as such pipelines and appurtenances, or any part thereof, shall be maintained, together with the right of ingress to and egress from the Subject Lands and TCE for the purposes herein stated, at the will of Grantee. Grantor retains the right to use and enjoy the Subject Lands, subject only to the right of Grantee to use the same for the purposes herein expressed, and subject to the limitations contained herein.

Grantor hereby binds himself, his heirs, executors, administrators, successors, and assigns to warrant and forever defend all and singular the right-of-way and easement herein conveyed unto Grantee, its successors and assigns, against every person whomsoever lawfully claims the same or any part thereof (effective term only if initialed).

Grantor hereby acknowledges that the consideration received herewith is full consideration for the right-of-way and easement granted herein, and also for damages to both the Subject Lands and growing crops occasioned by the initial installation of Grantee's facilities. Grantor reserves the right to cultivate, use and occupy the Subject Lands for any purpose consistent with the rights and privileges herein granted, and which will not interfere with or, in the sole judgment of Grantee, endanger any of the facilities thereon or

Grantee's use thereof. Such reservation by Grantor shall in no event include the right: (i) to construct any buildings or structures of any kind; (ii) to impound, retain, collect or store any water; or (iii) to plant any trees or shrubs upon the right-of-way and easement granted herein without the express written consent of Grantee.

Grantee agrees to lay all pipelines at a sufficient depth to avoid interfering with cultivation of the soil, and to pay Grantor for damages to growing crops, fences or other improvements which may arise from the operations of Grantee. Any such damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one appointed by Grantor, one by Grantee, and the third chosen by the two persons so appointed. The written award of a majority of such three persons shall be final and conclusive upon Grantor and Grantee.

Grantee shall not be required to remove any abandoned pipeline(s) from the Subject Lands.

It is agreed by Grantor that any payment of consideration due under the terms hereof may be made jointly to Grantor and any mortgagees of record at the time such payment becomes due. This Right-of-Way Grant and the duties and obligations created herein shall run with the land and shall be binding upon Grantor, Grantee and their respective heirs, devisees, successors and assigns.

[Signature Page to Follow]

IN WITNESS WHEREOF, Grantor has hereunto set its hand this ____ day of _____, 2017.

**City of Fayetteville, Arkansas,
A municipal corporation**

ATTEST:

By: _____
Lioneld Jordan, Mayor

Sondra Smith, City Clerk

[Seal]

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)
COUNTY OF WASHINGTON) ss.

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **Lioneld Jordan** and **Sondra Smith**, to me well known as the persons who executed the foregoing document, and who stated and acknowledged that they are the **Mayor** and **City Clerk** of the **City of Fayetteville, Arkansas, a municipal corporation**, and are duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said municipal corporation, and further stated and acknowledged that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this _____ day of _____, 2011.

MY COMMISSION EXPIRES:

Notary Public

EXHIBIT "A"

PROPOSED RIGHT OF WAY AND EASEMENT DESCRIPTION:
A RIGHT OF WAY AND EASEMENT LOCATED IN A PART OF THE SE1/4 OF THE NE1/4 AND A PART OF THE NE1/4 OF THE SE1/4 AND A PART OF THE SE1/4 OF THE SE1/4 OF SECTION 14, TOWNSHIP 16 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPLE MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING #4 REBAR MARKING THE SE CORNER OF SAID SE1/4 SE1/4 AND RUNNING THENCE ALONG THE SOUTH LINE OF SAID SE1/4 SE1/4 N89°02'04"W 30.00 FEET TO THE WEST LINE OF AN EXISTING 30 FOOT OZARK ELECTRIC POWERLINE EASEMENT (DEED BOOK 785, PAGE 323), THENCE LEAVING SAID SOUTH LINE AND ALONG SAID WEST LINE N01°19'16"E 993.79 FEET TO THE INTERSECTION OF SAID WEST LINE AND THE AND THE SOUTHWESTERLY LINE OF AN EXISTING 80 FOOT HIGH PRESSURE GAS EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTHWESTERLY LINE THE FOLLOWING: N14°14'34"W 406.49 FEET, N12°33'51"W 176.01 FEET, N13°08'46"W 61.00 FEET TO THE INTERSECTION OF SAID SOUTHWESTERLY LINE AND THE NORTHWESTERLY LINE OF AN EXISTING GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID SOUTHWESTERLY LINE AND ALONG SAID NORTHWESTERLY LINE N20°58'59"E 200.03 FEET, THENCE LEAVING SAID NORTHWESTERLY LINE N76°16'31"E 10.75 FEET TO THE WEST LINE OF AN EXISTING 50 FOOT POWERLINE AND GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE ALONG SAID WEST LINE THE FOLLOWING: N06°38'42"E 416.27 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3231.00 FEET FOR A CHORD BEARING AND DISTANCE OF N04°09'12"E 280.93 FEET, N01°39'42"E 183.44 FEET, THENCE LEAVING SAID WEST LINE S88°20'18"E 30.00 FEET TO THE EAST LINE OF SAID EXISTING 50 FOOT POWERLINE AND GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE ALONG SAID EAST LINE THE FOLLOWING: S01°39'42"W 183.43 FEET, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 3261.00 FEET FOR A CHORD BEARING AND DISTANCE OF S04°09'11"W 283.54 FEET, S06°38'42"W 369.91 FEET, S06°43'55"W 50.11 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE SOUTHEASTERLY LINE OF SAID EXISTING GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID EAST LINE AND ALONG SAID SOUTHEASTERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 661.00 FEET FOR A CHORD BEARING AND DISTANCE OF S13°25'44"W 156.17 FEET TO THE INTERSECTION OF SAID SOUTHEASTERLY LINE AND THE NORTHEASTERLY LINE OF SAID EXISTING 80 FOOT HIGH PRESSURE GAS EASEMENT (PLAT BOOK 23, PAGE 315, THENCE LEAVING SAID SOUTHEASTERLY LINE AND ALONG SAID NORTHEASTERLY LINE THE FOLLOWING: S13°08'46"E 73.77 FEET, S12°33'51"E 175.24 FEET, S14°14'34"E 229.90 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY LINE AND THE EAST LINE OF SAID EXISTING 30 FOOT OZARK ELECTRIC POWERLINE EASEMENT (DEED BOOK 785, PAGE 323), THENCE LEAVING SAID NORTHEASTERLY LINE AND ALONG SAID EAST LINE S01°19'16"W 1184.05 FEET TO THE POINT OF BEGINNING, CONTAINING 2.61 ACRES, MORE OR LESS.

EXHIBIT "B"

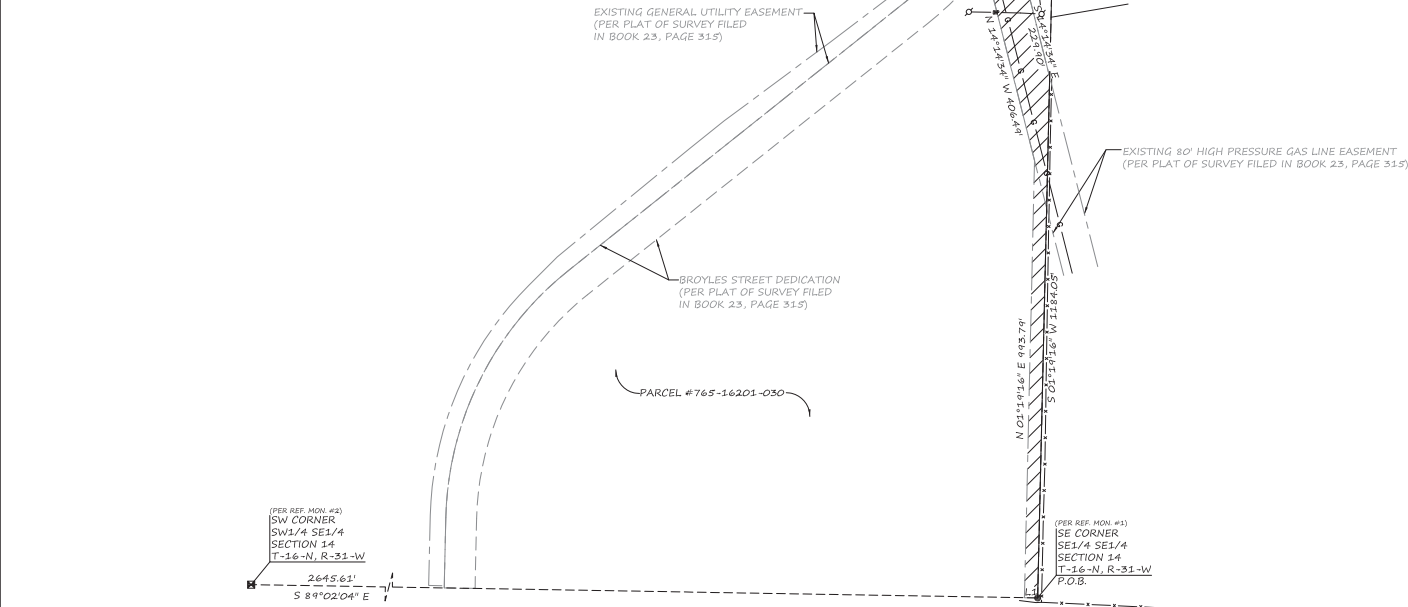
COUNTY RECORDING INFORMATION:

REFERENCE MONUMENTS:
1) 40D NAIL IN 28" ELM TREE S 02°59'23" E 18.58'
40D NAIL IN 6" WOODEN FENCE CORNER POST S 40°52'51" E 12.74'
2) 40D NAIL IN 16" HACKBERRY TREE S 07°37'53" E 11.57'
40D NAIL IN 8" WOODEN BRACE POST S 39°33'44" W 9.38'
40D NAIL IN 4" WOODEN BRACE POST S 85°08'08" W 7.28'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	3231.00	283.02	280.93	S 04°09'12" W
C2	3231.00	283.02	280.93	S 04°09'12" W
C3	661.00	156.54	156.17	S 13°28'44" W

LINE BEARING	DISTANCE
L1 N 18°02'02" W	30.00
L2 N 71°33'21" W	176.01
L3 N 83°02'46" W	61.00
L4 N 76°16'31" E	10.75
L5 N 13°20'18" E	183.43
L6 S 13°20'18" E	30.00
L7 S 01°32'42" W	183.43
L8 S 76°16'31" W	10.75
L9 S 13°02'46" E	73.77
L10 S 12°43'51" E	175.24

PROPOSED RIGHT OF WAY AND EASEMENT DESCRIPTION:
A RIGHT OF WAY AND EASEMENT LOCATED IN A PART OF THE SE1/4 OF THE NE1/4 AND A PART OF THE NE1/4 OF THE SE1/4 OF THE SE1/4 OF SECTION 14, TOWNSHIP 16 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPLE MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING #4 REBAR MARKING THE SE CORNER OF SAID SE1/4 SE1/4 AND RUNNING THENCE ALONG THE SOUTH LINE OF SAID SE1/4 SE1/4 N89°02'04"W 30.00 FEET TO THE WEST LINE OF AN EXISTING 30 FOOT OZARK ELECTRIC POWERLINE EASEMENT (DEED BOOK 785, PAGE 323), THENCE LEAVING SAID SOUTH LINE AND ALONG SAID WEST LINE N01°19'16"E 893.79 FEET TO THE INTERSECTION OF SAID WEST LINE AND THE AND THE SOUTHWESTERLY LINE OF AN EXISTING 80 FOOT HIGH PRESSURE GAS EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTHWESTERLY LINE THE FOLLOWING: N14°14'34"W 406.49 FEET, N12°33'51"W 176.01 FEET, N13°08'46"W 61.00 FEET TO THE INTERSECTION OF SAID SOUTHWESTERLY LINE AND THE NORTHWESTERLY LINE OF AN EXISTING GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID SOUTHWESTERLY LINE AND ALONG SAID NORTHWESTERLY LINE N20°58'59"E 200.03 FEET, THENCE LEAVING SAID NORTHWESTERLY LINE N76°16'31"E 10.75 FEET TO THE WEST LINE OF AN EXISTING 50 FOOT POWERLINE AND GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE ALONG SAID WEST LINE THE FOLLOWING: N06°38'42"E 416.27 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3231.00 FEET FOR A CHORD BEARING AND DISTANCE OF S04°09'11"W 283.54 FEET, S06°38'42"W 368.91 FEET, S06°43'55"W 50.11 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE SOUTHEASTERLY LINE OF SAID EXISTING GENERAL UTILITY EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID EAST LINE AND ALONG SAID SOUTHEASTERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 661.00 FEET FOR A CHORD BEARING AND DISTANCE OF S13°25'44"W 156.17 FEET TO THE INTERSECTION OF SAID SOUTHEASTERLY LINE AND THE NORTHEASTERLY LINE OF SAID EXISTING 80 FOOT HIGH PRESSURE GAS EASEMENT (PLAT BOOK 23, PAGE 315), THENCE LEAVING SAID SOUTHEASTERLY LINE AND ALONG SAID NORTHEASTERLY LINE THE FOLLOWING: S13°08'46"E 73.77 FEET, S12°33'51"E 175.24 FEET, S14°14'34"E 229.90 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY LINE AND THE EAST LINE OF SAID EXISTING 30 FOOT OZARK ELECTRIC POWERLINE EASEMENT (DEED BOOK 785, PAGE 323), THENCE LEAVING SAID NORTHEASTERLY LINE AND ALONG SAID EAST LINE S01°19'16"W 1184.05 FEET TO THE POINT OF BEGINNING, CONTAINING 2.61 ACRES, MORE OR LESS, SUBJECT TO ALL RECORD AND NON RECORDED EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, MINERAL RIGHTS AND RIGHTS-OF-WAY, IF ANY.



EASEMENT EXHIBIT

FOR USE OF:
BLACK HILLS ENERGY ARKANSAS, INC.

PROJECT:	AGREEMENT No. 14023 STATEMENT No. 36585 LINCOLN, AR
CREW CHIEF: MN	DRAWN BY: NM
PLAT No. 17-251	DATE: 11/07/2017



ATLAS
PROFESSIONAL LAND SURVEYING

P.O. BOX 1026
425 N CENTENNIAL AVENUE #2
WEST POK, AR 72774
PH. 479-294,6177

PS #1756
COA #2875

LEGEND

- ◇ COMPUTED POINT
- UTILITY POLE
- GAS PEDESTAL
- UTILITY EASEMENT
- - - FORTY/TIE LINE
- - - EDGE OF ASPHALT/CONCRETE
- - - RIGHT OF WAY
- - - FENCE
- - - CENTERLINE ROAD
- - - OVERHEAD POWER
- - - EXISTING GAS LINE
- EXISTING #5 REBAR
- EXISTING #4 REBAR
- ALUMINUM MONUMENT

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UTILITIES:
EXCEPT AS SHOWN HEREON, NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, USE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC FACILITY. CONTACT ALL UTILITY PROVIDERS FOR THIS INFORMATION.
FLOOD INFORMATION:
ANY INFORMATION (TEXT, LINES, SYMBOLS, HATCHES, ETC.) ON THIS PLAT THAT MAKE REFERENCE TO FLOOD ZONES ARE APPROPRIATE AND DERIVED FROM A FLOOD INSURANCE RATE MAP (FIRM) BY GRAPHICAL PLOTTING ONLY. THIS PLAT DOES NOT REPRESENT THE SURVEYOR'S OPINION ON THE PROBABILITY OF FLOODING.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0756

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 24

ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,600.00 RECOGNIZING REVENUE FROM THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD FOR THE FUTURE SUPPLEMENTAL BENEFITS PAID TO PENSIONERS

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 \$1,600.00 recognizing increased revenue from the Arkansas Fire and Police Pension Review Board for the Future Supplemental benefits paid to pensioners.

City of Fayetteville Staff Review Form

2017-0756

Legistar File ID

1/2/2018

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

Kevin Springer

12/15/2017

Budget & Information Management /
Finance & Internal Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

To approve a budget adjustment in the amount of \$1,600 to recognize the additional revenue received by the Arkansas Fire and Police Pension Board for a future supplement to pensioners on the old police pension plan in 2017.

Budget Impact:

6800.680.9800-5335.06

Police Pension

Account Number

Fund

Project Number

Project Title

Budgeted Item? No

Current Budget \$ 71,218.00

Funds Obligated \$ 72,520.00

Current Balance \$ (1,302.00)

Does item have a cost? No

Item Cost

Budget Adjustment Attached? Yes

Budget Adjustment \$ 1,600.00

Remaining Budget \$ 298.00

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Paul A. Becker, Chief Financial Officer

FROM: Kevin Springer, Budget Director

DATE: 12/15/2017

SUBJECT: Recognize Police Pension Future Supplemental Revenue

RECOMMENDATION:

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

BACKGROUND:

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

DISCUSSION:

The amount varies from year to year. In 2017, the amount increased more than budgeted and while other accounts were less than budget, there still wasn't sufficient budget to cover the increased distribution.

BUDGET/STAFF IMPACT:

This budget adjustment is for the prior year. An amount that is slightly greater is being requested to allow for any other year end items that may be paid for 2017.

Attachments:

SRF_Fire Pension Revenue
SRM_Fire Pension Revenue
BA_Fire Pension Revenue

Budget Year	Division	Adjustment Number
2017	BUDGET & INFORMATION MGMT (133)	
	/Org2	
	Requestor: Barbara Fell	

To recognize Future Supplemental Revenue received and distributed.

	COUNCIL DATE:	1/2/2018
	LEGISTAR FILE ID#:	2017-0756
	<i>Barbara Fell</i> 12/15/2017 11:47 AM	
	Budget Director	Date
	TYPE:	
DESCRIPTION:		
GLDATE:		
POSTED:	/	
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0689

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 25

WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AGREEMENT:

A RESOLUTION TO APPROVE THE NINTH AMENDED INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY, ARKANSAS CONTINUING THE BOOKING FEE AT \$62.00 PER PRISONER IN 2018

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves the Ninth Amended Interlocal Agreement for Jail Services with Washington County, Arkansas which continues the booking fee at \$62.00 per prisoner in 2018. A copy of the contract amendment is attached to this Resolution and made a part hereof.

City of Fayetteville Staff Review Form

2017-0689

Legistar File ID

1/2/2018

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Greg Tabor

12/6/2017

POLICE (200)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of an amendment to the Jail Services Interlocal Agreement with Washington County, Arkansas, continuing fees at \$62.00 per booked prisoner for calendar year 2018.

Budget Impact:

1010.200.2900.5315.00

General

Account Number

Fund

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 309,008.00

Funds Obligated \$ -

Current Balance \$ 309,008.00

Does item have a cost? NA

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ 309,008.00

Previous Ordinance or Resolution # 223-16

V20140710

Original Contract Number: 168-04

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
FROM: Greg Tabor, Chief of Police 
DATE: December 6, 2017
SUBJECT: Amend Interlocal Agreement for Jail Services

RECOMMENDATION:

Staff recommends approval of an amendment to the Interlocal Agreement for Jail Services with Washington County, Arkansas, for continuing fees at \$62.00 per booked prisoner for calendar year 2018.

BACKGROUND:

The City of Fayetteville and Washington County entered into an Interlocal Agreement for Jail Services on October 19, 2004. The agreement allows that Washington County will provide jail space for City of Fayetteville prisoners in exchange of the City paying a set price for each booked prisoner.

DISCUSSION:

It is the desire of both Washington County and the City of Fayetteville to amend this Interlocal Agreement for Jail Services to extend the term of this agreement to include the 2018 calendar year with no increase in Schedule A which holds the price at \$62.00 per prisoner booking.

BUDGET/STAFF IMPACT:

The cost associated with this amendment for jail services is budgeted in the proposed 2018 operating budget. There is no impact on staffing levels associated with this amendment.

Attachments:

Amendment to Interlocal Agreement for Jail Services

NINTH AMENDED INTERLOCAL AGREEMENT FOR JAIL SERVICES

THIS AGREEMENT, is made pursuant to A.C.A. §14-14-910, by and between the County of Washington, Arkansas, (hereinafter referred to as the "County"), and the City of Fayetteville, Arkansas, (hereinafter referred to as the "City"), herein collectively known as the "Parties."

WITNESSETH:

WHEREAS, the Parties entered into an Interlocal Agreement for Jail Services dated October 19, 2004; which was supplemented by an Addendum on April 19, 2006, which was amended on January 10, 2005; January 20, 2011; December 9, 2011; and September 1, 2012.

WHEREAS, the Parties desire to extend the Agreement, for another year.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND OBLIGATIONS OF THE PARTIES CONTAINED HEREIN, BE IT AGREED:

1. Effective January 1, 2018, Section 5 of the Interlocal Agreement for Jail Services remains unchanged and reads as follows:

"5. DURATION. The initial term of this Agreement shall commence January 1, 2018 and shall expire on December 31, 2018. The County further agrees to make jail space for City prisoners an operational priority during the initial term and any subsequent term of this Agreement."

2. Effective January 1, 2018, Schedule A of the Interlocal Agreement for Jail Services remains unchanged and reads as follows:

"SCHEDULE A

The current cost of keeping a County Prisoner in jail has been determined to be sixty-five dollars (\$65.00) per day, however, due to the fact the citizens of the City are paying one quarter (1/4%) cent sales and use tax, and due to the long and ongoing history of sharing resources between the Washington County Sheriff and the Fayetteville Police Department, the County shall charge the City Sixty-Two Dollars (\$62.00) per booked prisoner.

The rate provided for herein shall not increase more than then percent (10%) in any following years that this Agreement is renewed."

CITY OF FAYETTEVILLE

LIONELD JORDAN, Mayor

ATTEST:

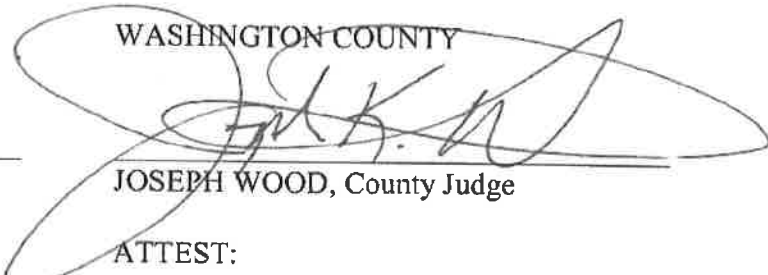
SONDRA E. SMITH, City Clerk

APPROVED as to form:

KIT WILLIAMS
City Attorney

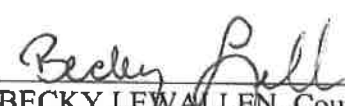
DATE: _____

WASHINGTON COUNTY



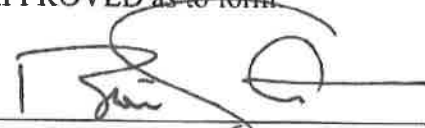
JOSEPH WOOD, County Judge

ATTEST:



BECKY LEWALLEN, County Clerk

APPROVED as to form:



BRIAN LESTER
County Attorney

DATE: 11/28/2017



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0703

Agenda Date: 1/2/2018

Version: 1

Status: Tabled

In Control: City Council Meeting

File Type: Resolution

Agenda Number: B. 1

ENERGY ACTION PLAN:

A RESOLUTION TO ACCEPT AND ADOPT AN ENERGY ACTION PLAN FOR THE CITY OF FAYETTEVILLE

WHEREAS, the City Council passed Resolution No. 45-17 on February 2, 2017, authorizing the study and development of an Energy Action Plan; and

WHEREAS, the proposed Energy Action Plan was developed through consultation with expert community stakeholders, City department representatives, the Environmental Action Committee, and Fayetteville residents.

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 accepts and adopts the Energy Action Plan, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2017-0703

Legistar File ID

12/19/2017

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

Peter Nierengarten

12/1/2017

Sustainability & Resilience /
Chief of Staff

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approving a resolution adopting the Energy Action Plan developed by City staff with stakeholder and public input.

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 # 45-17

Original Contract Number:

Approval Date:

Comments:



MEETING OF DECEMBER 19, 2017

TO: City Council

CC: Mayor Lioneld Jordan
Don Marr, Chief of Staff

FROM: Peter Nierengarten, Director of Sustainability

DATE: December 1, 2017

SUBJECT: Energy Action Plan

RECOMMENDATION:

Staff recommends approving a resolution adopting the Energy Action Plan developed by City staff with stakeholder and public input.

BACKGROUND:

The Fayetteville City Council passed Resolution 45-17 expressing support for the study and development an Energy Action Plan on February 2, 2017. As part of that resolution, Sustainability and Resilience staff committed to working across all City departments and divisions and throughout the community to develop an energy action plan that addresses energy conservation, efficiency and clean energy for Fayetteville.

Following through with that commitment, City staff consulted and met with expert community stakeholders from a variety of professions to brainstorm and detail the elements to be included in the Energy Action Plan. Additionally, city staff met with department representatives from across the city including: Transportation, Fleet, Engineering, Planning, Community Resources, Communications, Accounting, Purchasing, Parks & Recreation, and Urban Forestry. Staff also met with the Environmental Action Committee and held multiple public input sessions to gather community input. Feedback and input from stakeholders, city departments, and community members was collected and integrated into the plan with a focus on aligning input and needs with the overarching goal of carbon emissions reduction.

DISCUSSION:

Vision: The vision of this Energy Action Plan is to create a framework and energize action around the City's efforts to be a resource and energy efficient community. Specifically, this plan aims to:

- Incentivize and encourage energy efficient homes and businesses,
- Works towards energy independence,
- Promote a culture of innovation,
- Improve public health,
- Advocate for clean air, water and soil,

- Encourage resilient local businesses,
- Promote a collective understanding of climate change, and
- Leave a legacy of stewardship.

Scope of Work and Plan Goals: The identified scope of work for the Energy Action Plans was to assess current conditions, set goals for improvement and provide a detailed implementation plan to achieve a more energy and resource efficient future in four major scope areas: transportation, energy supply and delivery, building efficiency, and waste reduction/recycling. A number of cross-sector goals were also included. The goals are summarized as follows:

Transportation Goals:

- Reduce per capita vehicle miles traveled to 2010 levels by 2030
- Achieve a 25% bike/walk/transit mode share by 2030

Energy Supply Goals:

- Achieve 100% local government clean energy by 2030
- Achieve 50% community-wide clean energy by 2030
- Achieve 100% community-wide clean energy by 2050

Buildings Goals:

- Complete periodic feasibility analysis of building energy code updates
- Achieve 3% annual reduction in overall energy usage in buildings
- Improve the health, distribution, coverage and effectiveness of Fayetteville's urban forest

Waste Goals:

- Achieve 40% total waste diversion from the landfill by 2027

Cross-sector Goals:

- Reduce average housing and transportation costs to 45% of area median income
- Develop and expand Fayetteville's reputation as a hub for socially and economically responsible business development, entrepreneurship, and green jobs
- Build local support for national carbon emission reduction and carbon capture strategies

By tracking and addressing the in-scope areas of the plan, Fayetteville will strive to achieve a community-wide reduction in greenhouse gases (GHG). The plans' community level goal is for a 40% reduction in GHG over the 2010 baseline year by 2030, and an 80% reduction in GHG over the 2010 baseline by the year 2050.

Benefits: There are innumerable community benefits for adopting and implementing this energy action plan; these benefits may be best viewed through the three-layered sustainability lens of economic, environmental and social stewardship. The specific implementation strategies identified in Chapter 3 of the Energy Action Plan are tied directly back to these broadly defined benefits:

- Economic benefits identified in the plan include: job growth and industry development in clean energy production, improved economic resilience through energy independence, reduced vulnerability to global energy market shifts, financial savings for residents and business owners thanks to energy efficiency upgrades, and financial savings from reduced fuel and maintenance costs thanks to reducing vehicle miles traveled in automobiles.
- Social benefits including reduced energy cost burdens on low-income or at risk populations thanks to energy efficiency upgrades, improved public health outcomes thanks to air and water quality improvements and a robust active transportation networks, and more equitable access to green spaces.
- Environmental benefits of proactively advancing clean energy, energy efficiency, alternative transportation, and increased recycling are realized locally, regionally, nationally, and globally. These may include: less air and water pollution due to clean and renewable energy, less air pollution due to reductions in vehicle miles traveled and increased active transportation usage, improved habitats for local pollinators and other wildlife, and less raw material mining and extraction due to recycling efforts.

BUDGET/STAFF IMPACT:

As with all City of Fayetteville policies and programs, many of the specific actions in the plan will have a cost to implement and may have necessary budgetary impacts. Additional study and environmental, social, and financial cost/benefit analysis may be necessary to justify implementation and approval through the City's budgetary process. As the Energy Action Plan is implemented over time, staff will continually seek partnerships, grants and other funding opportunities to help offset implementation costs and advance the goals of this plan.

Attachments:

Energy Action Plan with Appendices

Resolution 45-17

Energy Action Plan – Open-ended Survey Questions Responses

ENERGY ACTION PLAN



FAYETTEVILLE, ARKANSAS

ENERGY ACTION PLAN FOR THE CITY OF FAYETTEVILLE, ARKANSAS

CONTRIBUTORS:

Peter Nierengarten, Sustainability Director
Leif Olson, Long Range Planner
Rachael Schaffner, Sustainability Coordinator
Anna Travis, Technical Assistant
Hadley Cook, Technical Assistant

ADOPTION:

This Energy Action Plan was adopted by City Council Resolution XX-XX on XXX, XXXX

ACKNOWLEDGMENTS:

The City expresses its appreciation to the organizations, individuals, and peer cities who are leading the way in climate and energy action. This plan would not have been possible without the innovative and passionate work of others. Many thanks to all those who willingly shared best practices, offered technical assistance, and encouraged the City's efforts in developing this plan.

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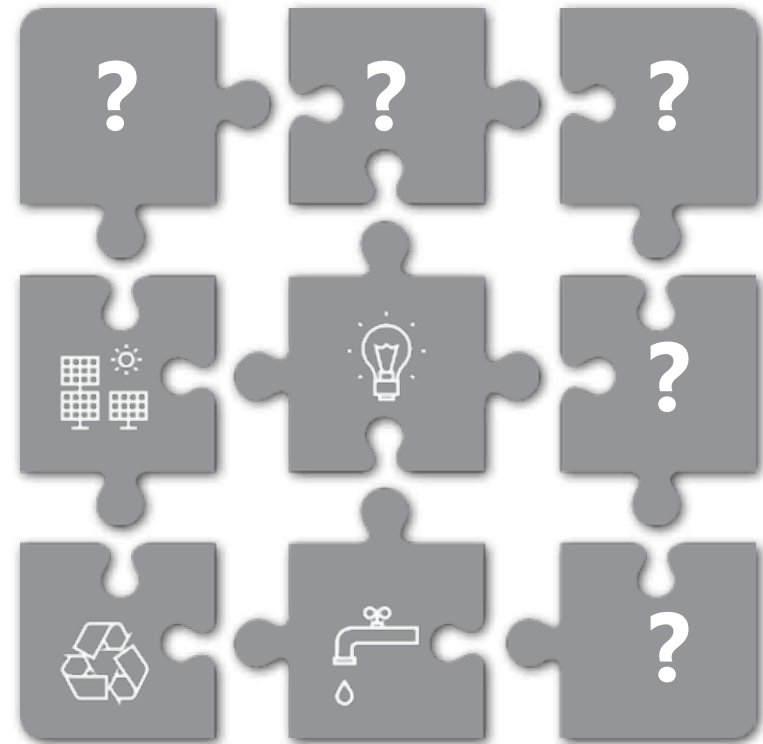
INTRODUCTION:

Being a member of a nature-loving, smart, thrifty community like Fayetteville, you probably already take many small actions to cut down on your energy usage.

You probably know to recycle, turn the water off when you brush your teeth, buy LED bulbs to keep electric costs down, and walk or ride your bike to close destinations. These everyday actions make great contributions to keeping costs and energy use down.

This plan takes an in-depth look at how we can build on our small, everyday actions to make the biggest positive impact on both Fayetteville and the globe. Fayetteville can do more to build an innovative and resilient community with a strong legacy of stewardship for future generations.

This plan is a guide to reducing waste, reducing our energy use, and moving to cleaner and more sustainable types of energy. The City believes that this plan will lay the groundwork for a thriving, beautiful community for generations to come.



CITY OF
FAYETTEVILLE
ARKANSAS

"Climate change poses a very serious threat, but also a significant economic opportunity for our City and our nation. Fayetteville is committed to working with leaders of other cities, states, universities, and businesses to combat climate change by supporting a low-carbon economy and creating good jobs in energy efficiency and renewable energy."

-Mayor Lioneld Jordan

INTRODUCTION: THE VISION OF THE ENERGY ACTION PLAN

Fayetteville is proud of its creative local economy, its rich history of educational excellence, and the many opportunities for outdoor recreation and healthy living that characterize the City. As environmental, educational, and economic leaders of our region, we are striving to build the most resilient, sustainable community possible - for current and future residents.

This Energy Action Plan was created to build a framework and energize action around the City of Fayetteville's efforts to be a resource and energy efficient community. This plan aims to:

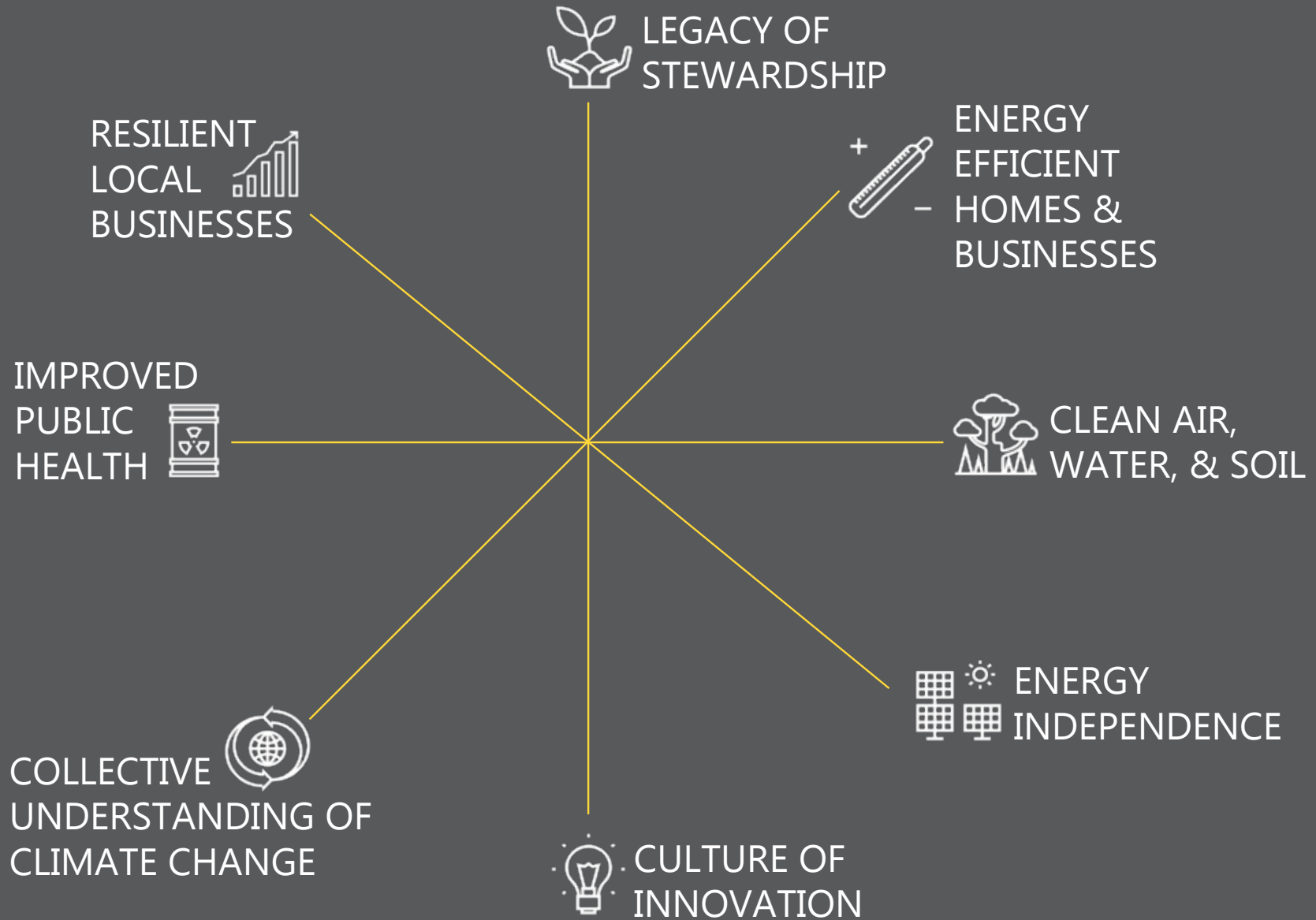
1. Maintain clean air, water, and soil, building a City where every citizen (present and future) can experience a naturally beautiful, healthy, and sustainable Fayetteville
2. Create jobs and build capacity in new sectors while enabling local businesses to be more resource efficient, more profitable, and more competitive in a global market
3. Create more energy efficient homes and businesses, giving all citizens greater financial security and flexibility
4. Address public health threats from pollution, food insecurity, natural disasters, and changing weather patterns, particularly for our most vulnerable and at-risk populations
5. Lead the South in energy independence and efficiency by developing local, equitable, and cost-effective solutions to our energy needs
6. Develop a culture of innovation where value is compounded and waste is minimized
7. Lead conversation about climate change and determine how to effectively address current and future effects in Northwest Arkansas, connecting on shared values of conservation and innovation
8. Build a legacy of stewardship, demonstrating the financial and social feasibility of a clean energy future

This plan will outline the City's strategy for achieving these goals through the primary mechanism of reducing carbon pollution through four sectors: reducing overall energy use, diverting waste from landfills, shifting toward clean energy production, and reducing transportation-related emissions. By taking action together and adopting this Energy Action Plan, we can preserve a clean, healthy, beautiful future for Fayetteville.



INTRODUCTION: THE PURPOSE OF THE ENERGY ACTION PLAN

The plan can be summed up by the following purpose statements. In this plan, you will see these statements repeated often, in icon form, to highlight how each goal, action item, and implementation step is aligned with the overall purpose of the plan.



INTRODUCTION: THE SCOPE OF THE ENERGY ACTION PLAN

The Energy Action Plan will address Fayetteville's current conditions in the areas below, set goals for improvement, and provide detailed implementation steps to achieve a more energy and resource efficient future. Details of these actions are available in chapter 3.

IN SCOPE:



TRANSPORTATION



ENERGY SUPPLY



BUILDINGS



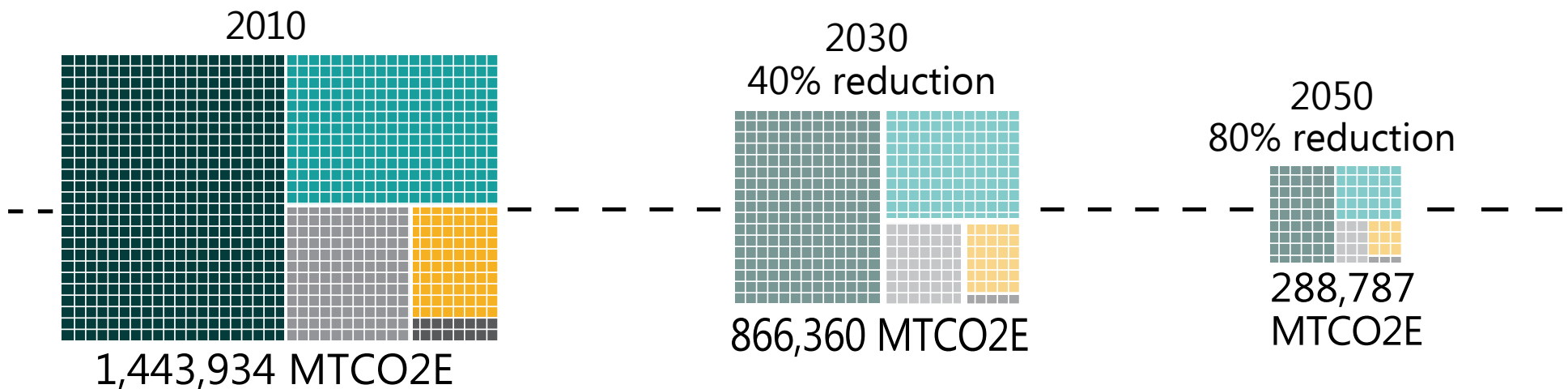
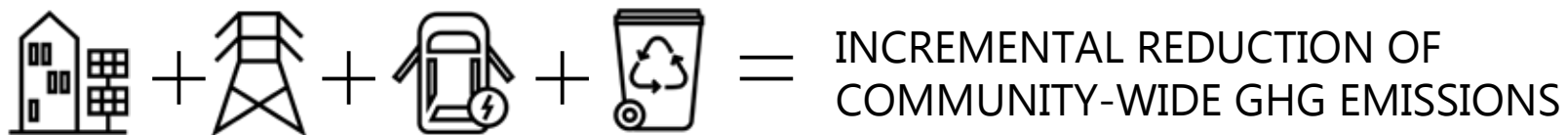
WASTE



INTRODUCTION: COMMUNITY-WIDE OUTCOMES

By tracking and aggressively addressing the four in-scope areas of the Energy Action Plan (buildings, energy supply, transportation, and waste), the City of Fayetteville will strive to achieve a community-wide reduction in greenhouse gases (GHG), measured in total metric tons of carbon dioxide equivalent emissions (MTCO₂E).

These targets are derived from the goals set by the 1992 Kyoto Protocol and the 2015 Paris Agreement, at which leaders from around the globe committed to reducing greenhouse gas emissions in an effort to halt and reverse the planet's rapidly changing climate. These targets were suggested, vetted, and encouraged by community stakeholders and City staff. Further discussion of this outcome is available in chapters 2 and 3.



For the reduction target, a baseline year of 2010 is used as it is the first year Fayetteville conducted a comprehensive GHG inventory. Rationale, reporting procedures, and results from Fayetteville's GHG Inventories from 2010-2016 are available in Appendix B.

INTRODUCTION: SECTOR-LEVEL GOALS

The following goals were set and prioritized through community and City staff input, expert stakeholder direction, and administrative review. More in-depth discussion of each goal, strategies for reaching the goal, and implementation plans are available in Chapter 3.

CROSS-SECTOR:

- Reduce average housing and transportation costs to 45% of area median income
- Develop and expand Fayetteville's reputation as a hub for socially and economically responsible business development, entrepreneurship, and green jobs
- Build local support for national carbon emission reduction and carbon capture strategies

BUILDINGS:

- Complete periodic feasibility analyses of building energy code updates
- Achieve 3% annual reduction in overall energy usage in buildings
- Improve the health, distribution, coverage, and effectiveness of Fayetteville's urban forest

ENERGY SUPPLY:

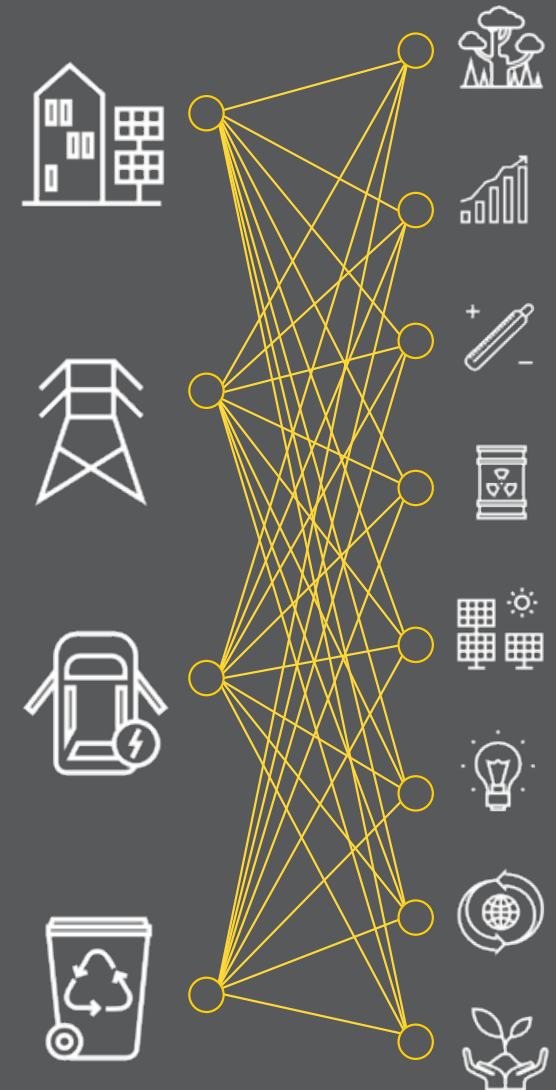
- Achieve 100% local government clean energy by 2030
- Achieve 50% community-wide clean energy by 2030
- Achieve 100% community-wide clean energy by 2050

TRANSPORTATION:

- Reduce per capita vehicle miles traveled to 2010 levels by 2030
- Achieve 25% bike/walk/transit mode share by 2030

WASTE:

- Achieve 40% total waste diversion from the landfill by 2027



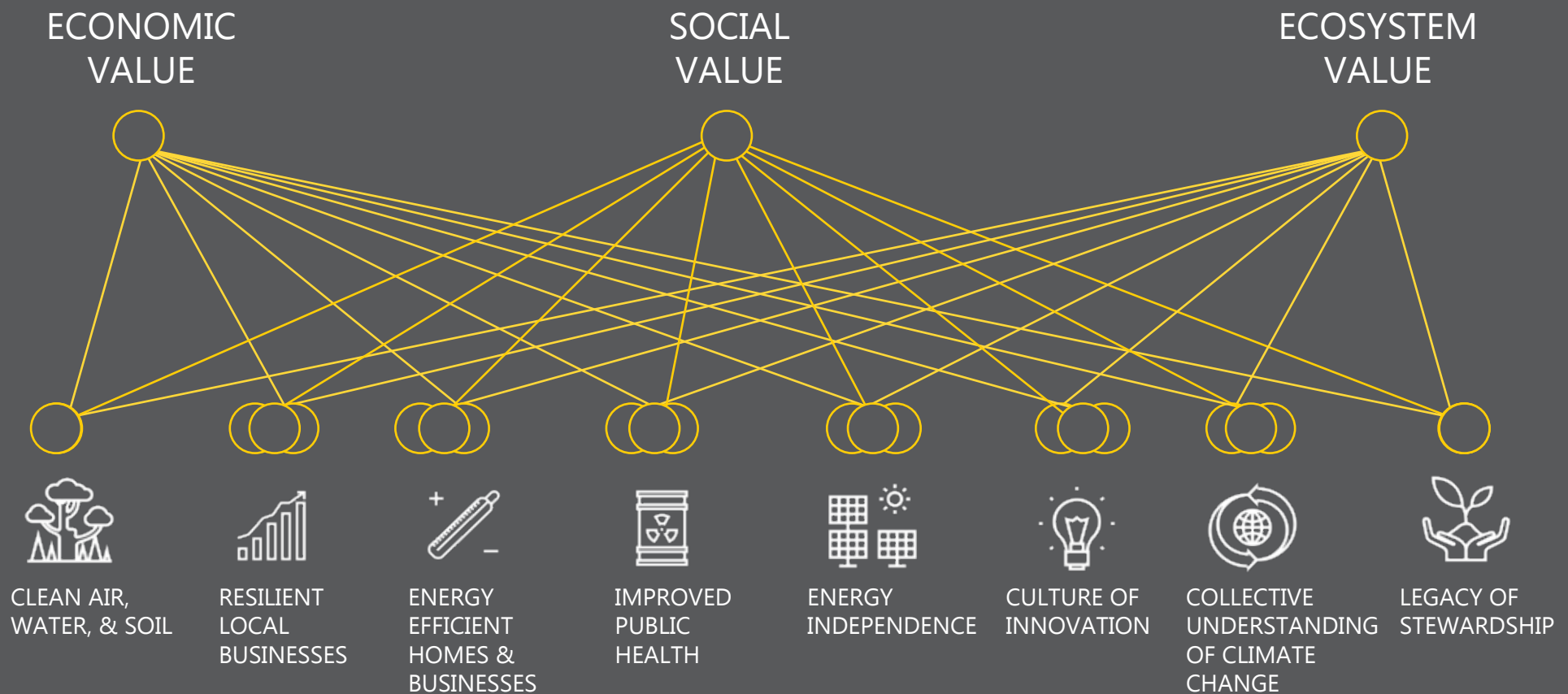
CHAPTER ONE:

THE NEED FOR ACTION



CHAPTER ONE: TRIPLE BOTTOM LINE BENEFITS OF ENERGY ACTION

There are a host of reasons to strategically and systematically pursue clean energy, energy efficiency, and reduced waste in our community. One compelling reason is the multitude of community benefits that arise from reduced energy consumption and cleaner forms of energy. These benefits are best illustrated through a triple bottom line approach. A triple bottom line approach defines success in-so-far as it furthers the environmental, economic, and social health of a community or organization. The triple bottom line approach is useful because it demonstrates that timely action in the realm of energy efficiency and energy reduction can benefit Fayetteville in a host of enduring ways. These benefits are explored in depth on the following pages.



CHAPTER ONE: ECONOMIC BENEFITS OF ENERGY ACTION

The economic benefits of energy action are varied. Benefits include the following:

- Energy efficiency upgrades often have very quick return on investment, allowing small investments by home and business owners to realize substantial long-term savings. The average resident in Fayetteville spends 5% or more on utility bills, averaging around \$2,100 per year. Energy efficiency efforts (increased insulation, duct-wrapping, tree canopy coverage) can substantially drive down these costs, freeing up hundreds of dollars for the average household.
- The market is already moving quickly to renewable and clean energy sources due to their lower overall costs of production. For instance, SWEPCO, one of Fayetteville's two electricity providers, has announced that it is partnering to build a 2,000 megawatt wind farm in the Oklahoma Panhandle, 70% of which will be transmitted to the grid in our region¹. Due to the lack of fuel costs, the total cost of wind power is now less than traditional power sources such as coal. This project is estimated to produce \$5 billion in savings for SWEPCO customers over the next decade.
- Clean energy technologies such as wind and solar encourages local job growth and skills development. One of every 50 new jobs in the U.S. in 2016 was in the realm of solar energy production, which, as an industry, has a growth rate of more than 24%. These are jobs that cannot be exported as the cost of transmissions requires relative proximity to the source of "fuel" (wind or solar energy). This growth in local, renewable energy insulates communities from volatile markets while building high wage jobs and economic stability². In Arkansas, this growth is happening rapidly. Entergy Arkansas recently broke ground on an 81 megawatt solar project near Stuttgart, the largest project to date in the state³. This project will be able to power 19,000 homes and is projected to produce nearly \$8 million in additional revenue for Arkansas County.
- Achieving energy independence reduces our vulnerability from global market shifts. By producing energy locally, we can reduce dependence on external systems or structures, improving economic stability even when global markets experience volatility.
- Reducing overall vehicle miles traveled (by switching to more public transportation, biking, and walking) cuts down on maintenance and repair costs for roads and streets. These are tax-payer funded expenses and reducing vehicle miles allows for tax dollars to be allocated to more sustainable projects.



CHAPTER ONE: ENVIRONMENTAL BENEFITS OF ENERGY ACTION

The environmental benefits of proactively advancing clean energy, energy efficiency, alternative transportation, and increased recycling are realized at all levels: locally, regionally, nationally and globally. The following is an incomplete, yet compelling, list of some of these environmental benefits:

- Clean energy produced from sources such as wind, solar, geothermal and hydro produce far fewer greenhouse gas emissions than fossil fuel sources. Switching to cleaner forms of fuel not only produces fewer air and water pollutants, but reduces the climate-changing gases and particles being released into the atmosphere⁴.
- Reductions in annual vehicle miles traveled can be very beneficial to the environment by reducing ground level ozone, smog, and particle pollution. These pollutants have negative effects on air quality, causing wide-spread environmental and public health consequences⁵.
- Active transportation such as walking and bicycling benefits the environment by reducing traffic congestion and air pollution. Trail corridors have the added benefit of being green spaces providing numerous ecosystem services such as stormwater quality and litter abatement while also functioning as an active transportation system linking residents with all manner of destinations.
- A diversified and green energy supply reduces water pollution, improving the quality of the waterways that are at the heart of recreational and outdoor adventure activities in Arkansas⁶.
- Reduced waste and increased recycling cuts down on the need for raw material mining in a wide variety of sectors. Recycled materials such as plastics, paper, cardboard, steel, and aluminum reduce the demand for these raw resources to be extracted, clear-cut, or mined.

A plant-rich diet is one of the most impactful ways to cut down on an individual carbon footprint. An estimated 17% of total global carbon emissions come from food production, food transport, and cooking. Fruits, vegetables, and legumes are much less “carbon intense” than beef and pork. Beans have a 92% smaller carbon footprint than the same serving of beef⁷. Small everyday decisions can play an important role in building a healthy, sustainable future.



CHAPTER ONE: SOCIAL BENEFITS OF ENERGY ACTION

Planning, designing and working toward a more energy efficient future is critical for creating social stability in a rapidly changing world. We are already beginning to see social systems adapt to these coming changes. For example, the USDA Hardiness Zone Map was amended in 2012, showing that hardiness zones had shifted northward approximately 175 miles. The USDA Hardiness Zone Map estimates the minimum temperature in a region and is used by farmers and gardeners to know when and what to plant. To be successful, farmers must grow crops suited for their hardiness zone. When zones shift, substantial changes can be required in farming practices, planting and harvesting schedules, and even the types of crops one can grow.

In addition to the social impacts of climate change, there are many social benefits that can arise from a proactive energy action strategy. The following are some social benefits that may be realized from the creation of this Energy Action Plan:

- Retrofitting existing buildings with energy efficient features provides economic, health, and social benefits for residents. Energy efficiency efforts are especially impactful for our low-to-moderate-income residents who benefit from a higher degree of physical comfort, air quality improvements, and financial savings which can go towards more important life expenses like healthcare and food. Improved occupant comfort and lower energy burden can improve equitable outcomes across a variety of social indicators.
- Active transportation provides residents with clean, healthy and equitable transportation choices. Residents with limited means are disproportionately impacted when they do not have access to a robust and inter-connected system of trails and sidewalks. While strong active transportation networks provide all of us a place to exercise, meet, and travel, they also provide key commuting corridors for many residents.
- The creation of clean, sustainable renewable energy sources provides redundancy in our electricity transmission system. Redundancy reduces stress on operations and creates reliable systems, even in the case of emergencies and natural disasters.
- Development of lower-carbon systems helps to spur innovation, creative problem solving, and economic diversification. A strong spirit of discovery is not only useful but necessary as we work to pursue a more equitable and sustainable world. By building this culture of innovation, we create a generative space for all sorts of social, economic, and environmental progress.

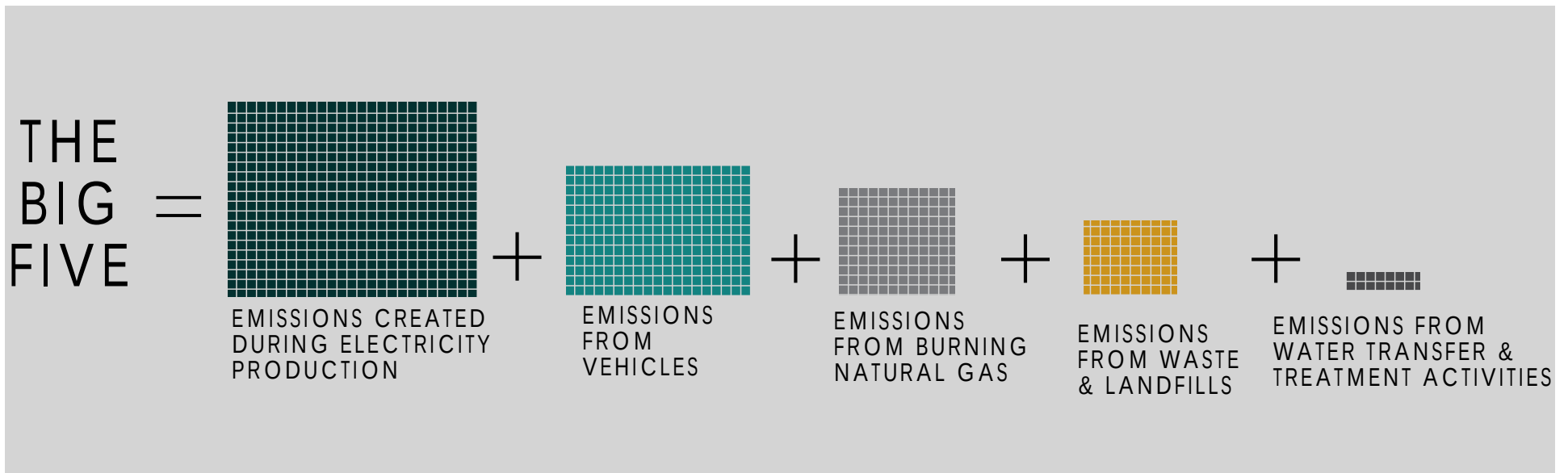


CHAPTER ONE: UTILIZING A FRAMEWORK OF GREENHOUSE GAS EMISSIONS REDUCTION

In order to employ a single framework for gauging economic, environmental, and social repercussions of city and community activities, this Energy Action Plan will use a lens of overall greenhouse gas (GHG) emissions reduction to set goals, establish strategies, and prioritize action items. A GHG reduction framework is used globally in the public and private sector as companies, organizations, nations, and cities look to reduce waste, improve efficiency, and embed long-term sustainability in their communities. GHG's, often referred to as carbon emissions, are created from a host of human activities including transportation, electricity production, the burning of fossil fuels, landfilling waste, and water transfer and treatment.

While we celebrate the ingenuity, progress, and improved life outcomes that have resulted from the massive growth of industry, technology, and connectivity in the modern world, the amount of GHG's produced by human activities are impacting the Earth's climate in negative ways. These changes threaten the long-term viability of food production, public health, economic growth, and more. The climate shifts, commonly known as global warming, are creating the potential for unprecedented and large scale adverse impacts on human health, the environment, and social, natural, and economic systems.

The risks associated with climate change are prompting all levels of government to propose paradigm shifts in how they plan for the future. Fayetteville is among the many communities in the United States committed to addressing the challenges and opportunities presented by Climate Change.



CHAPTER ONE: GREENHOUSE GAS REDUCTION & CLIMATE CHANGE

The Intergovernmental Panel on Climate Change (IPCC), a branch of the United Nations, has condensed the considerable and wide-ranging research on climate change to four distinct conclusions⁸:

- A globally changing climate is already causing substantial systematic damage around the world
- Human activities that produce greenhouse gases (i.e. carbon dioxide, methane, ozone, and fluorocarbons) contribute to this increasingly rapid climactic shifts by creating excessive heat radiation within the earth's atmosphere
- If the world community acts now, warming can still be kept below the tentatively agreed upon "safe" limit
- The ability to secure a resilient and safe climate future is not only possible but economically viable

Fayetteville's Energy Action Plan accepts the IPCC conclusions regarding changing global climate and offers an integrated response to pro-actively reduce our emissions while adapting to existing changes in climate and weather patterns.

The IPCC also states that sustainability and climate resilience can be more cost effective if communities combine energy efficiency efforts with clean energy and carbon sequestration. Through the framework of this Energy Action Plan, Fayetteville will follow this multi-strand approach by encouraging waste reduction, energy efficiency, cleaning up energy supplies, and investing in carbon sinks (such as our urban forest, timber buildings, and fertile agricultural soil).

WHAT IS RESILIENCE? HOW IS IT CONNECTED TO SUSTAINABILITY?

Sustainability is a term derived from the concept of balance and continuation in nature. In its broadest sense, sustainability explores how to improve systems so that their component functions can run continuously on their own.

Resilience is a component of sustainability and refers specifically to a system's ability to recover from difficulties or disasters. Resilience is often described as elasticity, or an object's ability to spring back to its original shape after being manipulated.

Complex, systematic problems can often be better solved if viewed through a lens of sustainability and resilience. Sustainability and resilience techniques focus on community-based solutions that are economically and environmentally equitable, inclusive, and highly implementable. A framework of sustainability and resilience can help us create long term, self-supporting solutions that can quickly and effectively respond to change.

For example, a robust local food system acts as both a sustainable and resilient feature of the complex global food system. Local food uses less fuel to transport and less plastic packaging as produce does not need to stay fresh as long. Locally produced food is often healthier, requiring fewer preservatives than food imported from great distances. Local farmers can more quickly respond to changes in weather or climate and can build relationships with customers, ensuring loyalty even if specific crops are not always available. These attributes combine to create a strong local system that is less susceptible to economic, environmental, and social disruptions. In other words, local food systems are both sustainable and resilient.

CHAPTER ONE: CITY & CORPORATE ACTION REQUIRED

Due to the immediacy of the challenges associated with climate change and the changing Federal priorities surrounding climate preparedness and adaptation, a large and growing group of local governments, states, and businesses are taking collective action.

In October of 2016, 197 countries signed on to the Paris Agreement, a voluntary action sponsored by the United Nations, to “bring all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects.”⁹ As of November 2017, every UN member in the world has signed the Paris Agreement. The recent decision by the U.S. federal government to withdraw from the agreement has required local governments and corporate leaders to take action.

After the U.S. government decision to pull out of the Paris Agreement, more than 2,500 governors, mayors, businesses, investors, universities, and mayors—including Fayetteville’s Mayor Jordan—joined the “We Are Still In” movement, pledging to achieve the goals set in the Paris Agreement. This ever-growing group currently represents more than 127 million Americans and \$6.2 trillion of the U.S. economy.

In addition, Mayor Lioneld Jordan is one of more than 1,000 signatories to the Mayors Climate Protection Agreement,¹⁰ which commits Fayetteville to taking the following actions:

- Strive to meet or beat the Kyoto Protocol targets
- Urge state governments, and the federal government, to enact policies and programs to meet or beat the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol
- Urge the U.S. Congress to pass the bipartisan greenhouse gas reductions legislation which would establish a national emission trading system

Mayor Jordan is also one of 140 mayors nationwide who have endorsed the ‘Mayors for 100% Clean Energy’ Pledge, an initiative created by the Sierra Club to track and help communities transition to 100% renewable energy.

Local governments are taking leadership roles in order to reduce emissions, prepare for climate change, and maintain a livable planet. Fayetteville is proud to join other local leaders in this vital process.

“The Paris Agreement’s central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.”¹¹

CHAPTER ONE: INCREASING LOCAL IMPACTS OF CLIMATE CHANGE

A unified response to cut our carbon emissions is needed because we are already experiencing the effects of our rapidly changing climate. Along with many national and global agencies, the Arkansas Game and Fish Commission has studied the effects of climate change in our Natural State¹². They have concluded that we are already experiencing and will continue to experience broad effects of climate change, including:



- Increasing summer temperatures. Since 1970 the average annual temperatures in the region have increased by about 2 degrees Fahrenheit¹³. Temperatures are expected to increase an additional four to eight degrees by the end of the century. Increased heat can have adverse human health impacts due to heat-related illnesses, as well as increased ground level ozone and smog¹⁴.



- Increasing frequency of extreme weather events and flash flooding. Disruption in normal weather patterns will cause a substantial increase in the intensity, frequency, and duration of rain events¹⁵.



- Strained water systems due to more frequent and sustained droughts. Disruptions in normal weather patterns coupled with increased population growth is expected to impact the availability of clean water in the future¹⁶.



- Changes in agricultural seasons and yields. The Southeastern United States is already experiencing higher temperatures, increased droughts and flooding, and increased pests. These effects of climate change are expected to intensify in coming years. These changes can negatively impact food crops and livestock production¹⁷.

As climate change intensifies, the Fayetteville community will continue to experience disruptions in historic weather patterns. You can read more about the Fayetteville and Arkansas specific effects of climate change on the [City website](#)¹⁸.

CHAPTER TWO:

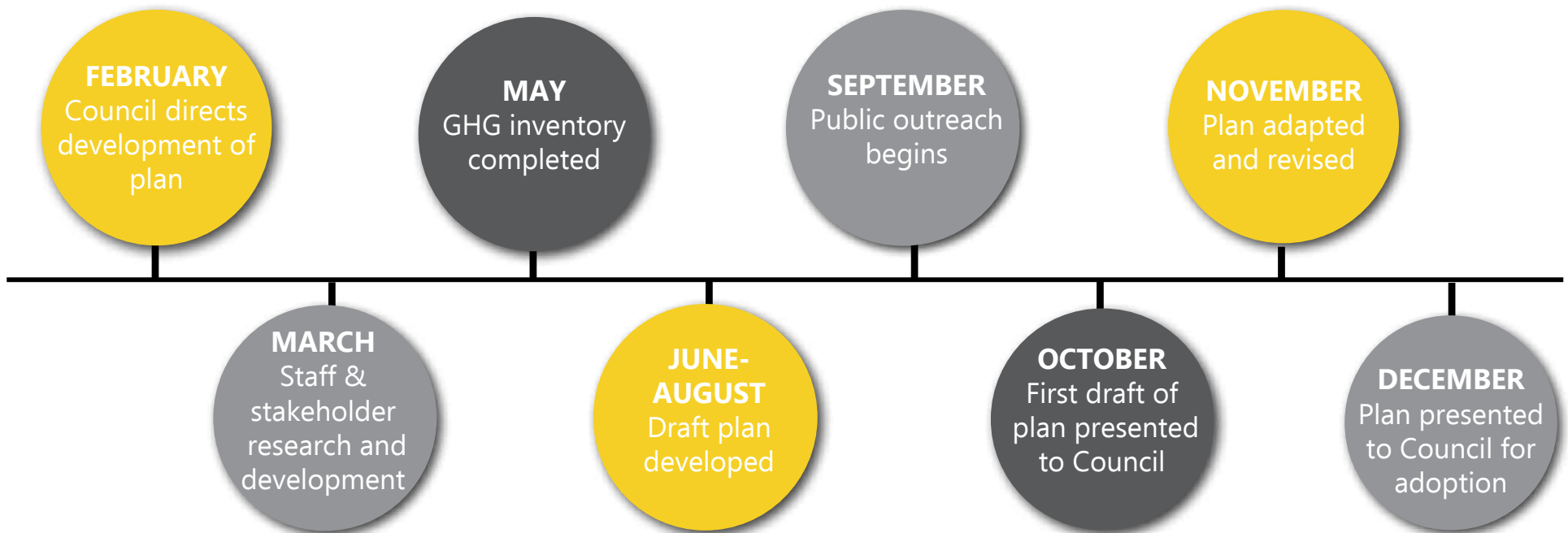
A FRAMEWORK FOR ACTION



CHAPTER TWO: TIMELINE OF PLAN DEVELOPMENT

This plan was developed over the course of 2017 with the help of a great number of experts, stakeholders, community members, and City staff.

- JANUARY : Community Survey data revealed that of 1,400 Fayetteville resident respondents, more than 70% want the City to prioritize climate change planning and energy efficiency policies.
- FEBRUARY : City Council passes Resolution 45-17 expressing support for the development of an Energy Action Plan.
- MARCH - APRIL : Staff conducts peer City research and map existing conditions of local government and community-wide energy related activities. Staff convenes stakeholder group of internal and external experts.
- MAY : Greenhouse gas inventory completed for both City operations and community-wide emissions.
- JUNE - AUGUST: Draft plan developed by Sustainability Department staff
- SEPTEMBER - OCTOBER : Public outreach sessions conducted at StartUp Crawl, Farmer's Market, Public Library, and City Council Agenda Session. Online public input survey made available to the public and promoted through social and traditional media. 264 survey forms completed. 185 comments received via email and digital comment boxes.
- OCTOBER : First full draft of the Energy Action Plan completed and presented to City Council at Agenda Session.
- NOVEMBER : Plan adapted based on survey data, public comments, council feedback, and stakeholder input.
- DECEMBER : Final plan presented to City Council and Administration for adoption.



CHAPTER TWO: PLAN FRAMEWORK

In addition to being led by the feedback and expertise represented in the internal and external stakeholder groups, staff built this plan from existing and proven models from across the globe. The frameworks include:

- Fayetteville's previously adopted plans including : City Plan 2030, the Economic Development Plan, the Recycling & Trash Master Plan, the Active Transportation Plan, and the upcoming Mobility Plan
- Peer Cities' Climate Action Plans (CAPs) including the CAPs from Fort Collins, Raleigh, Knoxville, and Louisville
- Urban Sustainability Director's Network tools including the Carbon Neutral Cities Alliance and the Equity in Sustainability capacity building program
- ICLEI – Local Governments for Sustainability, "US Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions" and "Local Government Operations Protocol"
- The Global Covenant of Mayors for Climate and Energy
- The Carbon Disclosure Project
- Sustainable Tools for Assessing and Rating Communities (STAR Communities)*

The City expresses its appreciation to the organizations listed above for leading the way in climate and energy action, for sharing best practices, and for technical assistance offered to Fayetteville as this plan was developed.

* STAR Communities provided an overarching strategy for developing this Energy Action Plan. STAR Communities is a nonprofit organization that works to evaluate, provide clear comparisons, and certify sustainable communities. STAR is a guiding tool for this Energy Action Plan, as well as for Fayetteville's sustainability planning and strategic long term planning. The STAR rating system evaluation measures collectively define community scale sustainability and present a vision for how communities can become more healthy, inclusive and prosperous across seven goal areas. Fayetteville achieved the status of a 3 STAR Community in 2014.



The STAR framework integrates the economic, environmental, and social aspects of sustainability into a customizable framework that can be adjusted to address local conditions and priorities. Where possible, implementation actions in this Energy Action Plan use metrics that have been identified in the STAR framework to measure progress.

CHAPTER TWO: STAKEHOLDER INVOLVEMENT

In February of 2017, the City Council passed Resolution 45-17 that expressed the Council's support for the study and development of an Energy Action Plan. Sustainability Department staff worked throughout 2017 to conduct a greenhouse gas inventory, analyze existing conditions, and develop the resulting Energy Action Plan.

Sustainability staff enlisted a group of stakeholders to guide the development of the Energy Action Plan. Representatives were included from the fields of engineering, development, electric and gas utility management, environmental law, philosophy, economics, energy conservation, energy efficiency, solar energy design and installation, and facilities management. City staff and this stakeholder group assessed the implications, implementation options, policy repercussions, and GHG ramifications of a host of different energy-related strategies. The stakeholder group met in March and July of 2017 to discuss technical implications of implementing actions and achieving outcomes. The stakeholder group was also involved through ongoing email correspondence and feedback mechanisms including surveys and interviews. This group acted as a sounding board for decision making and the prioritization of implementable actions.

In addition to the external stakeholder group, Sustainability staff met with department representatives from across the City, including staff from Transportation, Fleet, Engineering, Planning, Community Resources, Communications, Accounting, Purchasing, Parks & Recreation, and Urban Forestry. Staff also met with the Environmental Action Committee and the Sustainability Working Group to gather expert input. Feedback and input from each department was collected and integrated into the plan. Staff focused on aligning departmental needs, working to create a plan that did not impose burdens on staff but rather enabled them to better achieve their goals while meeting the overarching goal of carbon emissions reduction.

In addition to these formal feedback groups, the City conducted an online public input survey, gave multiple TV and radio interviews on the plan, and conducted in-person outreach at a variety of events including the StartUp Crawl (where more than 1,200 individuals gathered to explore Fayetteville's booming startup community), a Saturday Farmer's Market in October (estimated 1,500 residents in attendance), a City Council Agenda Session, and a daytime event at the Fayetteville Public Library. Results are available on the following page.



CHAPTER TWO: COMMUNITY-WIDE INVOLVEMENT

This plan, from its inception, has been a product of community voices. In the 2016 Community Perceptions Survey, 78% of respondents indicated a desire for the City of Fayetteville to prioritize renewable energy and energy efficiency programs. Additionally, 62% of respondents indicated that the City should prioritize climate change preparedness. This directive from the public was at the heart of framing and developing this plan*.

To ensure that community members were aware of the plan's development, the Sustainability Department conducted a number of public outreach events, were interviewed multiple times on local TV and radio stations, collaborated on an extended local newspaper piece, and conducted social media outreach through the City and University's social media platforms. To ensure that citizens were able to not only learn about the plan but offer their opinions, ideas, and input during the development process, the Sustainability Department invited comments at outreach events and through an online survey tool that was open for one month and promoted by various groups including the Library, the University, and the Farmer's Market. The survey garnered 264 unique responses in addition to 185 public comments. Key findings included:



88% OF RESPONDENTS "AGREE" OR "STRONGLY AGREE" THAT FAYETTEVILLE SHOULD STRIVE TO REDUCE GHG EMISSIONS



92% OF RESPONDENTS "AGREE" OR "STRONGLY AGREE" THAT WE SHOULD ASSESS THE FEASIBILITY OF UPDATING BUILDING ENERGY CODES



92% OF RESPONDENTS "AGREE" OR "STRONGLY AGREE" THAT WE SHOULD STRIVE TO MAINTAIN OR EXPAND OUR URBAN TREE CANOPY



78% OF RESPONDENTS "AGREE" OR "STRONGLY AGREE" THAT FAYETTEVILLE SHOULD STRIVE TO TRANSITION TO 100% CLEAN ENERGY BY 2050

*As with any long-term, strategic process, this plan is intended to be iterative and open to changes overtime. As different actions and strategies in the plan are pursued, further public input will be gathered to ensure that the City is aligned to and led by citizen goals and ideas.

CHAPTER TWO: ADDITIONAL FRAMEWORK CONSIDERATIONS

BUDGETARY FRAMEWORK

This Energy Action Plan contains strategies and actions identified to reduce greenhouse gas emissions while promoting strong economic, environmental, and social development. These individual actions have been assigned a generalized timeline (details available in Chapter 3) with identified stakeholders who will oversee the implementation of those actions.

As with all City of Fayetteville policies and programs, many of the specific actions in the plan will have a cost to implement and may have necessary budgetary impacts. Additional study and environmental, social, and financial cost/benefit analysis may be necessary to justify implementation and approval through the City's budgetary process. As the Energy Action Plan is implemented over time, staff will continually seek partnerships, grants and other funding opportunities to help offset implementation costs and advance the goals of this plan.

ALIGNING TOWN & GOWN FRAMEWORKS FOR COLLABORATIVE ACTION



The City of Fayetteville and the University of Arkansas (U of A) have a close “Town & Gown” relationship. The City and the University work together often on issues that impact the wider community, from public safety to arts and culture. This Energy Action Plan is aligned with the University's Climate Action Plan v2.0 which was also based upon the Kyoto Protocol goals. The U of A has been diligently working to reduce its greenhouse gas emission levels to 1990 levels by the year 2021.

Currently, City of Fayetteville Sustainability Staff is working with the U of A Office for Sustainability on a community-wide climate change resilience assessment. This assessment will use a resilience lens to examine potential threats and strengths inherent in the following sectors: Ecosystem Management, Physical Infrastructure, Human Health, Social Systems, and Economic Stability as they relate to probable extreme weather events such as flooding, drought, and heat stress. The Office for Sustainability is leading this resilience assessment process, and the long-term goal is to refine this process, replicate it in our region's sister cities and develop a holistic regional climate change resilience plan.

CHAPTER TWO: CONDUCTING A GREENHOUSE GAS INVENTORY

As the first step toward identifying which energy related goals, strategies, and actions were necessary, Sustainability staff completed a greenhouse gas emissions inventory of City and community-wide activities in early 2017.

For the community-wide inventory, the ICLEI US Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions¹⁹ was used, capturing the five largest emissions streams in the City: electricity, natural gas, transportation, water treatment and transfer, and landfill waste. For the City-operations inventory, the ICLEI Local Government Operations was employed²⁰. These protocols are used nationwide by peer cities and are a recommended reporting tool by the Climate Disclosure Project, the Urban Sustainability Directors Network, and STAR Communities Guide.

Both inventories use a baseline year of 2010. While some data were available beginning in 2000, consistent data from all providers (utility companies, City departments, etc.) were only available after 2010. Full results of both inventories are available in the Appendix.

Using the established protocol and data analysis tools created for this inventory, the City plans to conduct a yearly GHG inventory to capture progress and changes in our carbon emissions.

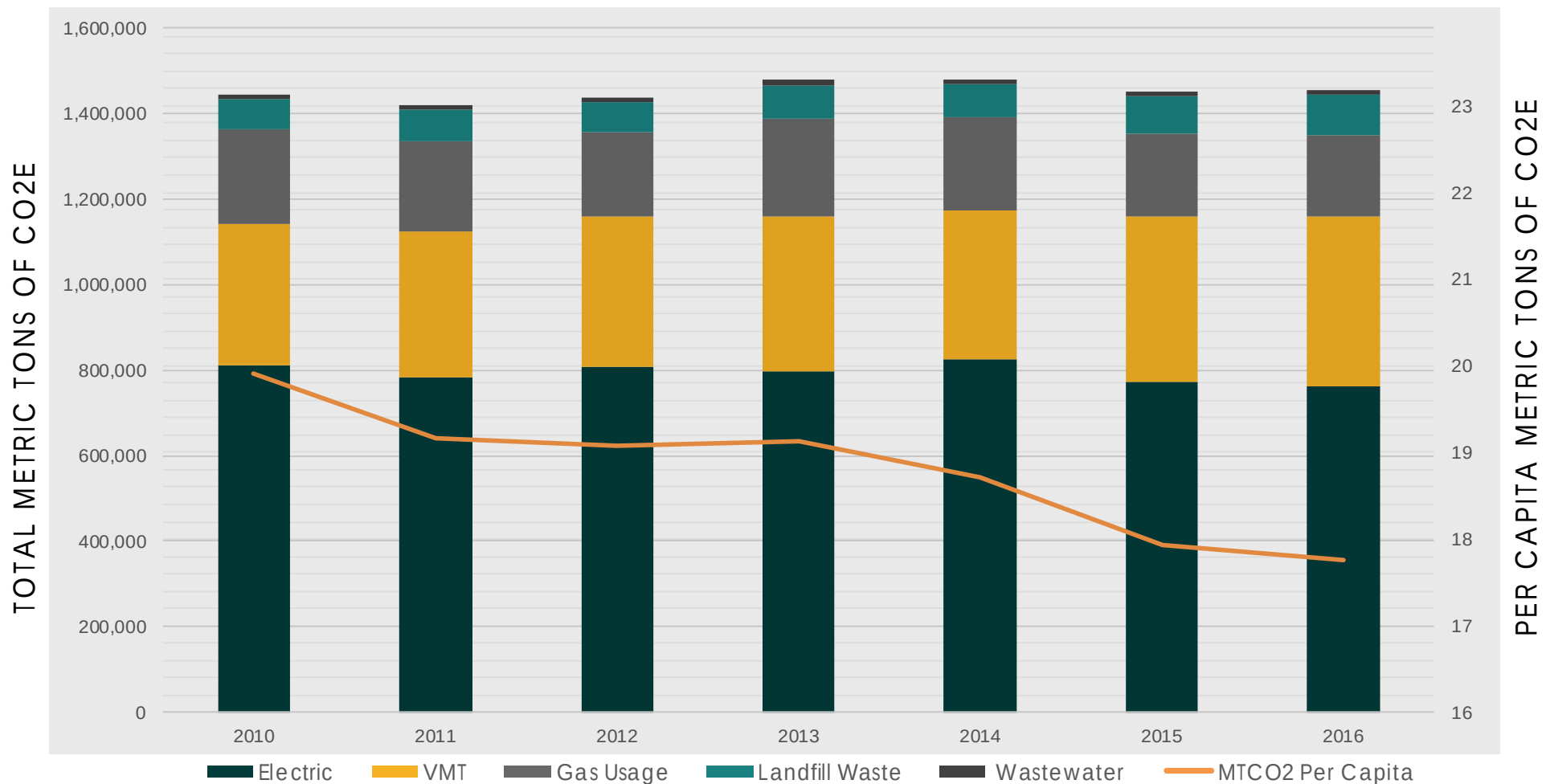
WHAT DOES CO2E MEAN?

CO2E is shorthand for carbon-dioxide equivalent. This plan uses CO2E throughout. Calculations using CO2E do not only take into account the carbon-dioxide emissions, but other greenhouse gases with significant warming potential. These gases include Methane, (CH₄), Nitrous Oxide (N₂O), and Hydrofluorocarbons (HFCs). These gases, though often released at lower rates than CO₂, have higher warming potential (see chart to the right). The warming potential indicates the effect, measured in comparison to carbon dioxide, of a gas' ability to warm the planet over time (in this case, 100 years).

Greenhouse Gas	Global Warming Potential
Carbon dioxide (CO ₂)	1
Methane (CH ₄)	25
Nitrous Oxide (N ₂ O)	298
Hydrofluorocarbons (HFCs)	124 - 14,800

CHAPTER TWO: FAYETTEVILLE'S GREENHOUSE GAS INVENTORY

COMMUNITY-WIDE CO₂E EMISSIONS: 2010-2016

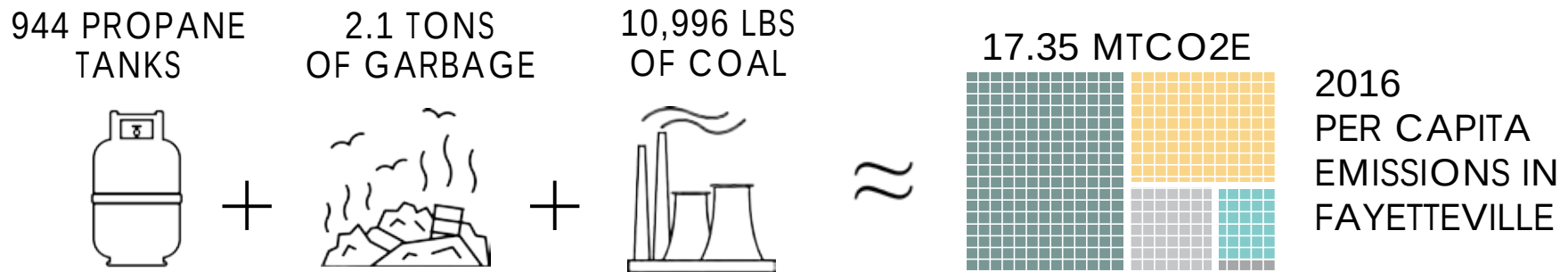


Over the seven-year period for which we have data, 2014 saw the peak of emissions production at 1,479,435 MTCO₂E. While emissions in 2016 were 2% lower than in 2014, the general trend line still shows an increase over the seven year period due to population growth and rapid development²¹. See Appendix B for details and inventory methodology.

Per capita emissions have dropped since our baseline year of 2010. In 2010, per capita emissions were at 19.52 MTCO₂e. By 2016, this number had dropped to 17.35 MTCO₂e, a 11% decrease per capita over the seven-year period²².

CHAPTER TWO: FAYETTEVILLE'S PER CAPITA EMISSIONS

The calculations for carbon emissions can often be difficult to understand and can sometimes disconnect us from the true extent of carbon pollution resulting from our activities. The images below use data from the EPA 'GHG Equivalencies Calculator' to help explain what 17.35 MTCO₂E looks like in real world terms.



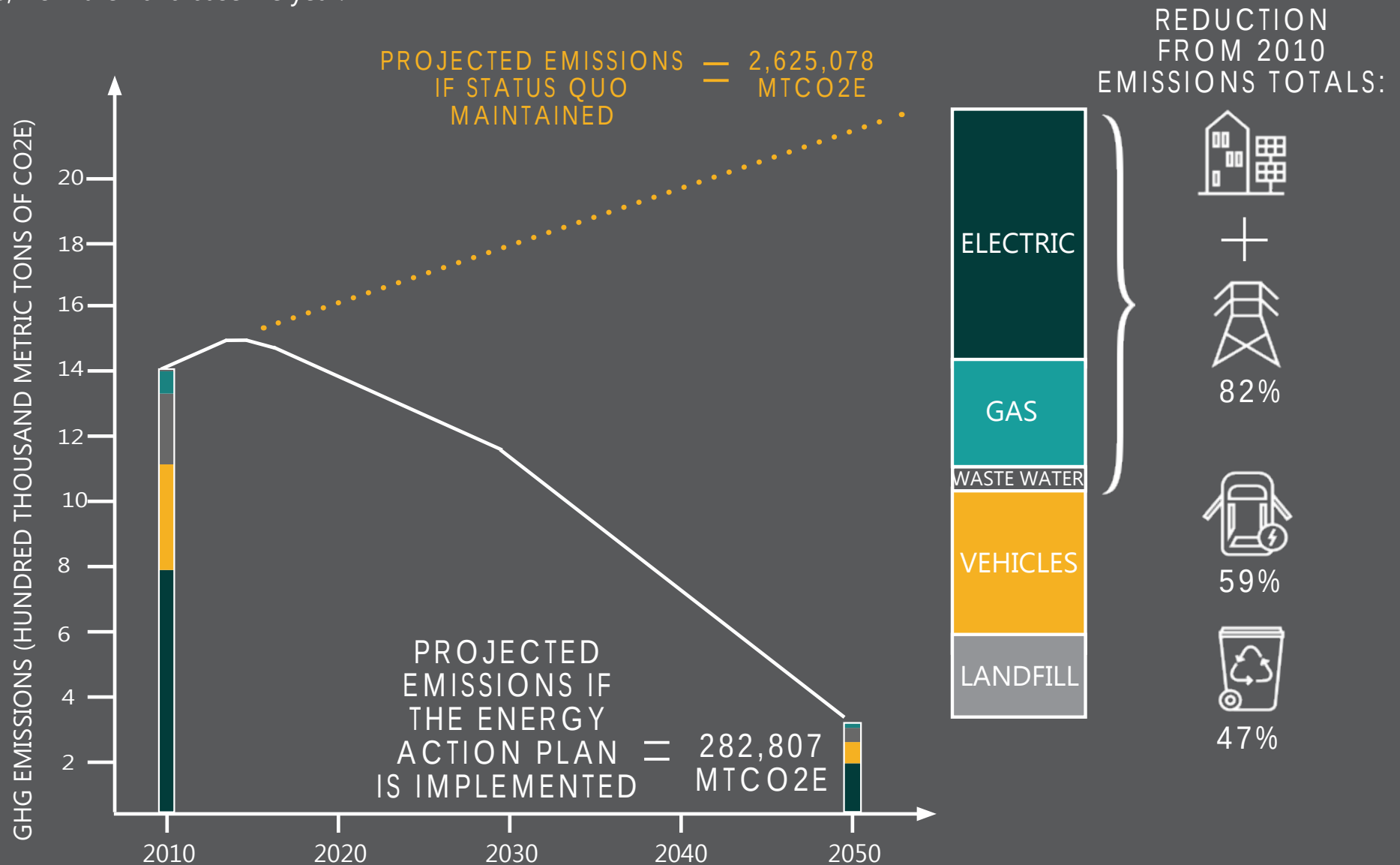
Fayetteville can be compared to other cities and countries around the world by considering our per capita (or per person) emissions. We emit less than the Arkansas average²⁴, slightly more than the national average, and about 3 times as much as the average global citizen²⁵.



It would require approximately 20.4 acres of forest to absorb the amount of carbon dioxide emissions produced by each Fayetteville resident, each year. To account for all 83,826 residents in 2016, more than 1.7 million acres of forest would be needed to absorb our yearly GHG emissions²³.

CHAPTER TWO: GHG EMISSIONS PROJECTIONS

With the baseline data analysis completed, future GHG reductions were modeled for a variety of goals, strategies, and actions. The next chapter outlines the items identified and prioritized by staff, stakeholders, and administration. These items were prioritized based on their ability to enable Fayetteville to reach an overall goal of 80% GHG emissions reduction by 2050, from the 2010 baseline year.



CHAPTER THREE:

STRATEGIES FOR ACTION



CHAPTER THREE: STRATEGIES FOR ACTION

This chapter outlines the goals, strategies, and actions developed through the frameworks and processes described in Chapter 2. These items have been organized and prioritized based on their contribution to community-wide GHG reduction as well as their substantial “co-benefits” in the realms of economic, social, and environmental sustainability.

These mitigation and adaptation strategies have been collected by internal and external stakeholder groups, were evaluated through peer city research, have been aligned with internal City of Fayetteville plans and policies, and are calibrated to align with our existing reporting platforms including STAR (Sustainable Tools for Assessing and Rating) Communities and the Carbon Disclosure Project.

These targets and timelines are subject to change as new technologies or priorities determine the best return on investment. This plan will be revisited on a five-year basis to ensure that these targets are being actively pursued and that our timelines match feasibility and City priorities. If yearly GHG inventories reveal that progress is not being achieved, the City may revisit the plan outside of the five-year timeline. If this plan is adopted at the end of 2017, the first revision will take place in 2022.

The format of the chapter 3 is as follows:

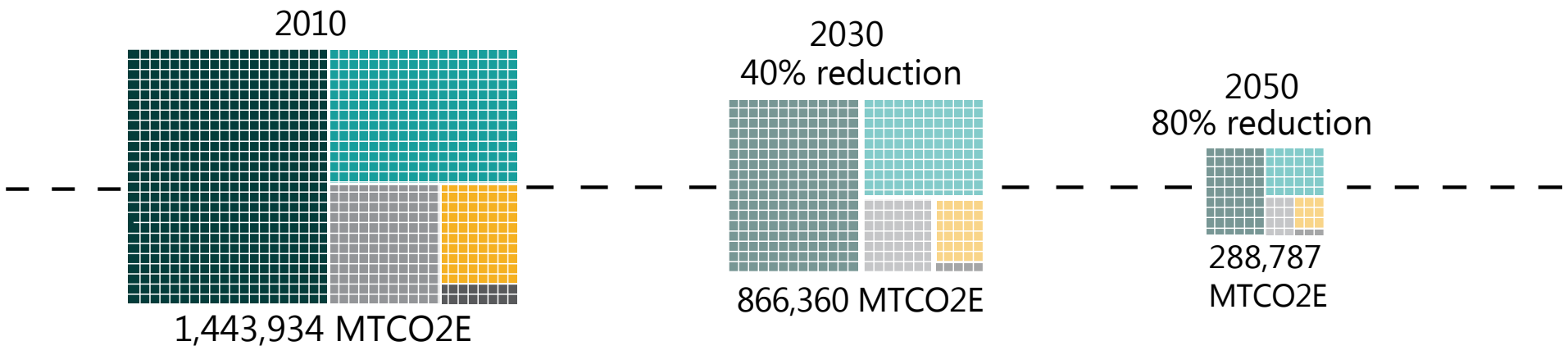


CHAPTER THREE: COMMUNITY LEVEL GOALS

In 1997, the Kyoto Protocol established a long-term target of reducing the GHG emissions of industrialized countries by 80% by 2050²⁶. More than 1,000 mayors across the U.S., including Fayetteville Mayor Lioneld Jordan, have signed the U.S. Conference of Mayors' Climate Protection Agreement which commits to meeting or exceeding the Kyoto targets.

Between 2015 and 2017, every country in the world ratified the Paris Agreement which confirmed the Kyoto targets and laid a framework for global participation to keep the global temperature from rising more than 1.5 degrees Celsius in the next century²⁷. As federal priorities changed under the most recent administration, Mayor Jordan was one of the thousands of business and government leaders from across the United States who pledged to uphold the Paris Agreement goals.

Following both the Paris and the Kyoto frameworks, the City of Fayetteville has the following goals for GHG emissions reduction, using 2010 as our baseline year:



In order to meet these goals, this plan addresses GHG reduction goals and strategies across four sectors:

1. Buildings – Improving efficiency, human comfort, and health
2. Energy Supply and Delivery – Transitioning to clean and renewable energy
3. Transportation – Reducing fossil fuel use in transportation activities
4. Solid Waste Reduction – Reducing emissions through reduced consumption, reuse, recycling and composting

This plan will also address cross-sectional goals and strategies, as well as operational and behavioral actions specific to City government. The remainder of this chapter will explore these strategies in depth.

CHAPTER THREE: SECTOR LEVEL GOALS



CROSS-SECTOR:

- Reduce average housing and transportation costs to 45% of area median income
- Develop and expand Fayetteville's reputation as a hub for socially and economically responsible business development, entrepreneurship, and green jobs
- Build local support for national carbon emission reduction and carbon capture strategies

BUILDINGS:

- Complete periodic feasibility analyses of building energy code updates
- Achieve 3% annual reduction in overall energy usage in buildings
- Improve the health, distribution, coverage, and effectiveness of Fayetteville's urban forest

ENERGY SUPPLY:

- Achieve 100% local government clean energy by 2030
- Achieve 50% community-wide clean energy by 2030
- Achieve 100% community-wide clean energy by 2050

TRANSPORTATION:

- Reduce per capita vehicle miles traveled to 2010 levels by 2030
- Achieve 25% bike/walk/transit mode share by 2030

WASTE:

- Achieve 40% total waste diversion from the landfill by 2027

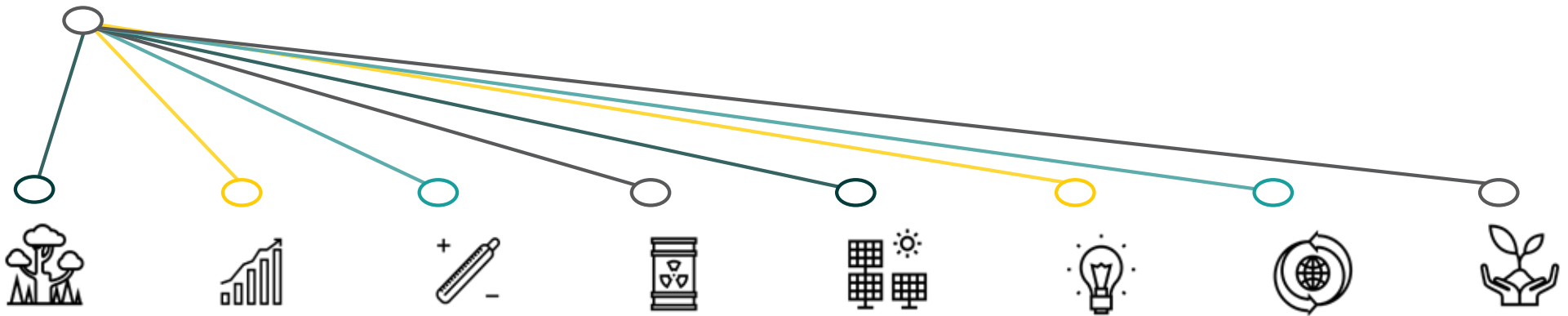
CHAPTER THREE: CROSS-SECTOR

Many of the strategies that were identified for inclusion in this Energy Action Plan did not fit neatly into one of the four identified sectors (Buildings, Energy Supply and Delivery, Transportation, and Solid Waste Reduction). The following items were identified as key economic, equity, and environmental goals and strategies by stakeholders and staff members.

GOALS:



1. Reduce average housing and transportation costs to 45% of area median income
2. Develop and expand Fayetteville's reputation as a hub for socially and economically responsible business development, entrepreneurship, and green jobs
3. Build local support for national carbon emission reduction and carbon capture strategies



STRATEGIES:

1. Integrate community resilience and adaptation considerations into City planning and policy decisions
2. Advocate for green jobs training and skills development in local educational programs and prioritize these fields in City plans and programs for workforce development
3. Continue to market the economic benefits of energy and resource efficiency and encourage retention of talent and businesses who identify with Fayetteville's sustainability brand
4. Reinvigorate the support for and momentum around Fayetteville Resolution no. 164-13 to support a national revenue-neutral carbon fee and dividend program
5. Advocate for 100% LED street lights by 2030 through collaboration with utility providers

CHAPTER THREE: CROSS-SECTOR

STRATEGY 1: INTEGRATE RESILIENCE AND ADAPTATION CONSIDERATIONS INTO PLANNING AND POLICY DECISIONS

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Work with the University of Arkansas Office of Sustainability to collaboratively complete a regional resilience assessment and publish a report of findings	Short-term	Sustainability, University
Consider amending the 'Purpose and Duties of the Environmental Action Committee' to include consideration of climate mitigation and adaptation strategies	Short-term	Environmental Action Committee
Consider amending the 'Purpose and Duties of the Environmental Action Committee' to include policy recommendations regarding energy efficiency efforts and clean energy purchasing decisions	Short-term	Environmental Action Committee
Investigate the feasibility of a stormwater utility fee to improve green stormwater infrastructure	Short-term	Engineering, Legal, Finance

MITIGATION & ADAPTATION

The impacts of climate change are often framed by two potential strategies that humans may take in response to our changing climate: mitigation and adaptation.



Mitigation strategies are primarily concerned with reducing the magnitude and intensity of climate change and reducing its negative consequences.



Adaptation involves limiting a community's vulnerability, or increasing its resilience, to climate change impacts through various measures.

Both mitigation and adaptation are necessary as we look to build a sustainable future. In this Energy Action Plan, we have strategies and actions that are designed to address both climate mitigation and climate adaptation. For instance, the primary goal of this plan is to reduce our community-wide GHG emissions to 80% of our 2010 baseline year by 2050. This is a strong climate mitigation goal. Another goal is to increase our urban tree canopy cover to reduce the urban heat island effect and increase our ability to handle rapid rainfall. This is a strong climate adaptation goal. Both these goals are complementary and work together to build a sustainable and resilient future for Fayetteville.

CHAPTER THREE: CROSS-SECTOR

STRATEGY 2: ADVOCATE FOR GREEN JOBS TRAINING AND SKILLS DEVELOPMENT IN LOCAL EDUCATIONAL PROGRAMS AND PRIORITIZE THESE FIELDS IN CITY PLANS AND PROGRAMS FOR WORKFORCE DEVELOPMENT

STRATEGY 3: CONTINUE TO MARKET THE ECONOMIC BENEFITS OF ENERGY AND RESOURCE EFFICIENCY AND ENCOURAGE RETENTION OF TALENT AND BUSINESSES WHO IDENTIFY WITH FAYETTEVILLE'S SUSTAINABILITY BRAND

Fayetteville is committed to creating an economic climate where established businesses are secure and new businesses can thrive. Fayetteville's recently adopted economic development plan, titled "Fayetteville First," highlights the importance of energy and climate action in a variety of ways. The plan encourages Fayetteville to purposefully build our reputation as a sustainable City, support attainable housing options, and focus on encouraging growth in targeted sectors such as technology and innovative energy solutions. The action items below build on the strategies and goals already set in the Fayetteville First Plan and further demonstrate Fayetteville's commitment to sustainable economic development:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Continue to provide recognition for local sustainability-minded businesses through programs like LEED, Bike-Friendly Businesses, and the GreenWAay Initiative	Ongoing	Economic Vitality, Sustainability
Continue to provide support services to targeted sectors to strengthen local value chain infrastructure and develop market channels	Ongoing	Economic Vitality
Integrate Fayetteville's sustainability brand and energy action goals into future marketing and outreach efforts for business and talent retention	Short-term	Communications, Economic Vitality, Sustainability
Support ongoing regional campaigns promoting local banking, shopping, and eating and other local economic drivers	Ongoing	Communications, Economic Vitality, Sustainability

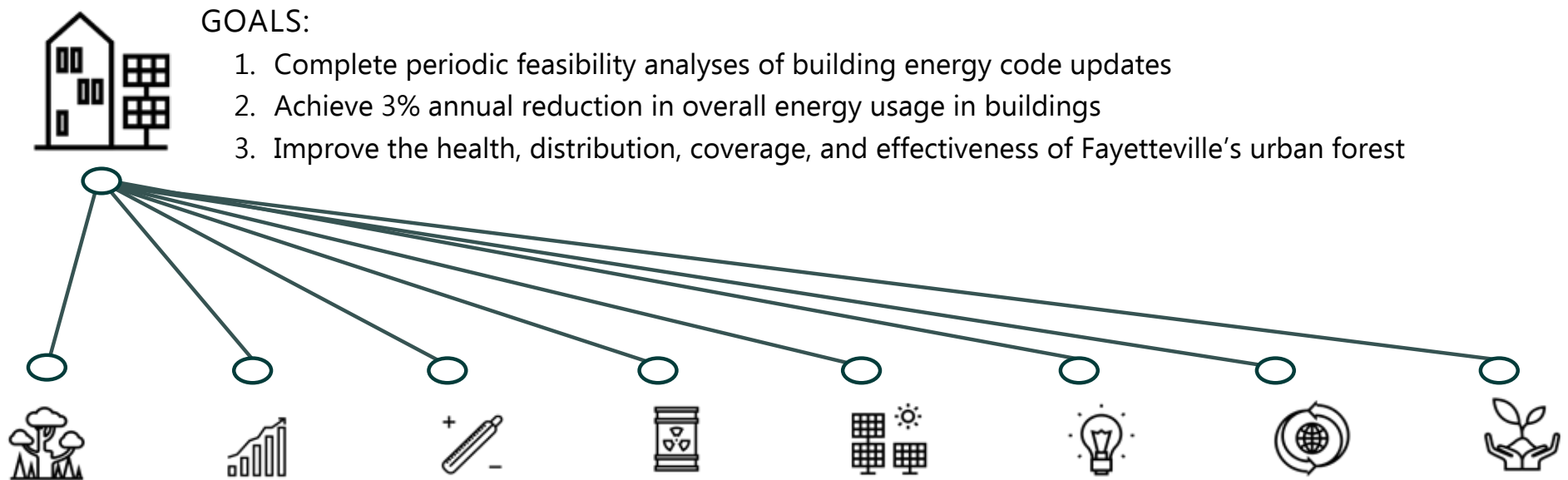
"Fayetteville is a trailblazer in city wide sustainability and conservation initiatives. Sustainability efforts are a major differentiator for Fayetteville when focusing on attracting its targeted business sectors... Organizing and capitalizing on its sustainable environment is a cornerstone in Fayetteville's future."

-Fayetteville First Plan, Adopted 2016²⁸



CHAPTER THREE: BUILDINGS

The building sector is the top energy consumer and the biggest contributor to greenhouse gas emissions in Fayetteville. This can be attributed, in part, to the relatively low electricity and natural gas prices Fayetteville enjoys (compared to national averages). In general, low energy prices are not favorable for driving energy efficiency in building design. However, even with low energy prices, many lower cost energy efficiency measures have a quick return on investment. The most cost-effective energy efficiency improvements are the best place to start when the overarching goal is to reduce GHG emissions.



STRATEGIES:

1. Make all new buildings energy efficient from point of construction
2. Make existing single and multi-family dwellings more energy and resource efficient
3. Make existing institutional, commercial, and industrial buildings more efficient
4. Conduct a community-wide Tree Canopy Assessment and set a tree canopy coverage goal
5. Encourage heat island mitigation features across the City to lower overall energy consumption for all building types

CHAPTER THREE: BUILDINGS

STRATEGY 1: MAKE ALL NEW BUILDINGS ENERGY EFFICIENT FROM POINT OF CONSTRUCTION

Fayetteville has many examples of historic buildings that are still highly functional, beautiful, and well used. These structures are testaments that well designed and constructed buildings can offer long term functionality and sustainability. New construction can further improve our building stock by incorporating features of sustainable design. All new buildings in Fayetteville have the potential to be energy efficient, offer high occupant comfort, and maintain resilience from point of construction. This strategy builds upon the City's longstanding leadership in advocating for green building design through the adoption of progressive energy codes. The following actions should be explored and considered for implementation:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Adopt updated commercial and residential building energy codes on a regular schedule.	Short-term	Building Safety
Benchmark local government building and infrastructure energy use annually.	Ongoing	Facilities Management, Sustainability, IT
Partner with organizations to encourage the collection and reporting of energy use data from the commercial and industrial sectors.	Medium	Utility Companies, Sustainability
Evaluate the feasibility of creating incentives to encourage the new construction of energy efficient buildings.	Ongoing	Development Services, Economic Development, Sustainability
Utilize the existing Property Accessed Clean Energy (PACE) program to finance energy efficiency in the construction of new buildings.	Ongoing	Sustainability
Require that public infrastructure and facility managers consider energy and water consumption implications for new or upgraded infrastructure investments.	Ongoing	Facilities, Water & Sewer, Transportation

CHAPTER THREE: BUILDINGS

STRATEGY 2: MAKE EXISTING SINGLE-FAMILY & MULTI-FAMILY DWELLINGS MORE EFFICIENT

Single-family housing, whether owned by the occupant or occupied by renters, makes up approximately 50% of the existing dwelling units in Fayetteville. Due to its abundance, and the relatively stability of home ownership and long term rentals, this building type provides significant incentivizes for ongoing maintenance and energy efficiency upgrades. The actions below are applicable to both renters and homeowners in single family dwellings.

Multi-family residential buildings present unique challenges when it comes to incentivizing property owners to upgrade or retrofit their buildings to become more energy efficient. Despite the challenges, there are programs and policies that can provide economic and environmental benefits to both property owners and those living in the units.

The actions below are designed to encourage energy efficiency in single and multi-family units:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Adopt new energy codes to ensure that renovated buildings are more energy efficient.	Short-term	Development Services
Partner with utility providers to create an education and outreach campaign to connect homeowners and renters to existing energy efficient programs provided by utility companies.	Ongoing	"Sustainability, Community Resources, Communications, Non-profits, Utility Companies
Create a program to connect low-income renters and homeowners with utility-sponsored programs to reduce their energy costs.	Short-term	"Sustainability, Community Resources, Communications, Non-profits, Utility Companies
Explore opportunities to utilize Community Development Block Grants (CDBG) to compound existing utility-sponsored energy efficiency programs for low to moderate income households.	Short-term	Community Resources, Sustainability Utility Companies
Encourage local utility providers to offer energy commissioning programs.	Medium-term	Sustainability, Utility Companies
Encourage heat island mitigation features to help lower utility costs for residents and businesses.	Medium-term	Urban Forestry, Sustainability
Encourage tree planting, green roofs, and other energy-saving techniques across the City through education, outreach, and tree give-aways.	Short-term	Urban Forestry

CHAPTER THREE: BUILDINGS

STRATEGY 3: MAKE EXISTING INSTITUTIONAL, COMMERCIAL, AND INDUSTRIAL BUILDINGS MORE EFFICIENT

The wide variety of buildings and uses in the institutional, commercial, and industrial sectors require a mixture of innovative energy efficiency policies, programs, and implementation actions.

The institutional land-use sector includes schools, libraries, government buildings, and churches. Institutional buildings are typically constructed for long life spans and energy efficiency upgrades may be justified with a cost-benefit analysis as equipment is replaced. Institutional buildings such as government facilities and churches are often financially stable over the long term, making them ideal for energy efficiency improvements spread over multiple years.

Commercial and industrial structures may have a more limited life span; however, it is possible to realize significant energy savings through simple and low-cost improvements such as optimizing HVAC efficiency, improving insulation, and upgrading lighting systems.

The actions below are designed to encourage energy efficiency in a wide range of building types and uses.

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Identify high energy use City facilities and develop an energy efficiency and renewable energy innovation agenda to realize long-term savings and demonstrate the financial impact of energy improvements.	Short-term	Facilities, Water & Sewer, Sustainability
Prioritize leak prevention and water-related energy efficiency measures, both City and community-wide.	Ongoing	Facilities, Water & Sewer, Sustainability
Encourage increased sub-metering on institutional, commercial, and industrial buildings to collect data and identify opportunities for energy efficiency upgrades.	Ongoing	Facilities, Sustainability, Utilities
Adopt updated commercial energy codes to ensure that renovated buildings are more energy efficient.	Short-term	Development Services
Analyze the feasibility of an energy use disclosure ordinance that requires energy users to disclose consumption levels.	Long-term	Sustainability
Publish local government energy benchmarking reports and maintain a web based interface to provide local government energy data to the public.	Ongoing	IT, Sustainability, Facilities

CHAPTER THREE: BUILDINGS

STRATEGY 4: CONDUCT A COMMUNITY-WIDE TREE CANOPY ASSESSMENT AND SET A TREE CANOPY COVERAGE PERCENTAGE GOAL

A robust urban forest is vital for a community's well-being. Urban trees provide numerous ecological, economic and social benefits. They capture and clean stormwater, provide shade, remove CO₂ and pollution from the air, provide wildlife habitat, increase property values, and promote human health. A tree canopy study conducted in 2012 estimates that the City's overall tree canopy comprises 35% of the city's land area. Ongoing canopy assessments will provide the City with reliable tree data with which to set an urban tree canopy coverage goal. The following actions should be completed to meet an aspirational and accomplishable tree canopy goal:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Target areas in need of additional tree canopy by creating a tree canopy map layer.	Short-term	Urban Forestry, GIS
Explore a strategy and funding mechanism to increase the permanent preservation of lands identified as the "Enduring Green Network" in the City's Future Land Use Plan and Map. These lands may be City-owned or preserved through land trusts, tree preservation easements, or other mechanisms.	Medium-term	Planning, Finance, Sustainability, Legal
Increase awareness of utility-focused "Right Tree, Right Place" program through joint outreach campaigns.	Medium-term	Urban Forestry, Utilities
Explore options to develop a tree planting program partnering with residents, business owners, and institutions for the planting of trees in right-of-way, on easements, or on private properties.	Short-term	Urban Forestry, Sustainability, Facilities
Evaluate the feasibility of modifying existing tree preservation minimums and mitigation rates in the City's Tree Preservation Code to improve the long-term ecological outcomes of urban development.	Short-term	Urban Forestry, Development Services
Conduct a community-wide tree canopy assessment every five years.	Ongoing	Urban Forestry, GIS

CHAPTER THREE: BUILDINGS

STRATEGY 5: ENCOURAGE HEAT ISLAND MITIGATION FEATURES ACROSS THE CITY TO LOWER OVERALL ENERGY CONSUMPTION FOR ALL BUILDING TYPES

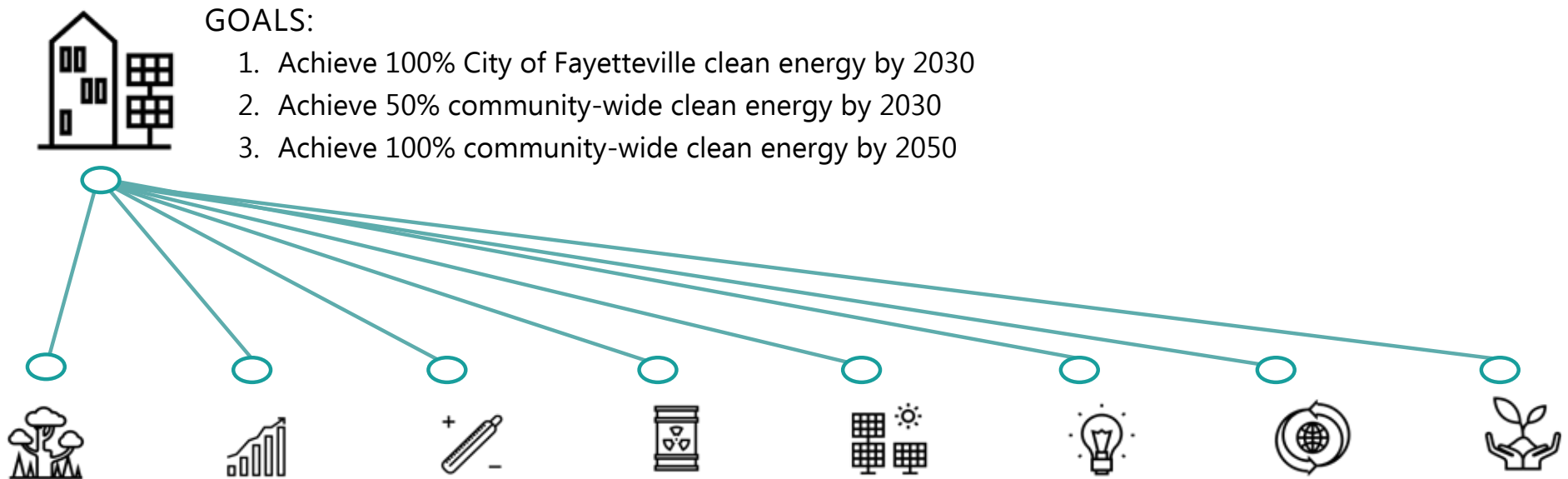
The term “heat island” describes urban areas that are significantly warmer than the surrounding rural areas. Heat islands are created through the removal of vegetation and the development of heat absorbing surfaces such as asphalt, concrete, and roof surfaces. Heat islands can impact communities by increasing summertime peak energy demand, air conditioning costs, air pollution, greenhouse gas emissions, and heat related illness and mortality. Urban heat islands may be mitigated by preserving or replacing trees and landscaping during development, installing green and reflective roof surfaces, and integrating green stormwater and paving techniques such as vegetated infiltration basins and grass pavers. Actions for addressing the impacts of the urban heat island effect should include:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Conduct an assessment to determine heat island mitigation feature distribution across the City to identify locations with disproportionate heat island effects	Short-term	GIS, Urban Forestry
Use the Parks and Recreation Master Plan process to identify and develop a network of pocket parks and urban open spaces in areas of the city that are identified as impacted by urban heat islands.	Short-term	Parks & Recreation, Urban Forestry, Planning
Conduct an assessment to discover if there is a parkland or natural space within a 10-minute walk of all residents.	Short-term	Parks & Recreation, Sustainability, GIS
Promote the use of cooling and light colored roofing materials and coatings for both new and existing building stock.	Medium-term	Development Services, Urban Forestry
Encourage green roofs on new and existing buildings and consider the feasibility of incentivizing green roofs through a mechanism like a storm water utility fee	Medium-term	Development Services

CHAPTER THREE: ENERGY SUPPLY

A transition to clean energy is critical in order for Fayetteville to reduce GHG emissions in an impactful way. Nationwide, opportunities for renewable electricity generation from sources such as wind, solar, hydroelectric, and biomass are increasingly cost competitive and plentiful. Our region is located in close proximity to major sources of wind energy produced in Oklahoma and Texas. Southwest Electric Power Company (SWEPCO) is a member of the Southwest Power Pool, which encompasses much of the central plains, and they are increasingly purchasing wind power as part of their energy portfolio.

Locally, our region is also well situated for the development of solar photo-voltaic (PV) energy production. Fayetteville can demonstrate leadership by investing in localized solar energy resources and by supporting, and encouraging, our local utility providers to increase the percentage of clean energy in their electricity portfolios.



STRATEGIES:

1. Advocate to increase utility companies renewable energy portfolio
2. Increase the number of local solar PV installations
3. Prioritize the purchase or installation of clean energy to run City operations

CHAPTER THREE: ENERGY SUPPLY

STRATEGY 1: ADVOCATE TO INCREASE UTILITY COMPANY'S RENEWABLE ENERGY PORTFOLIO

Fayetteville is served by two electricity providers: Ozarks Electric Cooperative and Southwestern Electric Power Company (AEP SWEPCO). Ozarks Electric primarily services the perimeter area of the City, providing approximately 25% of the total electricity used by residents; AEP SWEPCO primarily services the central area of the City, providing approximately 75% of total electric supply.

Both SWEPCO and Ozarks Electric are increasingly shifting towards a clean energy mix, with a growing proportion coming from wind, solar, hydro, and natural gas instead of coal. SWEPCO has recently announced they are partnering to build a 2,000 megawatt wind farm in the Oklahoma Panhandle, 70% of which will be transmitted to the grid in our region²⁹. This project is estimated to produce \$5 billion in savings for SWEPCO customers over the next decade. Ozarks Electric already produces over 6% of the City of Fayetteville's power needs through a one-megawatt solar facility located in Springdale, Arkansas. The City applauds the efforts of both electric providers in this shift towards economically viable, environmentally responsible power production. The following actions should be explored and considered for implementation in order to accelerate the transition to clean energy across the region:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Continue to advocate for increasing SWEPCO and Ozarks Electric clean energy portfolio as a percentage of the electric energy produced.	Ongoing	Sustainability
Work with local utilities to implement energy commissioning programs.	Medium-term	Sustainability, Utility Companies
Procure clean energy from utilities or other generators when feasible.	Ongoing	Sustainability
Create a policy to ensure that the local government's energy supplies increasingly come from renewable sources and/or enter into direct purchase agreement with utility companies for clean energy sources.	Short-term	Sustainability, Purchasing
Publish yearly reports on the City's and the overall communities energy mix.	Ongoing	Sustainability
Investigate the feasibility of becoming a Green Power Community to encourage businesses, institutions, and individuals to collectively use more clean power.	Long-term	Economic Development, Sustainability

CHAPTER THREE: ENERGY SUPPLY

STRATEGY 2: ADVOCATE TO INCREASE LOCAL RENEWABLE INSTALLATIONS

Fayetteville can become a regional leader in advocating for small scale and community-scale, privately owned solar installations. Small scale solar refers to individual homeowners and businesses installing solar to off-set their own electricity needs. Solar arrays can be easily designed into new structures and retrofitted into existing ones. The City can incentivize small scale solar by reducing regulatory barriers and creating a fast track approval process. Community-scaled solar refers to larger solar installations that allow customers to invest by buying shares in the project to off-set their power needs.

The following actions are designed to encourage and incentivize the development of small and community scale clean energy generation:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Investigate community shared solar or community wind to encourage procurement of renewable energy supplies. Community sharing programs allow residents to buy or lease a portion of a shared alternative energy system.	Ongoing	Sustainability
Assess if regulatory restrictions or undue burden exists for the development of residential and small businesses renewable energy installations.	Short-term	Building Safety, IT Sustainability
Earn recognition as a Solar-Ready community.	Short-term	Building Safety, Sustainability, IT
Explore incentives to support the development of renewable energy.	Long-term	Sustainability, Finance
Encourage the development of residential and small business renewable energy sources using the existing net-metering program.	Short-term	Sustainability
Build the necessary distribution or storage infrastructure to support further investment in clean energy sources.	Long-term	Sustainability, Utilities
Integrate clean power job skills training into local job development activities or plans	Short-term	Economic Development, Sustainability
Evaluate the feasibility of leasing public land for renewable energy	Short-term	Sustainability, Legal, Finance

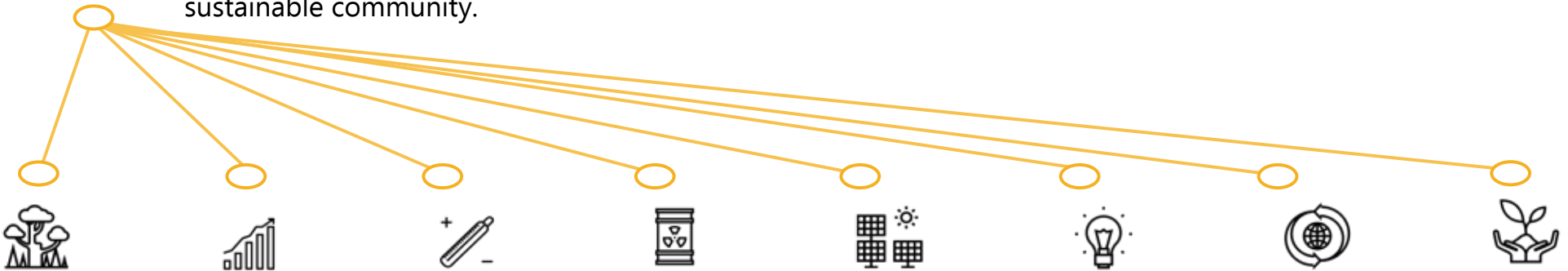
CHAPTER THREE: TRANSPORTATION

Currently, transportation accounts for 27% of Fayetteville's GHG emissions. Reducing transportation related emissions is a complicated process that involves infrastructure decisions, individual behavior changes, local economic strength, and many other factors. Recognizing the complexity of this issue, the City has chosen to measure two primary goals to promote overall success and GHG reduction in our transportation network:

- Reduce the per capita vehicle miles traveled (VMT) to 2010 levels by 2030
- Achieve 25% bike/walk/transit mode share (percentage of people not commuting by single occupancy vehicle) by 2030



VMT represents the vehicle miles traveled in a particular set of streets and roadways in a set time. In 2016, Fayetteville had a daily VMT count of 26.68 miles per person. In 2010, daily VMT was 24.9. This represents a 6% increase in vehicle miles traveled per person, per day over the six-year period. This data was compiled by the Arkansas Department of Transportation and is specific to the Fayetteville street network. As Fayetteville strives to be a walkable, bikeable community, this trend towards more vehicle miles can cause a host of problems including traffic congestion, additional accidents, air pollution from vehicle emissions, higher rates of obesity and heart disease, and lost productivity due to commute times. Reducing the vehicle miles traveled, while not a perfect metric to represent GHG emissions reduction, is still crucial for building a long-term sustainable community.



STRATEGIES:

1. Increase the percentage of fuel efficiency and alternative fuel vehicles
2. Support the expansion of alternative and active transportation options
3. Encourage compact, complete, and connected land development and street infrastructure

CHAPTER THREE: TRANSPORTATION

STRATEGY 1: INCREASE THE PERCENTAGE OF FUEL EFFICIENT AND ALTERNATIVE FUEL VEHICLES

Fuel efficient and alternative fuel vehicles are quickly becoming a significant portion of the new vehicle market. The federal government's mandate to increase vehicle fuel efficiency is driving innovation within the automobile manufacturing sector. The City of Fayetteville and local businesses have also stepped up the installation of Electric Vehicle (EV) charging stations around town, with approximately one per ten thousand people. Although the push for fuel efficient and alternative vehicles is being made primarily at the state and federal level, there are local strategies that can accelerate their presence in the market:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Adopt alternative fuel guidelines and/or targets for City of Fayetteville owned vehicles.	Short-term	Fleet, Sustainability
Partner with private businesses to ensure that more electric vehicle charging stations become available at workplaces, residential developments, and other frequently visited locations. Install public alternative fueling stations on City-owned properties.	Short-term	Sustainability, Fleet, Facilities Management
Offer local government employees incentives to commute by modes other than single-occupancy vehicles.	Medium-term	Sustainability, Human Resources, Finance
Install public use electric vehicle fueling stations on city owned properties and encourage public-use alternative charging stations at publicly accessible locations across the City.	Ongoing	Sustainability, Fleet, Facilities Management
Establish partnerships between fleet managers, alternative fuel suppliers, and consumers to elevate alternative fuel options within the community.	Ongoing	Sustainability, Fleet
Develop an internal Green Cities Initiative that prescribes a fleet purchasing policy that encourages divisions and departments to choose right-sized, alternative fuel, and/or more fuel efficient options when replacing vehicles. Additional infrastructure such as vehicle charging stations or natural gas fueling stations may be necessary to support the transition to a green fleet.	Short-term	Fleet, Purchasing, Sustainability

CHAPTER THREE: TRANSPORTATION

STRATEGY 2: SUPPORT THE EXPANSION OF ALTERNATIVE AND ACTIVE TRANSPORTATION OPTIONS

Transportation mode share refers to the make-up of the transportation types that are utilized primarily for commuting. The most common transportation modes include: vehicles, transit/buses, bicyclists and pedestrians. Increases in alternative transportation modes such as buses, bicyclists, and pedestrians removes additional vehicles from the street system thereby reducing congestion, pollution and overall annual vehicle miles traveled. Support for multi-modal transportation options takes on many forms. For instance, the City constructs many linear feet of sidewalk, trail, and bike lanes each year. The City also provides financial support to Ozark Regional Transit and Razorback transit. The following action steps will help to support the expansion of alternative and active transportation:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Continue to work towards the Active Transportation Plan goal of having a trail connection with ½ mile of 97% of residences by 2040.	Medium-term	Engineering, Sustainability, Transportation
Continue to support Ozark Regional Transit, Razorbak Transit, and Regional Planning in pursuit of transit solutions for the Northwest Arkansas region	Ongoing	Planning, Transportation
Continue to explore opportunities for adding bus shelters along transit lines	Ongoing	University, Transportation, Engineering, Sustainability
Establish a community-wide public bike-share program.	Short-term	University, Sustainability
Construct or retrofit transportation infrastructure to meet the access standards in the Americans with Disabilities Act (ADA).	Ongoing	Engineering, Transportation
Continue to utilize the Active Transportation Advisory Committee to identify and prioritize projects that fill missing links in trail and sidewalk networks.	Ongoing	Engineering, Transportation
Make street intersections and trail crossings safer and easier for pedestrians through signage, medians, colored pavement markings, and signalization.	Ongoing	Engineering, Transportation
Continue to expand the on-street bicycle network. Promote buffered, protected, and separated on-street bicycle infrastructure whenever possible.	Ongoing	Engineering, Transportation
Encourage the expansion of carsharing programs across the City and region	Ongoing	Parking Management, University, Sustainability

CHAPTER THREE: TRANSPORTATION

STRATEGY 3: ENCOURAGE COMPACT, COMPLETE, AND CONNECTED LAND DEVELOPMENT AND STREET INFRASTRUCTURE

Transportation is a critical component of many of the City's long-range development and planning processes. It is addressed in CityPlan 2030, the Active Transportation Plan, and the upcoming Mobility Master Plan. Each plan prioritizes sidewalks, bike lanes, trails and pedestrian intersection improvements that make walking and bicycling safer, easier and more enjoyable.

To emphasize the importance of compact, complete, and connected land development, a number of key items from CityPlan 2030 are explored in depth on the following page.

By consistently following the goals and objectives laid out in previous plans, the City can influence the pattern of development to encourage a more efficient and sustainable transportation network. The following strategies can have a direct influence on reducing the City's annual vehicle miles traveled and ultimately our greenhouse gas emissions:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
*Make appropriate infill and revitalization our highest priority.	Ongoing	Planning
*Discourage suburban sprawl development.	Ongoing	Planning
*Grow a livable transportation network.	Ongoing	Planning, Transportation
*Create an enduring green network.	Ongoing	Planning, Parks, Transportation
Actively pursue the goals laid out in CityPlan 2030 and the upcoming Mobility Master Plan.	Ongoing	Planning, Transportation, Engineering
Continue to implement the City's complete streets policy and street cross-sections for all street projects.	Ongoing	Planning, Transportation, Engineering
Continue to implement the City's Active Transportation Plan recommendations.	Ongoing	Planning, Transportation, Engineering
Increase the mileage of sidewalks, particularly on arterial or collector streets, that connect people with destinations.	Ongoing	Planning, Transportation, Engineering

* Details on following page

CHAPTER THREE: TRANSPORTATION

STRATEGY 3: ENCOURAGE COMPACT, COMPLETE, AND CONNECTED LAND DEVELOPMENT AND STREET INFRASTRUCTURE (CONTINUED)

For the City, compact, complete, and connected land development may be the most effective way to meet our cultural, economic, environmental, and equity goals. The following explanations from CityPlan 2030 help frame why these actions items are at the heart of this and other City plans³⁰.

We will make appropriate infill and revitalization our highest priorities. Infill development typically occurs along streets that already exist. This is inherently more sustainable than adding new street, water and sewer infrastructure for new development. Infill and revitalization is often driven by local government investments in streets and trail corridors. Infill also helps to strengthen the core of the City by placing peoples' homes near the places they work, learn, shop and play. This is sometimes referred to a jobs/housing balance and it is often measured through a housing and transportation analysis. A housing and transportation analysis for Northwest Arkansas was completed by the Center for Neighborhood Technology in 2011.

We will discourage suburban sprawl. Sprawl development is fundamentally inefficient. Sprawl is defined as low density development located on the periphery of the city. From a city infrastructure perspective, it is less financially sustainable than infill development. Low density sprawl costs more to serve with fire and police and hard infrastructure such as streets, water, and sewer have a very low tax base return per linear foot. The long-term maintenance of street infrastructure for low-density development on the urban fringe far exceeds its capacity to pay for itself through revenue generation. Sprawl is fundamentally auto-oriented; people are reliant on a car to travel to work, school, and other destinations. This auto-oriented lifestyle is energy intensive and directly impacts the city or region's vehicle miles traveled (VMT) numbers.

We will grow a livable transportation network. Livable transportation refers to complete streets that provide safe and reliable access to all transportation modes including cars, trucks, buses, pedestrians, and cyclists. A well-designed livable transportation network is vital to providing economic stability in a community. Opportunities for people to use active transportation to commute, shop, or recreate are fundamentally sustainable and provide for a high quality of life.

We will create an enduring green network. CityPlan 2030 imagines Fayetteville retaining much of the natural beauty provided by the hills, streams, and open areas that currently exist. Publicly-owned areas like parks and trail corridors are envisioned to connect via an Enduring Green Network to other destinations like the U of A, Downtown, Uptown, etc. This network will act as a hub and spoke system that will provide essential active transportation linkages between destinations with trails, bike lanes, and sidewalks.



CHAPTER THREE: WASTE

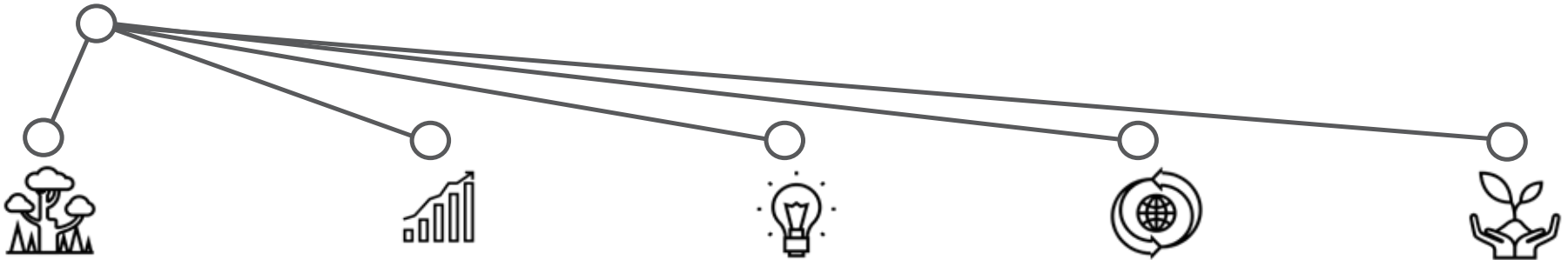
The Solid Waste Reduction, Diversion, and Recycling Plan is founded on the principle of sustainable materials management. Sustainable materials management involves all stages of a products' life-cycle and it is based on the "triple bottom line" approach to sustainable business practices. The triple bottom line incorporates three areas of business performance: social, environmental, and financial. Often referred to as the three P's – people, planet, and profits. Additionally, sustainable material management strategies are often categorized as upstream, midstream, and downstream.

- Upstream strategies address resource extraction and packaging manufacturing. The objective is to utilize fewer resources in the making of a product and its packaging to reduce the need for recycling these materials downstream.
- Midstream strategies address the longevity of a product and include reuse, repair, donations, sharing, and durable design.
- Downstream strategies strive to maximize the recovery of resources from the items we discard. These strategies include recycling, composting, and various other recovery technologies. The City has the greatest ability to positively influence the effectiveness of downstream strategies in order to increase our solid waste diversion rate.

The Energy Action Plan addresses upstream, midstream, and downstream strategies.



In February 2017, Fayetteville adopted an amended version of the proposed 2016 Solid Waste Reduction, Diversion, and Recycling Master Plan. The main goal of the plan is to divert 40% of waste sent to the landfill by 2027. The Energy Action Plan reinforces the City's commitment to this goal through the following strategies and actions.



STRATEGIES:

1. Increase the percentage of households, businesses, and institutions participating in recycling programs
2. Expand access to commercial food compost program and increase the number of home composters
3. Develop and implement a construction and demolition debris program

CHAPTER THREE: WASTE

STRATEGY 1: INCREASE THE PERCENTAGE OF HOUSEHOLDS, BUSINESSES, AND INSTITUTIONS PARTICIPATING IN RECYCLING PROGRAMS

The Recycling and Trash Collection Division manages municipal recycling programs for City customers, operates two drop-off centers, and collaborates with other organizations offering specialty programs. Of the households with curbside recycling included in their municipal utility plan, the division determined the 2014 participation rate was 56%. A variety of dumpsters, bins, and carts for recycling is offered to commercial and institutional customers. With the options listed above, Fayetteville currently diverts approximately 18% of waste from the landfill.

To achieve our goal of 40% diversion, increased participation and increased capture of recyclable materials is vital. The following actions are recommended:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Modify City development codes to require new commercial, institutional, and multi-family developments to provide adequate space and access for recycling and organics recovery.	Short-term	Recycling and Trash, Planning
Continue to develop communications plans about the city's commitment to waste diversion and to solicit buy-in for new initiatives.	Short-term	Recycling and Trash, Communications
Develop a technical assistance program to inform businesses, institutions, and multi-family complexes of the City's waste diversion commitment and help them prepare for new recycling initiatives.	Short-term	Recycling and Trash, Communications
Continue to pursue a commercial and institutional outreach program to encourage businesses and institutions to participate in existing recycling programs.	Ongoing	Recycling and Trash, Communications
Explore the potential for a program to address the collection of recyclable materials from multifamily apartment complexes.	Short-term	Recycling and Trash
Explore options for curbside recycling at small multifamily complexes or complexes that make curbside collection feasible.	Short-term	Recycling and Trash
Support regional partnerships that seek to increase waste diversion rates	Medium-term	Recycling and Trash, Sustainability

CHAPTER THREE: WASTE

STRATEGY TWO: EXPAND ACCESS TO COMMERCIAL FOOD COMPOST PROGRAM AND INCREASE THE NUMBER OF HOME COMPOSTERS

According to the waste audit completed by Kessler Consulting in January of 2015, 18% of the City's landfill waste is comprised of food waste. This amount is in line with national numbers on food waste generated. Residents who have the space should be encouraged to compost their food waste. Commercial, institutional, and multi-family residential must have the ability to compost as well and therefore initiatives to encourage this activity should be considered in land use strategies. The EPA estimates that food scraps and yard trimmings account for 27% of generated waste ending up in landfills. If food waste is captured, composted, and reused, it will:

- Reduce the tonnage of food waste going to the landfill which ends up producing methane gas – a very harmful gas that has devastating climate change impacts,
- Reduce the landfill tipping fees due to reduced weight – food waste is heavy as it is comprised mostly of water,
- Reduce the organic load from garbage disposals which is expensive to treat at the wastewater treatment plants, and
- Produce a rich compost product that can be marketed to recover some of the cost incurred with the food waste collection and composting process.

The following action steps, compiled from Kessler Consulting and staff recommendations, will help to guide the City to increase composting rates and food recovery:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Develop a detailed plan and schedule to initiate a voluntary organics recovery program focused initially on large food waste generators like schools, grocery stores, and institutions.	Short-term	Recycling and Trash, Communications
Develop a new education and community outreach plan to announce the City's commitment to waste diversion and to build community buy-in for new initiatives.	Ongoing	Recycling and Trash, Communications
Modify building codes to require new commercial developments that are expected to generate substantial quantities of food waste to provide adequate space and access for food waste collection containers.	Short-term	Recycling and Trash, Planning
Require private food waste haulers waste to enter into franchise agreements with the City so that these quantities can be reported for the City's diversion rate.	Short-term	Recycling and Trash, Legal

CHAPTER THREE: WASTE

STRATEGY 3: DEVELOP AND IMPLEMENT A CONSTRUCTION AND DEMOLITION DEBRIS PROGRAM

According to the waste audit completed by Kessler Consulting in January 2015, construction and demolition (C&D) debris comprised 22% of the waste stream. This amounts to approximately 15,000 tons of material, 70% of which was recyclable based upon a visual audit. The City continues to see increasing urban development which gives reason to believe that this tonnage may remain at this level or continue to increase. Additional C&D waste collected by private companies franchised by the City may not be accurately accounted for.

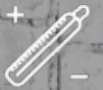
The C&D material recovery industry is evolving in the NWA region and although no C&D material recycling facility is currently operating, permits are pending for two privately-owned facilities. The increasing use of LEED building certification is helping to drive the demand for a regional C&D processing facility. The adopted Solid Waste Reduction, Diversion, and Recycling Master Plan calls for C&D program development in 2019, but only after changes have been implemented for residential and commercial recycling programs and a food waste compost program has been fully developed.

The following implementation steps should be taken to increase C&D recycling in Fayetteville:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Release a Request for Proposal (RFP) to secure a contract with a processor for the recovery and recycling of construction and demolition material in 2018-2019.	Short-term	Recycling and Trash, Purchasing, Finance, Legal
Explore opportunities to partner with trade programs, re-use facilities, or other innovative programs with the C&D facility.	Medium-term	Recycling and Trash
Explore end markets for recyclable materials to promote economic growth and recapture of waste.	Ongoing	Recycling and Trash

CHAPTER FOUR:

CITY GOVERNMENT ACTIONS TO DRIVE CHANGE

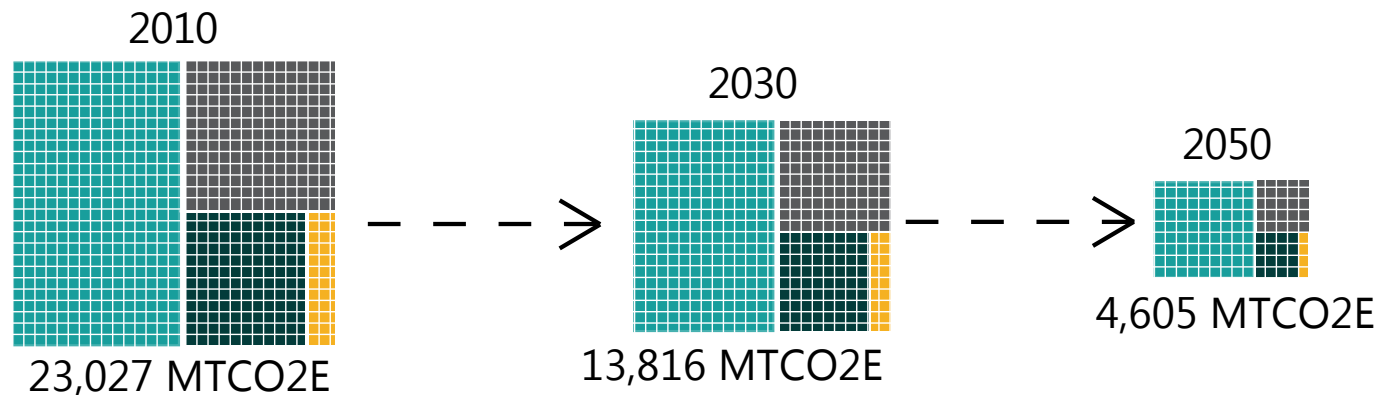


CHAPTER FOUR: CITY GOVERNMENT GHG REDUCTION STRATEGIES

The City of Fayetteville believes that community-wide actions and strategies explored in Chapter 3 will be most effective if the City leads the way in implementation. Through tackling the following goals, strategies, and actions, the City will show leadership in our own operations while demonstrating the economic and operational viability of the proposed actions.

CITY OPERATIONAL GOALS :

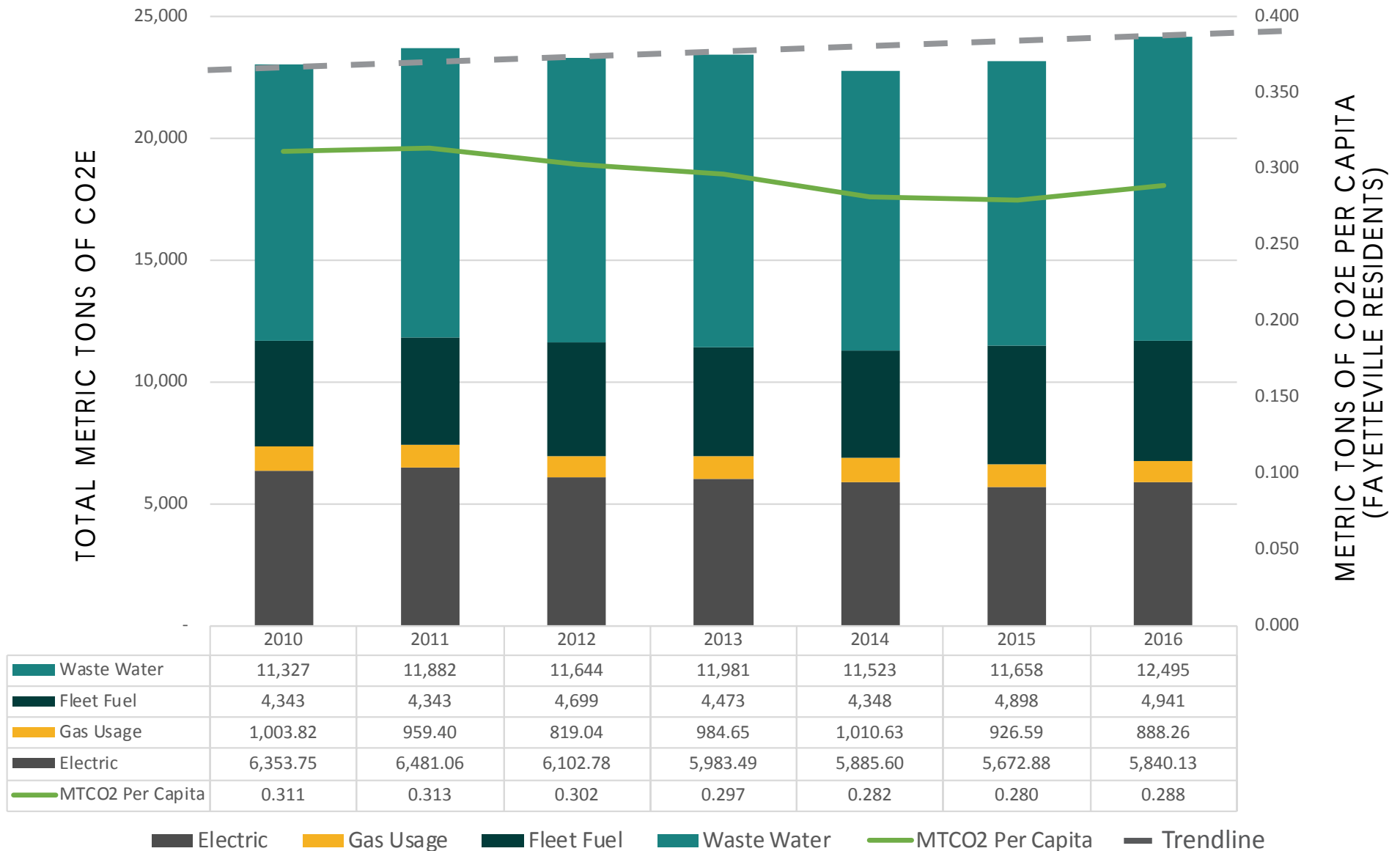
1. Achieve 40% reduction in GHG emissions from baseline year 2010 by the year 2030
2. Achieve 80% reduction in GHG emissions from baseline year 2010 by the year 2050
3. Achieve 100% clean energy by 2030
4. Achieve 3% annual energy use reduction in City facilities



STRATEGIES:

1. Conduct baseline data analysis and benchmark City operations
2. Make all new and existing city-owned facilities and assets more energy efficient
3. Prioritize the purchase or installation of clean energy to run City operations
4. Create a Green Fleet City Policy
5. Ensure that the City provides exemplary leadership in waste reduction, reuse, and recycling
6. Implement the Green City initiative adopted in the Solid Waste Master Plan
7. Improve transparency and accountability through expanded reporting

CHAPTER FOUR: CITY GOVERNMENT OPERATIONS GHG INVENTORY



This GHG inventory was completed using the ICLEI Local Communities Protocol. See Appendix B for details.

CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

The City of Fayetteville, as a local government, provides myriad services and has a wide variety of administrative and operational assets in locations across the City. These assets range in type and use and include operational and office buildings, parks and recreation facilities, infrastructure for water and sewer, lighting, and more. The age and condition of these assets also vary greatly and many have had some energy efficiency upgrades performed already.

Energy efficiency improvements for city-owned assets are prioritized and completed based on a cost/benefit analysis that considers existing condition/efficiency, energy efficiency upgrades savings and payback time, utility company incentives or other grant opportunities, and budget. The City believes that it is important to lead by example and energy efficiency upgrades are identified annually in the Capital Improvement Program (CIP) budget. The 2015-2019 CIP budget included \$85,000 for energy efficiency improvements and equipment replacement. Additionally, new buildings constructed for City owned and operated facilities greater than 5,000 square feet are required by a City Resolution to be LEED Silver Certified when constructed. This ensures that new building assets are energy efficient from the start.

The City will adopt the strategies and actions on the following page to ensure all City assets are energy and resource efficient.

COMMUNITY VOICES:



"Reducing greenhouse gas emissions will provide a higher quality of life for the residents of Fayetteville. It will also help with the increasing efficiency of electricity use in the city by mitigating losses in the electric grid within the city. Using such examples and raising awareness will help the city achieve it's 2050 goal." - Online survey respondent

"I'm particularly passionate about active transport, because I think it addresses so many problems: people are healthier, it's good for the environment, people take greater pride and pleasure in their communities and also meet others who live near them. I could go on! I'm also a huge supporter of good public transit, however: many people live far from work or can't otherwise get around without a vehicle. Time spent in public transit is, for me, better used than time spent driving." - Survey respondent at the StartUp Crawl

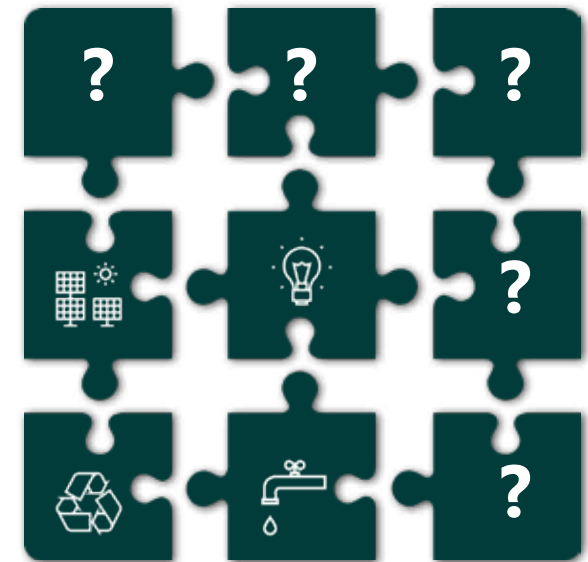


CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

STRATEGY 1: CONDUCT BASELINE DATA ANALYSES AND BENCHMARK CITY OPERATIONS

The overall goal of this Energy Action Plan is to reduce greenhouse gas emissions, and just like the larger community, the City of Fayetteville operations have some specific actions that are identified to measure, monitor, and reduce internal greenhouse gas emissions.

The City currently makes a number of reports available to the public including a yearly Sustainability Report Card and yearly Energy Efficiency project reports, but not all data is easily accessible or consistently reported. The following actions will ensure that the City has good data for future decision-making and that we maintain transparency and accountability regarding building and energy use:



ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Conduct a local city government greenhouse gas inventory at least every five years.	Ongoing	Sustainability
Benchmark local city government building and infrastructure energy use annually.	Ongoing	Sustainability, Facilities
Establish a water baseline for local government facilities and infrastructure and conduct a regular review of water use data against the baseline.	Short-term	Sustainability, Facilities
Require public infrastructure and facility managers consider energy and water consumption implications for new or upgraded infrastructure investments.	Ongoing	Sustainability, Facilities, Finance
Increase sub-metering to collect better information on energy and water use.	Medium-term	Sustainability, Facilities
Utilize baseline analysis to identify high energy use facilities and develop an energy efficiency and renewable energy innovation agenda to realize long-term savings.	Short-term	Sustainability, Facilities, Utilities Department, Finance

CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

STRATEGY 2: MAKE ALL NEW AND EXISTING CITY-OWNED FACILITIES AND ASSETS MORE ENERGY EFFICIENT

The City's Facilities Management Division identifies, prioritizes, and installs energy efficiency upgrades to City facilities as funds are available. While we are proud of how effective staff is at improving efficiencies and reducing tax dollars spent on utility costs, the City can do more to drive cost and energy savings. The City will take action in the following ways to prioritize energy efficiency in new and existing City facilities and assets:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Consider creating a policy to formalize the City's energy efficiency efforts.	Short-term	Sustainability
Make retrofits and upgrades to local government buildings and/or infrastructure systems that will increase energy and water efficiency.	Ongoing	Sustainability, Facilities
Explore a strategy and funding mechanism to increase the permanent preservation of lands identified as the "Enduring Green Network" in the City's Future Land Use Plan and Map. These lands may be City-owned or preserved through land trusts, tree preservation easements or other legal mechanisms.	Medium-term	Sustainability, Urban Forestry, Parks & Recreation, Planning, Finance
Use the Parks and Recreation Master Plan process to identify and develop a network of pocket parks and urban open spaces in areas of the City that are impacted by extensive urban development such as downtown.	Medium-term	Parks & Recreation, Parking, Planning
Investigate the feasibility of Energy Performance Contracting or other financial mechanisms to reduce overall City energy costs.	Short-term	Sustainability, Finance
Install native landscaping to provide relief from the urban heat island effect and reduce cooling costs in summer months.	Ongoing	Parks & Recreation, Parking, Urban Forestry
Continue to prioritize tree planting at existing and new facilities to provide shade, infiltrate stormwater, improve air quality, and generally enhance our urban ecosystem functions .	Ongoing	Parks & Recreation, Urban Forestry, Facilities

CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

STRATEGY 3: PRIORITIZE THE PURCHASE OR INSTALLATION OF CLEAN ENERGY TO RUN CITY OPERATIONS

The City of Fayetteville consumes a great deal of energy in order to offer consistent and timely services to all internal and external customers. In 2016, the City used 8.6 million kilowatts of electricity for all our regular operations and 18.5 million kilowatts to run our two wastewater treatment plants. The City should complete the following actions to offset the cost of electric power in our facilities:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Create a policy to ensure that the City's energy supplies increasingly come from renewable sources and/or enter direct purchase agreement with utility companies for clean energy sources.	Short-term	Purchasing, Sustainability
Explore opportunities to install renewable energy generation technologies at the two wastewater treatment plants to offset the high cost of electricity for water treatment.	Ongoing	Water & Sewer, Sustainability
Consider the feasibility of Energy Performance Contracting as a financing mechanism to reduce overall City energy costs and increase our clean energy portfolio.	Short-term	Sustainability, Finance

COMMUNITY VOICES:



"[Pursue these goals] as long as the clean energy is market viable and economically make sense over the life of the energy producing mechanism. The government should not be subsidizing clean energy to make it viable." - Survey respondent at Fayetteville Public Library

"I know that my family would switch to 100% clean energy if we could afford it, so having help from Fayetteville would make a big difference in many people's lives!" - Survey respondent at Fayetteville Public Library

"Reduce energy consumption through efficiency while working toward clean energy." - Online survey respondent



CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

STRATEGY 4: CREATE A GREEN FLEET CITY POLICY

The City of Fayetteville has a large fleet of vehicles that are utilized to perform a variety of tasks. The City's fleet contains a myriad of vehicles such as: passenger cars, trucks, SUV's, police patrol vehicles, fire trucks, trash and recycling trucks, dump trucks, backhoes, graders, etc. The Fleet Division is charged with maintaining these vehicles and prioritizing the timing and replacement of worn-out vehicles. Vehicles of all classes and types are continually becoming more fuel efficient or designed for alternative fuel sources. Therefore, the transportation sector provides numerous opportunities for the City to become more cost and energy efficient. The following strategies lay out a plan for ensuring that new vehicles are identified, prioritized, and purchased based upon the task they are designed for and the efficiency with which they operate.

The City's highly varied fleet of vehicles calls for a variety of strategies to both right-size and right-fuel vehicles. Certain fleet vehicles, such as Police Patrol vehicles, will require unique targets and guidelines. These variations will be taken into consideration as the following policies are established. The following actions will help the City to choose the most efficient vehicle to do the task:

ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Adopt alternative fuel guidelines and/or targets for City of Fayetteville owned vehicles.	Short-term	Fleet, Purchasing, Sustainability
Develop an internal Green Cities Initiative that prescribes a fleet purchasing policy encouraging divisions and departments to choose right-sized alternative fuel and/or more fuel efficient options when replacing vehicles. Additional infrastructure such as vehicle charging stations and natural gas or propane fueling stations may be necessary.	Short-term	Fleet, Transportation, Purchasing
Install alternative fueling stations for City vehicles as alternative fuel vehicles are increasingly added to the fleet. This may include electric vehicle charging stations, propane, biodiesel, etc.	Medium-term	Fleet, Transportation

CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

STRATEGY 5: ENSURE THAT THE CITY PROVIDES EXEMPLARY LEADERSHIP IN WASTE REDUCTION, REUSE, AND RECYCLING



The City's Recycling and Trash Collection Division presents numerous opportunities for City operations to become more sustainable, increase efficiencies, and save taxpayer's money.

Recyclable material that is landfilled represents embedded energy that is disposed of at a significant environmental and economic cost. The City is committed to aggressively pursuing policies and actions that reduce the amount of recyclable and organic materials going to the landfill.



CITY OF
FAYETTEVILLE
ARKANSAS

To be a leader in waste reduction efforts and to demonstrate the importance of the "Reduce, Reuse, Recycle" mantra, the City should establish the internal Green City Initiative proposed in the Solid Waste & Recycling Master Plan. This Green City Initiative would establish comprehensive recycling in City facilities, organics recovery, and environmentally preferable purchasing policies and programs in all City-owned facilities. It would also promote reporting and tracking measures to make ensure resource efficiency and full life-cycle costs are being considered in City decision making.

COMMUNITY VOICES:



"Since the city has no wheeled recycle bins and I can't lift mine at the curb, I no longer recycle." - Online survey respondent

"I've noticed it's difficult to get recycling in apartment complexes, but there is a ton of trash flow there, if there was any access to recycling there it would be great" - Online survey respondent

"Complying with market requirements for recycled products is as important as the recycling program itself. The Reduce, Reuse, Recycle mantra is the order in which we should attack the problem. Reduce first, then Reuse, and recycle what slips through." - StartUp Crawl Commenter



CHAPTER FOUR: CITY GOVERNMENT STRATEGIES

STRATEGY 6: EXPAND TRANSPARENCY AND ACCOUNTABILITY ACROSS THE CITY THROUGH CONSISTENT REPORTING AND DATA ACCESSIBILITY

In order to maintain citizen trust and encourage understanding of City operations, the City strives to offer accessible, accurate, and user-friendly information about our policies, operations, and finances. As we move towards a more energy and resource efficient future, the City will be offering expanded reporting and data accessibility for both citizens and internal stakeholders.

Current reports on the City's Sustainability efforts can be found at:

<http://www.fayetteville-ar.gov/253/Sustainability-Resilience>



ACTION ITEMS:	TIMELINE	PRIMARY STAKEHOLDERS
Continue yearly Sustainability Report Card and promote broadly to the community.	Ongoing	Sustainability, Communications
Continue yearly Energy Efficiency Reporting and promote to the community.	Ongoing	Sustainability, Communications
Explore the feasibility of 'Sustainable Fayetteville' social media platforms to increase citizen awareness of existing programs and ongoing opportunities for energy and resource efficiency improvements.	Short-term	Sustainability, Communications
Increase access to facility energy data for internal users.	Short-term	Sustainability, Facilities, Finance, IT
Increase public access to facility energy data through a public facing dashboard.	Short-term	Sustainability, IT, Communications
Update the Environmental Purchasing Policy and publish yearly reports.	Short-term	Purchasing, Sustainability
Expand IT governance over digitizing efforts, resource efficiency, and internal reporting.	Short-term	IT, Communications , Purchasing

APPENDICES:

A. ENDNOTES

B. GREEN HOUSE GAS INVENTORY

C. GREEN HOUSE GAS MODELS AND PROJECTIONS

D. ACTION ITEM IMPLEMENTATION



APPENDIX A: ENDNOTES

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APPENDIX B: GREENHOUSE GAS INVENTORY

STAR Communities guidance led us to use the ICLEI U.S. Community Protocol to calculate emissions for the community-wide inventory and the Local Government Operations Protocol for City operations. Based on data availability, we chose to use the ICLEI 5 Basic Emissions Generating Activities list, which includes: electricity, natural gas, vehicle travel, energy used to treat and move wastewater, and solid waste disposal (City operations protocol does not include solid waste disposal). While this is not an exhaustive inventory and does not capture every emissions source or carbon capture activity, this protocol is used by municipalities around the country to build a baseline understanding of GHG emissions. The City believes this method allows for a good representation of Fayetteville's current emissions, for both the community and local government operations. Methodology for calculating emissions are explained in the following pages and can be explored in depth on the [ICLEI website](#).

COMMUNITY-WIDE 2010-2016 GREENHOUSE GAS INVENTORY

Year	Electric (MTCO2E)	VMT (MTCO2E)	Natural Gas (MTCO2E)	Landfill Waste (MTCO2E)	Wastewater (MTCO2E)	Total MTCO2E	Population	MTCO2E Per Capita
2010	811,184	330,110	222,731	68,582	11,327	1,443,934	73,970	19.52
2011	781,556	341,026	213,022	71,191	11,882	1,418,677	75,586	18.77
2012	808,454	349,423	197,373	71,757	11,644	1,438,651	77,003	18.68
2013	797,094	360,796	229,954	78,506	11,981	1,478,331	78,929	18.73
2014	825,907	346,869	218,867	76,270	11,523	1,479,435	80,822	18.30
2015	773,037	384,457	194,348	88,913	11,658	1,452,414	82,830	17.53
2016	762,391	394,986	192,976	91,932	12,495	1,454,781	83,826	17.35

CITY GOVERNMENT OPERATIONS 2010-2016 GREENHOUSE GAS INVENTORY

Year	Electric	Fleet Fuel	Natural Gas	Wastewater	Total MTCO2E
2010	6,353.75	4,343	1,003.82	11,327	23,027.34
2011	6,481.06	4,343	959.40	11,882	23,665.28
2012	6,102.78	4,699	819.04	11,644	23,264.80
2013	5,983.49	4,473	984.65	11,981	23,421.82
2014	5,885.60	4,348	1,010.63	11,523	22,767.14
2015	5,672.88	4,898	926.59	11,658	23,156.19
2016	5,840.13	4,941	888.26	12,495	24,164.04

"MTCO2E" = Metric tons of carbon-dioxide equivalent. Using MTCO2E allows for the inclusion of different types of gases, including methane, nitrous oxide, and hydrofluroucarbons. More information available on page 24.

APPENDIX B: GREENHOUSE GAS INVENTORY

ELECTRICITY

From the ICLEI U.S. Community Protocol Appendix C - "Built Environment Accounting methods: Generally, recommended methods for measuring emissions from energy used in buildings rely on activity data for fuels combusted, electricity used, or use of other forms of energy. These data are multiplied by emissions factors for each energy source. Third-party verified utility-specific emissions factors are recommended. However, if utility-specific emission factors are not available, US EPA eGRID regional emission factors may be used.³¹"

While the total megawatt hours (MWh) consumed in Fayetteville has fluctuated, total emissions from electricity have declined due to a lower ratio of CO2E per MWh. This decline is primarily due to decreasing coal-powered electricity generation, replaced by natural gas, wind, and solar.

The data below captures all electricity usage in the community except for wastewater treatment and conveyance. That usage is captured in the wastewater category on the following page.

Year	AEP SWEPCO (kWh)	Ozarks Electric (kWh)	Total (kWh)	Total MWh	Lbs of CO2E per MWh*	Lbs of CO2E	Metric Tons of CO2E
2010	896,940,438	229,545,953	1,126,486,391	1,126,486	1,587.55	1,788,353,470	811,184.45
2011	894,202,739	191,136,513	1,085,339,252	1,085,339	1,587.55	1,723,034,779	781,556.36
2012	890,923,223	262,453,458	1,153,376,681	1,153,377	1,545.32	1,782,333,299	808,453.75
2013	874,802,152	262,368,438	1,137,170,590	1,137,171	1,545.32	1,757,289,741	797,094.17
2014	959,247,618	267,052,122	1,226,299,740	1,226,300	1,484.80	1,820,811,080	825,907.00
2015	875,593,636	272,204,896	1,147,798,532	1,147,799	1,484.80	1,704,252,408	773,036.81
2016	852,911,957	279,080,368	1,131,992,325	1,131,992	1,484.80	1,680,783,336	762,391.40

*The pounds of CO2E per megawatt hour (MWh) is derived from the regional emissions factor for the Southwest Power Pool South (SPSO), the power pool in which Fayetteville is located. As we did not have utility-specific emissions factors at the time of the inventory, the SPSO emissions factor was used. The emissions factor is determined by the EPA's eGRID program which develops a semi-annual CO2 equivalent for each subregion of power pools. The 2016 SPSO ratio has not yet been released, so the 2014 ratio was applied to 2014-2016. Best practices for calculating and applying emission ratios are supplied by the EPA eGRID program³².

APPENDIX B: GREENHOUSE GAS INVENTORY

WASTEWATER

The ICLEI U.S. Community Protocol Appendix F - Wastewater and Water Emissions Activities and Sources WW.14 “Energy related Emissions Associated with Water Delivery and Treatment” was used to determine wastewater related emissions. Energy used for water treatment, conveyance, and distribution are the primary emissions elements in this protocol. According to the protocol, extraction and end-use consumption are excluded as these are already calculated in the Electricity and Natural Gas emissions categories (see pages 68 adn 70).³³

Total energy needed to treat and convey water has increased significantly over the past 7 years, in direct correlation to our population growth. Simultaneously, the ratio of CO2E per MWh for wastewater treatment in our power pool has declined, keeping our total MTCO2E from this emissions category relatively stable.

Year	Energy used to treat and convey wastewater (kWh)	Total MWh	Lbs of CO2E per MWh for Wastewater treatment*	Lbs of CO2E	Metric Tons of CO2E
2010	15,729,428	15,729	1,587.55	24,971,253	11,327
2011	16,500,308	16,500	1,587.55	26,195,132	11,882
2012	16,612,223	16,612	1,545.32	25,671,161	11,644
2013	17,092,515	17,093	1,545.32	26,413,364	11,981
2014	17,108,918	17,109	1,484.80	25,403,339	11,523
2015	17,310,265	17,310	1,484.80	25,702,299	11,658
2016	18,551,974	18,552	1,484.80	27,545,990	12,495

*As with general electrical consumption (calculated on the previous page), the pounds of CO2E per megawatt hour (MWh) is derived from the regional emissions factor for the Southwest Power Pool South (SPSO), where Fayetteville is located. The emissions factor is determined by the EPA’s eGRID program. The 2016 SPSO ratio has not yet been released, so the 2014 ratio was applied to 2014-2016. Best practices for calculating and applying emission ratios are supplied by the EPA eGRID program.

APPENDIX B: GREENHOUSE GAS INVENTORY

NATURAL GAS

The emissions from natural gas consumption were derived using ICLEI U.S. Community Protocol, Appendix C "BE.1 Emissions from Stationary Fuel Consumption"³⁴. The data on total CCF was provided by Black Hills, Fayetteville's natural gas provider. As the protocol explains, "obtaining complete data at the community scale will be challenging for most fuels. You should complete this method for each fuel type and sector for which you can obtain or reasonably estimate total fuel usage in your inventory year"³⁶. Staff were able to fully capture natural gas consumption but were unable to capture additional fuels (such as propane) as distribution and sale of such fuels are not consolidated.

Year	Total CCF	Population	CCF Per Capita	MCF	MMBTU	kg of CO2E per MMBTU	kg CO2E	MTCO2E
2010	40,706,299	73,970	550	4,070,629	4,200,890	53.02	222,731,190	222,731
2011	38,931,790	75,586	515	3,893,179	4,017,760	53.02	213,021,673	213,021
2012	36,071,782	77,003	468	3,607,178	3,722,607	53.02	197,372,670	197,372
2013	42,026,287	78,929	532	4,202,628	4,337,112	53.02	229,953,721	229,953
2014	40,000,000	80,822	495	4,000,000	4,128,000	53.02	218,866,560	218,866
2015	35,519,075	82,830	429	3,551,907	3,665,568	53.02	194,348,443	194,348
2016	35,268,303	83,826	421	3,526,830	3,639,688	53.02	192,976,303	192,976

Calculating emissions from stationary combustion using fuel use activity data and default emission factors by fuel type involves the following steps:

1. Determine annual use of each fuel combusted (total CCF)
2. Convert to MMBTU (million metric British thermal units)
3. Determine the appropriate emission factors for each fuel (U.S. weighted average Natural Gas = 53.02 kg Co2E per MMBTU)
4. Multiple emissions factor by MMBTU to determine total emissions in MTCO2E

APPENDIX B: GREENHOUSE GAS INVENTORY

VEHICLES

The emissions from vehicles were derived using ICLEI U.S. Community Protocol, Appendix D, Transportation and Other Mobile Emissions Actives and Sources, TR.1.B and TR.2.A³⁶. The following steps were necessary to determine emissions from vehicles in Fayetteville:

1. Determine DVMT for all in-community road segments. Total daily vehicle miles traveled (DVMT) was compiled by the Arkansas Department of Transportation (ARDOT) and shared with the City of Fayetteville upon request. The ARDOT totals include all vehicles miles traveled each day on each road segment within Fayetteville.
2. Considering vehicle types, percent of vehicle types present in Fayetteville, average MPG per vehicle type, and average miles per vehicle type, convert VMT into emissions data using the following equation:

$$\text{CO}_2 \text{ (kg)} = (\text{Annual VMT} * \% \text{ of vehicle miles by vehicle type} / \text{Average MPG of vehicle type}) * \text{emissions factor for vehicle type}$$

Percent of Vehicles by Miles Traveled
(ICLEI Table TR.1.3 Default Vehicle Mix values)

Fuel	Vehicle Type	Default Percentage
Gasoline	Light Trucks	32.4
Gasoline	Passenger Cars	60.6
Diesel	Heavy Trucks	5.4
Diesel	Light Trucks	1.3
Diesel	Passenger Cars	0.3

Average MPG by vehicle type
(U.S. DOE, 2013 Energy Outlook)

Vehicle Type	Average MPG
Light trucks	17.4
Passenger cars	23.8
Heavy trucks (diesel)	6.06
Light trucks (diesel)	13.8
Passenger cars (diesel)	13.8

Emissions Factors by Vehicle Types
(ICLEI Table TR.1.6)

Vehicle Type	Emissions Factor
Light trucks	0.00878
Passenger cars	0.00878
Heavy trucks (diesel)	0.0102
Light trucks (diesel)	0.0102
Passenger cars (diesel)	0.0102

Detailed calculations for each year are available on the following pages.

APPENDIX B: GREENHOUSE GAS INVENTORY

VEHICLES: 2010 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
674,017,395.00	Light trucks	32%	17.4	218,381,635.98	12,550,668.73	0.00878	110,194.87
674,017,395.00	Passenger cars	61%	23.8	408,454,541.37	17,161,955.52	0.00878	150,681.97
674,017,395.00	Heavy trucks (diesel)	5%	6.06	36,396,939.33	6,006,095.60	0.0102	61,262.18
674,017,395.00	Light trucks (diesel)	1%	13.8	8,762,226.14	634,943.92	0.0102	6,476.43
674,017,395.00	Passenger cars (diesel)	0%	13.8	2,022,052.19	146,525.52	0.0102	1,494.56
	TOTALS:	100%		674,017,395.00	36,500,189.30		330,110.00

VEHICLES: 2011 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
696,306,568.95	Light trucks	32%	17.4	225,603,328.34	12,965,708.53	0.00878	113,838.92
696,306,568.95	Passenger cars	61%	23.8	421,961,780.78	17,729,486.59	0.00878	155,664.89
696,306,568.95	Heavy trucks (diesel)	5%	6.06	37,600,554.72	6,204,712.00	0.0102	63,288.06
696,306,568.95	Light trucks (diesel)	1%	13.8	9,051,985.40	655,940.97	0.0102	6,690.60
696,306,568.95	Passenger cars (diesel)	0%	13.8	2,088,919.71	151,370.99	0.0102	1,543.98
	TOTALS:	100%		696,306,568.95	37,707,219.08		341,026.46

APPENDIX B: GREENHOUSE GAS INVENTORY

VEHICLES: 2012 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
713,450,655.45	Light trucks	32%	17.4	231,158,012.37	13,284,943.24	0.00878	116,641.80
713,450,655.45	Passenger cars	61%	23.8	432,351,097.20	18,166,012.49	0.00878	159,497.59
713,450,655.45	Heavy trucks (diesel)	5%	6.06	38,526,335.39	6,357,481.09	0.0102	64,846.31
713,450,655.45	Light trucks (diesel)	1%	13.8	9,274,858.52	672,091.20	0.0102	6,855.33
713,450,655.45	Passenger cars (diesel)	0%	13.8	2,140,351.97	155,097.97	0.0102	1,582.00
	TOTALS:	100%		713,450,655.45	38,635,625.98		349,423.03

VEHICLES: 2013 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
736,671,495.55	Light trucks	32%	17.4	238,681,564.56	13,717,331.30	0.00878	120,438.17
736,671,495.55	Passenger cars	61%	23.8	446,422,926.30	18,757,265.81	0.00878	164,688.79
736,671,495.55	Heavy trucks (diesel)	5%	6.06	39,780,260.76	6,564,399.47	0.0102	66,956.87
736,671,495.55	Light trucks (diesel)	1%	13.8	9,576,729.44	693,965.90	0.0102	7,078.45
736,671,495.55	Passenger cars (diesel)	0%	13.8	2,210,014.49	160,145.98	0.0102	1,633.49
	TOTALS:	100%		736,671,495.55	39,893,108.45		360,795.78

APPENDIX B: GREENHOUSE GAS INVENTORY

VEHICLES: 2014 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
708,235,947.90	Light trucks	32%	17.4	229,468,447.12	13,187,841.79	0.00878	115,789.25
708,235,947.90	Passenger cars	61%	23.8	429,190,984.43	18,033,234.64	0.00878	158,331.80
708,235,947.90	Heavy trucks (diesel)	5%	6.06	38,244,741.19	6,311,013.40	0.0102	64,372.34
708,235,947.90	Light trucks (diesel)	1%	13.8	9,207,067.32	667,178.79	0.0102	6,805.22
708,235,947.90	Passenger cars (diesel)	0%	13.8	2,124,707.84	153,964.34	0.0102	1,570.44
	TOTALS:	100%		708,235,947.90	38,353,232.95		346,869.05

VEHICLES: 2015 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
784,982,939.35	Light trucks	32%	17.4	254,334,472.35	14,616,923.70	0.00878	128,336.59
784,982,939.35	Passenger cars	61%	23.8	475,699,661.25	19,987,380.72	0.00878	175,489.20
784,982,939.35	Heavy trucks (diesel)	5%	6.06	42,389,078.72	6,994,897.48	0.0102	71,347.95
784,982,939.35	Light trucks (diesel)	1%	13.8	10,204,778.21	739,476.68	0.0102	7,542.66
784,982,939.35	Passenger cars (diesel)	0%	13.8	2,354,948.82	170,648.47	0.0102	1,740.61
	TOTALS:	100%		784,982,939.35	42,509,327.05		384,457.02

APPENDIX B: GREENHOUSE GAS INVENTORY

VEHICLES: 2016 EMISSIONS CALCULATIONS

Annual VMT	Vehicle Type	% Vehicle Type	Average MPG	Miles per Vehicle Type	Gallons used	Emissions factor for vehicle type	Total CO2E
806,481,370.00	Light trucks	32%	17.4	261,299,963.88	15,017,239.30	0.00878	131,851.36
806,481,370.00	Passenger cars	61%	23.8	488,727,710.22	20,534,777.74	0.00878	180,295.35
806,481,370.00	Heavy trucks (diesel)	5%	6.06	43,549,993.98	7,186,467.65	0.0102	73,301.97
806,481,370.00	Light trucks (diesel)	1%	13.8	10,484,257.81	759,728.83	0.0102	7,749.23
806,481,370.00	Passenger cars (diesel)	0%	13.8	2,419,444.11	175,322.04	0.0102	1,788.28
	TOTALS:	100%		806,481,370.00	43,673,535.56		394,986.20

2010-2016: SUMMARY OF EMISSIONS FROM VEHICLES

Year	Total DVMT	Population	VMT per capita	Total MTCO2 per year
2010	1,846,623.00	73,970	24.90	330,110.00
2011	1,907,689.23	75,586	25.24	341,026.46
2012	1,954,659.33	77,003	25.38	349,423.03
2013	2,018,278.07	78,929	25.57	360,795.78
2014	1,940,372.46	80,822	24.01	346,869.05
2015	2,150,638.19	82,830	25.96	384,457.02
2016	2,209,538.00	83,826	26.36	394,986.20

APPENDIX B: GREENHOUSE GAS INVENTORY

SOLID WASTE

Emissions from solid waste (landfilled waste) were calculated using the ICLEI U.S. Community Protocol, Appendix E: "Solid Waste Emissions Activities and Sources." As Fayetteville does not operate a landfill within City limits, the protocol (SW4) used calculates emissions from community-generated waste sent to outside landfills. The protocol states that communities are "required to estimate the emissions that result from waste disposed by the community, regardless of whether or not the receiving landfill or landfills are located inside or outside of the community boundary."³⁷

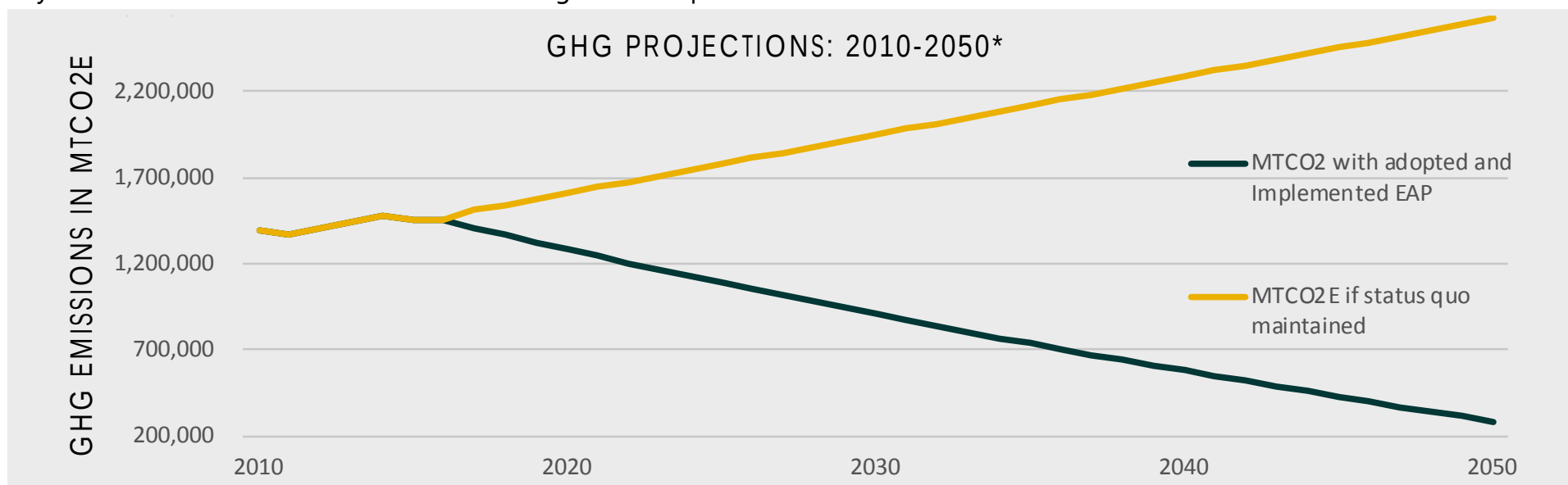
The following steps are necessary to determine GHG emissions from solid waste generated in a community:

1. Calculate total waste (in wet short tons) entering landfill per year (retrieved from the Recycling & Trash Collection Division)
2. Determine the waste characteristics of the total waste or, if the data is not consistently available, use the Mixed Solid Waste Factor (Fayetteville used the mixed solid waste estimate of .060, derived by the EPA, offered by ICLEI in table SW.5)
3. Use the following equation to calculate CH₄ emissions as MTCO₂E: = CH₄ GWP * (1-CE) * (1-OX) * M * EF
 - CH₄ GWP = CH₄ Global Warming Potential, (currently 28 according to EPA Sustainable Materials Management³⁸)
 - CE = LFG collection efficiency (value of zero entered as Tontitown landfill LFG collection efficiency is unknown)
 - OX = oxidation rate (take .1 as stated value from ICLEI, table SW.4.1)
 - M = total mass of waste in wet short tons
 - EF = the emissions factor for specific materials (.060 as identified in table SW.5)

Year	Total Waste	Landfilled Waste (tons)	Population	Tons to landfill/ capita	Tons total waste/ capita	MTCO ₂ E	Diversion Rate
2010	54,262	45,358	73,970	0.613	0.733	68,581.60	16%
2011	56,209	47,084	75,586	0.622	0.743	71,190.51	16%
2012	57,527	47,458	77,003	0.616	0.747	71,757.22	18%
2013	63,919	51,922	78,929	0.657	0.809	78,506.37	19%
2014	63,182	50,443	80,822	0.624	0.781	76,269.77	20%
2015	71,653	58,805	82,830	0.709	0.865	88,913.39	18%
2016	67,138	60,802	83,826	0.725	0.80	91,932.41	18%

APPENDIX C: GHG PROJECTIONS

Long term projections are a notoriously complicated art. To determine the projected impacts of the goals and actions in this plan, the City used standards set by ICLEI, the EPA, and STAR Communities. The projections on the following pages show best case scenario if Fayetteville is able to achieve each sector-level goal in this plan.



Year	Electric	Natural Gas	Wastewater	Vehicle Emissions	Waste	Projected MTCO2E (if EAP implemented)	Projected MTCO2E if status quo maintained
2010	811,184	222,731	11,327	330,110	68,582	1,443,934	1,390,700
2020	646,192	183,729	9,760	360,233	84,622	1,284,536	1,644,417
2030	389,603	159,248	4,798	273,350	80,968	907,968	1,948,760
2040	176,176	134,955	1,769	201,575	64,845	579,320	2,286,919
2050	1	112,440	1	134,014	36,352	282,807	2,625,078

*To calculate projected emissions if the status quo is maintained, the average MTCO2E per capita for 2010 through 2016 was calculated. This average emissions rate (17.6 MTCO2E per capita) was multiplied by the population estimates agreed upon in City Plan 2030. This projection was extrapolated from 2010 until 2050.

APPENDIX C: GHG PROJECTIONS

Year	Electric	Natural Gas	Wastewater	Vehicle Emissions	Waste	Projected MTCO2E (if EAP implemented)	Projected Population	MTCO2E per capita	Status Quo MTCO2E
2010	811,184	222,731	11,327	330,110	68,582	1,443,934	73,970	19.5	1,390,700
2011	781,556	213,022	11,882	341,026	71,191	1,418,677	75,586	18.7	1,367,322
2012	808,454	197,373	11,644	349,423	71,757	1,438,651	77,003	18.6	1,406,535
2013	797,094	229,954	11,981	360,796	78,506	1,478,331	78,929	18.7	1,446,647
2014	825,907	218,867	11,523	346,869	76,270	1,479,435	80,822	18.3	1,479,435
2015	773,037	194,348	11,658	384,457	88,913	1,452,414	82,830	17.5	1,452,414
2016	762,391	192,976	12,495	394,986	91,932	1,454,781	83,826	17.3	1,454,781
2017	732,569	190,718	11,763	386,298	82,522	1,403,869	85,747	16.4	1,509,153
2018	703,266	188,421	11,065	377,610	83,554	1,363,915	87,669	15.6	1,542,969
2019	674,476	186,090	10,397	368,921	84,595	1,324,480	89,590	14.8	1,576,785
2020	646,192	183,729	9,760	360,233	84,622	1,284,536	91,511	14.0	1,610,601
2021	618,405	181,343	9,152	351,545	85,059	1,245,504	93,433	13.3	1,644,417
2022	591,110	178,934	8,571	342,857	84,045	1,205,517	95,354	12.6	1,678,233
2023	564,299	176,507	8,017	334,168	83,922	1,166,914	97,276	12.0	1,712,049
2024	537,965	174,065	7,488	325,480	83,898	1,128,897	99,197	11.4	1,745,865
2025	512,102	171,610	6,984	316,792	83,697	1,091,185	101,118	10.8	1,779,681
2026	486,702	169,145	6,504	308,103	83,290	1,053,744	103,040	10.2	1,813,496
2027	461,758	166,674	6,046	299,415	82,811	1,016,705	104,961	9.7	1,847,312
2028	437,265	164,200	5,610	290,727	82,181	979,982	106,882	9.2	1,881,128
2029	413,215	161,723	5,194	282,039	81,612	943,783	108,804	8.7	1,914,944
2030	389,603	159,248	4,798	273,350	80,968	907,968	110,725	8.2	1,948,760

Year	Electric	Natural Gas	Wastewater	Vehicle Emissions	Waste	Projected MTCO2E (if EAP implemented)	Projected Population	MTCO2E per capita	Status Quo MTCO2E
2031	366,422	156,775	4,422	265,150	79,764	872,533	112,646	7.7	1,982,576
2032	343,665	154,307	4,063	257,195	78,455	837,686	114,568	7.3	2,016,392
2033	321,327	151,847	3,722	249,479	77,059	803,434	116,489	6.9	2,050,208
2034	299,401	149,395	3,398	241,995	75,575	769,765	118,410	6.5	2,084,024
2035	277,882	146,954	3,090	234,735	74,016	736,677	120,332	6.1	2,117,839
2036	256,763	144,524	2,798	227,693	72,364	704,142	122,253	5.8	2,151,655
2037	236,039	142,108	2,520	220,862	70,618	672,147	124,175	5.4	2,185,471
2038	215,703	139,707	2,256	214,236	68,782	640,685	126,096	5.1	2,219,287
2039	195,751	137,323	2,006	207,809	66,857	609,746	128,017	4.8	2,253,103
2040	176,176	134,955	1,769	201,575	64,845	579,320	129,939	4.5	2,286,919
2041	156,973	132,606	1,544	193,512	62,744	547,380	131,860	4.2	2,320,735
2042	138,136	130,277	1,332	185,772	60,553	516,070	133,781	3.9	2,354,551
2043	119,661	127,967	1,130	178,341	58,273	485,372	135,703	3.6	2,388,367
2044	101,541	125,680	940	171,207	55,903	455,271	137,624	3.3	2,422,182
2045	83,772	123,414	760	164,359	53,445	425,748	139,545	3.1	2,455,998
2046	66,347	121,171	589	157,784	50,897	396,789	141,467	2.8	2,489,814
2047	49,263	118,952	429	151,473	48,260	368,377	143,388	2.6	2,523,630
2048	32,514	116,756	277	145,414	45,534	340,496	145,309	2.3	2,557,446
2049	16,095	114,586	135	139,598	42,718	313,131	147,231	2.1	2,591,262
2050	1	112,440	0	134,014	36,352	282,807	149,152	1.9	2,625,078

APPENDIX D: ACTION ITEM IMPLEMENTATION

This table compiles all actions listed in the chapters above into a single, timeline-oriented view.

In this timeline, 'ongoing' items may already be in the works, may be immediately implementable, or may require ongoing attention over a series of years. 'Short-term' implies 1-3 years, 'medium-term' implies 3-5 years, and 'long-term' implies 5-10 years. As with other City master plan processes, the timeline described here is subject to change as staff, resources, and budget allows.

Potential GHG impact (in terms of total MTCO₂E reduction) is estimated in the final column. This estimated reduction impact is based on a variety of sources included stakeholder input, STAR Communities guidance, the ICLEI U.S. Community Protocol, and the projections released in "Drawdown: The Most Comprehensive Plan Ever Proposed to Reverse Global Warming," edited by Paul Hawken.

Sector	Action Item	Timeline	Primary Stakeholders	GHG Impact
Buildings	Conduct a community-wide tree canopy assessment every five years.	Ongoing	Urban Forestry, GIS	Low
Buildings	Encourage increased sub-metering on institutional, commercial and industrial buildings to collect data and identify opportunities for energy efficiency upgrades.	Ongoing	Facilities, Sustainability, Utilities	Low
Buildings	Partner with utility providers to create an education and outreach campaign to connect homeowners and renters to existing energy efficient programs provided by utility companies.	Ongoing	Sustainability, Community Resources, Communications, Non-profits	High
Buildings	Prioritize leak prevention and water-related energy efficiency measures, both City and community-wide.	Ongoing	Facilities, Water & Sewer, Sustainability	Low
Buildings	Publish local government energy benchmarking reports and maintain a web based interface to provide local government energy data to the public.	Ongoing	Sustainability, IT, Facilities Management	Low
Buildings	Require that public infrastructure and facility managers consider energy and water consumption implications for new or upgraded infrastructure investments.	Ongoing	Facilities, Water & Sewer, Transportation	Medium

Buildings	Utilize the existing Property Accessed Clean Energy (PACE) program to finance energy efficiency in the construction of new buildings.	Ongoing	Sustainability	High
Cross-sector	Continue to provide recognition for local sustainability-minded businesses through programs like LEED, Bike-Friendly Businesses and the GreenNWAAy Initiative.	Ongoing	Economic Vitality, Sustainability	Low
Cross-sector	Continue to provide support services to targeted sectors to strengthen local value chain infrastructure and develop market channels.	Ongoing	Economic Vitality	Medium
Cross-sector	Support ongoing regional campaigns promoting local banking, shopping, and eating and other local economic drivers.	Ongoing	Communications, Economic Vitality, Sustainability	Low
Energy	Continue to advocate for increasing SWEPCO and Ozarks Electric clean energy portfolio as a percentage of the electric energy produced.	Ongoing	Sustainability	High
Energy	Investigate community shared solar or community wind to encourage procurement of renewable energy supplies. Community sharing programs allow residents to buy or lease a portion of a shared alternative energy system.	Ongoing	Sustainability	High
Energy	Procure clean energy from utilities or other generators when feasible.	Ongoing	Sustainability	High
Transportation	Establish partnerships between fleet managers, alternative fuel suppliers, and consumers to elevate alternative fuel options within the community.	Ongoing	Sustainability, Fleet	Low
Transportation	Continue to support Ozark Regional Transit, Razorbak Transit, and Regional Planning in pursuit of transit solutions for the Northwest Arkansas region.	Ongoing	Planning, Transportation	High
Transportation	Continue to explore opportunities for adding bus shelters along transit lines.	Ongoing	University, Transportation, Engineering, Sustainability	Medium

Transportation	Construct or retrofit transportation infrastructure to meet the access standards in the Americans with Disabilities Act (ADA).	Ongoing	Engineering, Transportation	Low
Transportation	Continue to utilize the Active Transportation Advisory Committee to identify and prioritize projects that fill missing links in trail and sidewalk networks.	Ongoing	Engineering, Transportation	Medium
Transportation	Make street intersections and trail crossings safer and easier for pedestrians through signage, medians, colored pavement markings, and signalization.	Ongoing	Engineering, Transportation	Medium
Transportation	Continue to expand the on-street bicycle network. Promote the use of buffered, protected and separated on-street bicycle infrastructure whenever possible.	Ongoing	Engineering, Transportation	High
Transportation	Make appropriate infill and revitalization our highest priority.	Ongoing	Planning	High
Transportation	Discourage suburban sprawl development.	Ongoing	Planning	High
Transportation	Grow a livable transportation network.	Ongoing	Planning, Transportation	High
Transportation	Create an enduring green network.	Ongoing	Planning, Transportation, Engineering	High
Transportation	Actively pursue the goals laid out in City Plan 2030 and the upcoming Mobility Master Plan.	Ongoing	Planning, Transportation, Engineering	High
Transportation	Continue to implement the City's complete streets policy and street cross-sections for all street projects.	Ongoing	Planning, Transportation, Engineering	High
Transportation	Increase the mileage of sidewalks, particularly on arterial or collector streets, that connect people with destinations.	Ongoing	Planning, Transportation, Engineering	Medium
Transportation	Install public use electric vehicle fueling stations on city owned properties and encourage public-use alternative charging stations at publicly accessible locations across the City.	Ongoing	Sustainability, Fleet, Facilities Management	Medium
Transportation	Encourage the expansion of carsharing programs across the City and region.	Ongoing	Parking Management, University, Sustainability	Low

Waste	Continue to pursue a commercial and institutional outreach program to encourage businesses and institutions to participate in existing recycling programs.	Ongoing	Recycling and Trash, Communications	Low
Waste	Develop a new education and community outreach plan to announce the city's commitment to waste diversion and to build community buy-in for new initiatives.	Ongoing	Recycling and Trash, Communications	Medium
Waste	Explore end markets for recyclable materials to promote economic growth and recapture of waste.	Ongoing	Recycling and Trash	Low
Buildings	Adopt updated commercial and residential building energy codes on a regular schedule.	Short-term	Building Safety	High
Buildings	Benchmark local government building and infrastructure energy use annually.	Short-term	Facilities Management, Sustainability, IT	Low
Buildings	Conduct an assessment to determine heat island mitigation feature distribution across the City to identify locations with disproportionate heat island effects.	Short-term	GIS, Urban Forestry	Low
Buildings	Conduct an assessment to discover if there is a parkland or natural space within a 10-minute walk of all residents.	Short-term	Parks and Recreation, Sustainability, GIS	Low
Buildings	Create a program to connect low-income renters and homeowners with utility-sponsored programs to reduce their energy costs.	Short-term	Sustainability, Community Resources, Communications, Non-profits, Utilities	Medium
Buildings	Encourage tree planting, green roofs, and other energy-saving techniques across the City through education, outreach, and tree giveaways.	Short-term	Urban Forestry	Low
Buildings	Evaluate the feasibility of modifying existing tree preservation minimums and mitigation rates in the City's Tree Preservation Code to improve the long-term ecological outcomes of urban development.	Short-term	Urban Forestry, Development Services	Medium

Buildings	Explore opportunities to utilize Community Development Block Grants (CDBG) to compound existing utility-sponsored energy efficiency programs for low to moderate income households.	Short-term	Community Resources, Sustainability Utility Companies	Medium
Buildings	Explore options to develop a tree planting program partnering with residents, business owners, and institutions for the planting of trees in right-of-way, on easements, or on private properties.	Short-term	Urban Forestry, Sustainability, Facilities	Medium
Buildings	Identify high energy use City facilities and develop an energy efficiency and renewable energy innovation agenda to realize long-term savings and demonstrate the financial impact of energy improvements.	Short-term	Facilities, Water & Sewer, Sustainability	Medium
Buildings	Target areas in need of additional tree canopy by creating a tree canopy map layer.	Short-term	Urban Forestry, GIS	Low
Buildings	Use the Parks and Recreation Master Plan process to identify and develop a network of pocket parks and urban open spaces in areas of the city that are identified as impacted by urban heat islands.	Short-term	Parks and Recreation, Urban Forestry, Planning	Medium
Cross-sector	Work with the University of Arkansas Office of Sustainability to collaboratively complete a regional resilience assessment and publish a report of findings.	Short-term	Sustainability, University	Low
Cross-sector	Consider amending the 'Purpose and Duties of the Environmental Action Committee' to include consideration of climate mitigation and adaptation strategies.	Short-term	Environmental Action Committee	Low
Cross-sector	Consider amending the 'Purpose and Duties of the Environmental Action Committee' to include policy recommendations regarding energy efficiency efforts and clean energy purchasing decisions.	Short-term	Environmental Action Committee	Low
Cross-sector	Investigate the feasibility of a stormwater utility fee to improve green stormwater infrastructure.	Short-term	Engineering, Legal, Finance	Medium
Cross-sector	Integrate Fayetteville's sustainability brand and energy action goals into future marketing and outreach efforts for business and talent retention.	Short-term	Communications, Economic Vitality, Sustainability	Medium

Energy	Assess if regulatory restrictions or undue burden exists for the development of residential and small businesses renewable energy installations.	Short-term	Building Safety, Sustainability, IT	Medium
Energy	Create a policy to ensure that the local government's energy supplies increasingly come from renewable sources and/or enter into direct purchase agreement with utility companies for clean energy sources.	Short-term	Sustainability, Purchasing	High
Energy	Earn recognition as a Solar-Ready community.	Short-term	Building Safety, Sustainability, IT	Medium
Energy	Integrate clean power job skills training into local job development activities or plans.	Short-term	Economic Development, Sustainability	Medium
Energy	Encourage the development of residential and small business renewable energy sources using the existing net-metering program.	Short-term	Sustainability	Medium
Energy	Evaluate the feasibility of leasing public land for renewable energy.	Short-term	Sustainability, Legal, Finance	High
Transportation	Adopt alternative fuel guidelines and/or targets for City of Fayetteville owned vehicles.	Short-term	Fleet, Sustainability	Medium
Transportation	Partner with private businesses to ensure that more electric vehicle charging stations become available at workplaces, residential developments, and other frequently visited locations. Install public alternative fueling stations on City-owned properties.	Short-term	Sustainability, Fleet, Facilities Management	Medium
Transportation	Establish a community-wide bike-share program.	Short-term	University, Sustainability	Medium
Transportation	Develop an internal Green Cities Initiative that prescribes a fleet purchasing policy that encourages divisions and departments to choose right-sized, alternative fuel, and/or more fuel efficient options when replacing vehicles. Additional infrastructure such as vehicle charging stations or natural gas fueling stations may be necessary to support the transition to a green fleet.	Short-term	Fleet, Purchasing, Sustainability	Medium

Waste	Modify City development codes to require new commercial, institutional, and multi-family developments to provide adequate space and access for recycling and organics recovery.	Short-term	Recycling and Trash, Planning	Medium
Waste	Continue to develop communications plans about the city's commitment to waste diversion and to solicit buy-in for new initiatives.	Short-term	Recycling and Trash, Communications	Low
Waste	Develop a technical assistance program to inform businesses, institutions, and multi-family complexes of the City's waste diversion commitment and help them prepare for new recycling initiatives.	Short-term	Recycling and Trash, Communications	Low
Waste	Explore options for curbside recycling at small multi-family complexes or complexes that make curbside collection feasible.	Short-term	Recycling and Trash	Medium
Waste	Develop a detailed plan and schedule to initiate a voluntary organics recovery program focused initially on large food waste generators like schools, grocery stores, and institutions.	Short-term	Recycling and Trash, Communications	High
Waste	Modify building codes to require new commercial developments that are expected to generate substantial quantities of food waste to provide adequate space and access for food waste collection containers.	Short-term	Recycling and Trash, Planning	Medium
Waste	Require private haulers of food waste to enter into franchise agreements with the City so that these quantities can be reported for the City's diversion rate.	Short-term	Recycling and Trash, Legal	Low
Waste	Release a Request for Proposal (RFP) to secure a contract with a processor for the recovery and recycling of construction and demolition material in 2018-2019.	Short-term	Recycling and Trash, Purchasing, Finance, Legal	Medium
Buildings	Encourage green roofs on new and existing buildings and consider the feasibility of incentivizing green roofs through a mechanism like a storm water utility fee.	Medium-term	Development Services	Medium
Buildings	Encourage heat island mitigation features to help lower utility costs for residents and businesses.	Medium-term	Urban Forestry, Sustainability	Medium

Buildings	Encourage local utility providers to offer energy commissioning programs.	Medium-term	Sustainability, Utility Companies	Medium
Buildings	Evaluate the feasibility of creating incentives to encourage the new construction of energy efficient buildings.	Medium-term	Development Services, Economic Development, Sustainability	High
Buildings	Explore a strategy and funding mechanism to increase the permanent preservation of lands identified as the "Enduring Green Network" in the City's Future Land Use Plan and Map. These lands may be City-owned or preserved through land trusts, tree preservation easements, or other mechanisms.	Medium-term	Planning, Finance, Sustainability, Legal	Low
Buildings	Increase awareness of utility-focused "Right Tree, Right Place" program through joint outreach campaigns.	Medium-term	Urban Forestry, Utilities	Low
Buildings	Partner with organizations to encourage the collection and reporting of energy use data from the commercial and industrial sectors.	Medium-term	Utility Companies, Sustainability	Medium
Buildings	Promote the use of cooling and light colored roofing materials and coatings for both new and existing building stock.	Medium-term	Development Services, Urban Forestry	Medium
Cross-sector	Reinvigorate the support for and momentum around Fayetteville Resolution no. 164-13 to support a national revenue-neutral carbon fee and dividend program.	Medium-term	Sustainability	High
Cross-sector	Advocate for 100% LED street lights by 2030 through collaboration with utility providers.	Medium-term	Sustainability, Utility Companies	Medium
Transportation	Offer local government employees incentives to commute by modes other than single-occupancy vehicles.	Medium-term	Sustainability, Human Resources, Finance	Low
Transportation	Continue to work towards the Active Transportation Plan goal of having a trail connection with ½ mile of 97% of residences by 2040.	Medium-term	Engineering, Sustainability, Transportation	High
Waste	Explore opportunities to partner with trade programs, re-use facilities, or other innovative programs with the C&D facility.	Medium-term	Recycling and Trash	Medium

Waste	Support regional partnerships that seek to increase waste diversion rates	Medium-term	Recycling and Trash, Sustainability	Medium
Buildings	Analyze the feasibility of an energy use disclosure ordinance that requires energy users to disclose consumption levels.	Long-term	Sustainability	Low
Energy	Build the necessary distribution or storage infrastructure to support further investment in clean energy sources.	Long-term	Sustainability, Utilities	High
Energy	Explore incentives to support the development of renewable energy.	Long-term	Sustainability, Finance	Medium
Energy	Investigate the feasibility of becoming a Green Power Community to encourage businesses, institutions, and individuals to collectively use more clean power.	Long-term	Economic Development, Sustainability	Medium





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

Resolution: 45-17

File Number: 2017-0033

2017 ENERGY ACTION PLAN:

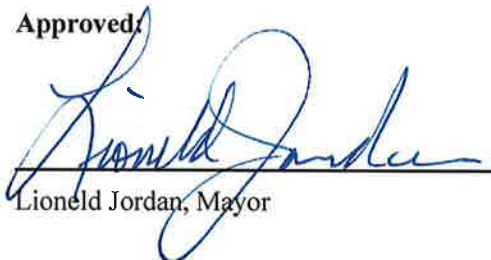
A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its support for the study and development of an Energy Action Plan in 2017.

PASSED and APPROVED on 2/7/2017

Approved:


Lioneld Jordan, Mayor

Attest:


Sondra E. Smith, City Clerk Treasurer





City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0033

Agenda Date: 2/7/2017

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 2

2017 ENERGY ACTION PLAN:

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its support for the study and development of an Energy Action Plan in 2017.

City of Fayetteville Staff Review Form

2017-0033

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Leif Olson

1/18/2017

Sustainability & Resilience /
Chief of Staff

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff requests City Council support for the study and development of an Energy Action Plan in 2017.

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 COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Peter Nierengarten, Sustainability and Parking Director

FROM: Leif Olson, Associate Planner

DATE: January 13, 2017

SUBJECT: Energy Action Plan

RECOMMENDATION:

Staff requests City Council support for the study and development of an Energy Action Plan in 2017.

BACKGROUND:

Most of the energy currently consumed in Fayetteville for transportation and to power buildings is generated through the burning of fossil fuels. Energy efficiency and alternative energy investments represent an opportunity to reduce reliance on non-renewable fuels while creating additional economic opportunities for Fayetteville.

The design and construction of new green buildings and energy efficient retrofits of existing building can create many new jobs in the architecture, engineering and construction fields. At the same time, energy savings from green buildings will translate into lower overhead energy costs for residents and businesses. Investments in active and alternative transportation modes can reduce vehicular congestion, gasoline usage and air pollution.

Results of the recently completed Community Perception Survey indicate that 78% of Fayetteville residents either agree or strongly agree that the City of Fayetteville should prioritize renewable energy and energy efficiency policies and programs. Additionally, 62% of residents agree or strongly agree that the City of Fayetteville should prioritize climate change preparedness.

DISCUSSION:

Fayetteville achieved the status of a 3 star community by the Sustainable Tools for Rating and Accessing Communities (STAR). The STAR rating system evaluation measures collectively define community scale sustainability, and present a vision of how communities can become more healthy, inclusive and prosperous across seven goal areas. The STAR goals and objectives allow local governments and their communities to more effectively strategize and prioritize their sustainability planning efforts.

One of the seven goal areas in STAR is titled "Climate and Energy" and it provides a framework for communities to develop an energy action plan that reduces climate impacts and increases resource efficiency in order to create safer, healthier, and more resilient communities. Objectives under this goal are focused on incremental increases in resource efficiency. These objectives provide an outline of outcomes and actions utilized to develop an energy action plan, including:

- CE-2: Greenhouse Gas Mitigation. Achieve greenhouse gas emissions reductions throughout the community.
- CE-3: Greening the Energy Supply. Transition the local energy supply for both transportation and non-mobile sources toward renewable, less carbon-intensive, and less toxic alternatives.
- CE-4: Energy Efficiency. Minimize energy use and demand in the residential, commercial, and industrial sectors as a means to increase energy efficiency in the community.
- CE-6: Local Government Greenhouse Gas and Resource Footprint. Lead by example by reducing local government greenhouse gas emissions and minimizing energy and water use in local government facilities and specified local infrastructure.

Sustainability Department staff propose to work across all departments and divisions of the City and throughout the community to develop an energy action plan that addresses energy conservation, efficiency and renewable forms of energy for transportation and buildings. Staff will utilize the STAR framework to identify policies, programs and projects that advance the City's energy conservation and efficiency goals.

BUDGET/STAFF IMPACT:

The Sustainability and Resilience Department anticipates utilizing existing staff resources to complete this project during 2017.

Attachments:

STAR Technical Guide: Climate and Energy Section



GOAL AREA: Climate & Energy

Reduce climate impacts through adaptation and mitigation efforts and increase resource efficiency

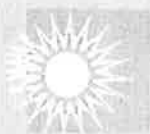
Introduction

The 7 objectives in STAR's Climate & Energy Goal Area aim to reduce climate impacts and increase resource efficiency in order to create safer, healthier, and more resilient communities. CE-1: Climate Adaptation and CE-2: Greenhouse Gas Mitigation are critical to achieving reductions in harmful climate impacts and promoting resource savings through decreased energy, water, and materials use.

Most of the objectives in Climate & Energy focus on achieving incremental increases in resource efficiency. CE-4: Energy Efficiency and CE-5: Water Efficiency encourage communities to reduce energy use over time in buildings and water consumption per capita. CE-6: Local Government GHG & Resource Efficiency offers local governments an opportunity to describe how their internal efforts demonstrate their leadership in this Goal Area. CE-3: Greening the Energy Supply complements the other objectives in the Goal Area by addressing the alternative energy sources for the transportation and the community's electrical power supply.

Finally, through its ambitious waste reduction targets, CE-7: Waste Minimization rewards communities for efforts to reduce, reuse, and recycle materials.

Objective Number	Objective Title and Purpose	Available Points
CE-1	Climate Adaptation: <i>Strengthen the resilience of communities to climate change impacts on built, natural, economic, health, and social systems</i>	15
CE-2	Greenhouse Gas Mitigation: <i>Achieve greenhouse gas emissions reductions throughout the community</i>	15
CE-3	Greening the Energy Supply: <i>Transition the local energy supply for both transportation and non-mobile sources toward the use of renewable, less carbon-intensive, and less toxic alternatives</i>	15
CE-4	Energy Efficiency: <i>Minimize energy use and demand in the residential, commercial, and industrial sectors as a means to increase energy efficiency in the community</i>	15
CE-5	Water Efficiency: <i>Minimize water use and demand as a means to conserve water in the community</i>	10
CE-6	Local Government GHG & Resource Efficiency: <i>Lead by example by reducing local government greenhouse gas emissions and minimizing energy and water use in local government facilities and specified local infrastructure</i>	15
CE-7	Waste Minimization: <i>Reduce and reuse material waste produced in the community</i>	15
Total Points Available:		100



CLIMATE & ENERGY

CE-2: Greenhouse Gas Mitigation

15 available points

PURPOSE

Achieve greenhouse gas emissions reductions throughout the community

EVALUATION MEASURES

Greenhouse gases (GHGs) absorb infrared radiation produced by the sun and trap heat in the atmosphere. There are 6 types of greenhouse gases: water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone (O_3), and fluorinated gases. A balance between the sources, or emissions of GHGs from human activities and natural systems, and sinks, or processes that remove GHGs by chemical conversion, determines the concentration of these gases in the atmosphere. High concentrations over time lead to increases in global temperature that alter the Earth's climate patterns. This is known as the greenhouse effect.

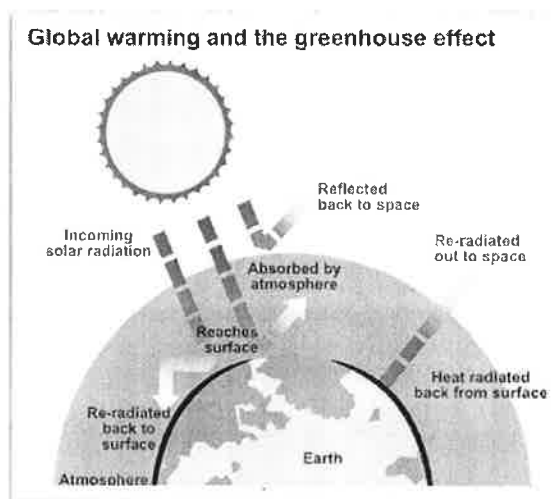
According to the [EPA](#), the Earth's average temperature has risen by 1.5°F over the past century and is projected to rise another 0.5 to 8.6°F over the next hundred years. The GHGs most closely associated with human activities are carbon dioxide, methane, nitrous oxide, and fluorinated gases.

It is [estimated](#) that carbon dioxide makes up over 80% of the total GHGs emitted in the U.S. The main sources of GHG emissions are combustion of fossil fuels, agricultural and industrial practices, and decay of organic waste. Sinks include natural processes, such as trees that absorb carbon dioxide and methane-consuming bacteria, and engineered solutions, such as geological storage and reforestation.

The [Clegh Protocol for Cities](#) identifies GHG emission sources by 6 main sectors:

- stationary energy, such as that from buildings and manufacturing;
- transportation, including on-road, railways, and aviation;
- waste;
- industrial processes and product use;
- agriculture, forestry, and other land use; and
- other emissions occurring outside the jurisdiction, but as a result of its activities.

Greenhouse gas emissions are a global issue as the concentration or mix of these gases are evenly distributed throughout the Earth's atmosphere. However, local governments can impact the sources and sinks within their jurisdictions. Actions to expand alternative modes of transportation, improve energy efficiency, eliminate waste, and increase vegetation lead to a reduction of greenhouse gases in the atmosphere and will also provide other benefits to the community.





Applicants submitting for this objective must consider communitywide GHG emissions. For local government-based GHG emissions, see CE-6: Local Government GHG and Resource Footprint.

Community Level Outcomes

100% of points available through Outcomes

Outcome 1: Communitywide Greenhouse Gas Emissions

15 Points

Demonstrate incremental progress towards achieving a 28% reduction by 2025 and/or an 80% reduction by 2050 in communitywide greenhouse gas (GHG) emissions [Partial credit available]

The Kyoto Protocol development process established the long-term target of reducing by 80% the GHG emissions of all industrialized countries by 2050. Although the U.S. was not a participant in the Kyoto Protocol, over 1,000 mayors across the U.S. were signatories to the U.S. Conference of Mayors' Climate Protection Agreement, committing to meet or exceed the Kyoto targets. While a potentially more aggressive target, its long term nature did not lead to the immediate actions necessary to reduce GHG emissions.

In 2015, leaders and delegates from 195 world nations formulated a global agreement on the reduction of climate change at the 2015 Paris Climate Conference. The final agreement outlines various measures that need to be implemented to limit the rise in average global temperature to well below 2°C, ideally at below 1.5°C. At the summit, the U.S. committed to reducing its greenhouse gas emission by up to 28% below 2005 levels by 2025.

Therefore, STAR adopts a dual target of 28% reduction below 2005 levels by 2025 and 80% below 2000 levels by 2050. Communities that can demonstrate incremental progress toward 1 or both of these targets will receive credit. Ideally, the data collection interval for greenhouse gas inventories should be between 1 and 5 years. The closer to the target year that the baseline year is, the greater percent of reductions the applicant will need to demonstrate, as shown in the table below:

Baseline Year Determines Slope of Linear Reductions Toward the Target				
Baseline Year	Years to 2025	Reduction per year	Years to 2050	Reduction per year
2000	25	1.12%	50	1.60%
2005	20	1.40%	45	1.78%
2010	15	1.87%	40	2.00%

For this outcome, applicants are required to assess communitywide GHG emissions. There are several methods to assess local government GHG emissions; STAR recommends either the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC) or the more U.S. tailored version called the U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions (USCP).



If using the GPC, the applicant must report at a minimum those sources contained within the "Basic" reporting framework. If using USCP, the applicant must report at a minimum the "5 Basic Emissions Generating Activities" that are common to all communities.

The minimum standards from each protocol are nearly identical. The primary differences are that the USCP does not require cross-boundary sources, such as transportation, to be separated by jurisdictional boundary. However, it does require an assessment of energy used in the delivery of potable water.

Bonus credit is available for reporting on non-required emission sources, such as upstream emissions associated with use of fuels and materials or a full consumption-based inventory.

Applicants may receive partial credit for reductions that are not directly on track to achieve the target reduction. See Points Appendix for information regarding points awarded for partial credit.

For verification, provide the most recent measure of communitywide greenhouse gas emissions and upload a completed STAR-provided Excel spreadsheet demonstrating that the thresholds have been met.

Note that the methodology for this outcome is similar to CE-6: Local Government GHG & Resource Footprint, Outcome 1: Local Government Greenhouse Gas Emissions. However, this outcome requires assessment of communitywide sources rather than local government.

Local Actions

70% of points available through Actions

Action 1:

Inventory, Assessment or Survey

Conduct a communitywide GHG Inventory at least every 5 years

Regular tracking of GHG emissions via a recognized protocol is important for demonstrating progress. Most communities that conduct inventories analyze their status in 1, 3, or 5-year increments and include required emissions as described in the GPC and USCP protocols. More advanced efforts also include additional emissions, such as waste-related sources and are verified by a third-party to ensure data is complete, credible, and accurate.

For credit, the applicant must demonstrate that a communitywide GHG inventory has been conducted at least every 5 years and includes at least GPC's "Basic" reporting requirements or USCP's "5 Basic Emissions Generating Activities." Note if inventory includes additional emissions and/or was verified by a third-party.

For verification, provide the title; year published; a link to or copy of the study; and a brief description of how the intent of this action is met.



Action 2:

Plan Development

Adopt a climate action plan designed to reduce GHG emissions throughout the jurisdiction

A climate action plan establishes the community's strategies and recommendations to reduce greenhouse gas emissions. Examples of local climate action plans by state are available on the EPA's [State and Local Climate and Energy Program website](#).

For credit, the climate action plan must address communitywide impacts, not just local government operations. Broader plans, such as a sustainability plan or general plan, may be acceptable provided that they specifically address GHG emissions and mitigation strategies at the community scale.

For verification, provide the plan title; year adopted; a link to or copy of the plan; and a brief description of how the intent of this action is met.

Action 3:

Policy and Code Adjustment

Establish a local communitywide GHG emissions target to be used as guidance for broader local government planning processes and decision-making

This action calls for communities to establish a local target for GHG emissions reductions by code, ordinance, or executive order, and demonstrate its broad application to communitywide planning, projects, and programs.

Local governments are taking action by adopting policies and regulations to reduce GHG emissions. In 2014, the [Compact of Mayors](#) was launched at the United Nations Climate Summit. It is the world's largest coalition of city leaders addressing climate change by making pledges to reduce their GHG emissions, track progress, and prepare for the impacts of climate change. Participating communities are asked to make a formal commitment, conduct an inventory of local emissions, establish a target for reduction, develop an implementation plan, and track progress.

In the United States, 124 communities have made the commitment to participate in the Compact of Mayors. STAR applicants are encouraged, but not required, to be participants in the Compact of Mayors.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.



CLIMATE & ENERGY

CE-2: Greenhouse Gas Mitigation

Action 4:

Education and Outreach

Create an education and outreach campaign to engage residents and businesses in GHG reduction efforts

GHG and climate policies require broad public support to be most effective. Raising local awareness, providing educational resources, and inspiring action through leadership are all ways to engage the community.

For example, Fort Collins, CO educates local businesses about GHG and climate impacts through the free, voluntary ClimateWise program.

For credit, education and outreach activities must directly reference detailed GHG mitigation strategies, not just energy efficiency or renewable energy.

For verification, provide a brief description of how your education and outreach campaign meets the intent of this action. Submittal must include a series of efforts designed to inform the public about the issue. If applicable, provide a link to or upload supporting materials.

Action 5:

Partnerships and Collaboration

Establish a climate change advisory group to engage diverse community stakeholders in identifying and implementing GHG reduction strategies

To reach GHG reduction and climate action goals, local governments are engaging diverse stakeholders in the decision-making process. Appointing representatives from universities, businesses, targeted industries, utilities, state and regional government, and nonprofit organizations help to build strategic partnerships and leverage broad support for local efforts.

For example, Tucson, AZ's Mayor and Council formally established a Climate Change Advisory Committee by ordinance in 2008. Broward County, FL adopted a resolution establishing their Climate Change Task Force in 2008.

For verification, provide the name of the group; year established; a link to or documentation of their work; and a brief description of how the intent of this action is met. Partnerships and Collaboration must be active at the time of submittal and be issue-focused, not special project-based.



Action 6:

Practice Improvement

Analyze disproportionate and unintended consequences of mitigation activities and demonstrate activities that engage groups that are most likely to be negatively impacted

Some of the more popular actions to mitigate communitywide GHG emissions relate to increasing energy efficiency, investing in renewable energy, or purchasing an alternative fuel vehicle. However, these types of actions may not be affordable to all homeowners or not accessible to renters. Low income and/or fixed income households, including families and the elderly, often face high energy bills in proportion to their income and the prospect of defaulting on utility bills. Evaluating the impact of initiatives or activities on diverse populations can improve program delivery and participation rates.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 7:

Enforcement and Incentives

Create incentives to improve opportunities for distributed generation of renewable energy sources

Distributed generation refers to power generation at the point of consumption. Generating power on or near the site, rather than centrally, eliminates the cost, complexity, and inefficiencies associated with energy transmission and distribution.

Types of distributed generation technologies are generally site-specific or contained within a district. Examples include wind turbines (single or array), geothermal, photovoltaic panels (single or array), or combined heat power (CHP) plants.

Some common incentives that can be offered to consumers include:

- streamlined or expedited permitting procedures;
- waived permit fees;
- identification of approved installers;
- creation of a rebate or educate community members of the existing statewide incentives; and/or
- creation of tax credit systems to incentivize low carbon infrastructure.

For verification, provide the name of the enforcement or incentive; the year created; a link to or copy of the incentive(s) and/or enforcement(s); and a brief description of how the intent of this action is met.



Action 8:

Programs and Services

Implement actions identified in a climate action plan that are intended to transition the community towards the use of alternative modes of transportation and low-emissions vehicles

For credit, the applicant must have an adopted climate action plan (Action 2) that specifies actions related to alternative modes of transportation and low-emissions vehicles. At least 2 actions must have been implemented within the past 3 years or, if more than 3 years ago, the action must be ongoing. For example, a public bike share program that was started 10 years ago must still be in operation for credit. In addition, actions cannot be in a planning phase.

For verification, provide the program name; year created; and a brief description of how the intent of this action is met.

Action 9:

Programs and Services

Implement specific programs and services or create facility upgrades that reduce waste in the community.

For credit, the applicant must have an adopted climate action plan (Action 2) that specifies actions related to reducing waste in the community. At least 2 actions must have been implemented within the past 3 years or, if more than 3 years ago, the action must be ongoing. For example, a curbside recycling program that was started 5 years ago must still be in operation for credit. In addition, actions cannot be in a planning phase.

For verification, provide the program name; year created; and a brief description of how the intent of this action is met.

COMMUNITIES LEADING THE WAY

Evanston, IL: The City of Evanston's strategic plan includes objectives to optimize natural resources sustainably, and to promote energy efficient and non-automotive transport systems. The Evanston Climate Action Plan, a result of these goals, puts forth measures to integrate greenhouse gas emissions and energy efficiency into many future decisions.

Baltimore, MD: In Baltimore, guidelines were adopted to incorporate information about energy savings and GHG emission reductions into the CIP and the Site Plan Review process. The City Energy Office and City Sustainability Office both participate in CIP training for all agencies and provide information on incorporating energy and GHG emission savings into their projects. The City Energy Office has also adopted an Energy Policy that contains GHG emission reduction goals and strategies; the policy ensures achievement of those goals when designing new projects at energy intense sites within the Department of Public Works and Department of General Services. All of these policies and practices advance greenhouse gas emissions reductions for the City.



Atlanta, GA and **Portland, OR** are featured in *Measuring Up 2015: How Local Leadership Can Accelerate National Climate Goals*, a [report](#) by ICLEI and the World Wildlife Fund. The report “analyzes data from 116 US cities representing more than 14 percent of the US population, ... and demonstrates how local governments can cut greenhouse gas emissions, reduce climate threats, and achieve multiple community goals like lower energy costs, better air quality, improved health, and enhanced economic development.”

ADDITIONAL RESOURCES

The U.S. Conference of Mayors' [Mayors Climate Protection Center](#) describes best practices for large- and small-scale local governments from 2007, 2008, and 2009. Examples of [best practices](#) include: Denver, CO's FasTracks program, which uses sales tax to help fund a 12-year expansion of the transit system and Columbia, MO's Biogas Energy Plant which converts solid waste into electricity.

The U.S. EPA provides many [resources, programs](#), and guidance on specific actions communities can take to reduce GHG emissions.

C40 Cities is a resource for climate data and information [on the nation's largest cities](#).

Both ICLEI USA's [5 Milestones for Climate Mitigation](#) and the Natural Capitalism Institute's [Climate Protection Manual for Cities](#) provide resources for creating and implementing a climate action plan.



CLIMATE & ENERGY

CE-3: Greening the Energy Supply

15 available points

PURPOSE

Transition the local energy supply for both transportation and non-mobile sources toward renewable, less carbon-intensive, and less toxic alternatives

EVALUATION MEASURES

Community Level Outcomes

70% of points available through Outcomes

Outcome 1: Green Vehicle Infrastructure

5.25 Points

Option A: Demonstrate that the number of private and public electric vehicle stations meets or exceeds 1.07 per 10,000 residents

--OR--

Option B: Demonstrate that the number of private and public alternative fuel stations meets or exceeds 1.52 per 10,000 residents [Partial credit applies]

Bonus: Achieve a Drive Alone rate of 60% or less

According to EPA's [website](#), motor vehicles account for nearly 50% of volatile organic compounds (VOCs), more than 50% of nitrogen oxide (NO_x) emissions, and about 50% of the toxic air pollutant emissions in the U.S. Motor vehicles, including non-road vehicles such as recreational vehicles and lawn and garden equipment, are also responsible for 75% of carbon monoxide (CO) emissions nationwide.

Alternative fuel vehicles can reduce emissions of harmful pollutants including carbon dioxide (CO₂), the primary contributor to climate change. Additionally, most alternative fuels are produced domestically, which strengthens the U.S. economy, improves energy security, and helps offset the cost of imported oil. Alternative fuels are transportation fuels other than gasoline and diesel, including biodiesel, compressed natural gas, electricity, ethanol, hydrogen, liquefied natural gas, and propane.

Not all alternative fuels are equal in their direct impact on the environment. The "greenest" option is to not drive a vehicle at all. The next best alternative is to drive a zero emission vehicle, such as an electric vehicle. After that, alternative fuels such as biodiesel, compressed natural gas, ethanol, hydrogen, liquefied natural gas, and propane still contribute emissions, but not as substantially as gasoline and diesel.

While the best data for measuring alternative fuel vehicles would be registration data collected by the local Department of Motor Vehicles (DMV), this can be difficult to obtain. Either the DMVs do not code for alternative fuel vehicles or the way the data is gathered for only newly registered vehicles leads to uncertainty regarding the actual number of vehicles in a community. Additionally, DMV data does not account for cars registered outside of the jurisdiction that may utilize many of the community's services. Therefore, STAR uses the number of fueling stations as a proxy measurement for estimating the concentration of alternative fuel vehicles in a community.



For credit in Option A, the number of public and private EV stations must meet or exceed 1.07 per 10,000 residents. This is based on an analysis of 2014 data from the Department of Energy where the Top 25% of communities reported met or exceeded this threshold.

Data for public and private EV charging stations is available from the Department of Energy's Alternative Fuel Data Center (AFDC). Follow the directions below:

1. Click the Station Locator tool under the Tools section.
2. Beneath the map, click Download Data. Complete the form with the following selections:
 - a. Dataset: Alternative fuel stations
 - b. File Format: CSV (opens in Excel)
 - c. Fuel type: Electric
 - d. Access: All
 - e. Status: Open
3. Enter contact information and indicate agreement with terms and conditions. An Excel file with all EV charging stations will download.
4. Convert the spreadsheet to a table by selecting cell A1 and then Insert > Table.
5. City applicants should filter by the State and then City columns. Alternatively, cities may elect to use ZIP Codes that are all or partially within the community. County applicants will need to use the ZIP Code to filter the data.
6. Next, count each EV station identified and enter this information in the STAR-provided Excel spreadsheet.
7. Also, in the STAR-provided Excel spreadsheet, enter the population of the jurisdiction from the most recent year available.

For verification in Option A, provide the number of public and private EV stations, the number per 10,000 residents, and the STAR-provided Excel spreadsheet.

Applicants not meeting the threshold for Option A may receive partial credit in Option B. For credit in Option B, the applicant must show that the number of private and public Alternative Fuel Stations meets or exceeds 1.52 per 10,000 residents. This is based on an analysis of 2014 data from the Department of Energy where the Top 25% of communities reported met or exceeded this threshold.

Data for this measure is available from the Department of Energy's Alternative Fuel Data Center (AFDC). Follow the directions below:

1. Click the Station Locator tool under the Tools section. Beneath the map, click Download Data. Complete the form with the following selections:
 - a. Dataset: Alternative fuel stations
 - b. File format: CSV (opens in Excel)
 - c. Fuel type: All
 - d. Access: All
 - e. Status: Open
2. Enter contact information and indicate agreement with terms and conditions. An Excel file with all alternative fueling stations will download.
3. Convert the spreadsheet to a table by selecting cell A1 and then Insert > Table.
4. City applicants should filter by the State and then City columns. Alternatively, cities may elect to use ZIP Codes that are all or partially within the community. County applicants will need to use



- the ZIP Code to filter the data.
5. Next, sort by the Fuel Type Code column.
 6. Count each station identified by its Fuel Type Code and enter this information in the STAR-provided Excel spreadsheet.
 7. Also, in the STAR-provided Excel spreadsheet, enter the population of the jurisdiction from the most recent year available.

For verification in Option B, provide the number of stations by fuel type, the number per 10,000 residents, and the STAR-provided Excel spreadsheet.

Because the greenest form of transportation is to either not drive or not drive alone, bonus points are available for applicants demonstrating a Drive Alone Rate of 60% or less. To find data on the jurisdiction's drive alone rate, see BE-7: Transportation Choices, Outcome I. See the Points Appendix for information regarding points awarded for bonus credit.

Outcome 2: Electrical Energy Supply

5.25 Points

Option A: Demonstrate that the community's overall electric utility generating capacity includes a portion from renewable energy sources [Partial credit available]

--OR--

Option B: Demonstrate that the community's electric utility is in compliance with RPS requirements and document the portion from renewable energy sources [Partial credit available]

According to EPA [estimates](#), electricity from the combustion of fossil fuels, such as coal, oil, and natural gas, is responsible for approximately 40% of CO₂ emissions and 33% of total GHG emissions in the United States. EPA also explains that post-Industrial Revolution emissions producing human activities have contributed substantially to climate change by adding CO₂ and other heat-trapping gases to the atmosphere. Combustion of fossil fuels to generate electricity contributes to air pollution and higher rates of water consumption compared to renewable energy sources. For the purposes of STAR, renewable energy facilities are defined as those that use biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, hydroelectric that is third-party certified low impact, digester gas, solid waste conversion, landfill gas, ocean waves, ocean thermal, or tidal currents to produce electricity.

According to the [U.S. Energy Information Administration](#), renewable energy sources represented roughly 9% of non-vehicular U.S. energy consumption in 2011. To successfully address climate change and achieve energy independence, the U.S. must drastically increase its use of renewable energy-based electricity.

For full credit in Option A, applicants must demonstrate that the electric utilities serving the community are generating 50% or more of their overall electricity from renewable energy sources. Hydroelectric generation facilities of greater than 30 megawatts are allowed if they are certified by the [Low Impact Hydropower Institute](#) at the time of submittal. STAR will accept renewable energy credits (RECs) as part of the total as long as they are [Green-E certified](#). Non-grid renewable energy, such as landfill gas or solid waste conversion, may be added to the utility values. Graduated partial credit is available starting with a minimum of 2% renewables. See the Points Appendix for information regarding partial credit.



CLIMATE & ENERGY

CE-3: Greening the Energy Supply

For full credit in Option B, applicants must submit their electric utility's documented compliance with a state-based Renewable Portfolio Standard (RPS) of 50% or more. The RPS may be less than 50%, but points awarded will be scaled to the appropriate graduated partial credit with a minimum of 2% renewables. Applicants must also document the portions of renewable energy by source type. If an electric utility exceeds their RPS obligation, applicants should consider submitting under Option A. Non-grid renewable energy may not be added in Option B.

For verification, applicants must provide the percentage of overall electricity supplied to the community that is generated by renewable energy sources, and upload a completed STAR-provided Excel spreadsheet showing the percentage of overall electricity provided by each renewable source.

Local Actions

70% of points available through Actions

Action 1:

Plan Development

Adopt a communitywide plan that includes a comprehensive programmatic and policy approach to shift the community towards alternative fuels and renewable energy sources

Although applicants may submit a stand-alone energy supply plan, STAR recognizes that many communities include energy supply planning in their climate action plans. Applicants can therefore submit a section(s) of a communitywide plan that addresses both alternative fuels in transportation and renewable energy sources. Submissions should include an inventory of information about vehicles in the community as well as the renewable portfolio standard (RPS) for the local or regional utility.

For verification, provide the plan title; year adopted; a link to or copy of the plan; and a brief description of how the intent of this action is met.

Action 2:

Policy and Code Adjustment

Utilize community choice aggregation, community shared solar, or community wind to procure renewable energy supplies

Jurisdictions and utilities may offer programs that allow residents to pool resources for enhancing renewable energy options in the community. Often these programs are voluntary or provide an option to not participate. This action is identified as a policy rather than a program because it requires enabling legislation and structured guidance for implementation.

There are 2 main types of programs:

- Community choice aggregation (CCA) allows cities and counties to combine the buying power of individual customers within their jurisdiction to purchase alternative energy supplies. Policies to allow CCAs are approved at a state level, but local governments must adopt and operate a program locally.



- Community shared solar or wind programs allow residents to buy or lease a portion of a shared alternative energy system. The share of electricity generated is credited to the customer as if the system was installed on their property. Policies for community shared alternative energy may be enacted by state governments, local governments, or utilities. If achievement is based on a state policy, applicants must show that residents within the jurisdiction are participating.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 3:

Policy and Code Adjustment

Remove regulatory restrictions on the development of residential and small business renewable energy installations

Because many zoning regulations predate the current market interest in renewable energy systems and alternative fueling stations, there are often unintentional restrictions or limitations to the development. Regulations may account for public safety, scientific evidence, and neighboring concerns, but must provide a defined and reasonable set of requirements for permitting.

The American Planning Association's Info Packet on [Planning and Zoning for Renewable Energy](#) is a good resource for reviewing and revising codes.

For credit, describe how regulatory restrictions have been deliberately removed or avoided to allow for residential and small business renewable energy installations or alternative fueling stations.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 4:

Partnerships and Collaboration

Establish partnerships between fleet managers, alternative fuel suppliers, and consumers to elevate alternative fuel options within the community

Local partnerships can help transportation stakeholders evaluate options and achieve goals around alternative fuels. Fleet managers from local governments and businesses benefit from discussions and presentations on best practices, innovative technologies, and related opportunities.

For example, [Clean Cities Coalitions](#) are regionally based entities that involve a public-private partnership to elevate alternative fuel options in communities. With support from the U.S. Department of Energy, these coalitions host education and outreach events and advocate for fuel efficiency improvements and idle reduction efforts. [EV Ready Broward](#) is an initiative championed by Florida Power and Light to encourage the implementation of electric transportation.



CLIMATE & ENERGY

CE-3: Greening the Energy Supply

For verification, provide the name of the group; year established; a link to or documentation of their work; and a brief description of how the intent of this action is met. Partnerships and Collaboration must be active at the time of submittal and be issue-focused, not special project-based.

Action 5:

Practice Improvements

Earn recognition as a solar-ready community

This action awards communities that have achieved recognition for laying the foundation for the adoption of solar energy and electric vehicles in the jurisdiction. Designations may be received from a national campaign, such as [SolSmart](#), or regional effort, such as the Mid-America Regional Council's [Solar Ready Community Recognition Program](#).

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 6:

Enforcement and Incentives

Create incentive programs to support the development of renewable infrastructure

Building consumer demand is critical to helping a community transition to renewable energy. Incentives are a great way to encourage residents and businesses to incorporate innovative energy strategies, such as small-scale solar or wind projects, into their buildings and sites.

For credit, the applicant must identify 3 of the following incentive options that are active locally:

- streamlined or expedited permitting procedures;
- permit fee waivers or reductions;
- identification of approved installers;
- local government or utility financial rebates;
- local education efforts related to state or federal incentives;
- local tax incentives; and/or
- other local incentive program(s) (specify).

For verification, provide the name of the enforcement or incentive; the year created; a link to or copy of the incentive(s) and/or enforcement(s); and a brief description of how the intent of this action is met.

Action 7:

Enforcement and Incentives

Use financial mechanisms to increase the mix of renewable energy sources supplied to residents

Communities may use a variety of financial mechanisms to increase the mix of renewable energy sources available to residents. A feed-in tariff is a policy mechanism designed to accelerate the transition to renewable



energy sources. Typically, it offers renewable energy providers a long-term contract for energy supplied at the cost of conventional energy production. While a feed-in tariff is a good incentive for the development of renewable energy, applicants may specify other financial mechanisms, such as a carbon tax or Property Assessed Clean Energy (PACE) program, for credit. If using a PACE program, renewable energy systems must be an allowed expenditure.

For verification, provide the name of the enforcement or incentive; the year created; a link to or copy of the incentive(s) and/or enforcement(s); and a brief description of how the intent of this action is met.

Action 8:

Programs and Services

Provide a net-metering program that encourages the development of residential and small business renewable energy sources

Net-metering is an important incentive for developing on-site renewable energy generation because it allows customers to offset their energy consumption costs. In cases where excess energy is generated, customers can supply that energy into the grid for additional savings. The Database of State Incentives for Renewables & Efficiency (DSIRE) provides information on existing state, county, and city regulatory policies.

For verification, provide the program name; year created; and a brief description of how the intent of this action is met.

Action 9:

Facility and Infrastructure Improvements

Install public-use alternative fueling stations

Types of alternative fueling stations that may be installed include biodiesel, compressed natural gas, electricity, ethanol, hydrogen, liquefied natural gas, and propane. Facilities may be owned by public or private entities. All stations must be open to the public year round and installed within 5 years of application submittal.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

Action 10:

Facility and Infrastructure Improvements

Build the necessary distribution or storage infrastructure to support further investment in renewable energy sources

Because utility-grade renewable energy production is often sited in remote locations and the source is largely intermittent or out of sync with consumption, distribution and storage for use are important and necessary infrastructure investments.

According to the International Renewable Energy Agency's Smart Grids and Renewables guide, development



of smart grid technologies integrated with renewable energy is an example of an infrastructure improvement that can expand distribution. Smart grids offer increased reliability and resiliency, flexibility, and efficiency from demand-side management.

Energy storage is a growing area of interest among researchers, utilities, and businesses. While the cost of advanced technologies may be prohibitive now, the potential that it offers for consistent energy supply and capture of renewable energy produced at peak sunlight or wind hours is promising.

For credit, submit a list of distribution or storage infrastructure built with the intent of expanding renewable energy sources for the community. Applicants may receive credit for pilot investments in smart grid distribution provided that the pilot is intended to garner further support for investments in renewable energy infrastructure.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

COMMUNITIES LEADING THE WAY

Cambridge, MA: The City adopted the Net Zero Action Plan in June 2015. The document is reviewed every 5 years to ensure Cambridge is on the trajectory to become a 'net zero community.'

Burlington, VT: Residences and businesses in the City of Burlington are eligible to receive tax credits for installation of renewable energy from the Renewable Energy Vermont Program.

Houston, TX: The City of Houston, with the support of federal grants and private partnerships, has installed hundreds of electric vehicle stations. These stations support private vehicles as well as the City's fleet of 50 electric vehicles.

ADDITIONAL RESOURCES

The Database of State Incentives for Renewables & Efficiency (DSIRE) provides information and models for incentive programs including net-metering policies.

Profiles in Regional Solar Planning: A Handbook and Resource Guide is a guide created by DOE and the National Association of Regional Councils to help regional and local governments play a key role in advancing the deployment of solar energy.

The Solar Energy Industries Association (SEIA) provides detailed information on issues and policies nationwide as well as insights to the rapidly developing solar market.



CLIMATE & ENERGY

CE-4: Energy Efficiency

15 available points

PURPOSE

Minimize energy use and demand in the residential, commercial, and industrial sectors as a means to increase energy efficiency in the community

EVALUATION MEASURES

According to the U.S. Energy Information Administration, the world's total primary energy consumption in 2012 was about 529 quadrillion British thermal units (Btu). Primary energy consumption in the United States was about 95 quadrillion Btu, equal to 18% of the world's total primary energy consumption. The population of the United States in 2012 was 314.1 million people, or 4.46% of the world's total human population.

The most recent figures released by the World Bank on the world's per capita energy use (not including wood stove or individual coal-based stoves), is approximately 1,900 kg of oil equivalent, or 75 million Btu per person. By comparison, the U.S. per capita energy use is approximately 6,900 kg of oil equivalent, or 273 million Btu (MMBtu) per person. Per capita energy use in the U.S. is over 72% greater per person than in the rest of the world.

There are several reasons for greater energy use in the U.S., including industrial development, quality of life expectations, reliable transmission of power, safety, and water quality. U.S. communities at the forefront of energy efficiency seek solutions that include technological and behavioral changes.

Energy use is applicable to many components of urban systems; Architecture 2030 reports that buildings consume nearly half of all the energy produced in the United States, or 47.6%. Process energy from the industrial sector comprises 24.4% and transportation accounts for 28.1%.

This objective focuses specifically on energy efficiency, or behaviors and technology that reduce energy use, in residential and commercial buildings and industrial processes. Strategies to address heat islands are included in this objective as a rise in localized temperature often leads to increases in energy use for cooling.

There are generally 2 strategies used to mitigate the effects of heat islands: increasing vegetative cover and increasing surface reflectivity. Vegetation and moisture-trapping soils utilize a relatively large proportion of absorbed radiation in the evapotranspiration process and release water vapor that contributes to cooling the air in their vicinity. Increasing surface reflectivity by applying surface treatments with higher albedo reduces radiation absorption and thus stored heat potential. These strategies also impact levels of tropospheric ozone, a major contributor to outdoor air quality and health issues.

Some specific examples of heat island mitigation strategies include:

- white roofs or cool roofs;
- light-colored street pavement or ground cover; and
- awnings and shade trees.

Some heat island mitigation strategies, such as street trees and green roofs, may also be applicable to NS-1: Green Infrastructure and HS-6: Hazard Mitigation.



Renewable or non-fossil energy sources should only be included in instances where synergies directly contribute to decreased energy by a user, such as solar hot water heating or geothermal heat pumps. Fuel use in vehicles, including fuel-efficient vehicles, is addressed in CE-3: Greening the Energy Supply and EJ-2: Green Market Development and should not be included in reporting on this objective.

Energy efficiencies in infrastructure, such as streetlights, combined heat and power (CHP), and water production/distribution/disposal, are addressed in CE-6: Local Government GHG & Resource Efficiency.

Community Level Outcomes

70% of points available through Outcomes

Outcome 1: Energy Use

7.5 Points

Part 1: Demonstrate incremental progress towards achieving an 80% reduction by 2050 in energy used by community buildings or industrial processes

--OR--

Part 2: Demonstrate incremental progress towards achieving an 80% reduction by 2050 in energy use within specific residential, commercial, and industrial sectors

[Partial credit available]

Local jurisdictions in the U.S. vary widely in terms of climate and population density. Comparing rates of energy efficiency or establishing a national threshold is not feasible. Since increased building and industrial process energy efficiency can lead to important reductions in greenhouse gas (GHG) emissions, this outcome is structured to measure reductions in energy use over time, similar to CE-2, Outcome 1: Communitywide Greenhouse Gas Emissions.

To evaluate this outcome, applicants must collect electric, natural gas, and propane energy consumption data for residential, commercial, and industrial buildings, over at least 2 points in time. Local utility providers will be the primary source of data. Data estimated based on the utility's service area with reasonable assumptions on the community's proportion may be submitted if data for the applicant's jurisdiction is not available.

Baseline Year Determines Slope of Linear Reductions Toward 2050 Target		
Baseline Year	Years to 2050	Reduction per Year
2000	50	1.60%
2005	45	1.78%
2010	40	2.00%

Ideally, the applicant will be able to supply all years of data from 2000 to present. However, if this is not possible, the baseline point in time selected must be between 2000 and 2010 and the most recent point in



CE-4: Energy Efficiency

time must be within 3 years of the community's application. The closer the baseline year is to 2010, the greater the percent reductions will need to be to demonstrate achievement, as shown in the table at right.

For credit in Part 1, demonstrate that all sectors (residential, commercial, and industrial), in aggregate, are progressing toward the long-term achievement of an 80% reduction by 2050. Use the STAR-provided Excel spreadsheet to convert values to MMBtu and graph progress against the threshold trend line. Data should be entered in MWh for electricity, therms for natural gas, and thousand gallons for propane. To convert natural gas data that is provided in thousand cubic feet (Mcf) to therms, divide value by 10.32.

Partial credit is available for reductions in energy use not directly on track to achieve an 80% reduction by 2050. See the Points Appendix for information regarding points awarded for partial credit.

For credit in Part 2, demonstrate that each specific sector (residential, commercial, and industrial) is progressing toward the long-term achievement of an 80% reduction by 2050. For the residential sector, assess the per capita energy use. For the commercial sector, assess the energy use intensity. Energy use intensity is measured as energy use per square foot per year.

$$\text{Energy use intensity} = \frac{\text{Building Energy Use (MMBtu)}}{\text{Building Square Footage (ft}^2\text{)}}$$

For the industrial sector, the most beneficial unit of measurement would be energy used per unit of production. However, the unit of production for each industrial building type could be difficult to gather, especially in larger jurisdictions. Therefore, if the unit of production is not available, applicants may submit industrial energy use as direct energy use or energy use intensity.

Local government facilities that are considered commercial or industrial may be included.

Often, local utilities will not be able to provide commercial and industrial data separately. If that is the case, then aggregate commercial and industrial data in the energy use intensity calculation. If it is provided separately, then report the commercial sector as energy use intensity and the industrial sector as either direct energy use or energy use intensity. Applicants who can supply this data by all individual sector types will receive bonus credit.

Use the STAR-provided Excel spreadsheet to convert values to MMBtu and graph progress against the threshold trend line. Partial credit is available for reductions in energy use per sector type and/or not directly on track to achieve an 80% reduction by 2050. See the Points Appendix for information regarding points awarded for partial credit.

For verification, report whether the community is on track to achieve 80% energy use reductions by 2050 as an aggregate and per specific sectors and submit the most recent figures for energy use. Upload the completed STAR-provided Excel spreadsheet.



Outcome 2: Heat Island Mitigation Distribution

3 Points

Option A: Demonstrate that 85% of the population lives within a reasonable distance from a heat island mitigation feature that provides 1 of the following functions:

- localized cooling through tree canopy cover, green roofs or green walls;
- white roofs or cool roofs; and/or
- light colored pavement or groundcover

--OR--

Option B: Demonstrate that the surface temperature of the community is no more than 5 degrees Fahrenheit higher than surrounding suburban or rural areas when measured on a summer and winter night.

Heat islands are present on a surface and in the local atmosphere. The impacts from heat islands include: increased energy consumption; elevated emissions of air pollutants and greenhouse gases; compromised human health and comfort; and impaired water quality. This outcome considers the distribution of heat island mitigation strategies throughout a community.

For credit in Option A, demonstrate that 85% of the population lives within a 1/3-mile circular buffer of urban heat island mitigation features. Land zoned for, and being used as, parkland, open space, or vegetated recreational areas may also be included.

Use ArcGIS to follow the basic steps below:

1. Identify the qualifying urban heat island mitigation locations. Other layers to include are the jurisdictional boundary, trails, Census blocks, and streets.
2. Identify a 1/3-mile circular buffer around the perimeter of the locations.
3. Identify the Census blocks that intersect with the service area. Clip to the service area and jurisdictional boundary.
4. For each intersecting Census block, calculate the percent difference in area between the original Census block and the service area boundary.
5. Calculate the population in the service area by multiplying the total population in the Census block by the percent difference in area. Summarize the new field.
6. Divide the summarized population by the total population in the jurisdiction and multiply by 100.

Applicants should submit the percentage of the population within a 1/3-mile circular buffer of urban heat island mitigation features.

For verification in Option A, submit the percentage of the population within 1/3-mile circular buffer of urban heat island mitigation features and upload a map clearly identifying each type of green infrastructure function. See the Mapping Appendix for standard mapping requirements.

For credit in Option B, the applicant must conduct air temperature measurements using transect studies or weather station networks. The submitted study or air temperature analysis must be conducted within 3 years prior to STAR application. Enough transects and stations must exist to provide statistically valid measurements of natural, low density residential, medium density residential, high density residential, and

**CE-4: Energy Efficiency**

commercial areas. The surrounding location should be rural or low density suburban. Measurements should be taken at about 5 feet above the ground and at night. If using a transect study, at least 2 measurements need to be taken, 1 in summer and 1 in winter, during non-windy nights. If more than 1 seasonal day measurement is taken, these may be averaged for the submittal.

For verification in Option B, submit the results of the study.

Local Actions

70% of points available through Actions

Action 1:

Plan Development

Adopt a strategic action plan to improve the energy efficiency of residential and commercial buildings and industrial processes in the community

Community energy plans and climate action plans are commonly adopted planning documents that address buildings and their resource consumption. A stand-alone plan or a section of a communitywide plan is acceptable. Plans must include specific sections or actions related to building energy. In addition, plans must address commercial and residential buildings. The inclusion of industrial sector processes is encouraged. A good resource for energy efficiency for industrial users is available from the DOE's [Better Plants](#) program.

For verification, provide the plan title; a link to or copy of the plan; the year adopted or last updated; and a brief description of how the submittal meets the intent of this action.

Action 2:

Policy and Code Adjustment

Adopt or upgrade building codes to ensure that new and renovated buildings are more energy efficient

Building codes set minimum requirements to ensure that new buildings, additions, and renovations are constructed using best practices for health, safety, and welfare. Energy codes are the part of the building code that set standards for energy conservation and efficiency in these buildings.

Most local governments adopt their energy codes based on model energy codes developed by expert councils, such as the [International Code Council](#) (ICC) or the [American Society of Heating, Refrigerating, and Air-Conditioning Engineers](#) (ASHRAE). The most commonly used model energy code is the ICC's [International Energy Conservation Code](#) (IECC). The IECC is updated on a 3-year cycle, with the most recent version being released in 2015. Most states have adopted some version of the IECC and have enacted legislation directing their local jurisdictions to either meet the same requirement or adopt more stringent codes.

Other commonly referenced building codes that more extensively address renewable energy and water efficiency include the ICC's [International Green Construction Code](#) (IGCC) and [ASHRAE Standard 189.1](#).



State-adopted building energy code information is available from [DOE's Building Energy Codes Program website](#) or the [Building Codes Assistance Project](#).

For credit, communities must locally adopt, at a minimum, the IECC-2015 or later, the IGCC-2012, and/or ASHRAE Standard 189.1-2011. Each of these must be adopted in their entirety with only minimal documented modifications and must apply to both residential and commercial sectors. Alternatively, communities may demonstrate how their local building code is equivalent to these model energy codes and, therefore, meets the intent.

Information on state-level adoption and some local adoption may be found on the Department of Energy's [Building Energy Codes Program](#) website.

For verification, provide the title and a link to or copy of the policy or code requirement; the year adopted or last updated; and a brief description of how the submittal meets the intent of this action.

Action 3:

Policy and Code Adjustment

Adopt an energy use information disclosure ordinance requiring energy users to disclose consumption levels.

Tracking consumption levels is the first step to achieving energy use reductions. Requiring the disclosure of data helps to ensure that energy reductions are occurring at the building or site scale. Adopted disclosure ordinances can address a specific sector, such as commercial, or a specific scale or type of building, such as those that are greater than 10,000 square feet.

Example ordinances are available from [Austin, TX](#); [Seattle, WA](#); and [Washington, DC](#).

For verification, provide the title and a link to or copy of the policy or code requirement; the year adopted or last updated; and a brief description of how the submittal meets the intent of this action.

Action 4:

Education and Outreach

Create an education and outreach campaign or challenge to engage residents in energy efficiency efforts.

The question of how to most effectively influence low-carbon and resource-efficient behavior is driving communities across the U.S. to experiment with innovative challenges and campaigns. This action focuses on education and outreach to the general public or residential sector.

For example, the [Baltimore Energy Challenge](#) includes a pledge for households to reduce energy use help the city achieve its goal of 15% reduction in greenhouse gas emissions by 2020. Communities can look to the EPA's [Climate Showcase Communities](#) initiative for ground-tested ideas. For effective messaging, review the work of George Mason University's [Center for Climate Change Communication](#).



CE-4: Energy Efficiency

For verification, provide a brief description of how your education and outreach campaign meets the intent of this action. Submittal must include a series of efforts designed to inform the public about the issue. If applicable, provide a link to or upload supporting materials.

Action 5:

Partnerships and Collaboration

Establish a committee to provide recommendations on policies related to energy efficiency in buildings OR integrate this role into the work of existing committees

Achieving energy efficiency in buildings requires the active participation of building occupants, owners, and managers. A formal committee can bring together diverse and important partners to ensure that local government regulations, incentives, and programs are realistic and effective.

Recommended committee members include local government leadership, facility maintenance staff, utility providers, finance department, construction managers, building inspectors, architects, engineers, nonprofit representatives, state and federal officials, and at-large community member representatives.

For verification, provide the name of the group; a link to or documentation of their work; year established; and a brief description of how the partnership meets the intent of this action. Note that all Partnerships and Collaboration actions must be active at time of submittal and be issue-focused, not special project-based.

Action 6:

Partnerships and Collaboration

Partner with organizations to encourage the collection and reporting of energy use data from the commercial and industrial sectors

Tracking data on energy use over time helps industries understand their use patterns and manage resources more wisely. There are a number of voluntary reporting programs that can help industries track energy use and provide informative reports, such as EPA's [ENERGY STAR program](#) or the DOE's [Better Buildings Program](#) or [Better Buildings Better Plants Program](#). Additionally, non-governmental entities, such as the [Global Reporting Initiative](#) and the [Carbon Disclosure Project](#), offer templates for standardized reporting of facility data.

Local government can play a role in promoting the collection and reporting of energy use data by partnering with such organizations and local industries to convene trainings or share best practices for collection and reporting facility data.

For credit, the applicant needs to demonstrate a programmatic effort toward partnership that goes beyond members of the commercial or industrial sector participating in reporting programs.

For verification, provide the name of the group; a link to or documentation of their work; year established; and a brief description of how the partnership meets the intent of this action. Note that all Partnerships and Collaboration actions must be active at time of submittal and be issue-focused, not special project-based.



Action 7:

Programs and Services

Develop a heat island mitigation program

Given the localized nature of the urban heat island effect, mitigation activities need to be dispersed throughout a jurisdiction to be effective. There are several strategies that may provide cooling benefits, including cool roof and cool pavement programs. While some green infrastructure strategies, such as increasing vegetation or tree coverage, do address urban heat islands, this action must focus on surface treatments to buildings, pavement, and other built infrastructure. Green roof programs are eligible for credit.

The Global Cool Cities Alliance has a [Cool Roofs and Pavement Toolkit](#) that includes an informative primer and implementation guide as well as a knowledge base of programs and resources.

For verification, provide the name and a brief description of the program or service; and the year created or implemented.

Action 8:

Enforcement and Incentives

Create incentives to encourage the new construction of energy efficient buildings

Local governments can support a variety of incentives for green or energy efficient buildings. Examples include property tax incentives, expedited permitting, grants, loans, bonus density, permit fee reduction, and rebates. The [DSIRE website](#) is a useful resource for finding energy incentive programs by state.

For verification, provide a link to or copy of the incentive(s); a brief description of how the incentive meets the intent of this action; and the year created or implemented. Note that the incentive(s) must be available at the time of application.

Action 9:

Enforcement and Incentives

Create incentives for businesses, lessors, homeowners, and renters to improve the energy efficiency of their existing buildings and homes

Home energy audits, rebate programs, technical assistance, and loans have become common practices across the United States. For example, Denver's [Energy Challenge](#) offers a one-stop shop for residents who are looking to improve the energy efficiency of their homes. Seattle's [Community Power Works](#) program provides incentives and partners with financial institutions to provide low interest loans to participants. The [DSIRE website](#) is a good source of incentive program information.

Note that this action may not include DOE- or state-funded Weatherization Assistance Programs (WAP).

For verification, provide the program name; a brief description of the program or service; and the year created or implemented.



CE-4: Energy Efficiency

Action 10:

Programs and Services

Create a local program to specifically help low-income households reduce energy-related burdens

According to a 2015 [report](#) by ACEEE, an overwhelming majority of low-income households experience higher energy burdens than the average household in the same city. Weatherization Assistance Programs, funded by the DOE through state energy offices, provide essential energy efficiency services to a number of low income families throughout the U.S.

Cities and counties with such programs servicing their area can leverage these opportunities through partnering or integrating with Neighborhood Stabilization Programs or other housing improvement programs. Cities or counties without weatherization programs can still incorporate guidance into existing low-income programs that improve energy efficiency results.

Note that this action may not include DOE-funded or state-funded Weatherization Assistance Programs (WAP) that are not leveraged or enhanced outside of their existing program constraints. Services offered may be free or low-cost, but they must clearly be serving low-income households in the jurisdiction.

For verification, provide the program name; a brief description of the program or service; and the year created or implemented.

Action 11:

Programs and Services

Work with the local utilities to implement energy commissioning programs throughout the community

Local utilities can play a significant role in increasing information and knowledge about direct energy use in a community's building stock.

Commissioning (Cx) programs offer opportunities for owners in the commercial or industrial sectors to ensure facilities are operating efficiently for existing use. Commissioning programs may be designed to address post-occupancy commissioning, retro-commissioning of existing buildings, or continuous commissioning. In addition to addressing energy efficiency issues, these programs will address ventilation and occupant comfort issues.

ACEEE provides a database of [utility policies and programs](#) and [commissioning/retro-commissioning programs](#) in the U.S.. The [DSIRE website](#) is another good source of energy program information.

For verification, provide the program name; a brief description of the program or service; and the year created or implemented.



COMMUNITIES LEADING THE WAY

Baltimore, MD: The [Baltimore Energy Challenge Energy Efficiency](#) program helps residents save money and energy by providing free in home installation of items, as well as valuable behavior change education that helps advance savings. These savings help advance the city to achieving its outcome goal of 80% energy intensity reduction by 2050.

Boise, ID: The Geothermal Connection Incentive was created for properties adjacent to the existing geothermal distribution system. If only a service line needs to be added, the first twelve months of service after connection will be at no cost, for up to 150% of the estimated volume. This incentive is important because it allows connection of additional buildings without the need to construct or maintain additional line. The Central Addition LIV District is the City of Boise's first EcoDistrict, located in downtown Boise. Limited pumping rights dictate the growth of the geothermal system.

Fayetteville, AR: The [Arkansas Industrial Clearinghouse](#) promotes energy efficiency development in manufacturing plants through energy assessments, establishing energy management programs, and other technical support.

Houston, TX: The City of Houston's [Green Office Challenge](#) encourages participants at all levels of influence, from office employees to major property owners and managers, to improve the environmental performance of buildings in Houston. Through this program, the participants managed to collectively reduce energy usage by 28 million kilowatt hours, reduce water usage by 74 million gallons, divert 40% of waste from landfills by recycling, create office Green Teams to manage environmental initiatives and educate staff, provide more bike parking, and increase electronic circulation of documents to decrease paper use and waste. This program encouraged many businesses to take into account and decrease their environmental impact.

Raleigh, NC: The Sustainable Home Raleigh workshop introduces ideas and actions Raleigh residents can implement immediately using low-cost, easy-to-use techniques to save energy and reduce utility bills. The community-focused, education-driven program is administered through the City of Raleigh Office of Sustainability and is available to homeowners and renters. The 1-hour presentation includes demonstrations, tips and information on weatherization, energy efficiency, green cleaning, water conservation, recycling and landscaping. Each household also receives a Sustainable Home starter bag of tools they can use around the home to begin conserving energy and water.

ADDITIONAL RESOURCES

The LEED rating systems are available at the [USGBC](#) website. In this [white paper](#), USGBC describes common structural and financial incentives and financing mechanisms that U.S. local governments are using to encourage green building construction and provides examples of communities that have implemented them. Additionally, USGBC's [Green Buildings for Cool Cities: A Guide for Advancing Local Green Building Policies](#) may be helpful to advance a green building policy in the community.

DOE's [State and Local Solutions Center](#) provides resources on building codes and inspections.



ICLEI USA's [Green Business Challenge](#) engages local businesses and commercial property managers in a competition to save money, energy, water, and waste, improving their business's environmental performance and helping local governments reach their energy and climate goals.

National League of Cities' (NLC) [Sustainable Cities Institute](#) provides a range of resources on sustainable buildings, including model policies, legislation and RFPs, case studies, marketing tools, and classes for specific techniques for green construction.

The [website](#) for DOE's Advanced Manufacturing Office offers a wide range of guides and tools that help manufacturers and other industrial operators across the supply chain conserve energy and reduce costs.

The [Alliance to Save Energy](#) has a resource page dedicated to the industrial sector that provides an excellent overview of the sector, policies to support energy efficiency and programs that support industrial energy efficiency.

The World Resources Institute released [Accelerating Building Efficiency: Eight Actions for Urban Leaders](#) in spring 2016 to provide local governments and other urban leaders in cities around the world with background, guidance, and tools to accelerate building efficiency action in their communities.



CLIMATE & ENERGY

CE-6: Local Government GHG & Resource Footprint

15 available points

PURPOSE

Lead by example by reducing local government greenhouse gas emissions and minimizing energy and water use in local government facilities and specified local infrastructure

EVALUATION MEASURES

Most of the objectives in the STAR Community Rating System focus on outcomes and actions that impact the community as a whole. STAR was designed intentionally to focus on how the community works as a system to address areas such as climate, energy, equity, natural systems, and the built environment.

However, many local governments measure and manage resources internally to both demonstrate environmental leadership and efficiently manage limited funding pools. This objective is unique in that the scale focuses on the facilities and internal operations of the local government as it relates to greenhouse gas emissions, energy efficiency, and water conservation.

Community Level Outcomes

100% of points available through Outcomes

Outcome 1: Local Government Greenhouse Gas Emissions

7 Points

Demonstrate incremental progress towards achieving a 28% reduction by 2025 and/or an 80% reduction by 2050 in local government greenhouse gas (GHG) emissions [partial credit available]

The Kyoto Protocol development process established the long-term target of reducing by 80% the GHG emissions of all industrialized countries by 2050. Although the U.S. was not a participant in the Kyoto Protocol, over 1,000 mayors across the country were signatories to the U.S. Conference of Mayors' Climate Protection Agreement, committing to meet or exceed the Kyoto targets. While a potentially more aggressive target, its long term nature did not lead to the immediate actions necessary to reduce GHG emissions.

In 2015, leaders and delegates from 195 world nations formulated a global agreement on the reduction of climate change at the 2015 Paris Climate Conference. The final agreement outlines various measures that need to be implemented to limit the rise in average global temperature to well below 2°C, ideally at below 1.5°C. At the summit, the U.S. committed to reducing its greenhouse gas emissions by up to 28% below 2005 levels by 2025.

Therefore, STAR adopts a dual target of 28% reduction below 2005 levels by 2025 and 80% below 2000 levels by 2050. Communities that can demonstrate incremental progress toward either of these targets will receive some credit. Ideally, the data collection interval for greenhouse gas inventories should be between 1 and 5 years.

The closer to the target year that the baseline year is, the greater percent of reductions the applicant will



CE-6: Local Government GHG & Resource Footprint

need to demonstrate, as shown in the table below:

Baseline Year Determines Slope of Linear Reductions Toward the Target				
Baseline Year	Years to 2025	Reduction per year	Years to 2050	Reduction per year
2000	25	1.12%	50	1.60%
2005	20	1.40%	45	1.78%
2010	15	1.87%	40	2.00%

For this outcome, applicants are required to assess GHG emissions from operations of local government owned and/or managed buildings and infrastructure. There are several methods to assess local government GHG emissions; STAR recommends the Local Government Operations Protocol. At a minimum, the applicant must report on Scope 1 and 2 emissions. Bonus credit is available for reporting on Scope 3 emissions.

Applicants may receive partial credit for reductions that are not directly on track to achieve the target reduction. See Points Appendix for information regarding points awarded for partial credit.

For verification, provide the most recent measure of greenhouse gas emissions and upload a completed STAR-provided Excel spreadsheet showing the threshold level met.

This outcome is similar to CE-2: Greenhouse Gas Mitigation, Outcome 1: Communitywide Greenhouse Gas Emissions, except that applicants are required to assess GHG emissions of local governmental facilities and operations.

Outcome 2: Local Government Energy Efficiency

3.5 Points

Part 1: Demonstrate local government building stock energy use intensity is below the regional aggregated energy use intensity per building type [Partial credit available]

--AND--

Part 2: Demonstrate a 10% decrease in local government-owned public infrastructure energy use [Partial credit available]

In 2015, the U.S. Energy Information Administration released the 2012 Commercial Buildings Energy Consumption Survey. The 2012 CBECS collected building characteristics data from more than 6,700 U.S. commercial buildings to identify national trends related to energy use by building type.

Part 1 of this outcome is based on thresholds established by common local government building types published in the CBECS. The thresholds were adjusted based on factors such as variations in energy needs based on region and climate type.

For Part 1, applicants need to benchmark energy use intensity for the local government building stock based



CE-6: Local Government GHG & Resource Footprint

on the [CBECS Building Type Categories](#). All facilities greater than 1,000 SF must be included in this inventory. For each building owned and/or operated by the local government, select 1 of the following building types:

- education (schools, training centers, etc.)
- food (service or retail)
- healthcare (in-patient or out-patient clinics, nursing homes, etc.)
- office (city hall, departmental offices, etc.)
- other (any facility not fitting within the defined categories or qualifying for Part 2)
- public assembly (courthouses, recreation centers, libraries, etc.)
- public order and safety (police and fire stations, jails, safety training facilities, etc.)
- service (vehicle maintenance facilities, parking garages, etc.)
- vacant (buildings not occupied, but owned/operated by local government)
- warehouse (storage facilities, distribution centers, etc.)

If a building provides functions for more than 1 building type, the applicant may assign partial use to more than 1 category provided the associated square footage and energy use for each type is known. If not known, then select the primary or dominant use of the facility. For instance, a fire station may also house the offices of the local fire department. If the amount of square footage and/or energy use for each type is unknown, assign it "public order and safety".

Once the labeling is complete, sum the annual energy used (kBtu) and square footage for each building type. Facility managers should be able to provide the data needed for this outcome. Many communities collect data on their facilities and enter it into tools like [ENERGY STAR Portfolio Manager](#).

Use the STAR-provided Excel spreadsheet to identify the number of each facility type, total square feet, and energy used. The formulas in the spreadsheet will calculate the energy use intensity (EUI in kBtu/SF) for each building type and compare it to the Census Division/Climate Zone EUI.

Full credit in Part 1 is available for demonstrating threshold achievement in each building type category that applies to the jurisdiction. Partial credit will be awarded for achievement in 1 or more building type category. See the Points Appendix for information regarding points awarded for partial credit.

For Part 2, applicants must document energy use for local government-owned and/or managed public infrastructure that is not included as a CBECS Building Type. STAR has established 8 categories of this type of infrastructure, including:

- ports;
- power plants;
- public transit systems (not stations);
- solid waste or recycling facilities;
- stormwater facilities, such as pump stations;
- street lights and traffic signals;
- wastewater facilities; and
- water delivery facilities.

There are no known publicly available sources for measuring energy use intensity in these types of local government facilities. Therefore, the applicant must show progress resulting in 10% or greater reduction per



type between a baseline year and current reporting year no more than 5 years apart.

For credit in Part 2, use the STAR-provided Excel spreadsheet to summarize annual energy use. Applicants may supply the number of facilities or components for each public infrastructure category, but this is not required. Supply energy use in MMBtu for each category for the baseline year and most recent reporting year. If an infrastructure type is not owned and/or operated by the local government, leave this row blank in the spreadsheet.

Full credit in Part 2 is available for demonstrating a 10% or greater reduction in all infrastructure types. Partial credit will be awarded for achievement in 1 or more infrastructure type. See the Points Appendix for information regarding points awarded for partial credit.

Partial credit may also be earned for achievements in either Part 1 or Part 2.

For verification, report the number of building type categories achieving the threshold (Part 1) and the number of public infrastructure categories achieving the threshold (Part 2). Upload a completed STAR-provided Excel spreadsheet demonstrating achievement.

Outcome 3: Local Government Water Conservation

3.5 Points

Demonstrate a 10% decrease in local government-owned public infrastructure water use [Partial credit available]

Local governments can demonstrate best practices related to water conservation by reducing their demand in buildings, parks, power plants, and treatment facilities. The Federal Energy Management Program (FEMP) worked with the EPA to develop 11 water efficiency best management practices (BMPs). While these BMPs are intended for federal facilities, much of the guidance applies to local governments as well.

Some examples of water conservation BMPs include:

- system audits, leak detection, and repair;
- using native and other climate-appropriate plant materials to reduce water needs;
- installing efficient irrigation systems that uniformly distribute water;
- recirculation of system water; and
- use of non-potable water from alternative water sources, such as harvested rainwater, onsite stormwater or wastewater, and graywater.

In addition, the EPA's WaterSense at Work manual offers guidance, case studies, and tools for water management planning.

For credit, applicants must assess the water use by local government-owned and/or managed public infrastructure and show progress resulting in 10% or greater reduction per type between a baseline year and current reporting year no more than 5 years apart. The current reporting year must be within 3 years of STAR application submission date (i.e. if submitted in 2017, then current reporting year must be 2014, 2015, or 2016).



CE-6: Local Government GHG & Resource Footprint

Water use is not an intensity measure for this outcome. STAR has identified 9 types of public infrastructure that typically utilize the most water. These include:

- facilities with cooling towers;
- facilities with >50,000 SF conditioned space;
- facilities with steam boilers;
- facilities with single-pass cooling systems;
- irrigation systems (for roadways, parks, and/or recreation areas);
- ornamental water features;
- pools and spas;
- ice rinks and ski areas;
- vehicle maintenance facilities; and
- any infrastructure with annual water use of 100,000 gallons or more.

For full credit, demonstrate a 10% or greater reduction in all categories. Partial credit will be awarded for achievement in 1 or more categories. See the Points Appendix for information regarding points awarded for partial credit.

Use the STAR-provided Excel spreadsheet to summarize annual water use in each category. Some facilities may be counted more than once if they fall into more than 1 category. Applicants may supply the number of facilities or components for each public infrastructure category, but this is not required. Supply water use in gallons for each category for the Baseline Year and Most Recent Reporting Year.

For verification, report the number of categories achieving the threshold. Upload a completed STAR-provided Excel spreadsheet demonstrating achievement.

Local Actions

70% of points available through Actions

Action 1:

Inventory, Assessment or Survey

Conduct a local government Greenhouse Gas Inventory at least every 5 years

Local government GHG inventories are important tools for tracking internal progress towards reducing emissions from local government sources. Most local government inventories are conducted in 1-, 3-, or 5-year increments and include Scope 1 emissions and Scope 2 emissions. More advanced efforts also include Scope 3 emissions, such as waste-related sources and employee commuting, and are verified by a third-party to ensure data is complete, credible, and accurate.

For credit, the applicant must demonstrate that a local government GHG inventory has been conducted every 5 years and includes at least Scope 1 and 2 emissions. Note if inventory includes Scope 3 emissions and/or was verified by a third-party.

For verification, provide the title; year published; a link to or copy of the study; and a brief description of



how the intent of this action is met.

Action 2:

Inventory, Assessment or Survey

Benchmark local government building and infrastructure energy use annually

Energy benchmarking is a useful means for tracking a building's energy use and making comparisons to similar buildings nationwide. Not only can this process provide feedback on installed energy efficiency measures, it can allow facility managers to better manage resources and identify targeted strategies for poor energy performance. Such efforts involve gathering usage data from billing records or metered properties and tracking the use annually or in monthly increments which can then be aggregated to an annual usage per building.

ENERGY STAR Portfolio Manager is a popular, free tool that is easy to use and allows users to compare certain building types to the entire inventory of entries. It also allows for weather-related adjustments based on heating and cooling degree days (HDD and CDD).

For verification, provide the title; year published; a link to or copy of the study; and a brief description of how the intent of this action is met.

Action 3:

Inventory, Assessment or Survey

Establish a water use baseline for local government facilities and infrastructure and conduct a regular review of water use data against the baseline.

A water use baseline is a real or estimated measure of the water used by a facility based on the equipment present. Ideally, a baseline is conducted in monthly increments, to show seasonal fluctuations in use, and then aggregated annually for comparison over time. Once the baseline is established, water conservation and efficiency efforts can be managed and measured. Water savings generally fall into 3 categories: reducing leaks, installing water-conserving fixtures, and improving behavioral changes.

For credit, the applicant must provide a water use baseline for local government facilities and infrastructure accounting for over 50% of the water budget and provide the most recent annual review of water use data.

For verification, provide the title; year published; a link to or copy of the study; and a brief description of how the intent of this action is met.



Action 4:

Plan Development

Develop a local government sustainability action plan that includes strategies related to greenhouse gas emission mitigation, energy efficiency, and water conservation

Local government sustainability plans tend to be action oriented and focused on internal operations and practices that lead to reductions in greenhouse gas emissions, energy, and water. It may be a stand-alone plan or incorporated into a broader communitywide sustainability plan or the comprehensive plan, but it must indicate strategies specific to local government facilities and infrastructure.

For verification, provide the plan title; year adopted; a link to or copy of the plan; and a brief description of how the intent of this action is met.

Action 5:

Policy and Code Adjustment

Create a policy to ensure that the local government's energy supplies increasingly come from renewable sources

There are many benefits to purchasing energy supplies from renewable sources, including:

- reduced environmental impacts;
- as a hedge against electricity price volatility, fuel supply disruptions, and additional environmental regulations;
- meeting community environmental objectives;
- demonstrate civic leadership;
- generating positive publicity;
- improving employee morale;
- stimulating economies; and
- reducing infrastructure vulnerabilities.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 6:

Policy and Code Adjustment

Adopt alternative fuel guidelines and/or targets for locally owned facilities and vehicles

This action will most likely apply to a local government's fleet of vehicles, but may include fuel-based facilities, such as those that are operated with propane or natural gas. Establishing alternative fuel targets for powering facilities and vehicles may also address outdoor air quality issues. The policy may either be the setting of a fuel target, guidance included with environmentally preferred procurement, or steps to reduce fossil-fuel sources, such as replacement of fleet vehicles with non-motorized options. In all cases, the policy must be



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written as a practice change, not an incentive or encouragement.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 7:

Practice Improvements

Require that public infrastructure and facility managers consider energy and water consumption implications for new or upgraded infrastructure investments

The best time to consider conservation measures is before infrastructure is designed or upgraded. By incorporating sustainability practices from the beginning, many unintended consequences can be addressed, reducing the environmental impacts and costs of retrofitting.

The Institute for Sustainable Infrastructure's (ISI) [Envision](#) rating system helps public infrastructure managers and engineers understand how their systems integrate with the community's sustainability goals. This results in new and upgraded infrastructure that minimizes the use of energy and water. The rating system can be accessed for free by creating an account. Applicants should focus on the climate and energy section.

Applicants may also use local government LEED requirements or environmentally-preferred purchasing policies as long as they apply to both buildings and infrastructure, such as wastewater treatment facilities, and include both energy or water requirements.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 8:

Practice Improvements

Publish local government energy benchmarking reports at least every 3 years or maintain a web-based interface that provides local government energy data to the public

Whereas Action 2 of this objective calls for energy benchmarking to be conducted internally by a local government, this action requires that such information be released to the public on a regular basis. Data may either be released via a standard report that analyzes trends over time or through a web-based interface with dynamic features.

For example, Seattle, WA, produces [reports](#) for its 650 city-owned buildings, analyzing overall energy performance as well as detailed performance by building type. Washington, DC, benchmarks local government building energy use through real time, continuous reporting. They developed [BuildSmart DC](#), an interactive website, that provides details on energy use intensity, annual energy cost, and GHG emissions.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.



Action 9:

Practice Improvements

Develop or financially support infrastructure operators' participation in training programs on energy and water efficiency techniques

Facility managers and infrastructure operators include a wide field of public sector employees involved in the management of physical assets in a community, such as buildings, roads, street lights, and water and sewer facilities and lines. Their work can have a direct impact on the energy or water efficiency of an infrastructure system in the community. Training programs ensure that operators are current on new technologies, processes, products, and design standards.

The International Facility Management Association (IFMA) has developed a [Sustainability Facility Professional Credential](#) that provides specialized knowledge and practices related to facility management practices.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 10:

Facility and Infrastructure Improvements

Make retrofits and upgrades to local government buildings and/or infrastructure systems that will increase energy and water efficiency

Regular improvements and upgrades to public infrastructure should be a component of the capital improvements program or done via performance contracting.

[Energy Performance Contracts](#) provide an opportunity for local governments to conduct an industrial-grade energy audit of their building stock and infrastructure and develop strategies to finance energy conservation measures. Cost savings from actions with short returns on investment are used to fund larger efforts. [Energy Service Companies \(ESCOs\)](#) can help local governments perform an assessment, manage the work, conduct annual measurement and verification, and often guarantee the savings produced will be sufficient to maintain budget neutrality.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

Action 11:

Facility and Infrastructure Improvements

Increase sub-metering from specific infrastructure systems to collect better information on energy and water use

Advanced metering technologies help building and facilities managers gather detailed energy and water use information for specific equipment within local government buildings and the public infrastructure system. This information can be used to detect problems, enhance retrofit strategies, and support implementation



of more efficient building and facility design.

For credit, specific equipment must be sub-metered, not the facility as a whole.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

COMMUNITIES LEADING THE WAY

Cambridge, MA: Since adopting the [Green Fleet Vehicle Purchasing Policy](#) in 2006, the City of Cambridge has transformed a third of its fleet to hybrid or electric vehicles.

Northampton, MA: Significant [energy efficiency renovations](#) have been conducted on the City's municipal buildings and schools. A \$6.5 million bond, which will be paid back through energy savings, was used as part of an energy performance contract.

Raleigh, NC: The [Roadmap to Raleigh's Energy Future](#) serves as a guide for local government operations with a focus on minimizing carbon-related emissions, maximize the energy and operational efficiency of existing and new municipally-owned fleet, facilities and equipment. It also considers life-cycle costs and renewable energy opportunities.

ADDITIONAL RESOURCES

[C40](#) is a network of the world's megacities committed to addressing climate change. C40 supports cities to collaborate effectively, share knowledge, and drive meaningful, measurable, and sustainable action on climate change.

[CDP](#) is an annual survey to collect data on climate adaptation, greenhouse gases, and energy and water use from institutional investors, companies, and local governments. This data is can be searched by [individual reports](#) and via an [open data portal](#).

The American Public Works Association's [Curriculum Sustainability](#) provides training, case studies, and tools for local government managers.

The [American Water Works Association](#) has a number of tools and resources on sustainable water utilities, including access to purchase guidebooks like *Water Conservation for Small and Medium-Sized Utilities* and *Triple Bottom Line Reporting of Sustainable Water Utility Performance*.

University of Minnesota's [Technical Assistance Program](#) works with Publicly Owned Treatment Works (POTWs) and other operators to increase energy efficiency. The site provides information on reducing water loads to improve energy efficiency at POTW plants and save money.

Energy Action Plan – Open-ended Survey Questions Responses

Question 1. Please rate your level of agreement or disagreement with the following statements. The suggested targets below match the global goals set during the 1992 Kyoto agreements and the 2015 Paris Agreements.

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

Question 2. Provide any additional feedback on question 1 here:

1. Even if we don't meet these, reducing is essential.
2. Thank you for thinking of our planet
3. There should be discussion on how waste and recycling collection affects GHG emissions and identify priorities between reducing emissions and expanding the number of waste vehicles needed.
4. Any goals which are set should be attainable by reasonable means. No unrealistic goals
5. Enforce "no idling" policy for city vehicles.
6. Difficult to know if those are realistic expectations
7. I'm for good air but we could be spending a lot of money on something that scientists can't even agree with.
8. Poor use of municipal government tax money.
9. Trees should be considered part of the infrastructure as any other utility or stormwater features are considered.
10. The quicker the better!
11. Really tough to answer without understanding cost.
12. Reducing greenhouse gas emissions will provide a higher quality of life for the residents of Fayetteville. It will also help with the increasing efficiency of electricity use in the city by mitigating losses in the electric grid within the city. Using such examples and raising awareness will help the city achieve it's 2050 goal.
13. Ambitious goals but I like it.
14. I like the reduction numbers, maybe aim higher?
15. More public transportation needed.
16. "We need to reduce co2 as much as we possibly can.
17. We can use trees to sequester carbon. Let's reduce burning as much as possible and create low cost housing for families within walking distance of large employers."
18. Such an important issue for the future of our country and globe.
19. This is the most important issue of our time.
20. We need to catch up on the amount of carelessness and pollution that we've already caused and fix it.
21. Public private solar grid partnerships and alternative transportation (monorail).
22. Are the percentages really doable? Too ambitious?
23. We should do everything we can to reduce greenhouse emissions as quickly as possible.
24. This is why I love living in Fayetteville!
25. I believe that things are ok but if this town reduce its green house gases what is the impact it will have

26. What's the wait!?
27. Yes I am pro destroying small biz through over regulation keep pushing big biz good job
28. Please don't reduce standards in public housing/government housing. Some of the outlets don't even work to charge laptops in the public housing.
29. Answering this question depends on the realities of the time.
30. This can be done at little or no cost with global foundations and green tech start up who would do the installation and operation as a test of their services.
31. Having a purported noble goal is only a "feel good" gesture when practically as much benefit can be derived by educating the public to not waste resources, to further develop efficient/cost-effective public transportation with practical goals (not fanfare), to incorporate other "clean energy" sources incrementally AND cost-effectively over time, not simply idealistically, AND to encourage all citizens to support a worldwide equally shared responsibility for reducing harmful emissions instead of allowing China, India, and perhaps other nations to escape and continue to pollute much more than the USA while our economy bears an unfair burden subsidizing the bad actors.
32. Fayetteville should try to reduce greenhouse gas by as much as we possibly can. We are a great town that could help lead the rest of the country to making better, smarter choices.
33. It's hard to say I agree without cost of implementation.
34. Investing in clean energy positions our city for the future.
35. The City of Fayetteville could and should go even farther than these goals. The plummeting costs of rooftop solar, storage, and energy efficiency make this the smart thing to do.
36. Ambitious Goals!
37. This will not reverse global warming. Carbon emissions make up a fraction of percentage of correlation to temperature change. The earth heats & cools. Blaming capitalism, which lifts people out of poverty and provides opportunity, is a short-sided, nonfat-based approach.
38. I'm proud of our city!
39. Conduct talks w/ other area city's to follow our example regarding residential efficiency... 2009 IECC...
40. I would like Fayetteville to take the leadership role in the state of Arkansas.
41. Keep goals cost effective for tax dollar outlays. Electric cars are cost effective alternative now. Solar panels still expensive. One small wind farm might be cost effective. Recycling a good proposal but you need to bend on the recycling at curbside with two small containers. Single stream more cost effective.
42. I fully support hard reductions in greenhouse emissions.
43. The questions are very broad. More should come into account with determining answers: economical impact, cost, how reductions are made, etc.
44. Fayetteville should try to reduce emissions much faster; why not imitate Aspen?
45. The City should create its own municipal utility to control energy generation sources and retain those dollars in our community.
46. This needs to be done without spending more money than we spend now.
47. Purchase electric vehicles. Especially for parking meter readers. Plant street trees. Why no trees in the new work on College Ave? Stop allowing city vehicles to sit and idle endlessly. Install more plug-in stations for electric cars. Do the simple stuff.

48. The questions are phrased to get a pre-determined answer to support the Energy Action Plan. Something this complex can't be reduced to such a simple question.
49. 80% greenhouse gas reduction is deep decarbonization. This will only be possible if nuclear power substantially replaces fossil fuels for electricity, as well as generating carbon-neutral liquid fuels for the transportation sector. It has been shown that "renewables" of wind and solar cannot provide more than 20-30% of grid electricity without massive grid integration costs and problems. Plus, solar and wind cannot address other energy sectors of transportation and industrial process. Direct investment in solar/wind by the City would be, I believe, a misallocation of resources that would be better applied elsewhere. The City should in the meantime support a public education campaign about the positive climate-mitigation properties of zero-emission nuclear power. See the Nuclear Energy Institute www.nei.org for sample public service announcement content.
50. Economic development and sustainability are quite compatible.
51. These are ambitious but worthwhile goals. The need for reduction of greenhouse gasses (and consequences for failing to do so) has been very clearly articulated by the scientific community.
52. I don't think the reduction will be linear. Hopefully technologies will drive reduction over time, but 40% by 2030 is a pretty high bar
53. Intelligence trumps ignorance
54. "The more the better but not sure what percent makes sense"
55. Nothing could be more important! We need leadership to preserve our species!

Question 3. Please rate your level of agreement or disagreement with the following statements:

- ***Fayetteville should strive to reduce overall energy use in our buildings.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***The City should periodically assess the feasibility of updating our building energy codes.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***The City should strive to maintain our urban tree canopy.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree

Question 4. Provide any additional feedback on question 3 here:

1. Please try to plant trees with less allergy causing pollen.
2. As long as it doesn't get ridiculous. Trees that are planted under power lines or blocking view for traffic doesn't make sense to me
3. Don't make energy codes so strict that they go other places to open their businesses.
4. Please provide more protection for the tree canopy from developments.
5. Nature and it's processes and features function to sustain itself. We should have as many public reminders of how we should adhere to similar patterns. Urban tree canopies are great on many levels.
6. The city allowed Brittenum to remove an entire grove of trees along Zion Road and replace them with saplings that will not be a canopy of any sort in my lifetime.
7. Too many trees are being cut down in the name of "progress". Surely this must be a better way!
8. All of the above will help maintain and reinforce the achievement of these goals.

9. Urban tree canopy is essential to maintaining the uniqueness and health of this city.
10. As possible, it would be good to help the general populace plant trees on their property. The tree preservation ordinance is a good step but it is very complicated to work with.
11. Would love to see more edible public gardens. Trees are great but is there a way to build the whole Ecosystem
12. Trees will help with the city heat reduction too.
13. Keeping our green space is vital!
14. Let's increase our canopy as much as possible. Urban air quality is important
15. We should use native trees as much as possible.
16. City should look at both sides of the equations. Meaning at what costs. Costs could come in terms of economic costs, costs to resources, etc. It should be balanced in terms of practicality, that any such action will not hurt businesses, economic development, and the other side of the equation.
17. Our tree canopy is a major reason why I bought my house. I fear it is in danger at being chipped away by new development, especially in older parts of town.
18. I really appreciate the tree give away in the fall.
19. I love our tree ordinance. Just saw a Casey's in Berryville. Not a tree or shrub on site. Same for Walgreens in MS-nothing but a little grass and pavement.
20. City facilities should make use of passive solar and energy efficiency,
21. Blurred vision?
22. And increase tree canopy.
23. Trees yes more trees
24. Seattle felt like a dead town because of a lack of tree canopy. Keep Fayetteville green!
25. It's a beautiful city, preserve the college town feel
26. "The City can do whatever it wants with ITS buildings and codes, but please don't try to tell citizens what to do with theirs, especially when some of us are already in a perpetual conserve/improve mode. In my experience and as currently with AR State government, more bureaucracy, code/ordinances/etc. only begets more personnel and other non-essential costs. Government is NOT a jobs plan, please.
27. I also recall the President Jimmy Carter era of zero-based budgeting AND cold federal offices because the temperature ""Nazis"" were enforcing arbitrary temperature limits in both heating and air-conditioning buildings. I personally supported the zero-based budgeting concept, but the temperature controls did not work, and only alienated practically everyone, plus it 'stirred up' the working populace and detracted from work efficiency by imposing a somewhat draconian temperature restriction when something more judicious would have been supported and helped almost as much. "
28. Sometimes updating the building energy can actually spend more energy, so we would have to look at realistically how much energy was being spent
29. Our leadership in these area will raise help maintain Fayetteville as a great place to live.
30. There is evidence that birth weight and percent canopy coverage are directly related and positively correlated
31. Reducing energy is a great way to gain efficiencies & lower costs
32. In the paper today, it was mentioned that PACE was available to homeowners, not just businesses...is this true? or is it true but you still have the problem with the FHA loan?

33. Update to 2012 IECC... enlist other area city's to adopt 2009 IECC or better
34. Mature trees offer additional benefits such as reduced vehicle speed's, less crime, increase property value, and overall individual happiness...
35. Mentioned storm water--need to look at development out Hwy 16. A lot of develop in white river basin. Dead Horse mountain floods at white river after any rain event now and the continuing development will worsen that area.
36. Going to the 2012 code is a false start, the 2015 has the same requirements but adds a provable performance option, allowing for alternate methods to get the same score
37. See above on street trees. Adopt the latest building code, not one from years ago.
38. Tree location should be considered if the purpose is stream bank erosion control or shading buildings.
39. The city does nothing to manage storm water right now. I would like to see the City manage existing regulations first. You can drive around Fayetteville during any rain event and see sediment laden storm water running of residential construction sites and residential developments into the storm sewer.
40. ????
41. All these things are important, and also obvious once you think about them.
42. Urban heat island effect is substantial, especially as temperature extremes will be increasing. Recommend vigorous implementation of policies to minimize heat island effect. This would be synergistic with building energy efficiency measures, and will increase livability in a warming climate.
43. Strongly agree that the City should strive to maintain our urban tree canopy. Including new ways of including 'green' in the urban environment: green roofs, green walls, bioswales, green streets.
44. Definitely maintain the tree canopy! It's one of the things that makes Fayetteville such a great place to live .
45. Update the building energy code!!!

Question 5. Please rate your level of agreement or disagreement with the following statements:

- ***Fayetteville should incorporate more clean energy (wind, solar, etc) into our energy portfolio.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***Fayetteville City government should work to transition to 100% clean energy by 2030.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***The Fayetteville community should work to transition to 100% clean energy by 2050.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree

Question 6. Provide any additional feedback on question 5 here:

1. "If this is a feasible goal, we should do this. If the community will get on board it will be life altering"
2. All city buildings should have solar panels. Start with the fire stations and go from there.
3. I don't see us getting rid of 100% of our current energy in this time frame.
4. Not sure what this entails, so unable to know if this is a realistic goal or not.
5. Provided it is cost effective.
6. Don't see how you can make stricter rules and not run businesses off.

7. Again - it's a good idea, but at what cost?
8. I believe that transition to a 100% clean energy will take more than 2030, however, that is a goal that can be achieved. Moreover incorporating more alternative clean energy options will help achieve the goal. But, the city should first make a survey on whether or not for ex. a wind energy plant, can be implemented in Fayetteville.
9. So many options . Wind, geothermal, solar. Even burning wood is sustainable.
10. The faster the better on this transition
11. I love this goal.
12. How?
13. The sooner the better!
14. Solar incentives
15. Clean energy resources ARENT CLEAN. Where do the solar panels go when theyre used up? Its all a big lie to take our money through taxes.
16. Doable in practical terms? Can the community support the costs associated with reaching these goals?
17. The sooner the better.
18. The Pack Rat Outdoor Center put up an amazing solar array. So should the city. It speaks volumes about the city.
19. Building regional, national and global competitions for ideas to be presented and implemented.
20. "Some fossil fuels, nuclear power, and even ""clean"" coal will be more reliable and cost-effective for centuries. To argue otherwise is simply faddish, ignores widely known compelling factual evidence, and succumbs to biased and fear-mongering rather than rational planning elements among us.
21. Although it may not be a viable portion of a middle American Fayetteville, AR energy plan, IF someone could demonstrate harnessing wave power (available 24 hours a day and available practically for millions of years into the future) and incorporate it into our national power grid, then THAT would be a real, substantive issue to publicly support. Why aren't we? Ans: Too much money influences in BOTH traditional energy sources as well as so-called clean ones."
22. I know that my family would switch to 100% clean energy if we could afford it, so having help from Fayetteville would make a big difference in many people's lives!
23. Fayetteville should develop staff and partners with this expertise.
24. The city government and community could and should achieve these goals even sooner. If the city, state, or country are still using petroleum, coal, or natural gas in any appreciable quantity in 2040 the implications for our environment, health, and therefore economy would be terrible.
25. "These new forms of energy will have high costs. Look at Germany, they did this and their citizens pay some of largest percentage of income to energy costs in the world.
26. The one "clean" energy that you are mentioned is natural gas. 0 emissions.
27. Fayetteville tax payers will be left holding the tab for the implementation of this nonpractical, idealistic approach."
28. Sure, 100% even better.
29. Make transition cost effective. Refer to first comment box.
30. Solar everything possible

31. The term "clean" energy might be a little inaccurate, since there's a lot of environmental and social issues related to mining, manufacturing, transport, and disposal of solar panels and other equipment for renewable energies.
32. 100% by 2020 would be preferable
33. Should strive for 100% clean energy sooner. Doubtful that AEP and Ozarks will get to 100% clean energy in the timeframe needed.
34. Reduce energy consumption through efficiency while working toward clean energy.
35. 100% is a big number (sarcasm). There is no room for any flexibility with that.
36. As long as the "clean" energy is market viable and economically make sense over the life of the energy producing mechanism. The government should not be subsidizing clean energy to make it viable.
37. City government should use tax dollars wisely - whatever is cheapest is best. Community should think more longterm stewardship
38. Solar and wind have an energy footprint also, and they will not provide energy enough to make a difference. If by "clean", you mean nuclear, then I definitely support that.
39. See comments for question #1. Include nuclear as zero-emission energy, along with solar and wind. Solar and wind by their intermittent and variable nature depend on fossil gas to balance loads. Investing in large amounts of solar/wind locks in an equivalent amount of fossil gas peakers, so one can never get anywhere close to 100% renewables. Some small amount of renewables can help, but we need to ask: 1) What is the cost per unit of avoided CO2-equivalent emitted? and 2) What is the actual amount of zero-emission electricity generated? and 3) Could that investment be better allocated to reduce carbon footprint even more in other areas, keeping the City out of the power generation business? An attempt should be made to quantify the effects of a public investment in solar/wind, otherwise it is little more than greenwashing. The City should actively lobby the State and the Public Service Commission for policies that support the goal of a diversified energy portfolio that is zero-emissions, efficient and highly reliable, to include nuclear power, which provides 60% of the zero-emissions electricity in the U.S. We need a price on carbon emissions, and we need to value baseload sources that provide dispatchable power, and provide ancillary grid services of voltage and frequency regulation, which solar and wind cannot provide.
40. What can we actually do to increase clean energy? I don't know what the city could do to make this happen. the market can do it.
41. Total renewable may not be able to handle base load.

Question 7. Please rate your level of agreement or disagreement with the following statements.

- ***Fayetteville should strive to reduce the number of miles traveled in vehicles.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***Fayetteville should make it easier to complete more trips by bike, by foot, or by public transit.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***Fayetteville should prioritize public transportation improvements.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree

Question 8. Provide any additional feedback on question 7 here:

1. Geography is too hilly and weather too unpredictable
2. Need to work on better East to West access rather than going through a business district. City has plenty of trails right now. Let's get the streets fixed. Lots more people use the streets rather than the trails.
3. I feel the trails would be used more, especially in south Fayetteville, if there was stronger sense of safety, especially for females. The homeless population does detour a lot of potential trail users.
4. More public transit infrastructure, routes to public infrastructure and better transit routing is needed to help people make the change from personal vehicles to alternative forms of transportation. Helping businesses incentive alternative transportation would also help.
5. Fayetteville has allowed 265 to become a race track for loud, speeding cars and trucks. The north side of town is a horrible place to live unless you are a young, noisy person.
6. If tech is going to help us reduce emissions substantially in cars, then why invest in more public transport?
7. The goal to reduce the number of miles traveled by car can and will be achieved by promoting public transportation and other modes of transportation. This will result with more federal funds that can be used to help build a stronger public transportation network.
8. Bike lanes need additional separation from vehicle traffic lanes to ensure rider safety, especially due to distracted driving.
9. Also ambitious, but would like to see options. It's interesting to see how this could reduce congestion. Would be awesome to connect Bentonville, Rogers, Springdale, Fayetteville.
10. Public transportation is a huge benefit both in environmental effects and in social justice. Please really focus on this.
11. We love to ride the bus and walk and would do it more if possible.
12. Use Springdale bike path as an example. Putting a picture of a bike on the road doesn't make it a bike lane
13. Inner city rail
14. More public transportation would be a plus!
15. More options for busses
16. What about starting metro/subway lines as means of public transportation?
17. Monorail
18. Need REGIONAL public transportation.
19. The trails in Fayetteville are mainly going North and South but lots of people live East and West. We need more trails that connect the neighborhoods to the main North/South trail system. West of 49 on Weddington is a prime example. thousands of people live over there and the Weddington bridge (which is not safe) is the only way to cross 49. There is a trail North of Weddington on Mt. Comfort but there is no trail that connects Weddington to Mt. Comfort and the one that is planned is not scheduled as a priority.
20. Should encourage residents to live close to where they work.
21. Better and smarter transportation options are a huge priority for our family.
22. The bike trail system has been transformative. keep it going!
23. 95% of my transportation in the city limits is by bicycle. Every mile you build will help push this toward the new norm. 10 years ago 98% of my mobility was by car.
24. Prioritize public transport.

25. I would like to bike to work from Fayetteville to Springdale but it seems really unsafe and inefficient.
26. Please prioritize bike share! With the trail network it seems a key thing for the city to have. Also a carpool lane on 49 would be a key way to incentivize carpooling.
27. These public initiatives are fine as long as they do NOT impinge upon the personal freedoms of those in our population who need personal transportation either for independent work, safety, or other chosen needs.
28. Not only would public transportation and trails help with the environment, but it also helps those who are homeless or impoverished. This definitely needs to be taken into account!
29. City and nwa in general needs upgrades to our mass transit system. Rush hour traffic is way too congested for this area. As quickly as we are growing we need feasibility studies done to make sure we can keep up with our population demands.
30. Our trails are an important component of our quality of life.
31. I'm particularly passionate about active transport, because I think it addresses so many problems: people are healthier, it's good for the environment, people take greater pride and pleasure in their communities and also meet others who live near them. I could go on! I'm also a huge supporter of good public transit, however: many people live far from work or can't otherwise get around without a vehicle. Time spent in public transit is, for me, better used than time spent driving. On the other hand, I don't know about the relative impacts of driving vs. the other areas discussed here.
32. Please don't sacrifice the Enduring Green Network with more arterial roads and high-density residential to justify public transportation improvements.
33. There are no bike trail extensions in SE Fayetteville.
34. I support public transit, however the lack of high density development negates the good of public transit
35. Figure out ways to invest in public transport; bike trails are great but working and poor people need cheap public transport
36. The upcoming bond package should place an emphasis on public transit options instead of completing the box around the City. The box will encourage suburban sprawl and dilute our resources.
37. Prioritize how?
38. If people don't live close to where they live sidewalks and bike trails will not reduce daily travel. This is common sense.
39. Commuter square-to-square rail in nwa + nwa to LR passenger train service.
40. Transportation represents about 25% of primary energy demand. Efforts in this area should give a large return on reducing carbon footprint.
41. Supplying our community with a solid bike trail system that spans the entire city is crucial to reducing greenhouse gas emissions.
42. Electric vehicles may change this equation some, were inherently a spread-out area. Maybe co-locating commercial with residential would reduce miles more? I live by Holcomb Elementary and there's nothing close enough to walk or really even bike to.
43. Bus arrival time info helps people make decisions.
44. 4 way stop and crosswalks at Huntsville and willow. I'd help!

Question 9. Please rate your level of agreement or disagreement with the following statements.

- ***The City of Fayetteville should work to expand recycling services to more residents.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***The City of Fayetteville should strive to divert at least 40% of waste out of the landfill and into recycling or composting programs.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree
- ***The City of Fayetteville should increase access to construction and demolition waste recycling.***
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree

Question 10. Provide any additional feedback on question 9 here:

1. I've noticed it's difficult to get recycling in apartment complexes, but there is a ton of trash flow there, if there was any access to recycling there it would be great.
2. C & D waste should be researched thoroughly, well-regulated but left open to private industry. The City should work on prioritizing recycling vs. GHG emissions as well as energy consumption. Explore more recycling options that fit both demands.
3. recycling services should be expanded to multi-family locations. Additionally, if we add construction and demolition waste recycling, it should pay for itself and not be subsidized by the individual residential rate payer.
4. Construction should be expanded.
5. Compost pickup would be awesome!
6. The number of items that can be recycled is small compared to other cities.
7. It would be great for the City of Fayetteville to partner with a non-profit benefiting the homeless community. The partners could seek funding to set up a C&D facility/operation in the industrial park- This could provide transitional employment for people trying to get on their feet. Walkable, set up to deal with turnover, much needed.
8. We need to start making developers preserve top soil they remove.
9. I would like to see more availability to our recycling programs for non-single family households. Also, the current C&D program provided by the City is not helping to reduce waste. Develop a more robust program that can incorporate demolition and deconstruction.
10. Since the city has no wheeled recycle bins and I can't lift mine at the curb, I no longer recycle.
11. I agree with all the above mentioned points.
12. Large collective compost bins would be helpful, love me Memphis has, for example.
13. Would like to see more streamlined recycling. They make it hard and don't accept everything. May be able to reach more people if it was easier
14. The bulky waste clean ups are helpful. More would help.
15. Any talk about reduction?
16. I would like to be able to recycle more plastics from my home #5 etc
17. Burning of downed trees on construction sits is a nuisance and a health hazard.
18. Take all recycling numbers!!!
19. I would like to see more options for recycling. We don't recycle enough of what we can in our city.
20. More recycling centers and more options

21. I previously lived in a small town outside of Lexington, Kentucky. Their recycling program was incredible. It may be worth it to see what they are doing? I could recycle nearly 90% of everything I used—and I loved it.
22. REDUCE, reuse, recycle. Recycling is a last attempt, not the best. I think recycling is over-rated.
23. Just be practical about the percentage of diversion.
24. Recycle all the things!
25. Many residents who live in apartment buildings are not provided with recycling options. Only Dumpsters. So essentially, homeowners make up the bulk of the recyclers, because they are compensated by trash bill reduction. No reward for the Apartment dweller. Thank you.
26. Please switch to single stream recycling so you can serve apartments and businesses.
27. I am not sure about single stream recycling. Work on restaurants and bar recycling. There are lots of opportunities there. Cherokee NC recycles all restaurant's food waste into compost and it sells.
28. Fayetteville should not pursue single stream as it is easy to recycle at the curbside. People who are unwilling to recycle at the curb just need to learn to do it. I think people who have to live in apartment buildings should just take items to a center.
29. Trades for leases, please? Most demolition turns to thievery.
30. We should collect compost in large bins for all houses. It would be great to expand plastic recycling. Also banning plastic bags. Incentives to bring your own bag and bring your own jars for bulk purchases.
31. But keep recycling sorted and therefore easy -- and profitable -- to sell. Educate the public; don't combine recyclables and end up with a mess that will end up in landfill.
32. I would rather see 9b them implement access for all citizens to have free recycling! Specifically, for any organization or apartments too - strive to give more people access first before striving for 40%
33. Gasification and methane capture seem like key ways to improve emissions reduction
34. Complying with market requirements for recycled products is as important as the recycling program itself. The Reduce, Reuse, Recycle mantra is the order in which we should attack the problem. Reduce first, then Reuse, and recycle what slips through.
35. I am very familiar (and trained) in recycling issues, but I am not familiar/conversant with the "access to construction and demolition waste recycling" question.
36. The city should also plant only native plants and gardens for food in our landscape.
37. Yes, keep trash out of the landfill by consuming and wasting less....don't do it by downgrading the system to single stream.
38. With lots and lots of public outreach & education; and business outreach & education; and industry outreach & education. Build community/regional pride and sense of ownership in our actions.
39. Use single stream.....
40. Far too much is sent to the landfill and not captured for recycling or compost
41. Single-stream recycling is not good. Don't send recycled material to landfill to save money.
42. Better recycling options for apartment dwellers.
43. Do we know what happens to our recyclables after we sell them?
44. Partner w Habitat Restore for re-usable c&d materials. ♻

45. Recycling must be REAL, that is, do not collect things for which we have no source to actually re-use; that is deceptive. DO spend time in researching actual sources that re-use "waste" and publicize this so recycling gets a good name and is understood by all of us.
46. The EAP line item regarding construction and demo waste diversion seems to be missing the word "recycling". It currently says: "Incentivize construction & demolition waste".
47. Food waste is not trash-a commercial facility for composting this waste stream is so important in also reducing dangerous methane emissions from landfills.
48. Please figure out single stream recycling!!! People are lazy when it comes to trash, all recyclables should go to the curb in one bin or divided container.
49. 40% is an absurdly low number.

ENERGY ACTION PLAN

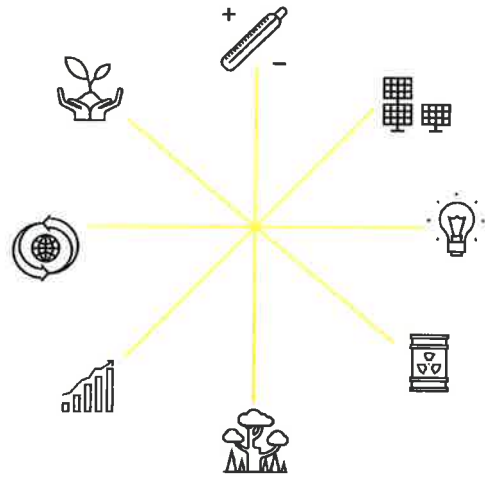
CITY COUNCIL MEETING, 19 DECEMBER 2017



The vision of this plan is to energize action and build a strategic framework for the City's efforts to be a resource and energy efficient community.

Specifically, this plan aims to:

- Encourage energy efficient homes and businesses,
- Move Fayetteville towards energy independence,
- Promote a culture of innovation,
- Improve public health,
- Achieve cleaner air, water and soil,
- Encourage resilient local businesses,
- Promote a collective understanding of climate change, and
- Leave a legacy of stewardship for future generations of Fayetteville residents.



The Energy Action Plan addresses Fayetteville's current conditions in the four areas listed below, sets goals for improvement, and provides detailed implementation steps to achieve a more energy and resource efficient future.



BUILDINGS



ENERGY SUPPLY



TRANSPORTATION



WASTE

By taking action in the four areas listed above, the City of Fayetteville will strive to achieve a community-wide reduction in greenhouse gas (GHG) emissions, measured in total metric tons of carbon dioxide equivalent (MTCO₂E).

THE 'BIG FIVE' EMISSIONS SOURCES

= ELECTRICITY GENERATION

= NATURAL GAS

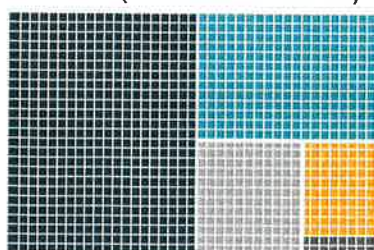
= LANDFILLED WASTE

= WATER TREATMENT & TRANSFER

= VEHICLES

FAYETTEVILLE'S GHG REDUCTION GOALS

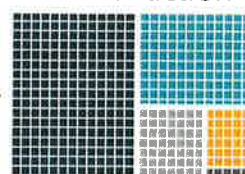
2010 (BASELINE YEAR)



1,443,934 MTCO₂E

2030

40% reduction



866,360 MTCO₂E

2050

80% reduction



288,787 MTCO₂E

ENERGY ACTION PLAN

CITY COUNCIL MEETING, 19 DECEMBER 2017



The following goals were determined through a process of peer city research, community input, City staff alignment, expert stakeholder guidance, and administrative review.

COMMUNITY GOALS

CITY GOALS



CROSS-SECTOR:

- Reduce average housing and transportation costs to 45% of area median income
- Develop and expand Fayetteville's reputation as a hub for socially and economically responsible businesses, entrepreneurship, and green jobs
- Build local support for national carbon emissions reduction and carbon capture strategies



BUILDINGS:

- Complete periodic feasibility analyses of building energy code updates
- Achieve 3% annual reduction in overall energy use in buildings
- Improve the health, distribution, coverage, and effectiveness of Fayetteville's urban forest



ENERGY SUPPLY:

- Achieve 50% community-wide clean energy by 2030
- Achieve 100% community-wide clean energy by 2050



TRANSPORTATION:

- Reduce per capita vehicle miles traveled to 2010 levels by 2030
- Achieve 25% bike/walk/transit mode share by 2030



WASTE:

- Achieve 40% total waste diversion from the landfill by 2027



CITY OF
FAYETTEVILLE
ARKANSAS

GOALS FOR CITY GOVERNMENT OPERATIONS:

- Achieve 40% reduction in GHG emissions by 2030, from baseline year of 2010
- Achieve 80% reduction in GHG emissions by 2050, from baseline year of 2010
- Achieve 100% clean energy by 2030
- Achieve 3% annual energy use reduction in City facilities

MORE INFORMATION AVAILABLE AT WWW.FAYETTEVILLE-AR.GOV/ENERGYACTIONPLAN

"Climate change poses a very serious threat, but also a significant economic opportunity for our City and our nation. Fayetteville is committed to working with leaders of other cities, states, universities, and businesses to combat climate change by supporting a low-carbon economy and creating good jobs in energy efficiency and renewable energy." -Mayor Lioneld Jordan



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0757

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 1

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY PAUL BRICKMAN LOCATED AT 171 EAST MEADOW STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT OF \$4,715.00

WHEREAS, Paul Brickman is the record owner of real property located at 171 East Meadow Street, City of Fayetteville, Washington County, Arkansas, legally described as follows:

Part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Fifteen (15), Township 16 North of Range Thirty (30) West of the 5th P.M., being more particularly described as follows, to-wit: Beginning at a point which is 565 feet East and 212 feet North of the Southwest corner of said 40 acre tract and running THENCE east 45 feet, THENCE South 50 feet, THENCE West 45 feet, THENCE North 50 feet to the place of beginning.; and

WHEREAS, the City Council has determined that a structure located on said property with the address 171 East Meadow Street is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and

WHEREAS, Paul Brickman, having been properly served with Violation Notices by sending such notice by Certified Mail, Return Receipt Requested and by properly posting the Notice on the property for over 30 days, and given thirty (30) days to correct said violations, has failed to repair, or raze and remove said dilapidated, unsightly, and unsafe structure.

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

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Section 173.09 of the Fayetteville Code of Ordinances, Paul Brickman is hereby ordered to raze and remove forthwith the dilapidated, unsightly, and unsafe structure located at 171 East Meadow Street, Fayetteville, Arkansas. The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.

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

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

City of Fayetteville Staff Review Form

2017-0757

Legistar File ID

1/2/2018

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

Yolanda Fields

12/15/2017

COMMUNITY RESOURCES (642)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of the Resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 171 E Meadow St. and to approve a budget adjustment in the amount of \$4715.00 for the balance of the project.

Budget Impact:

1010.642.6420-5315.04

1010 - General

Account Number

Fund

50033.1801

Raze and Removal

Project Number

Project Title

Budgeted Item? No

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? Yes

Item Cost \$ 4,715.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 4,715.00

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2ND, 2018

TO: Mayor and City Council
THRU: Yolanda Fields, Community Resources Director
FROM: David Carver, Code Compliance Administrator
DATE: December 14th, 2017
SUBJECT: Raze and Removal of Structure at 171 E Meadow St.

RECOMMENDATION:

Staff recommends approval of the Resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 171 E Meadow St. and to approve a budget adjustment in the amount of \$4,715.00 for the balance of the project.

BACKGROUND:

Service Request #172813 Case #23390: Code Compliance responded to a request concerning the structure located at 171 E Meadow St. The structure appeared to be in violation of Subsection 173.09(A), Unsafe Buildings, of the City Code of Ordinances.

On June 28th, 2017, a Notice of Violation was sent to the owner of record.

On July 11th, 2017, the same Notice of Violation was posted on the property.

By Ordinance, the property owner was given until August 11th, 2017 to acquire a building permit or to Raze and Remove the structure.

On December 3rd, 2017 a Notice of Public Hearing was published in the Northwest Arkansas Democrat-Gazette in regards to the January 2nd, 2018 Public Hearing.

DISCUSSION:

This address consists of a single story 520 square foot single family dwelling. The property has been highly problematic for Code Compliance with 18 requests for service in the past 5 years. Fayetteville's Police Department has also experienced issues with transient activity and have received 12 calls in the past 5 years between the subject structure and the adjacent vacant structure. The property owner has been inconsistent with communication and unresponsive as to any intentions for abatement. No building permits have been issued or applied for.

BUDGET/STAFF IMPACT:

If the property owner does not comply with the Raze and Removal order, Raze and Removal costs will be expensed at the current budget. A lien will be placed on the property for the incurred costs. The current budget balance is \$00.00, therefore, we are requesting a budget adjustment of \$4,715.00.

Attachments:

Attachments include the Process Summary, the Receipt of Bids, a Budget Adjustment, and a packet including notifications, property records, a map and photos.



CITY OF
FAYETTEVILLE
ARKANSAS

RECEIPT OF BIDS

OWNER(S): City of Fayetteville – Community Resources Division

ADDRESS: 171 E Meadow St

PROJECT No: Bid# 17-23390

PROJECT TITLE: Raze and Removal – Code Compliance Program

BID CLOSING DAY/DATE/TIME: November 20th, 2017 at 4:00 pm

CONTRACTOR: Redline Contractors BID AMOUNT: \$4,715.00

CONTRACTOR: M & M Excavators BID AMOUNT: \$6,300.00

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

Certified by: [Signature] Date: 11.20.17

Witness: [Signature] Date: 11.20.17



CITY OF
FAYETTEVILLE
ARKANSAS

BID PROPOSAL FORM
BID 17-23390

DATE ISSUED: November 12th, 2017

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 171 E Meadow St., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 20th 2017 at 4:00pm

My total bid price for the Raze & Removal Project is:

\$ 4,715.00

(Bid will be valid for 120 days from Date of Opening)

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

Date: 11/18/2017

Complete Business Address

Name of Firm: Redline Contractors Phone # 479-419-4100

Street address or P O Box
P.O. Box 1893

City / State/ Zip Code
Lowell / Arkansas / 72745

Printed Name: Kyle Sargent

Signature: [Signature] Title: Vice President

Federal Tax ID # 743070281 or SSN _____

State Contractor # 0133140518 City Business License # N/A



CITY OF
FAYETTEVILLE
ARKANSAS

BID PROPOSAL FORM
BID 17-23390

DATE ISSUED: November 12th, 2017

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 171 E Meadow St., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 20th 2017 at 4:00pm

My total bid price for the Raze & Removal Project is:

\$ 6300.00

(Bid will be valid for 120 days from Date of Opening)

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

Date: 11.17.17

Complete Business Address

Name of Firm: M: M Excavating Phone # 479-841-9285

Street address or P O.Box
377 Sulphur City Rd.

City / State / Zip Code Fay, AR 72701

Printed Name: Marcus Barker

Signature: [Signature] Title: owner

Federal Tax ID # 26-0611207 or SSN _____

State Contractor # 0191780518 City Business License # _____



CITY OF
FAYETTEVILLE
ARKANSAS

RAZE & REMOVAL PROJECT
BID#17-23390

ADMINISTRATOR: David Carver [email: dcarver@fayetteville-ar.gov]

PHONE # 479.444.3451 or 479.575.8260 **FAX #** 479.444.3445

PROJECT LOCATION: 171 E Meadow St., Fayetteville, AR 72701

WC Parcel # 765-12727-000

CONTRACTOR'S SCOPE OF WORK

- **RAZE&REMOVAL**

1. Completely tear down the entire dwelling.
2. Haul all contents inside the structure(s), debris from the structure(s), and other debris from the parcel to a legal landfill. All concrete associated with the structure(s) shall be removed from the lot (footings and slabs).
3. Mow and clean up parcel.

- **CLEANUP & DISPOSAL**

1. Provide proof, such as receipts, that the debris was hauled to a legal landfill.
2. The city encourages the bidder to consider all waste diversion methods for materials collected. Any methods of disposal, excluding a legal landfill, must be deemed acceptable by the city prior to bid submittal.
3. The yard shall be semi-level and mow-able when the demo work is completed and before payment will be made.
4. Contractor shall be responsible for capping wells, utilities and/or any other requirements pertaining to the demolition permit.

- **MISCELLANEOUS**

1. A Demolition Permit from the City of Fayetteville must be obtained before work begins. Demolition Permits are obtained through the Building Safety Division, 479-575-8233.
2. Proof of no less than \$250,000 liability insurance shall be provided by the contractor before work begins.
3. State Contractor License is required. A City Business License is required if your business is located in the city limits of Fayetteville.
4. If the situation is resolved by the property owner during the 30 day notice & comment period bids may be considered null & void.



CITY OF
FAYETTEVILLE
ARKANSAS

PROCESS SUMMARY
RAZE & REMOVAL

Property Address: 171 E Meadow St.

WC Parcel # 765-12727-000

Hansen Case # 23390

City Code: 173.09

- On May 31st, 2017 Code Compliance received a Request for Service regarding the structure located at 171 E Meadow St.
- A Notice of Violation was sent to the Owner of Record on June 28th, 2017
- The property was posted on July 11th, 2017
- On August 30th, 2017 the property was re-inspected and was found to still be in violation of City Code 173.09.
- On December 3rd, 2017 a Notice of Public Hearing was published in the Northwest Arkansas Democrat-Gazette in regards to the January 2nd, 2018 Public Hearing.

NORTHWEST ARKANSAS Democrat Gazette

AFFIDAVIT OF PUBLICATION

I Karen Caler, do solemnly swear that I am the Legal Clerk of the Northwest Arkansas Democrat-Gazette, printed and published in Washington County and Benton County, Arkansas, and of bona fide circulation, that from my own personal knowledge and reference to the files of said publication, the advertisement of:

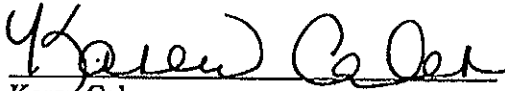
CITY OF FAYETTEVILLE

Notice to Property owners -171 Meadow St.

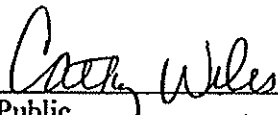
Was inserted in the Regular Edition on:

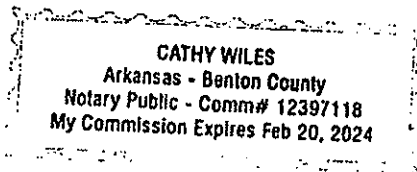
December 3, 2017

Publication Charges: \$ 89.68


Karen Caler

Subscribed and sworn to before me
This 6 day of Dec, 2017.


Notary Public
My Commission Expires: 2/20/2024



****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

NOTICE TO PROPERTY OWNERS
City of Fayetteville
Code Compliance Program
RE: Enforcement of Fayetteville Code
173.09

Arkansas Code Ann. 14-56-203
Pursuant to A.C.A. 14-56-203 as 173.09 of
the Fayetteville Code, you are placed upon
Notice that the Fayetteville City Council
will conduct a public hearing to determine
if the dwelling located at 171 E Meadow St.
(WC Parcel # 765-12727-000) should be
Razed and Removed.

You are free to appear at this hearing to
present any evidence or statements. If you
need additional information concerning this
process or if you have information that we
are not aware of, please call the Code
Compliance Office at (479) 575-0860.
The hearing will be part of a regular City
Council meeting on January 2nd, 2018
beginning at 5:30pm at the City
Administration Building, 113 W. Mountain
St., Fayetteville, AR 72701. The City
Council Meetings are advertised in local
newspapers and will contain an item
concerning this hearing. You may also call
the Fayetteville City Clerk's Office (479-
575-8323) for information confirming the
date of the public hearing.
74355849 Dec, 3, 2017



CITY OF
FAYETTEVILLE
ARKANSAS

November 15th, 2017

Paul Brickman
604 63rd Place
Seat Pleasant, MD 20743

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

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A 14-56-203 as 173.09 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine if the dwelling located at **171 E Meadow St. (WC Parcel # 765-12727-000)** should be Razed and Removed.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-0860.

The hearing will be part of a regular City Council meeting on **January 2nd, 2018** beginning at 5:30pm at the City Administration Building, 113 W. Mountain St., Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,

David Carver
Code Compliance Administrator

Cc: file

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Brickman NOV Postmark Here 11-15-17
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



CITY OF
FAYETTEVILLE
ARKANSAS

Code Compliance Program
Unsafe Building Determination
UDC 173.09 (A)

Address / Location: 171 E Meadow St

WC Parcel # 765-12727-000

UDC 173.09 (A)



I recommend the raze and removal of the structure.



I recommend securing the structure.



I have determined that the structure above is NOT in violation of Subsection 173.09 (A) of the City of Fayetteville's Unified Development Code

[Signature]

Chief Building Official 6/22/2017 Date

Observations: FOUNDATION PROBLEMS; SUBSTANDARD ELECTRICAL, PLUMBING, NO
SOURCE OF HEAT; UNSAFE STAIR/PORCH; DILAPIDATED EXTERIOR;
ROTTEN FASCIA + TRIM; NO ELECTRICAL OR H₂O

PLEASE RETURN THIS FORM TO CODE COMPLIANCE

Date Sent: 5.31.17

Date Received: 6.22.17

[Signature]

Community Resources Division Director

UNSEC UNSAFE
SR# 171926 / 172813
Case# 23390-unsafe
23391-UNSEC.



171 E MEADOW ST

CONNER ST

WASHINGTON AVE

WASHINGTON AVE

MILL AVE

MEADOW ST

CENTER ST

MOUNTAIN ST

SPRING ST

COLLEGE AVE COLLEGE AVE

COUNTY AVE

MOUNTAIN ST

ALLEY 21

Text

MOUNTAIN ST

ALLEY 20

EAST AVE

ALLEY 19

BLOCK AVE

ALLEY 18

CENTER ST



















Parcel: 765-12727-000
 Previous Parcel: 145902-000-00
 As of: 12/12/2017 9:06:28 PM

ID: 47679

Washington County Report

Property Owner

Name: BRICKMAN, PAUL
Mailing Address: 604 63RD PLACE
 SEAT PLEASANT, MD
 20743
Type: (RI) Res. Improv.
Tax District: (011) FAYETTEVILLE SCH,
 FAY
Millage Rate: 57.45

Property Information

Physical Address: 171 E MEADOW ST
Subdivision: 15-16-30 COUNTY
 COURT PLAT
Block/Lot: N/A / N/A
S-T-R: 15-16-30
Size (Acres): 0.00
Legal: P L 27 F SW NW

Market and Assessed Values

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	\$20,000	\$4,000	\$4,000
Building	\$1,150	\$230	\$230
Totals	\$21,150	\$4,230	\$4,230

Taxes

Estimated Taxes:	\$243
Homestead Credit:	\$0

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

Land

Land Use	Size	Units
	1.000	House Lot
Total	1.00	

Deed Transfers

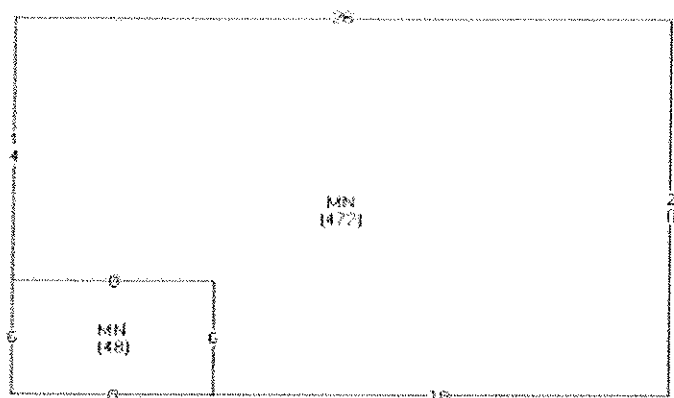
Document Images brought to you by your County Circuit Clerk, Kyle Sylvester

View Image	Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
	4/7/2003	2003	21652	Ltd Warr Deed			BRICKMAN, PAUL		Improved
	8/5/1974	873	793	Warr. Deed	0.00	\$0	TUCKER, CLOTEEN		
	3/29/1974	873	794	Warr. Deed			HATFIELD DEVELOPEMENT		
	6/14/1973	849	514	Warr. Deed			WILLIS, ROOSEVELT; WILLIS, EDDIE JR		

Details for Residential Card 1

Occupancy	Story	Construction	Total Liv	Grade	Age	Year Built	Condition	Beds
Single Family	ONE	Frame Siding Std.	520	6-10	100	1915	Poor	N/A

Exterior Wall:	SIDING	Plumbing:	Full: 1
Foundation:	Closed Piers	Fireplace:	Qty: 0
Floor Struct:	Wood with subfloor	Heat/Cool:	None
Floor Cover:	Carpet & Tile	Basement:	N/A
Insulation:	Ceilings	Basement Area:	N/A
Roof Cover:	Asphalt Shingle	Year Remodeled:	N/A
Roof type:	Gable	Style:	N/A

DataScout, LLC**Base Structure**

Item	Label	Description	Area
A	MN	Main Living Area	472
B	MN	Main Living Area	48

Reappraisal Value History

Tax Year	Total Value	Total Assessed
2016	\$24,600.00	\$4,920.00
2015	\$24,600.00	\$4,920.00

Map



CITY OF
FAYETTEVILLE
ARKANSAS

VIOLATION NOTICE

September 21, 2017

Owner: PAUL BRICKMAN
604 63RD PLACE
SEAT PLEASANT, MD 20743

RE: Property @ 171 E MEADOW ST, Fayetteville, AR

WC Parcel # 765-12727-000

Case # 23390

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. It is our goal to notify and assist property owners to correct violations of city ordinances before taking actual enforcement actions. If you need clarification of this notice or advice on how to correct the problem, please call our office at (479)575-8232 or (479) 575-8260.

Suspected Violation That Needs Correction:

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

How This Violation Can Be Voluntarily Corrected:

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

Possible Penalties:

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

Sincerely,

WILLIAM BRYANT
Code Compliance Officer
code_compliance@fayetteville-ar.gov

Mailing Address:
113 West Mountain Street
Fayetteville, Arkansas 72701

9902 2196 0000 010E 9100

U.S. Postal Service TM	
CERTIFIED MAIL [®] RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com [®]	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4 [®]	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

23390

Postmark Here

9-21-17

BB



CITY OF
FAYETTEVILLE
ARKANSAS

VIOLATION NOTICE

July 17, 2017

Owner: PAUL BRICKMAN
604 63RD PLACE
SEAT PLEASANT, MD 20743

RE: Property @ 171 E MEADOW ST, Fayetteville, AR

WC Parcel # 765-12727-000

Case # 23390

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. It is our goal to notify and assist property owners to correct violations of city ordinances before taking actual enforcement actions. If you need clarification of this notice or advice on how to correct the problem, please call our office at (479)575-8232 or (479) 575-8260.

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Sincerely,

WILLIAM BRYANT
Code Compliance Officer
code_compliance@fayetteville-ar.gov

Mailing Address:
113 West Mountain Street
Fayetteville, Arkansas 72701

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

23390
7-17-17

Budget Year	Division	Adjustment Number
2017	COMMUNITY RESOURCES (642)	
	/Org2	
	Requestor: Lisa Darden	

Budget Adjustment to move \$4715 in order to fund the Raze and Removal of a dilapidated and unsafe structure located at 171 E Meadow St.

	COUNCIL DATE:	1/2/2017
	LEGISTAR FILE ID#:	2017-0757
		Barbara Fell
		12/18/2017 3:34 PM
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0705

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 1

AUTOMATIC ENGINEERING:

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO ACCEPT A REPAIR QUOTE OF \$208,198.00, PLUS ANY APPLICABLE TAX WITH AUTOMATIC ENGINEERING TO REPAIR SEVEN AERATOR GEARBOXES FOR THE NOLAND WASTEWATER FACILITY

WHEREAS, formal sealed bidding is not necessary for the repair of “hidden or unknown damages”; and

WHEREAS, Automatic Engineering has taken apart and examined seven aerator gearboxes and determined that repair of these gearboxes would cost \$208,198.00.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby determines that because of Arkansas Procurement Law R6:19-11-203, subsection 14 (EE): repair of “hidden or unknown damages” does not require formal competitive bidding and therefore, waives competitive bidding and accepts Automatic Engineering repair quote of \$208,198.00 (plus any taxes) and authorizes the payment of that amount.

City of Fayetteville Staff Review Form

2017-0705

Legistar File ID

1/2/2017

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

Tim Nyander

12/15/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends a resolution approving the repair of seven aerator gearboxes for the Noland WRRF from Automatic Engineering in the amount of \$208,198.00.

Budget Impact:

5400.730.5800-5414.00

Water/Sewer

Account Number

Fund

02069.1

Plant Pumps and Equipment - W.W.T.P.

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 531,386.00

Funds Obligated \$ 224,138.32

Current Balance \$ 307,247.68

Does item have a cost? Yes

Item Cost \$ 208,198.00

Budget Adjustment Attached? No

Budget Adjustment \$ -

Remaining Budget \$ 99,049.68

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water, Sewer, and Solid Waste Committee
Tim Nyander, Utilities Director

FROM: Greg Weeks, Wastewater Treatment
Mayo Miller, Wastewater Treatment

DATE: December 15, 2017

SUBJECT: **Approval of the repair of seven (7) aerator gearboxes for the Noland WRRF from Automatic Engineering in the amount of \$208,198.00**

RECOMMENDATION:

Staff recommends approval of the repair of seven (7) aerator gearboxes for the Noland WRRF from Automatic Engineering in the amount of \$208,198.00.

BACKGROUND:

The Noland WRRF uses a biological nutrient removal system to treat the City's wastewater. Each of the two basins uses a series of six mixers and eight large mechanical aerators to provide the mixing and necessary oxygen for the microorganisms to treat the wastewater. The existing mixers and aerators are more than 25 years old. In the past few years, seven units have been rebuilt but many are still in need of repair. Even though they have exceeded their life expectancy, rebuilding the gearboxes is significantly more cost effective than replacing them with new units and generally provides a similar life expectancy.

DISCUSSION:

Seven (7) units were recently sent to Automatic Engineering, manufacturer certified service facility, for disassembly and inspection. The units have been disassembled and inspected. The repair quote is \$208,198.00.

Because it was necessary to have the certified repair facility disassemble the units to determine the extent of hidden and unknown damage to equipment already purchased, a bid waiver and/or formal sealed bidding is not necessary according to Arkansas Procurement Law R6:19-11-203, Subsection 14 (EE) "hidden or unknown damages." City Administration recommends approving the repair with Automatic Engineering in the amount of \$208,198.00, which includes tax, to repair the seven units.

BUDGET/STAFF IMPACT:

Funds are available in the Wastewater Treatment Plant CIP – Plant Pumps and Equipment.

Attachments:

Repair Quote



DATE: 11/30/2017

PROPOSAL #: KL113017-01

TO: City of Fayetteville, AR

PROJECT: Noland WWTP Lightnin Gearbox Repairs

Automatic Engineering proposes to furnish equipment, materials and/or services as described below.

Quantity	Item	Each	Ext. Price
1	83Q5, s/n 8625435503 Labor \$2,100, Parts \$21,736	\$23,886	\$23,886
1	83Q5, s/n 8625435505 Labor \$2,100, Parts \$17,272	\$19,372	\$19,372
1	83Q5, s/n 8625435507 Labor \$2,100, Parts \$18,284	\$20,384	\$20,384
1	LAT-130, s/n 8625435602 Labor \$9,800, Parts \$18,908	\$28,708	\$28,708
1	LAT-160, s/n 8625435702 Labor \$10,106, Parts \$17,162	\$27,268	\$27,268
1	LAT-160, s/n 8625435706 Labor \$11,550, Parts \$17,833	\$29,383	\$29,383
1	LAT-160, s/n 8625435707 Labor \$12,425, Parts \$28,276	\$40,701	\$40,701
1	Subtotal		\$189,702
1	Sales Tax @ 9.75%		\$18,496
	Freight is Prepay and Add		
	TOTAL		\$208,198

THIS PROPOSAL IS SUBJECT TO OUR STANDARD ATTACHED CONDITIONS OF SALE

TERMS: Net 30 Days

QUOTED BY: Keith Lovett
(918) 986-4184 Direct

SHIPMENT: 6-9 weeks ARO and APPROVAL

F.O.B. Factory

Office

Phone (918) 585-5703

Fax (918) 585-5707

WARRANTY: This proposal includes a 100% warranty of 2 years from delivery on parts and labor provided as protection against defects in factory parts and workmanship by Automatic Engineering, A Cogent Company.

412 N. Redbud Ave.
Broken Arrow, OK 74012

STANDARD TERMS AND CONDITIONS

Price is FOB factory unless otherwise noted. Price does not include any freight charges unless otherwise noted. Price does not include any applicable duties or sales tax, use tax, excise tax, value-added or other similar taxes that may apply to this equipment and/or project unless otherwise noted. Unless specifically stated, price does not include manual or automatic controls, starters, protective or signal devices, wiring, anchor bolts, gauges, vibration isolation devices, installation, startup or testing.

If the price is included in a proposal, the price is firm for receipt of an order within 30 days of the date shown on the proposal. Any additional terms and conditions included in the proposal are specifically included in these terms and conditions.

Payment terms are net 30 days with approved credit.

Payment of "commercial transaction" invoices by credit card will be charged a fee based upon Cogent's average discount rate for credit card transactions for the prior calendar year. This fee will change annually and is currently 2.55%.

All equipment either rented from or through Company is subject to all of the terms and conditions listed on the back of the rental contract. Pricing does not include any overtime running of power equipment.

Customer shall be responsible for determining the good operating condition of all materials and equipment prior to accepting the materials and equipment. NO WARRANTY OR GUARANTEE, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY AS TO MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE IS MADE UNLESS THE SAME IS SPECIFICALLY SET FORTH IN WRITING AND ACCEPTED IN WRITING BY COMPANY, BUT IN SUCH CASE THE WARRANTY OR GUARANTEE IS LIMITED AS ABOVE PROVIDED. Notwithstanding the foregoing, Company will pass through to the Customer any warranty provided by the manufacturer of any equipment supplied by Company.

In connection with a proposal, if Customer has any further questions or comments regarding the proposal, please feel free to contact Company. If the proposal meets with Customer's approval, please sign, date and mail or fax a copy of the proposal back to Company's office, and the identified equipment will be ordered and/or scheduled for delivery.

This agreement shall be governed by the laws of the state where the customer is located. Customer further agrees that venue and jurisdiction shall be appropriate in the county in which the customer is located. Any provisions hereof which may prove unenforceable under any law shall not affect the validity of any other provision hereof.

Revised January 2015



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0707

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 2

2018 ASPHALT MATERIALS:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING 2018 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION, BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

WHEREAS, the crude oil market continues to experience price volatility; and

WHEREAS, this volatility makes normal competitive bidding procedures unworkable, impractical and not feasible; and

WHEREAS, the Transportation Division proposes to solicit and accept bids on a quarterly basis without the need for further approval of the City Council through 2018.

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 finds that such circumstances constitute an exceptional situation where formal competitive bidding is not feasible or practical and, therefore, waives the requirements of formal competitive bidding for the purchase of asphalt materials through calendar year 2018, and authorizes the Transportation Division to solicit informal bids or quotes on a quarterly basis without the need for further approval of the City Council.

City of Fayetteville Staff Review Form

2017-0707

Legistar File ID

1/2/2018

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Terry Gulley

12/1/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

An ordinance waiving the requirements of formal competitive bidding during calendar year 2018 for the purchase of asphalt materials for use by the Transportation Division but requiring informal quarterly bids or quotes.

Budget Impact:

Various

Various

Account Number

Fund

Various

Various

Project Number

Project Title

Budgeted Item? Yes

Current Budget

\$ -

Funds Obligated

\$ -

Current Balance

\$ -

Does item have a cost? Yes

Item Cost

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget

\$ -

V20140710

Previous Ordinance or Resolution # 5839

Original Contract Number:

Approval Date:

Comments: The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon the Transportation Division's fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Terry Gulley, Transportation Services Director
DATE: December 1, 2017
SUBJECT: Bid Waiver for Asphalt Materials

RECOMMENDATION:

Staff recommends an ordinance waiving the requirements of formal competitive bidding during calendar year 2018 for the purchase of asphalt materials for use by the Transportation Division but requiring informal quarterly bids or quotes.

BACKGROUND:

Due to the fluctuations in the price of crude oil, local asphalt suppliers cannot feasibly guarantee a fixed price over a twelve month period.

DISCUSSION:

Staff recommends bidding asphalt materials on a quarterly basis without the need for further approval of the City Council, awarding the respective low bidder, and allowing for price adjustment requests based on the current bid language.

BUDGET/STAFF IMPACT:

Funds for the acquisition of these materials have been budgeted in the Street and Sales Tax Capital Improvement Funds.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0706

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: D. 3

2018 OVERLAY AND SIDEWALK PROJECTS:

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2018

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves the Transportation Division Overlay and Sidewalk Projects list for 2018. A copy of the 2018 Overlay and Sidewalk Projects list is attached to this Resolution and made a part hereof.

City of Fayetteville Staff Review Form

2017-0706

Legistar File ID

1/2/2018

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

Terry Gulley

12/4/2017

Transportation Services /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY/SIDEWALK PROJECTS LIST FOR 2018.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? Yes

Current Budget

\$ -

Funds Obligated

\$ -

Current Balance

\$ -

Does item have a cost? Yes

Item Cost

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget

\$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: Funds for labor, equipment, materials and services are included in the 2018 Capital Budget

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Terry Gulley, Transportation Services Department Director

DATE: December 4, 2017

SUBJECT: Approval of 2018 Overlay/Sidewalk Projects

RECOMMENDATION:

Staff and the Transportation Committee recommend a resolution approving the Transportation Division asphalt overlay/sidewalk projects list for 2018. The 2018 project list was presented to the Transportation Committee on November 28, 2017. The Transportation Committee requests the final list be presented to the City Council for its approval by resolution in accordance with Ordinance No. 5173.

BACKGROUND:

The Transportation Division reviews the need for street overlays and sidewalk improvements based on conditions, requests, and other factors. The In-House Pavement Improvements program includes asphalt, curb and guttering, pavement striping, and preparation costs for the overlays. The Sidewalk Improvements program improves the connectivity of the sidewalk system by constructing new sidewalk and replacing or repairing existing sidewalks throughout the city. This project also includes funding for ADA accessible ramps.

DISCUSSION:

The proposed 2018 overlay project list presents a total of 161,528 linear feet or 10.05 miles of street overlays.

The 2018 sidewalk improvements project list proposes a total of 6,170 linear feet.

BUDGET/STAFF IMPACT:

Funds for labor, equipment, materials, and services are included in the 2018 Capital Budget: (In-House Pavement Improvements \$2,216,000 and Sidewalk Improvements \$980,000)

Attachments:

2018 Proposed Asphalt Overlay Projects
2018 Proposed Sidewalk Projects

Proposed 2018 Sidewalk Project List

Ward	Street	From	To	Placement	Length (ft)
1	MLK Jr. Blvd.	College Ave.	Washington Ave.	North side	150
1	Huntsville Rd.	Blair Ave.	Morningside Dr	Both sides	1,000
2	Dickson St.	Washington Ave.	Willow Ave.	North side	410
2	Green Acres Rd.	Poplar St.	College Ave.	West side	1,050
2	Meadow St.	Block Ave.	East Ave.	Both sides	660
3	Mission Blvd.	East Oaks Dr.	Crossover Rd.	North side	250
4	Halsell Rd.	Cross Ave.	Oliver Ave.	North side	1,100
4	Oliver Ave.	Maple St.	Halsell Rd.	Eval. E vs W	650
ANY	2018 Maint. Repairs	Various	Locations	Any side	900

Total footage: 6,170

2018 Proposed Asphalt Overlays – Ward 1

Ward	Street	From	To	Length (ft)
1	Leroy Pond Dr.	Razorback Rd.	Stadium Dr.	590
1	Graham Ave	Center St.	Nettleship St.	646
1	Nettleship St.	Eastern Ave.	Cross Ave.	981
1	Cross Ave.	Stone St.	Nettleship St.	628
1	Main St.	Cross Ave.	Sang Ave.	605
1	Morningside Dr.	15 th St.	Pump Station Rd.	2,312
1	Conner St.	Dead end	Trent Ave.	282
1	Trent Ave.	Conner St.	Spring St.	236
1	Washington Ave.	Conner St.	Spring St.	222
1	Huntsville Rd.	Wood Ave.	Happy Hollow Rd.	5,466
1	Wood Ave.	MLK Blvd.	Huntsville Rd.	524
1	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlays – Ward 2

Ward	Street	From	To	Length (ft)
2	School Ave.	Spring St.	Mountain St.	222
2	West Ave.	Spring St.	Center St.	705
2	Spring St.	West Ave.	School Ave.	340
2	Alley 451	Spring St.	Dead end	236
2	Alley 318	Gregg St.	Dead end	279
2	Gregg Ave.	Lafayette St.	Dickson St.	689
2	Eagle St.	Storer Ave.	Leverett Ave.	330
2	Mountain St.	School Ave.	Block Ave.	1,050
2	Storer Ave.	North St.	Cleveland St.	1,270
2	Saint Charles Ave.	Lafayette St.	Dickson St.	975
2	East Ave.	Mountain St.	Block St.	347
2	Center St.	Church Ave.	Block Ave.	363
2	Block Ave.	Mountain St.	Rock St.	374
2	South St.	West Ave.	School Ave.	329
2	Lindell Ave.	Cleveland St.	Douglas St.	742
2	Dickson St.	Arkansas Ave.	Intersection	115
2	University Ave.	Dickson St.	Center St.	1,259
2	Green Acres Rd.	Colt Square Dr.	Poplar St.	1,435
2	Center St.	School Ave.	Locust Ave.	120
2	Maple St.	West Ave.	College Ave.	2,770
2	Meadow St.	Block St.	East Ave.	235
2	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlays – Ward 3

Ward	Street	From	To	Length (ft)
3	Masonic Dr.	Nottingham Pl.	Cul de sac	768
3	Summerhill Dr.	Masonic Dr.	Stubblefield Rd.	1,002
3	Windsor Pl.	Summerhill Dr.	Cul de sac	274
3	Oxford Pl.	Cul de sac	Summerhill Dr.	229
3	Langston Pl.	Summerhill Dr.	Cul de sac	291
3	Wimbledon Pl.	Cul de sac	Summerhill Dr.	253
3	Joyce Blvd.	College Ave.	Vantage Dr.	7,270
3	Rolling Hills Dr.	College Ave	300 feet	445
3	Applebury Dr.	Hope St.	Columbus Blvd.	1,640
3	Farr Ln.	Old Missouri Rd.	Dead end	650
3	Columbus Blvd.	Eastwood Dr.	Applebury Dr.	1,018
3	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlays – Ward 4

Ward	Street	From	To	Length (ft)
4	Salem Rd.	City Limits	Mt. Comfort Rd.	6,437
4	Moore Ln.	Deane Solomon Rd.	Shiloh Dr.	2,220
4	Salem Rd.	Add turn lane		500
4	Center St.	Razorback Rd.	Palmer Ave.	825
4	Palmer Ave.	Center St.	Markham Rd.	1,269
4	Hotz Dr.	Razorback Rd.	Palmer Ave.	795
4	Thomas Ave.	Hotz Dr.	Markham Rd.	490
4	Misc. spot repair and striping	Various	Locations	

2018 Proposed Asphalt Overlay

City of Fayetteville Street Program

Ward 1	2.37 Miles
Ward 2	2.69 Miles
Ward 3	2.62 Miles
Ward 4	2.37 Miles
Total	10.05 Miles



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0761

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 4

RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5997 FOR APPROXIMATELY 0.54 ACRES LOCATED AT 690 WEST WHILLOCK STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from RSF-4, Residential Single Family, 4 units per acre to RI-12, Residential Intermediate, 12 units per acre.

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

City of Fayetteville Staff Review Form

2017-0761

Legistar File ID

1/2/2018

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Andrew Garner

12/15/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 17-5997: Rezone (690 W. WHILLOCK ST./MOLDENHAUER, 717): Submitted by TIM MOLDENHAUER for property at 690 W. WHILLOCK ST. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.54 acres. The request is to rezone the properties to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor, Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

DATE: December 15, 2017

SUBJECT: **RZN 17-5997: Rezone (690 W. WHILLOCK ST./MOLDENHAUER, 717):**
Submitted by TIM MOLDENHAUER for property at 690 W. WHILLOCK ST. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.54 acres. The request is to rezone the properties to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to rezone the subject property to RI-12, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The property is located on the north side of Whillock Street, east of south School Street. The site contains a 1,889 square foot concrete block building constructed in the 1948. The building has been used as a church, and appears to have been constructed for that use. The property contains approximately 0.54 acres, and is zoned RSF-4, Residential Single-family. The property is surrounded by a variety of land uses including single-family, two-family, and undeveloped land.

Request: The property owner requests to rezone the property to RI-12, Residential Intermediate/12 units per acre., as shown on Exhibit 'B'.

Land Use Compatibility:

The proposed zoning is compatible with surrounding land uses, currently a variety of parcel sizes and shapes developed with a combination of single and two-family homes. The RI-12 zoning district would allow the subject property to be divided into two lots, on which 1,2,3, or 4 units could be constructed. The practical limit of units is considerably lower, however. The Property was developed as a church several decades ago. As such, the property is recognized as an area with an established use of greater intensity than the remainder of the surrounding neighborhood; the higher density zoning would be compatible with the character of the neighborhood.

Land Use Plan Analysis:

The proposal is consistent with the goals of the City Plan 2030 Future Land Use Map, which designates this property as City Neighborhood Area. City Neighborhood Area anticipates a wide variety of land uses, including dense residential development and commercial uses where

appropriate. The proposed zoning allows development patterns that encourage traditional town forms intended to decrease vehicle trips and create walkable environments over time.

DISCUSSION:

On December 11, 2017, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 7-0-0. No public comment was made.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

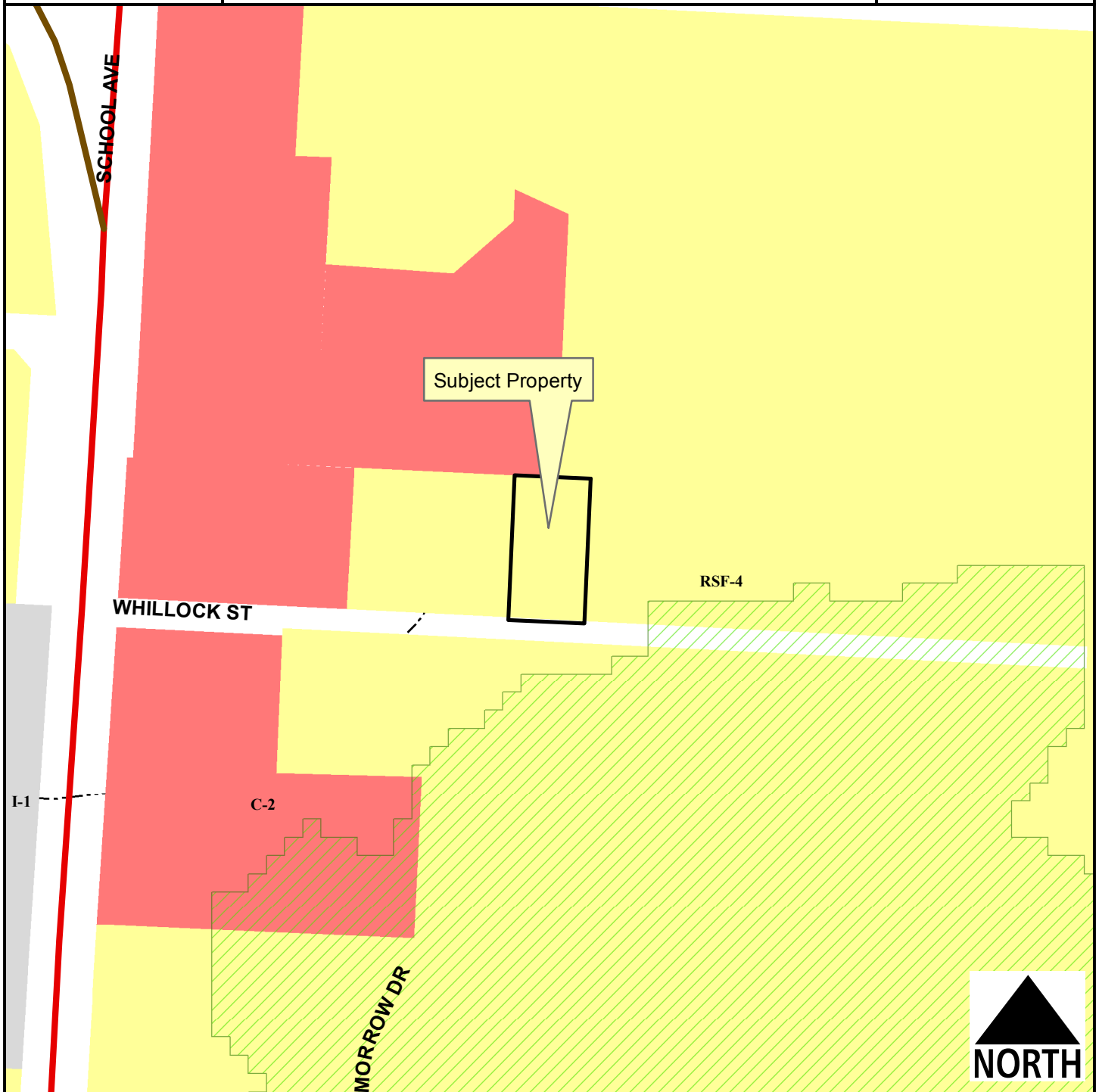
RZN17-5997

MOLDENHAUER

17-5997

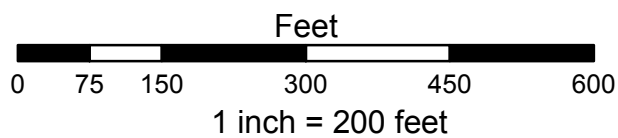
Close Up View

EXHIBIT 'A'



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Design Overlay District
- Building Footprint



17-5997
EXHIBIT 'B'

PT NE NW .50 A. FURTHER DESCRIBED FROM 2014-32955 AS: Part of the NE 1/4 of the NW 1/4 of Section 33, Township 16 North, Range 30 West of the 5TH P.M. described as beginning at a point which is 525 feet East of the Northwest corner of said forty acre tract; thence South 200 feet; thence East 105 feet; thence North 200 feet; thence West 105 feet to the place of beginning, containing 1/2 acre, more or less.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

5997

FEE: \$325.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone:

117

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:

Moldenhauer Real Estate Inc

Tim Moldenhauer

Representative (engineer, surveyor, realtor, etc.):

Name:

Address: 4102 N Mall Ave, Suite 201

Fayetteville AR, 72703

Address:

E-mail: tim@sellingnwa.com

E-mail:

Phone:

(479) 790-1683

()

Fax:

()

Phone:

()

()

Fax:

()

Site Address / Location: 690 W WHILLOCK ST

Current Zoning District: RSF-4

Requested Zoning District: RI-12

Assessor's Parcel Number(s) for subject property: 765-15503-000

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

Moldenhauer Real Estate Inc

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): Tim Moldenhauer

Date: 10/24/2017

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.)*

Property Owners of Record (attach additional info if necessary):

Name (printed): Moldenhauer Real Estate Inc

Address: 4102 N Mall Ave, Suite 201

Fayetteville AR 72703

Signature: 

Phone:

(479) 790-1683

Date: 10/24/2017

Name (printed):

Address:

Signature:

Phone:

()

Date:

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.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Planner

MEETING DATE: ~~December 11, 2017~~ **UPDATE 12-15-2017**

SUBJECT: **RZN 17-5997: Rezone (690 W. WHILLOCK ST./MOLDENHAUER, 717):** Submitted by TIM MOLDENHAUER for property at 690 W. WHILLOCK ST. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.54 acres. The request is to rezone the properties to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN 17-5997** to the City Council with a recommendation of approval, based on the findings herein.

BACKGROUND:

The property is located on the north side of Whillock Street, east of south School Street. The site contains a 1,889 square foot concrete block building constructed in the 1948. The building has been used as a church, and appears to have been constructed for that use. The property contains approximately 0.54 acres, and is zoned RSF-4, Residential Single-family. The property is surrounded by a variety of land uses including single-family, two-family, and undeveloped land. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Commercial/Single-family/Undeveloped	RSF-4, Residential Single-Family/C2, Thoroughfare Commercial
South	Two-family Homes	RSF-4, Residential Single-Family
East	Single-family Homes/ Two-family Homes	RSF-4, Residential Single-Family
West	Single-family Homes	RSF-4, Residential Single-Family

DISCUSSION:

Request: The property owner requests to rezone the property to RI-12, Residential Intermediate/12 units per acre.

Public Comment: Staff has received no public comment.

INFRASTRUCTURE:

- Streets:** The subject parcel has access to West Whillock Street. Whillock Street is an unapproved two lane asphalt street with no sidewalk, no curb and gutter, and no storm drains. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to the site. There is a 6-inch main along West Whillock Street.
- Sewer:** Public sewer is available to the site. There is a 8-inch main along West Whillock Street.
- Drainage:** No portion of this property is identified as FEMA regulated floodplains. No part of the parcel lies within the HHOD. There are no protected streams on this parcel. There are no hydric soils identified on this parcel. Any additional improvements or requirements for drainage will be determined at time of development.
- Fire:** The Fire Department had no comment.
- Police:** The Police Department had no comment.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as **City Neighborhood Area**. City Neighborhood 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, from single family to multi-family. City Neighborhood Areas encourage complete, compact and connected neighborhoods and non-residential uses are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.*

City Neighborhood Guiding Policies:

- a. Protect adjoining properties from the potential adverse impacts associated with non-residential uses adjacent to and within residential areas with proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, drainage, and effects on property values.
- b. Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing desirable development patterns occurs.
- c. Reduce the length and number of vehicle trips generated by residential development by enhancing the accessibility to these areas; encourage walkability as part of the street function.

FINDINGS OF THE STAFF

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

Finding: **The proposal to rezone the property to the RI-12 zoning district will allow the property to be developed with moderate density residential uses that are consistent with City policies and goals for the neighborhood.**

Land Use Compatibility: The proposed zoning is compatible with surrounding land uses, currently a variety of parcel sizes and shapes developed with a combination of single and two-family homes. The RI-12 zoning district would allow the subject property to be divided into two lots, on which 1,2,3, or 4 units could be constructed. The practical limit of units is considerably lower, however. The Property was developed as a church several decades ago. As such, the property is recognized as an area with an established use of greater intensity than the remainder of the surrounding neighborhood; the higher density zoning would be compatible with the character of the neighborhood.

Land Use Plan Analysis: The proposal is consistent with the goals of the City Plan 2030 Future Land Use Map, which designates this property as City Neighborhood Area, which anticipates a wide variety of land uses, including dense residential development and commercial uses where appropriate. The proposed zoning allows development patterns that encourage traditional town forms intended to decrease vehicle trips and create walkable environments over time.

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

Finding: Staff finds the proposed rezoning from low density residential zoning to an intermediate density is justified. This is due in part because the property contains an institutional building that has been vacate for several years and is apparently not suited to single-family residential use. The proposal will create opportunity for appropriate infill development, the first goal of City Plan 2030.

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

Finding: The site has direct access to Whillock Street, a partially improved two lane, dead end street with low traffic volumes. The proposed zoning would allow uses likely to increase traffic in the area, but staff finds that development is unlikely to contribute to traffic danger and congestion at this location.

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

Finding: Rezoning the property from RSF-4 to RI-12 will allow residential development at increased residential densities more than is currently allowed, however that development should not undesirably increase the load on public services. The Police and Fire Departments have expressed no objections to the proposal.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION:

Staff recommends forwarding **RZN 17-5933** to the City Council with a recommendation for approval as proposed.

RECOMMENDED MOTION:

"I move to forward RZN 17-5997 to the City Council with a Planning Commission recommendation of approval."

PLANNING COMMISSION ACTION: Required				<u>YES</u>
Date: <u>December 11, 2017</u>	☐ Tabled	☒ Forwarded	☐ Denied	
Motion: HOFFMAN, MOTION TO FORWARD AS RECOMMENDED BY STAFF.				
Second: SCROGGIN				
Vote: 7-0-0				
CITY COUNCIL ACTION: Required				<u>YES</u>
Date: <u>January 2, 2017</u>	☐ Approved	☐ Denied		

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - o §161.07, RSF-4, Residential Single-family/4 units per acre
 - o §161.11, RI-12, Residential Intermediate 12 Units per acre
- Fire Department Comments
- Request Letter
- Proposed Rezoning Exhibit
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map

UDC SECTIONS

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

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

(B) *Uses.*

(1) *Permitted Uses .*

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

(2) *Conditional Uses .*

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

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations .*

Building Height Maximum	45 feet
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161.11 - District RI-12, Residential Intermediate, Twelve (12) Units Per Acre

(A) *Purpose.* The RI-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster 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 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12
----------------	----

(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building height maximum	30/45 feet
-------------------------	------------

*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09;

Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 06-18-13; Ord. No. 5664, 2-18-14; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§4, 8, 9, 1-17-17)

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.

(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. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §8, 1-17-17)



TO: Quin Thompson, Planner

CC: Assistant Chief Harley Hunt, Fire Marshal
Battalion Chief Brian Sloat, Deputy Fire Marshal

FROM: Rodney Colson, Fire Protection Engineer

DATE: December 6, 2017

SUBJECT: RZN 17-5997: Rezone (690 W. Whillock St./Moldenhauer, 717)

The Fire Department has no issues with the rezoning request. Fire access, water supply, and fire protection will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

17-5997 ZONING EXHIBIT

subject property

WHILLOCK ST



80 40 0 80 Feet

October 24, 2017

Fayetteville Planning Commission

To Whom It May Concern,

Please accept this request to rezone 690 W Willock St, 765-15503-000. The current zoning is RSF-4 and the desired zoning is RI-12.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Moldenhauer', with a long horizontal flourish extending to the right.

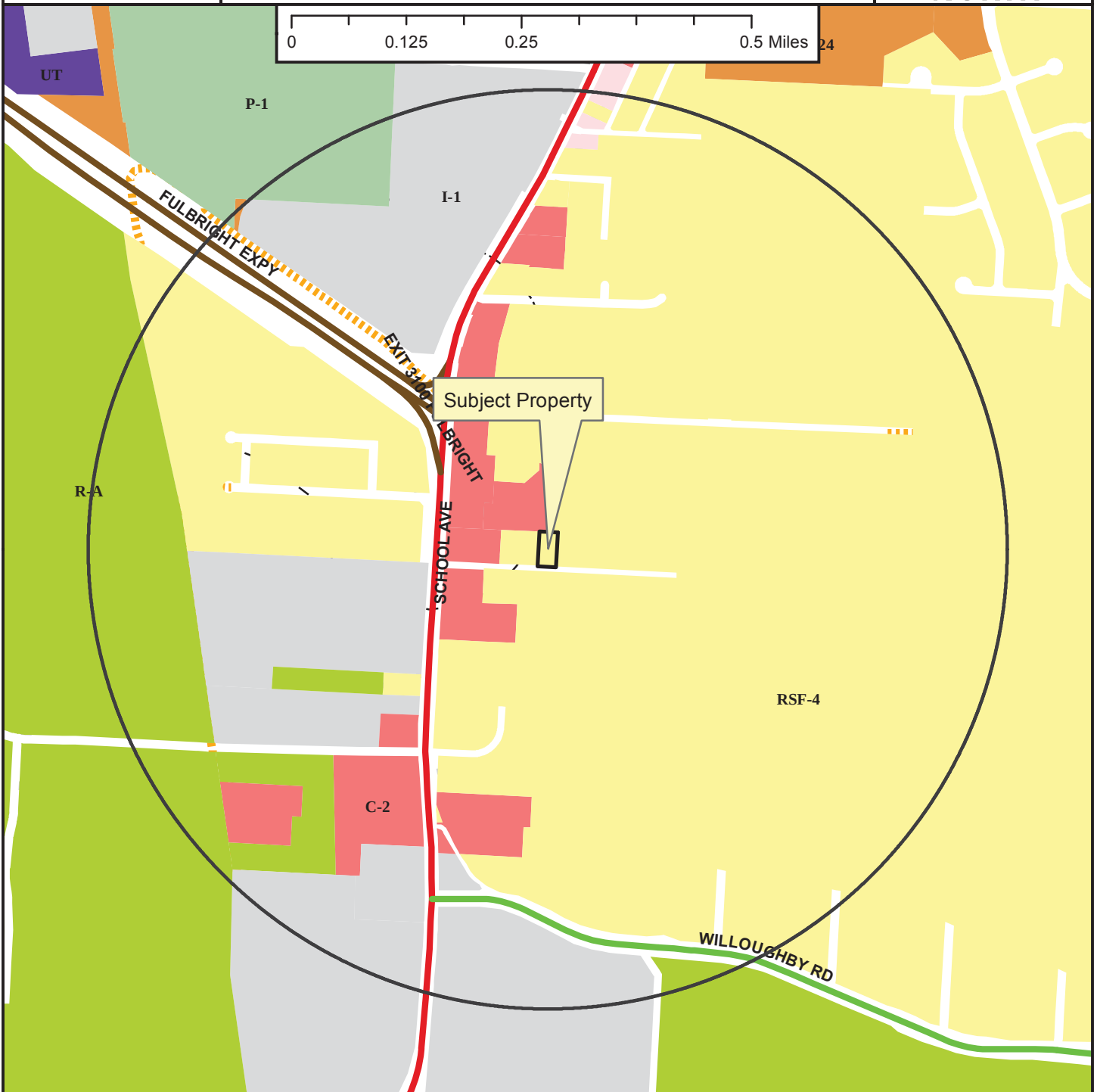
Tim Moldenhauer
Moldenhauer Real Estate Inc
479-790-1683

RZN17-5997

MOLDENHAUER

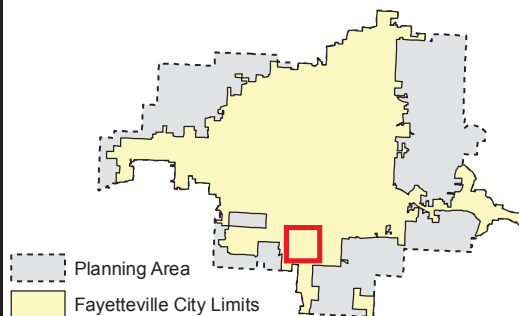


One Mile View



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District
- Building Footprint

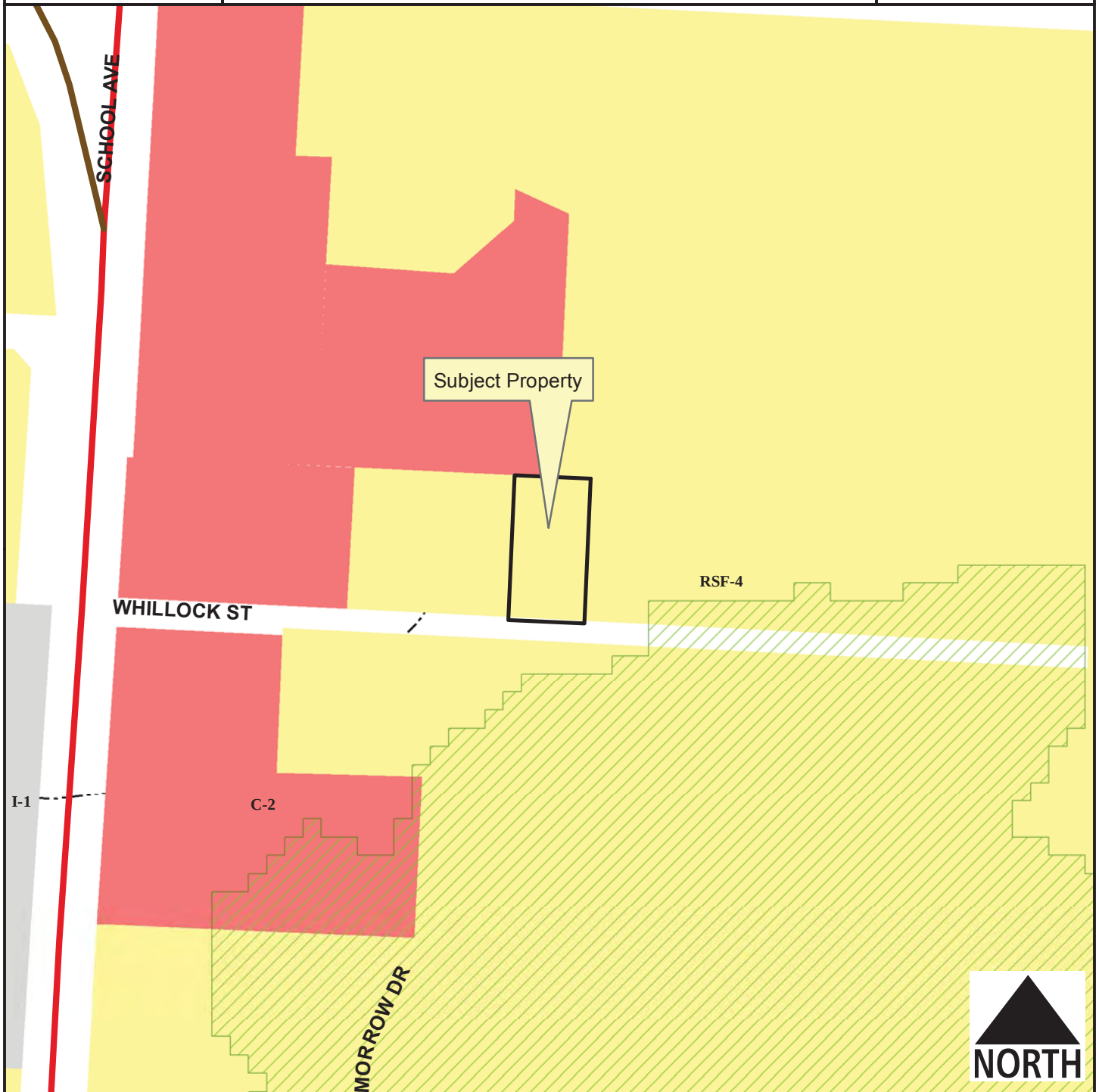


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - RSF-5 Residential-Agricultural
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RT-12 Residential Two and Three-family
 - RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
- Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INSTITUTIONAL**
- P-1

RZN17-5997

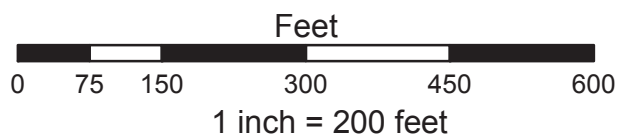
MOLDENHAUER

Close Up View



Legend

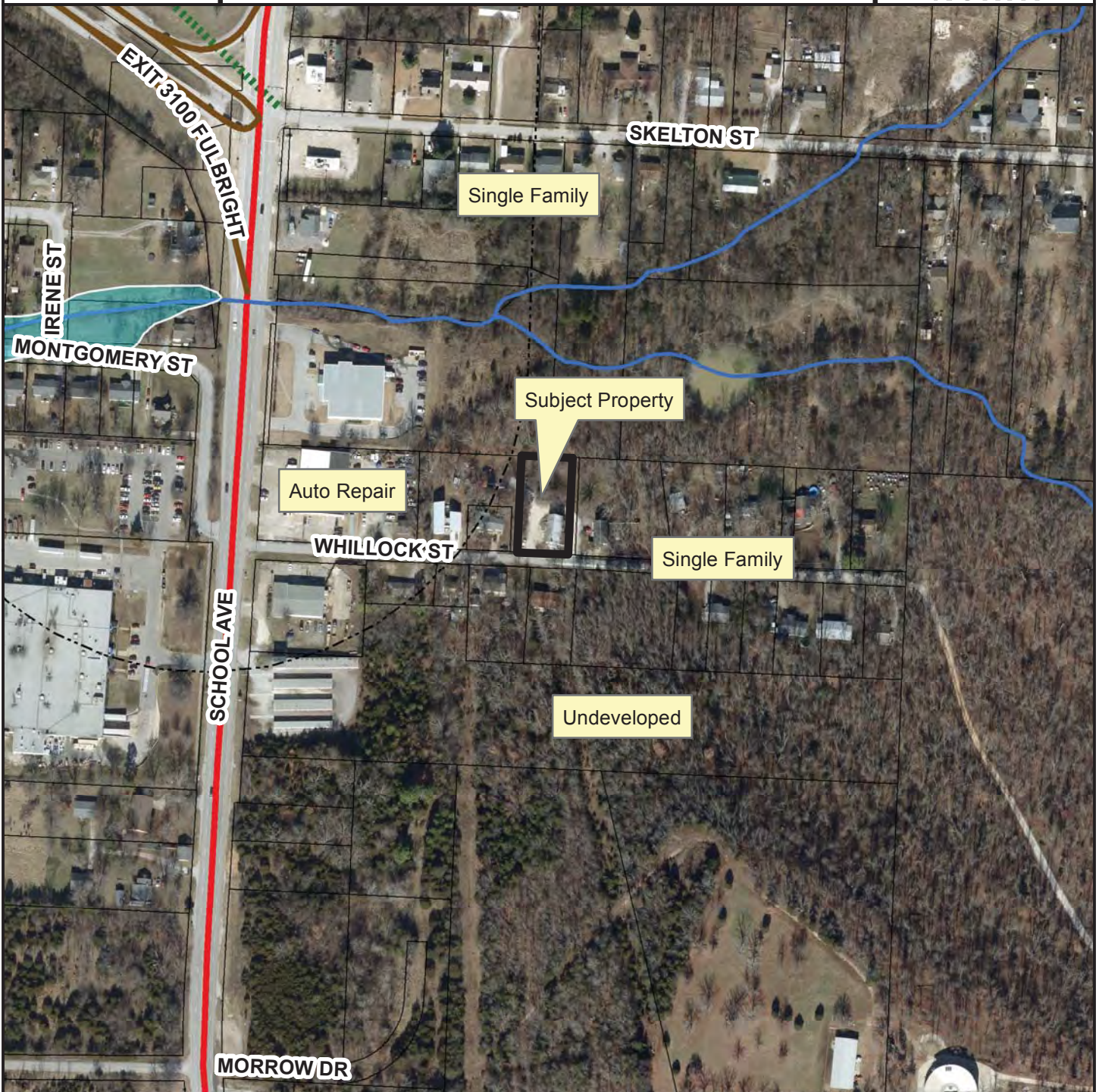
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Design Overlay District
- Building Footprint



RZN17-5997

Current Land Use

MOLDENHAUER



Streets Existing

MSP Class

- FREEWAY/EXPRESSWAY
- PRINCIPAL ARTERIAL
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District

Feet



1 inch = 300 feet

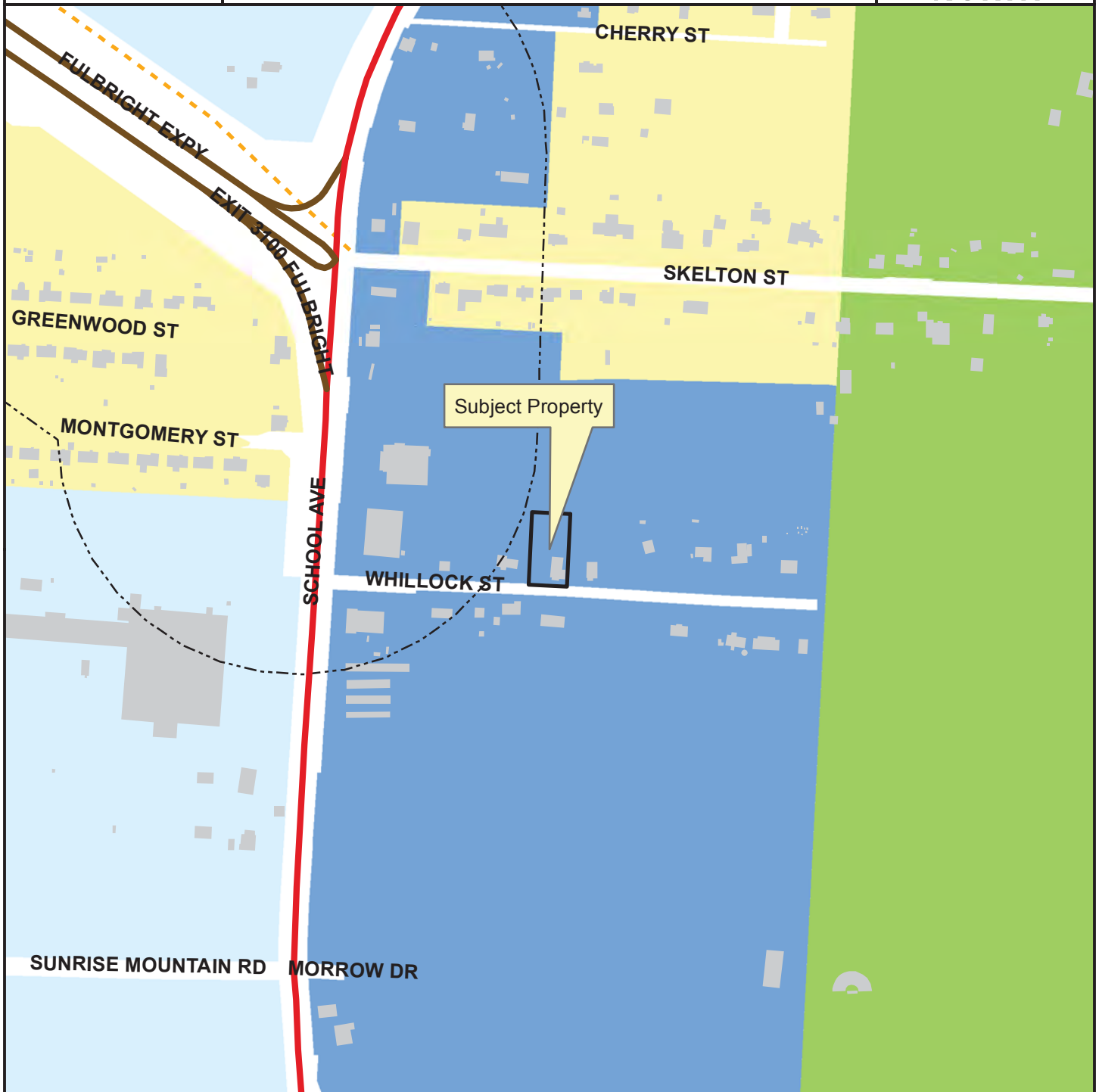
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

RZN17-5997

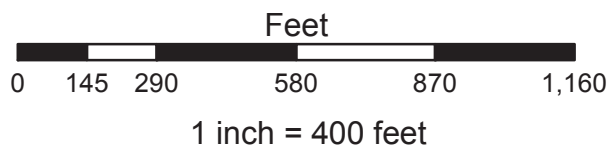
Future Land Use

MOLDENHAUER



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District
- Building Footprint



FUTURE LAND USE 2030

- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Industrial



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0749

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 5

RZN 17-6004 (1620 N. PORTER RD./REAGOR):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6004 FOR APPROXIMATELY 0.55 ACRES LOCATED AT 1620 NORTH PORTER ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from RSF-4, Residential Single Family, 4 Units per Acre to RI-U, Residential Intermediate-Urban.

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

City of Fayetteville Staff Review Form

2017-0749

Legistar File ID

1/2/2018

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

Garner Stoll

12/15/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 17-6004: Rezone (1620 N. PORTER RD./REAGOR, 403): Submitted by JORGENSEN & ASSOCIATES, INC. for properties at 1620 N. PORTER RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.55 acres. The request is to rezone the properties to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

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 COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Jonathan Curth, Senior Planner
Andrew Garner, City Planning Director

DATE: December 15, 2017

SUBJECT: **RZN 17-6004: Rezone (1620 N. PORTER RD./REAGOR, 403):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties at 1620 N. PORTER RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.55 acres. The request is to rezone the properties to RI-U, RESIDENTIAL INTERMEDIATE, URBAN.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to rezone the subject property to RI-U, Residential Intermediate, Urban, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is located approximately one-half mile north of Wedington Drive on the southeast corner of Porter Road and Houston Street. Porter is classified by the City's Master Street Plan as a Collector and Houston as a Local Street. The property is currently zoned RSF-4, Residential Single-family, 4 Units per Acre, and is developed with a single-family dwelling that was built in 1964.

Request: The request is to rezone the property from RSF-4 to RI-U. The applicant's letter indicates that they intend to develop the property for residential uses of increased density.

Land Use Compatibility: Staff's finds the proposed rezoning to be compatible with land uses in the subject property's vicinity. In staff's opinion, the dwelling types permitted within the proposed RI-U zoning district are compatible with both the immediately surrounding single- and two-family uses and the many multi-family developments found throughout the broader area. At the same time, it is worth noting that the lack of a density requirement under the RI-U zoning district has the potential to encourage a development pattern that is of greater intensity than currently occurs on or adjacent to the subject property. All things considered, staff finds that the 0.55-acre size of the subject property will be a limitation on development, effectively curbing the number of units that can be feasibly built to an amount compatible with adjacent land uses.

Land Use Plan Analysis: The proposed rezoning exhibits mixed compatibility with the City's adopted plans. The proposed zoning complies with the Future Land Use Map (FLUM) in City Plan 2030, which designates the subject and surrounding properties as Residential Neighborhood Area. Residential Neighborhood Area is a classification that includes a wide variety of residential uses, ranging from single- to multi-family. However, Residential Neighborhood Areas are also intended to support residential housing that is contextual and of appropriate scale. Goal #1 of City Plan 2030 further emphasizes this by stating "We will make appropriate infill and revitalization our highest priorities." Combined, the future land use designation and Goal #1 of City Plan 2030 promote development that reflects the existing community character. Under the RI-U zoning district, required land area and density requirements are eliminated when compared to the existing RSF-4 zoning district. This may result in development that is of significantly varying character from adjacent properties.

That said, the proposal is complimentary of many City Plan 2030 goals. Unlike the existing RSF-4 zoning district, RI-U permits a wider spectrum of housing types, which may promote opportunities for attainable housing (City Plan 2030 Goal #6). Additionally, the subject property's location adjacent to Porter Road, a well-used transportation route, has resulted in it being near bus stops for Razorback Transit, making development under this proposal a potential contributor to establishing a livable transportation network (Goal #4). Lastly, rezoning the property to RI-U, including its associated build-to zone and density, encourages infill development in a traditional town form (Goal #3), with new structures addressing the street and utilizing existing services and infrastructure.

DISCUSSION:

On December 11, 2017, the Planning Commission heard the item and proposed RI-U, Residential Intermediate-Urban, as an alternative zoning district that may be more compatible than the originally proposed RMF-24, Residential Multi-family, 24 Units per Acre. The applicant agreed to revise their request to the proposed RI-U zoning district and the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 7-0-0. Members of the public spoke in opposition to the request, citing concerns about traffic congestion and danger, and the potential that development will aggravate existing flooding that occurs to the east and northeast.

BUDGET/STAFF IMPACT:

N/A

Attachments:

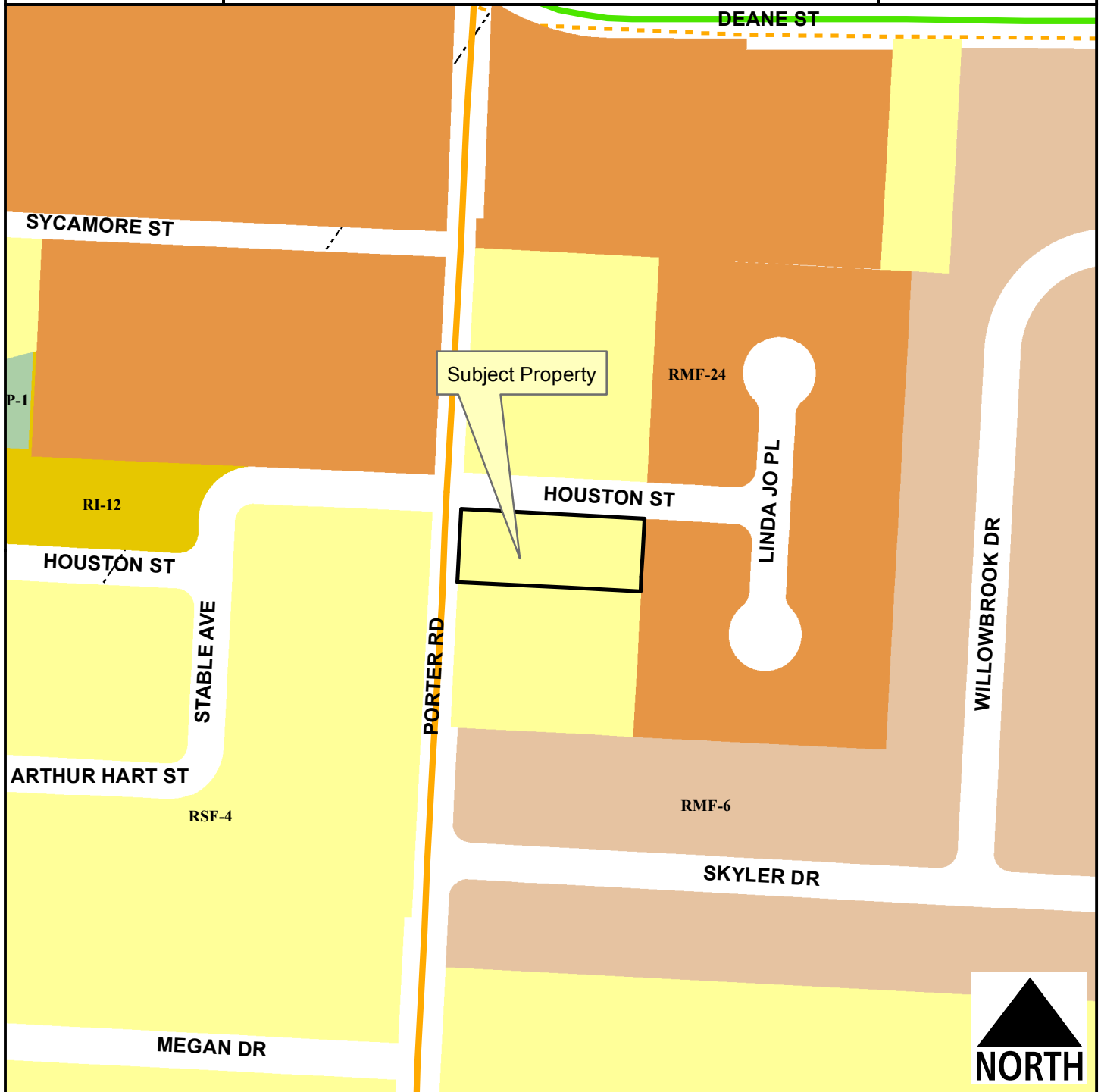
- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

RZN17-6004

REAGOR

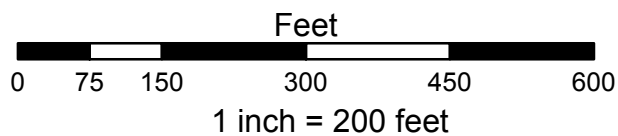
17-6004
EXHIBIT 'A'

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District
- Building Footprint



- RSF-4
- RI-12
- RMF-6
- RMF-24
- P-1

17-6004
EXHIBIT 'B'

LEGAL DESCRIPTION:

ALL OF LOT 13 OF THE REPLAT OF LOTS 11 THROUGH 16 UNIVERSITY ACRES SUBDIVISION AS
FILED AT BOOK 491, PAGE 402 IN THE OFFICE OF THE CIRCUIT CLERK, WASHINGTON COUNTY,
ARKANSAS.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

FEE: \$325.00

Sign Fee: \$5.00

S-T-R:

PP#:

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: _____ Applicant ☒ Representative

Applicant (person making request):

Name: James Murry III & Leslie Reagor

Address: 5444 E. Saddleridge Dr.
Fayetteville, AR 72703

E-mail: murryreagor@gmail.com
lesliereagor@gmail.com

Phone:

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Fax:

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Representative (engineer, surveyor, realtor, etc.):

Name: Jorgensen & Associates

Address: 124 W. Sunbridge
Fayetteville, AR 72703

E-mail: evan@jorgensenassoc.com

Phone:

(479) 442-9127

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Fax:

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Site Address / Location: 1620 N. Porter Rd.

Current Zoning District: RSF-4

Requested Zoning District: RMF-24

Assessor's Parcel Number(s) for subject property: 765-11600-000 & 765-11566-000

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

James Murry & Leslie Reagor

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): Leslie Reager Date: 10-26-17

Signature: Leslie Reager

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): Leslie Reager Address: _____

Signature: Leslie Reager _____

Date: 10-26-17 Phone: _____
()

Name (printed): J. Merry Reager Address: 5444 E Snodden Rd

Signature: [Signature] Fayetteville, AR 72703

Date: 10/26/2017 Phone: _____
(301) 551-8536

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.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

MEETING DATE: December 11, 2017 (**Updated with Planning Commission Results**)

SUBJECT: **RZN 17-6004: Rezone (1620 N. PORTER RD./REAGOR, 403):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties at 1620 N. PORTER RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.55 acres. The request is to rezone the properties to RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding of **RZN 17-6004** to the City Council with a recommendation for approval based on the findings herein.

BACKGROUND:

The subject property is located approximately one-half mile north of Wedington Drive on the southeast corner of Porter Road and Houston Street. Porter is classified by the City's Master Street Plan as a Collector and Houston as a Local Street. The property is currently zoned RSF-4, Residential Single-family, 4 Units per Acre, and is developed with a single-family dwelling that was built in 1964. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-family, 4 Units per Acre
East	Two-family Residential	RMF-24, Residential Multi-family, 24 Units per Acre
West	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre

Request: The request is to rezone the property from RSF-4 to RMF-24. The applicant's letter indicates that they intend to develop the property for residential uses of increased density.

Public Comment: Staff has received public comment from one resident and two property owners in the neighborhood. Opposition was expressed by one property owner and the resident, with the stated concerns being existing traffic conditions and the exacerbation of flooding. The second property owner expressed concerns with new development given the poor drainage and flooding in the area.

INFRASTRUCTURE:

- Streets:** The subject property has access to both Porter Road and Houston Street, classified as Collector and Local Streets respectively. Porter Road is an unimproved, two-lane asphalt street with sidewalk on one side of the street and no curb and gutter. Houston Street is partially improved with the full Local street width of asphalt, curb and gutter, but no sidewalk. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to the site. There are existing 4-inch and 6-inch public water mains along the Porter right-of-way, and an 8-inch public water main on Houston.
- Sewer:** Sanitary sewer is available to the site. There is an existing 6-inch public sewer main in the Porter right-of-way.
- Drainage:** No portions of this parcel are identified as 100-year FEMA regulated floodplains or floodways, and no protected streams are present. Furthermore, no portion of this parcel is within the Hillside-Hilltop Overlay District. A large area of floodplain is present to the north of the subject property in association with a tributary of Hamstring Creek. Any additional improvements or requirements for drainage will be determined at time of development.
- Fire:** The Fire Department did not express any concerns with this request.
- Police:** The Police Department did not express any concerns with this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates the properties within the proposed rezone as **Residential Neighborhood Area**.*

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

FINDINGS OF THE STAFF:

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

Finding: ***Surrounding Land Use Compatibility:*** Staff's findings regarding land use compatibility are mixed. In staff's opinion, the development scale, types, and patterns permitted within the proposed RMF-24 zoning district are not fully compatible with the immediately surrounding single- and two-family uses and densities. Although property zoned RMF-24 exists to the east, it is

developed with 2-family dwellings at a density of approximately 6.5 units per acre, which is comparable to the low-density, single-family residential that is common in the area. At the same time, it is worth noting the diverse housing in the wider area, which includes many multi-family developments, suggesting that greater density may be appropriate, but perhaps not to the degree proposed.

Land Use Plan Analysis: As with staff's land use compatibility findings, land use plan compatibility findings are mixed. The proposed zoning is somewhat compatible with the Future Land Use Map (FLUM) in City Plan 2030, which designates the subject and surrounding properties as Residential Neighborhood Area. Residential Neighborhood Area is a classification that includes a wide variety of residential uses, ranging from single- to multi-family. However, Residential Neighborhood Areas are also intended to support residential housing that is contextual and of appropriate scale. Goal #1 of City Plan 2030 is "We will make appropriate infill and revitalization our highest priorities." This goal further states that the City should promote development that reflects the existing community character. Under the RMF-24 zoning district, the required land area requirements decrease and density allowances increase when compared to the RSF-4 zoning district. This may result in development that is of significantly varying character from adjacent properties.

The proposal is complimentary of many City Plan 2030 goals. Unlike the existing RSF-4 zoning district, RMF-24 allows a broad spectrum of housing types, which may promote opportunities for attainable housing (City Plan 2030 Goal #6). Additionally, the subject property's location adjacent to Porter Road, a well-used transportation route, has resulted in it being near bus stops for Razorback Transit, making development under this proposal a potential contributor to establishing a livable transportation network (Goal #4). Lastly, rezoning the property to RMF-24, including its associated build-to zone and density, encourages infill development in a traditional town form (Goal #3), with new structures addressing the street and utilizing existing services and infrastructure.

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

Finding: In staff's opinion, a rezoning to RMF-24 at this location is justified at this time. While current land use compatibility and the Future Land Use Map designation vary somewhat on the appropriateness of the scale and development patterns allowed by RMF-24, the alignment of the request with many of City Plan 2030's goals suggest a rezoning is suitable. Alternatively, staff suggests consideration of a more contextually appropriate and transitional zoning district, such as RSF-8, Residential Single-family, 8 Units per Acre, NC, Neighborhood Conservation, or RI-12, Residential Intermediate, 12 Units per Acre.

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

Finding: While a higher level of development intensity is permitted under the RMF-24 zoning district, rezoning the property is not likely to increase traffic danger or congestion over the existing RSF-4 zoning district. Between 2011 and 2015, one vehicular accident and one accident involving a pedestrian occurred at Porter and Houston. The possibility of additional hazard can be mitigated through many of the City's development standards. This includes the access management ordinance, which requires 2-, 3-, and multi-family dwellings access a lower classification street when available (Houston in this case), and at a spacing of no less than 50 feet on a Local Street. Furthermore, if the impact of development is determined to be sufficient, sidewalks and other improvements may be required along one or both property frontages.

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

Finding: Rezoning the property from RSF-4 to RMF-24 will increase the potential population density, and may increase the load on facilities and services. Given the size of the property however, a maximum density of approximately 12 units is possible, which is unlikely to have adverse effects. Under the RMF-24 zoning district's requirements there is potential for multiple single- or two-family dwellings, or, with the adequate provision of parking and stormwater facilities, a multi-family development.

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

Finding: N/A

RECOMMENDATION: Staff recommends forwarding of **RZN 17-6004** to the City Council with a recommendation for approval based on the findings discussed throughout this report.

RECOMMENDED MOTION: "I move to forward RZN 17-6004 to the City Council with a recommendation of approval."

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>December 11, 2017</u>	☐ Tabled	☒ Forwarded	☐ Denied
<u>MOTION #1</u>		<u>MOTION #2</u>	
Motion: Hoffman, amending the request to rezoned the property to RI-U		Motion: Scroggin	
Second: Scroggin		Second: Brown	
Vote: 7-0-0		Second: 7-0-0	
CITY COUNCIL ACTION:		Required	<u>YES</u>
Date: <u>January 2, 2018 (Tentative)</u>	☐ Approved	☐ Denied	

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - o §161.07, RSF-4, Residential Single-family, 4 Units per Acre
 - o §161.16 RMF-24, Residential Multi-family, 24 Units per Acre
- Request Letter
- Rezone Exhibit
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(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	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet

Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
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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.

(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. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. [5921](#), §1, 11-1-16)

161.16 - District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cluster 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 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two-family	35 feet
Three or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

(3) *Land Area Per Dwelling Unit.*

Manufactured Home	3,000 square feet
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(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	30/45/60 feet*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10—20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet. 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 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16)



JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying
Landscape Architecture Services

RZN 17-6004

Request Letter

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703

Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

November 1, 2017

City of Fayetteville
Development Services
113 West Mountain Street
Fayetteville, AR 72701

Re: Rezoning at 1620 Porter Rd.

Dear City Staff;

Murry and Leslie Reagor are proposing to rezone their property at 1620 Porter Rd. (parcels 765-11600-000 & 765-11566-000) from RSF-4 to RMF-24. They are eventually desiring to split the lot into lots of between 30' and 40' in width and would like to stay consistent with zoning to the east.

An RMF-24 zoning would be consistent with the designated future land, Residential Neighborhood Area. By definition these are residential in nature but support a variety of housing types, including single family, multi-family and row houses. Specifically, this is a corner lot on a Collector St. (Porter Rd.) where typically you would find higher density. The surrounding properties vary between RSF-4 and RMF-24. To the north south and east is RSF-4 and to the NW, SE, SW & E is RMF-24, so a multi-family zoning would be appropriate for 1620 Porter.

Appearance will be either row homes, duplexes or single-family houses, which would match the surrounding neighborhood. The property is on a corner lot with access to a currently low volume residential street and a collector street. With the small amount of development proposed there won't be a measurable traffic increase.

An 8" water main is available along Houston St. and 6" and 4" water mains are available along Porter Rd. A 6" sewer main is accessible along Porter Rd.

As mentioned above, this is a corner lot on a Collector St. (Porter Rd.) where typically you would find higher density. Pages 12-5 and 12-6 of the City's Future Land Use Guiding Policies point out having a variety of residential uses, especially higher density and low intensity non-residential on corner lots. RMF-24 would be a consistent with this policy.

In order to continue growth and infill around existing streets and infrastructure the lot would need to be rezoned.

At the very most and if rezoned the property could have 13 units, not a dramatic increase for a lot on the corner of a collector street and a residential street.

Both Owl Creek Middle School and Asbell Elementary School are nearby. This is in the middle of a well serviced area for both water and sewer.

It would be impractical for the property to be zoned for less density.

Thank you and if you need any additional information, please don't hesitate to contact us.

Sincerely,

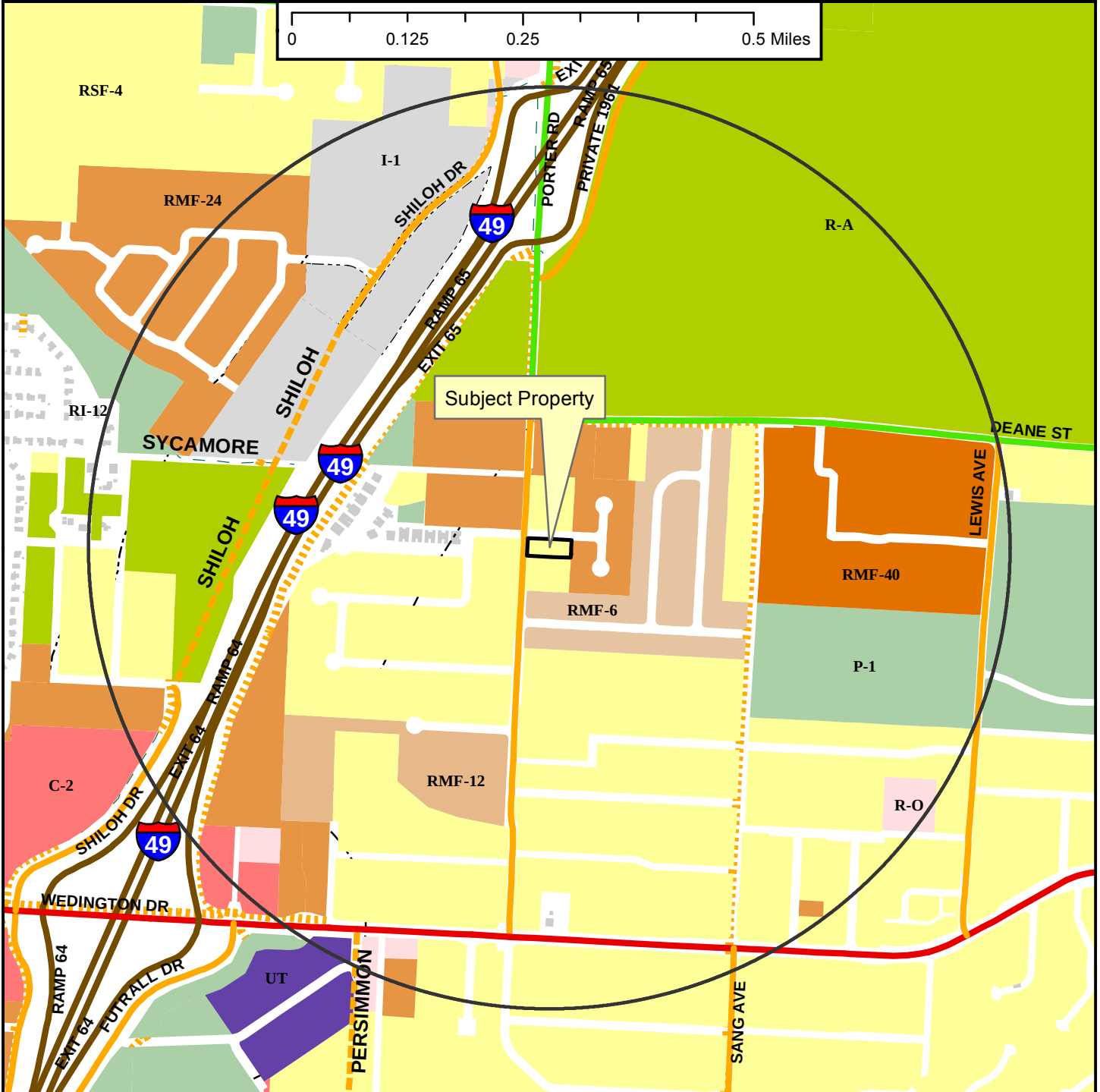
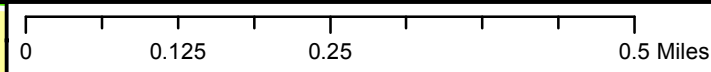
Evan Niehues, RLA

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127

RZN17-6004

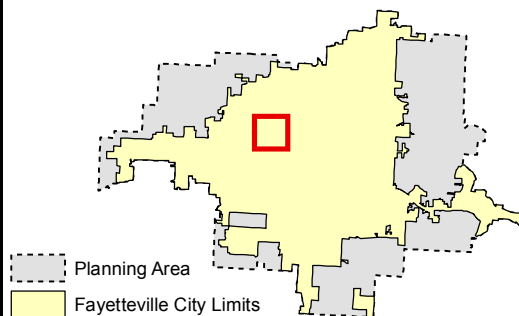
REAGOR

One Mile View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint



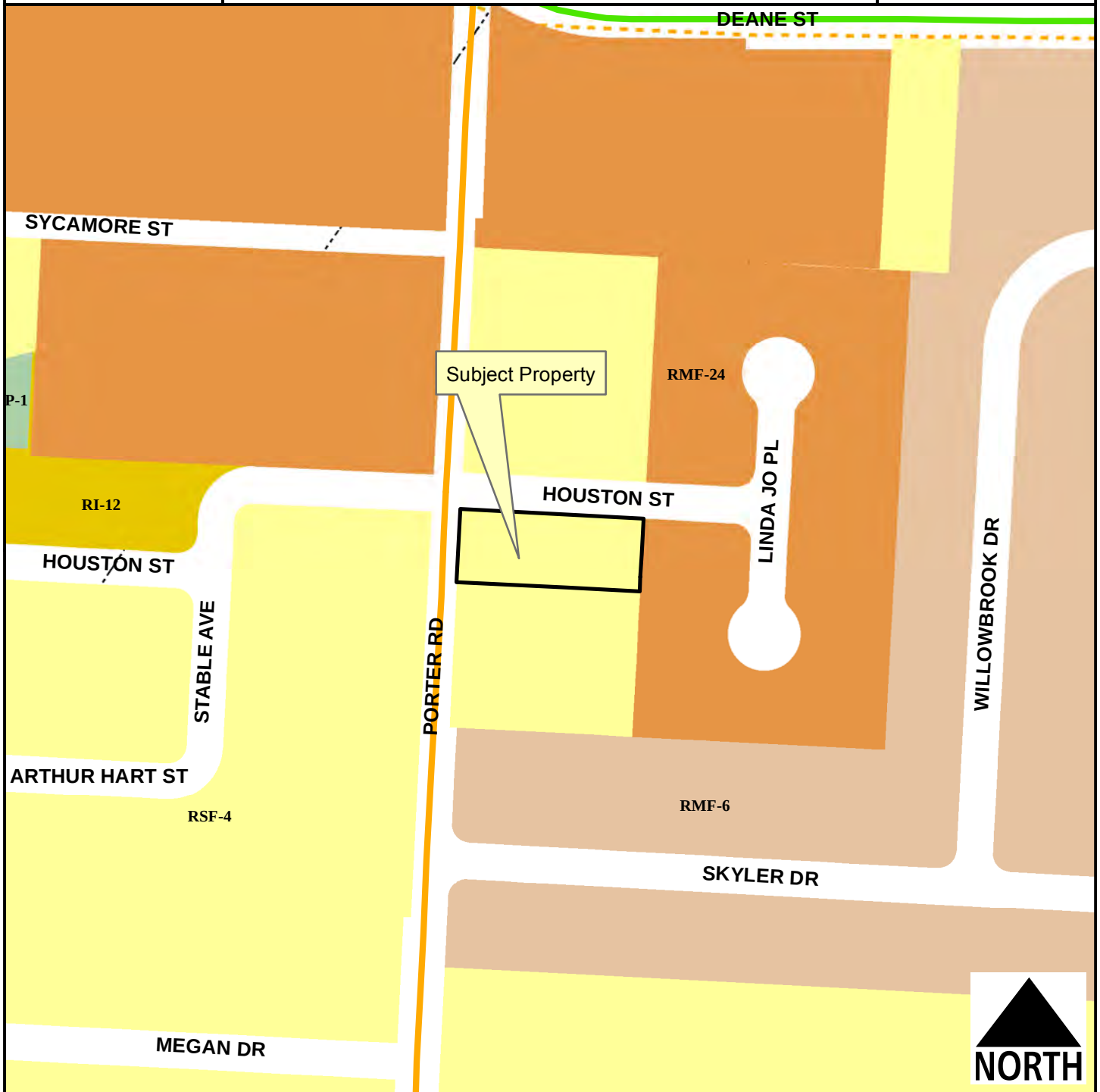
- | | |
|---|---|
| <p>Zoning</p> <p>RESIDENTIAL SINGLE-FAMILY</p> <ul style="list-style-type: none"> RSF-5 RSF-1 RSF-2 RSF-4 RSF-7 RSF-8 RSF-18 <p>RESIDENTIAL MULTI-FAMILY</p> <ul style="list-style-type: none"> RMF-6 RMF-12 RMF-18 RMF-24 RMF-40 <p>INDUSTRIAL</p> <ul style="list-style-type: none"> I-1 Heavy Commercial and Light Industrial I-2 General Industrial | <p>EXTRACTION</p> <ul style="list-style-type: none"> E-1 <p>COMMERCIAL</p> <ul style="list-style-type: none"> Residential-Office C-1 C-2 C-3 <p>FORM BASED DISTRICTS</p> <ul style="list-style-type: none"> Downtown Core Urban Thoroughfare Main Street Center Downtown General Community Services Neighborhood Services Neighborhood Conservation <p>PLANNED ZONING DISTRICTS</p> <ul style="list-style-type: none"> Commercial, Industrial, Residential <p>INSTITUTIONAL</p> <ul style="list-style-type: none"> P-1 |
|---|---|

Planning Commission
December 11, 2017

RZN17-6004

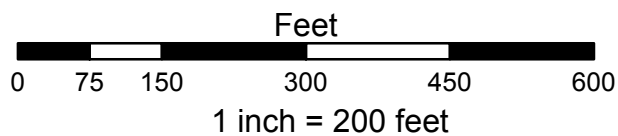
REAGOR

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District
- Building Footprint



- RSF-4
- RI-12
- RMF-6
- RMF-24
- P-1

RZN17-6004

Current Land Use

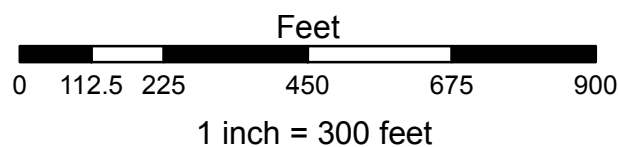
REAGOR



Streets Existing

MSP Class

- COLLECTOR
- FREEWAY/EXPRESSWAY
- MINOR ARTERIAL
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

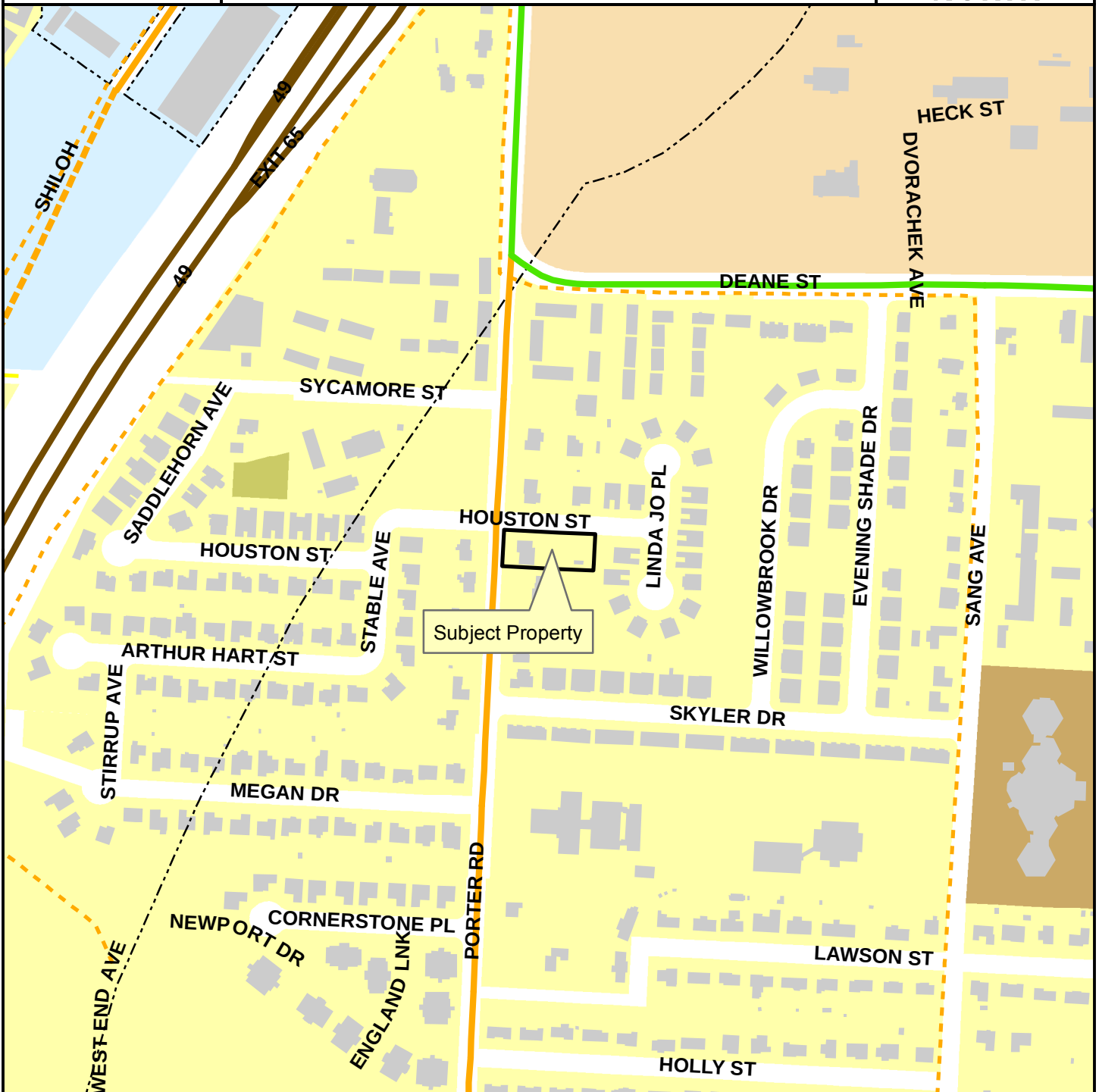
- 100-Year Floodplain
- Floodway

RZN17-6004

REAGOR

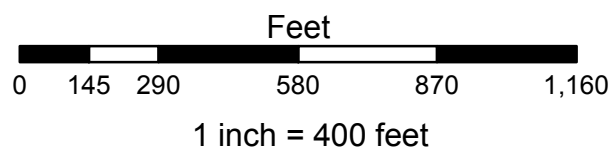


Future Land Use



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint



FUTURE LAND USE 2030

- Residential Neighborhood Area
- Industrial
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0748

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 6

RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6015 FOR APPROXIMATELY 0.86 ACRES LOCATED SOUTH OF WEDINGTON DRIVE BETWEEN 46TH STREET AND BROYLES AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from RSF-4, Residential Single Family, 4 Units per Acre to NC, Neighborhood Conservation.

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

City of Fayetteville Staff Review Form

2017-0748

Legistar File ID

1/2/2018

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

Garner Stoll

12/15/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 17-6015: Rezone (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES REZONE #2, 438): Submitted by CIVIL DESIGN ENGINEERS, INC. for properties at 4748 W. WEDINGTON DR. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.86 acres. The request is to rezone the properties to NC, NEIGHBORHOOD CONSERVATION.

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 COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Jonathan Curth, Senior Planner
Andrew Garner, City Planning Director

DATE: December 15, 2017

SUBJECT: **RZN 17-6015: Rezone (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES REZONE #2, 438):** Submitted by CIVIL DESIGN ENGINEERS, INC. for properties at 4748 W. WEDINGTON DR. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.86 acres. The request is to rezone the properties to NC, NEIGHBORHOOD CONSERVATION.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to rezone the subject property to NC, Neighborhood Conservation, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is south of Wedington Drive, between 46th and Broyles Avenues to the east and west. The property was annexed in 1982 and has been continuously used as pastureland for decades. On October 2, 2007, the Woodstock Residential Planned Zoning District (R-PZD 07-2551) was approved, allowing for 382 dwellings and 100,390 square feet of non-residential square footage. Construction permits for the project were never obtained and the R-PZD approval expired. Following expiration, the Woodstock R-PZD was rezoned in July of 2012 to a mixture of CS, Community Services, R-O, Residential Office, NC, Neighborhood Conservation, and RSF-4, Residential Single-family, 4 Units per Acre, as part of the revocation process. More recently, two portions of the subject property were approved for rezoning from RSF-4 to NC and RSF-18 to facilitate future development. The property is largely flat and remains undeveloped with mature trees located along the fence lines.

Request: The request is to rezone portions of the subject property, totaling 0.86 acres and designated RSF-4 to NC. A previous rezoning on this property, which was approved by the City Council in November of 2017, was meant to mirror the boundaries of an upcoming subdivision proposal, but it was determined by the applicant that additional areas of property zoned from RSF-4 to NC are needed.

Land Use Compatibility: Although many of the properties in the area are undeveloped, agricultural, or large lot residential in nature, staff finds the proposed zoning to be generally

compatible with the land use patterns and development trends along the wider Wedington Corridor. Although this block of land along Wedington Drive has yet to develop similarly to other properties in the area, the proposed zoning districts are of a suitable intensity and density that compatibility can be generally assured. Also, the limited area of land proposed for rezoning is unlikely to sufficiently increase densities enough over the existing zoning to adversely impact existing land uses. In fact, a greater density on the subject property located between the existing single-family subdivision to the south and the mixed-use zoning to the north can create a desirable transition.

Land Use Plan Analysis: The proposed zoning is compatible with the Future Land Use Map (FLUM) and consistent with both the Residential Neighborhood and City Neighborhood designations of the subject property. The NC zoning district, with its associated build-to zone requirement, facilitates walkable streets and development in a traditional town form. With existing streets, water, and sewer available, a neighborhood developed on this property will be able to utilize City infrastructure and services without the need for substantial new facilities, and the greater density of the proposed rezoning will allow more residents to use those facilities.

In addition to its FLUM designation, the subject property falls within the boundaries of the Wedington Corridor Neighborhood Plan. This plan calls for a redefining of Wedington Drive as a parkway with complete, compact, and connected neighborhoods. Although the plan does not provide clear guidance for future development of the subject property, the proposed rezoning will allow a greater density and therefore potential for compact neighborhoods. Additionally, the Illustrated Wedington Corridor Master Plan shows this area developed with low- and medium-density residential housing, which is facilitated by the NC zoning district.

DISCUSSION:

On December 11, 2017, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 7-0-0. No public comment was made.

BUDGET/STAFF IMPACT:

N/A

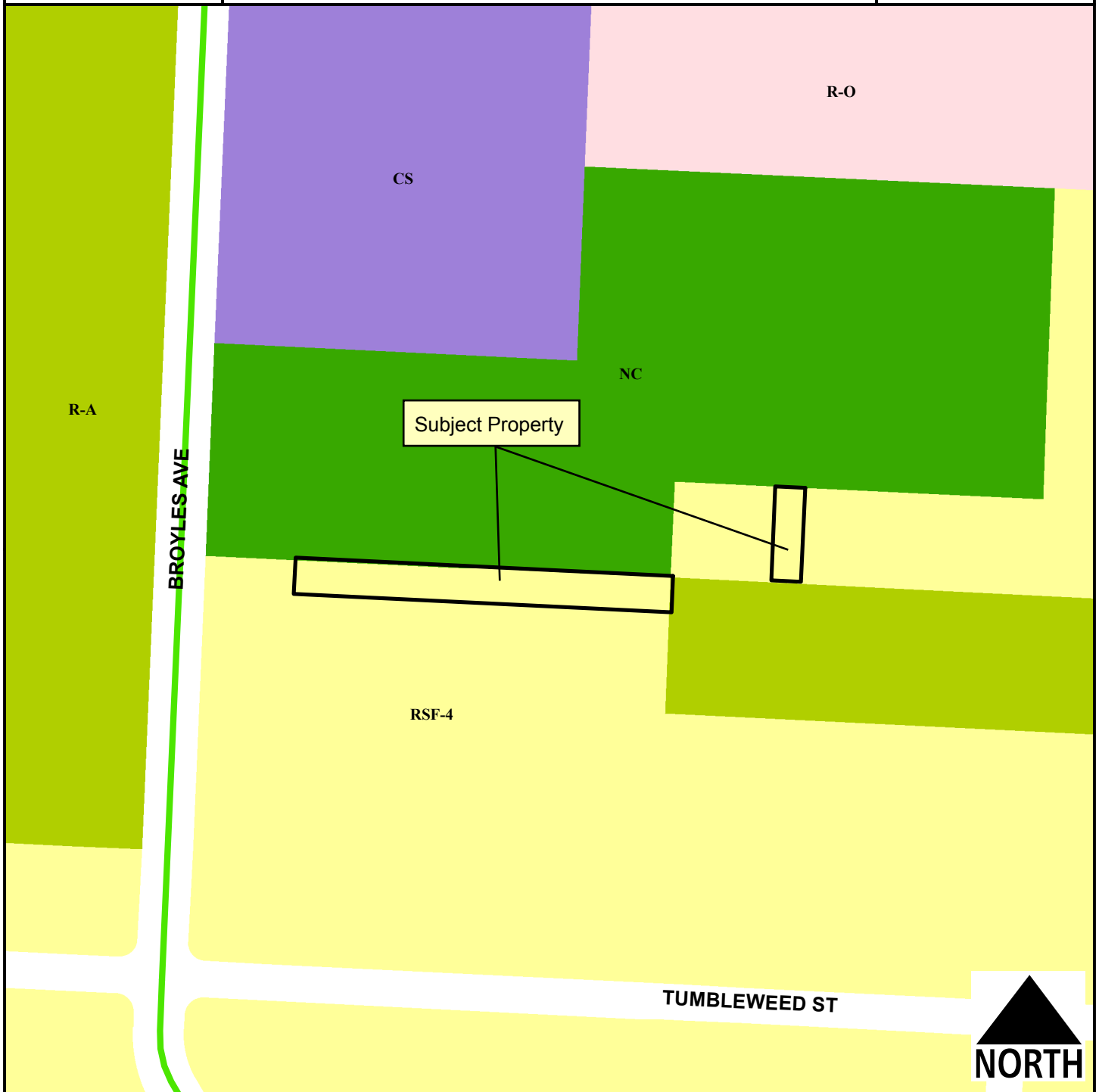
Attachments:

- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

RZN17-6015

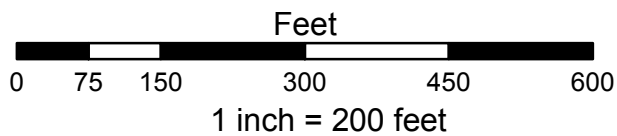
LEISURE HOMES CORP.

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Building Footprint



- Residential-Agricultural
- RSF-4
- Residential-Office
- Community Services
- Neighborhood Conservation

LEGAL DESCRIPTION 1 – PORTION TO BE REZONED NEIGHBORHOOD
CONSERVATION (NC)

A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS : BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N02°21'25"E 410.36-FEET TO THE POINT OF BEGINNING; THENCE S87°14'45"E 644.08-FEET TO THE EAST PROPERTY LINE OF PARCEL 765-16267-000 AS SHOWN ON THE PLAT FILED IN BOOK 2013 PAGE 20115 IN THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS; THENCE ALONG SAID EAST PROPERTY LINE S02°30'10"W 50.00-FEET; THENCE N87°14'45"W 520.03-FEET TO THE EAST PROPERTY LINE OF PARCEL 765-16267-000 AS SHOWN ON THE PLAT FILED IN BOOK 2013 PAGE 20115 IN THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS; THENCE ALONG SAID EAST PROPERTY LINE N02°21'25"E 50.53-FEET TO THE POINT OF BEGINNING; CONTAINING 0.74 ACRES OR 32,209 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION 2 – PORTION TO BE REZONED NEIGHBORHOOD
CONSERVATION (NC)

A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS : BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N02°21'25"E 410.36-FEET; THENCE S87°14'45"E 779.68-FEET TO A POINT ON THE SOUTH PROPERTY LINE OF PARCEL 765-16264-000 AS SHOWN ON THE PLAT FILED IN BOOK 2013 PAGE 20115 IN THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS; THENCE N02°20'58"E 129.49-FEET; THENCE S87°14'45"E 41.02-FEET; THENCE S02°30'27"W 129.49-FEET TO A POINT ON SAID SOUTH PROPERTY LINE; THENCE ALONG SAID SOUTH PROPERTY LINE N87°14'45"W 40.66-FEET TO THE POINT OF BEGINNING; CONTAINING 0.12 ACRES OR 5,288 SQUARE FEET MORE OR LESS.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

FEE: \$325.00

Sign Fee: \$5.00

S-T-R:

PP#:

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: _____ Applicant X Representative

Applicant (person making request):

Name: LEISURE HOMES CORP.

TOM EMBACH

Address: 351 E. 4th STREET

MOUNTAIN HOME, AR 72653

E-mail: tembach@leisurehomes.us

Phone:

(870) 424-7460

()

Fax:

()

Representative (engineer, surveyor, realtor, etc.):

Name: CIVIL DESIGN ENGINEERS, INC.

FERDI FOURIE, P.E.

Address: 4847 KAYLEE AVE

SPRINGDALE, AR 72762

E-mail: ffourie@civilde.com

Phone:

(479) 381-1066 (cell)

()

Fax:

()

Site Address /Location: 4847 W. WEDINGTON DR

Current Zoning District: NC; RSF-4

Requested Zoning District: NC

Assessor's Parcel Number(s) for subjectproperty: 765-16264-000; 765-16268-001

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

LEISURE HOMES CORP.

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): FERDI FOURIE, P.E.

Date: 11-22-17

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.)

Property Owners of Record (attach additional info if necessary):

Name (printed): TOM EMBACH

Address: LEISURE HOMES CORP.

351 E. 4TH STREET

Signature: 

MOUNTAIN HOME, AR 72653

Date: 11/22/17

Phone:

(870) 424-7460

Name (printed):

Address:

Signature:

Phone:

Date:

()

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.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

MEETING DATE: December 11, 2017 (Updated with Planning Commission Results)

SUBJECT: **RZN 17-6015: Rezone (4847 W. WEDINGTON DR./LEISURE HOMES REZONE #2. 438):** Submitted by CIVIL DESIGN ENGINEERS, INC. for property at 4847 W. WEDINGTON DR. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and NC, NEIGHBORHOOD CONSERVATION, and contains approximately 18.49 acres. The request is to rezone 0.86 acres to NC, NEIGHBORHOOD CONSERVATION

RECOMMENDATION:

Staff recommends forwarding **RZN 17-6015** to the City Council with a recommendation of approval, based on the findings herein.

BACKGROUND:

The subject property is south of Wedington Drive, between 46th and Broyles Avenues to the east and west. The property was annexed in 1982 and has been continuously used as pastureland for decades. On October 2, 2007, the Woodstock Residential Planned Zoning District (R-PZD 07-2551) was approved, allowing for 382 dwellings and 100,390 square feet of non-residential square footage. Construction permits for the project were never obtained and the R-PZD approval expired. Following expiration, the Woodstock R-PZD was rezoned in July of 2012 to a mixture of CS, Community Services, R-O, Residential Office, NC, Neighborhood Conservation, and RSF-4, Residential Single-family, 4 Units per Acre, as part of the revocation process. More recently, two portions of the subject property were approved for rezoning from RSF-4 to NC and RSF-18 to facilitate future development. The property is largely flat and remains undeveloped with mature trees located along the fence lines. Surrounding land use and zoning is provided on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Large Lot Single-family Residential	CS, Community Services; R-O, Residential Office
South	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre R-O, Residential Office;
East	Large Lot Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre R-A, Residential Agriculture
West	Agricultural	R-A, Residential Agriculture

Request: The request is to rezone portions of the subject property, totaling 0.86 acres and designated RSF-4 to NC. A previous rezoning on this property, which was approved by the City Council in November of 2017, was meant to mirror the boundaries of an upcoming subdivision proposal, but it was determined by the applicant that additional areas of property zoned from RSF-4 to NC are needed.

Public Comment: Staff has not received public comment regarding this request.

INFRASTRUCTURE:

Streets: The subject property has access to both 46th and Broyles Avenues. The Master Street Plan designates 46th Avenue as a Collector Street and Broyles Avenue as a Minor Arterial. While Broyles is fully improved with curb, gutter, storm drainage, and sidewalk, 46th is unimproved with open ditches. Any street improvements required in this area will be determined at the time of development proposal.

Water: Public water is available to the site. An 8-inch water main runs along the property's 46th Avenue street frontage and a 12-inch main runs along the Broyles Avenue frontage. Both water mains are available for service.

Sewer: Public sewer is currently available to the site. There is a 6-inch sanitary sewer main crossing the property and a 6-inch main along 46th Avenue. Capacity must be checked against future development to determine adequacy.

Drainage: Any additional improvements or requirements for drainage would be determined at the time of development. No portion of the subject property lies within the FEMA designated 100-year floodplain and no protected streams are present. Although no portion of the property is designated as Hillside-Hilltop Overlay District (HHOD), there are some areas of 15% or greater slope. Hydric soils are present across this site and a wetland delineation must be performed at the time of development proposal to ensure compliance with state and federal guidelines.

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

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

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates the subject property for the proposed rezone as **Residential Neighborhood Area**.*

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

FINDINGS OF THE STAFF

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

Finding: ***Land Use Compatibility:*** Although many of the properties in the area are undeveloped, agricultural, or large lot residential in nature, staff finds the proposed zoning to be generally compatible with the land use patterns and development trends along the wider Wedington Corridor. Although this block of land along Wedington Drive has yet to develop similarly to other properties in the area, the proposed zoning districts are of a suitable intensity and density that compatibility can be generally assured. Also, the limited area of land proposed for rezoning is unlikely to sufficiently increase densities enough over the existing zoning to adversely impact existing land uses. In fact, a greater density on the subject property located between the existing single-family subdivision to the south and the mixed-use zoning to the north can create a desirable transition.

Land Use Plan Analysis: The proposed zoning is compatible with the Future Land Use Map (FLUM) and consistent with both the Residential Neighborhood and City Neighborhood designations of the subject property. The NC zoning district, with its associated build-to zone requirement, facilitates walkable streets and development in a traditional town form. With existing streets, water, and sewer available, a neighborhood developed on this property will be able to utilize City infrastructure and services without the need for substantial new facilities, and the greater density of the proposed rezoning will allow more residents to use those facilities.

In addition to its FLUM designation, the subject property falls within the boundaries of the Wedington Corridor Neighborhood Plan. This plan calls for a redefining of Wedington Drive as a parkway with complete, compact, and connected neighborhoods. Although the plan does not provide clear guidance for future development of the subject property, the proposed rezoning will allow a greater density and therefore potential for compact neighborhoods. Additionally, the Illustrated Wedington Corridor Master Plan shows this area developed with low- and medium- density residential housing, which is facilitated by the NC zoning district.

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

Finding: Following up on the rezoning approved by the City Council on this property in November of 2017, it became apparent to the applicant that additional areas of NC zoning are needed to create a more consistent development pattern on the property. The proposed NC zoning district will encourage appropriate residential development on a parcel with direct access to major connecting corridors and infrastructure.

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

Finding: This proposal is not expected to increase traffic danger or congestion to a significant degree over the existing zoning. Future development will be subject to City street design and access management standards. With the subject property's proximity to both a Collector Street (46th Avenue) and Minor Arterial (Broyles Avenue), both of which tie in to the nearby Wedington Drive, a Principal Arterial, staff finds that traffic will be absorbed by existing street capacity without creating a hazardous condition.

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: Staff does not expect the proposed rezoning to cause an undesirable increase in the load on public services compared with the existing RSF-4 zoning district. The total land area proposed for rezoning, 0.86 acres, will not appreciably increase the overall potential density of the property beyond its current limits. At the same time, the property is currently undeveloped, and any development under the current zoning or the proposed zoning will result in an increase in the load on public services. In particular, Engineering staff have noted that the existing sanitary sewer mains will need to be reviewed for capacity prior to any development. Notwithstanding these comments, the subject property has access to existing infrastructure, and is in an area where staff does not feel development will have adverse impacts on public services or facilities. Additionally, neither the Police nor Fire Departments have expressed 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

RECOMMENDATION: Staff recommends forwarding **RZN 17-6015** to the City Council with a recommendation of approval, based on the findings discussed throughout this report.

RECOMMENDED MOTION: "I move to forward RZN 17-6015 to the City Council with a recommendation of approval."

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>December 11, 2017</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: Niederman			
Second: Brown			
Vote: 7-0-0			
CITY COUNCIL ACTION: Required <u>YES</u>			
Date: <u>January 2, 2018 (planned)</u>	☐ Approved	☐ Denied	

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - o §161.07, RSF-4, Residential Single-family, 4 Units per Acre
 - o §161.29, NC, Neighborhood Conservation
- Request letter
- Zoning Exhibit
- Wedington Corridor Neighborhood Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet

Land area per dwelling unit	8,000 square feet	6,000 square feet
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(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
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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.

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

161.29 - Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

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

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single Family	40 feet
Two Family	80 feet
Three Family	90 feet

(2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a
-------	---

	line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
-------------------------	---------

November 22, 2017

RZN 17-6015
**Request
Letter**

Ferdinand Fourie, P.E.
Project Manager
4847 Kaylee Avenue-Suite A
Springdale, Arkansas 72762
479.381.1066 Telephone
479.872.7118 Facsimile

City of Fayetteville
Planning Division
Andrew Garner
Planning Director
125 W. Mountain Street
Fayetteville, AR 72701

**Re: Second Rezone Request
The Wedington Landing Subdivision
Fayetteville, AR
CDE Project No. 1109**

Dear Mr. Garner:

Please find enclosed submittal items and application for the second proposed rezoning of the property between N. Broyles Street and N. 46th Avenue, as required by the City's Planning Commission.

The majority of the property is currently zoned Neighborhood Conservation (NC) and we are requesting to have this zoning designation extended by 0.74 acres to include a portion of parcel 765-16268-001 and 0.12 acres of parcel 765-16264-000

This will allow us to accommodate the proposed residential single-family development per the revised layout for the area. This is in compliance with the Planning Commission's request at their November 21st meeting.

Please let me know if you have any questions.

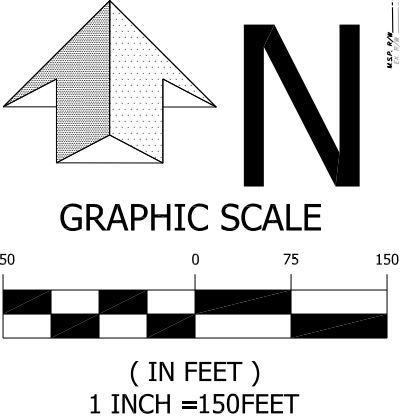
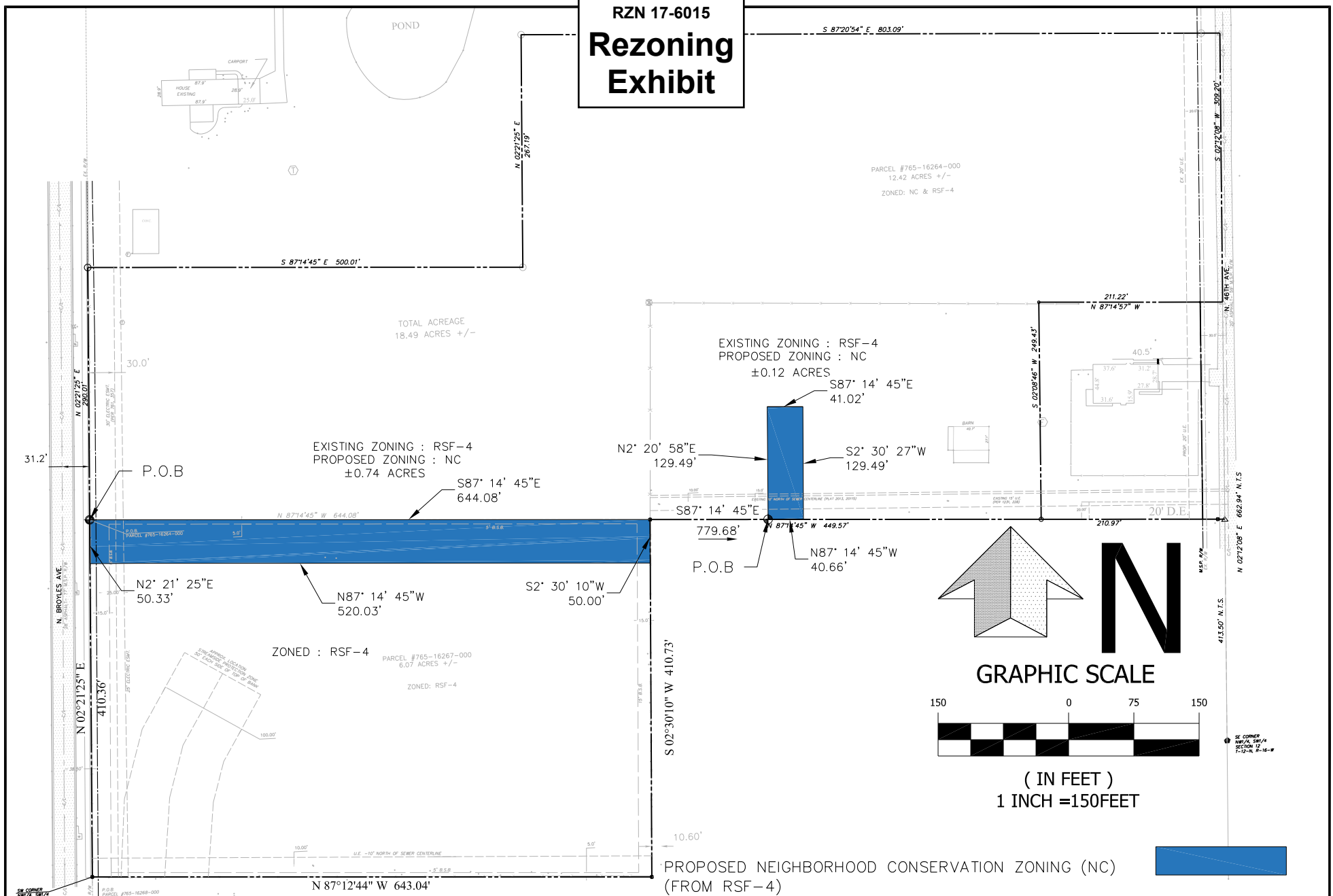
Sincerely,



Ferdi Fourie, P.E.
Project Manager

FF:kl

RZN 17-6015 Rezoning Exhibit

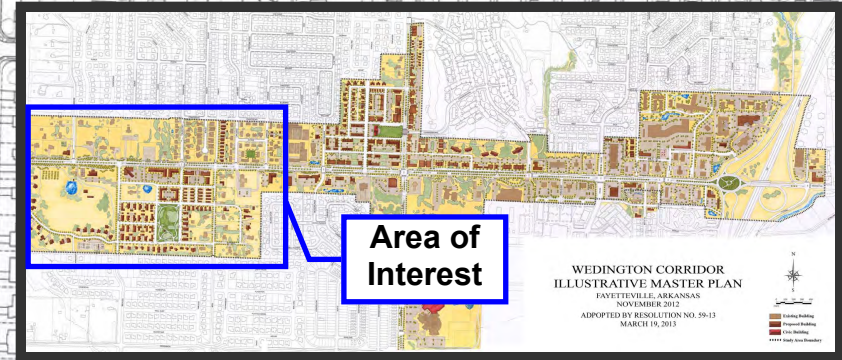


PROPOSED NEIGHBORHOOD CONSERVATION ZONING (NC)
(FROM RSF-4)

		4847 Kaylee Ave, SteA Springdale, Arkansas		REZONE EXHIBIT	
WEDINGTON LANDING SUBDIVISION FAYETTEVILLE, AR		DRAWN FF	CKD FF	SHEET 1 / 1	

RZN 17-6015

Wedington Corridor Neighborhood Plan



51st Ave.

Wedington Drive/Highway 16

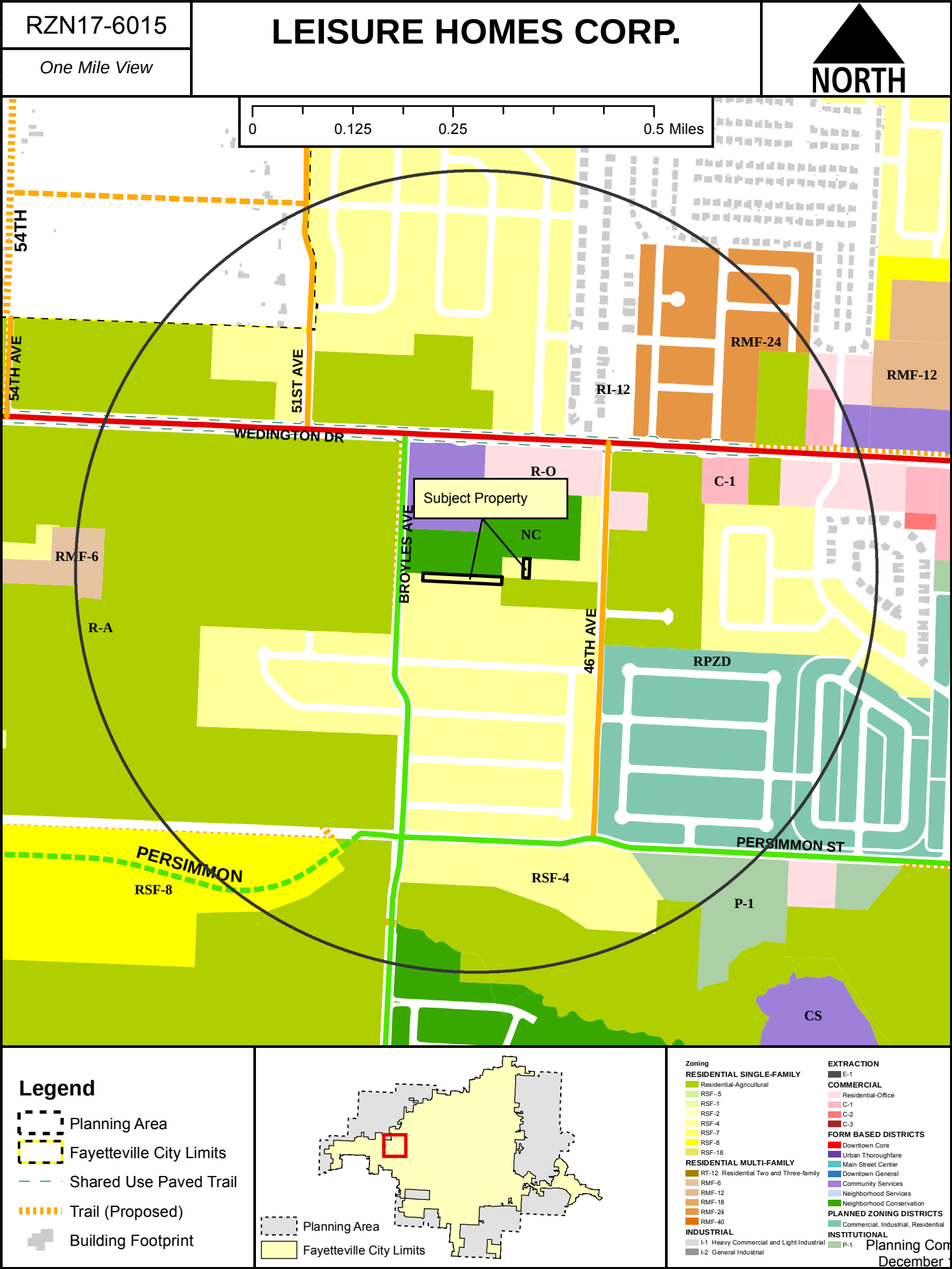
Broyles Ave.

46th Ave.

Subject
Property

Meadowlands Dr.

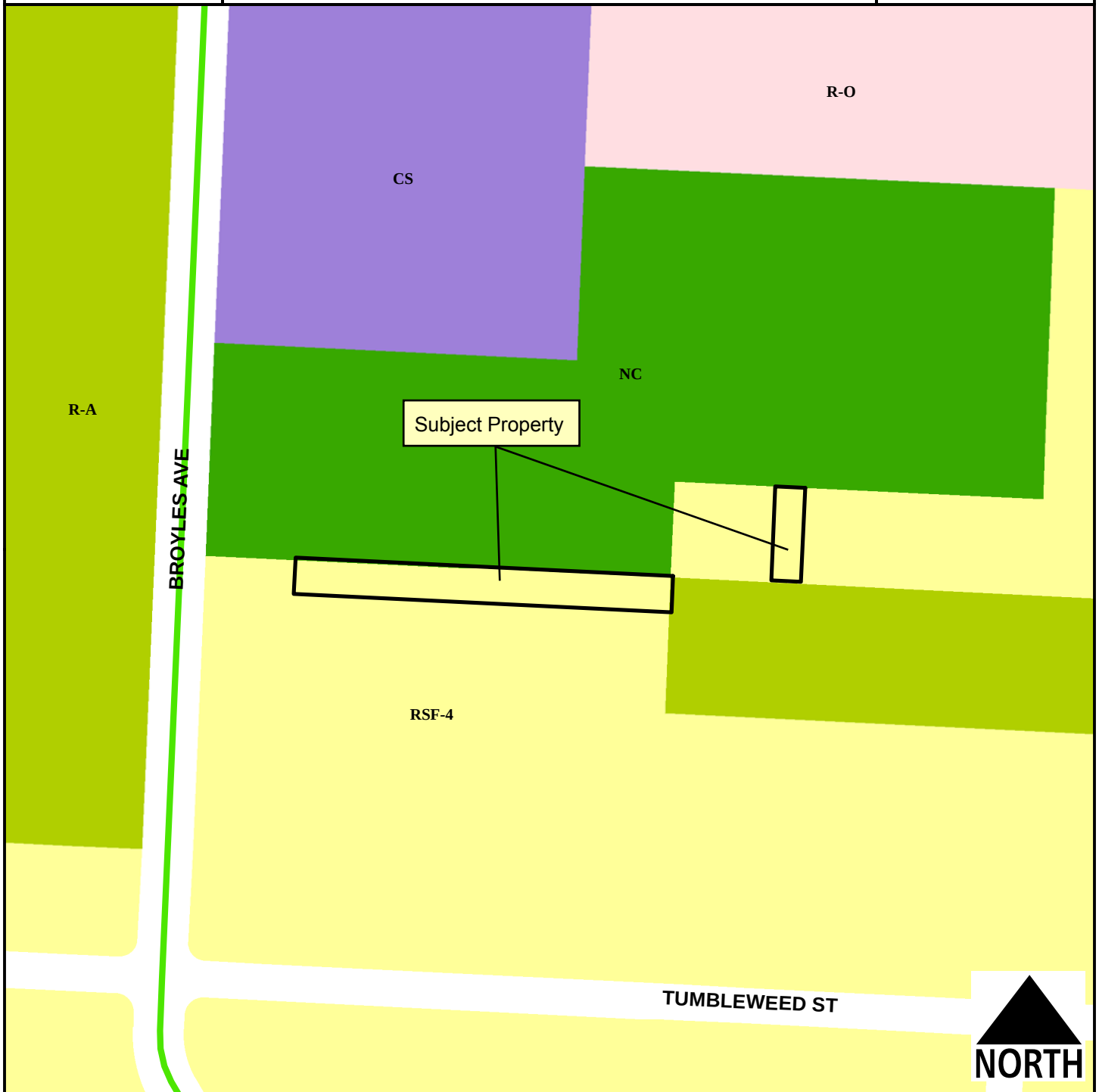
N



RZN17-6015

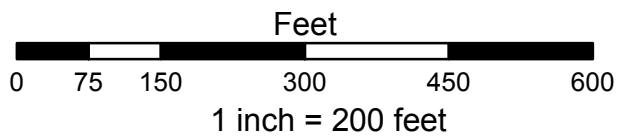
LEISURE HOMES CORP.

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Building Footprint



- Residential-Agricultural
- RSF-4
- Residential-Office
- Community Services
- Neighborhood Conservation

Planning Commission
December 11, 2017

RZN17-6015

Current Land Use

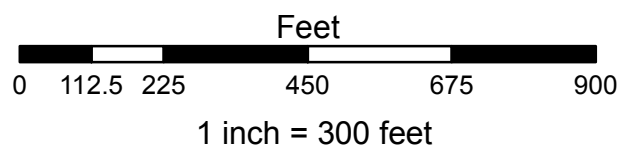
LEISURE HOMES CORP.



Streets Existing

MSP Class

- COLLECTOR
- MINOR ARTERIAL
- PRINCIPAL ARTERIAL
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

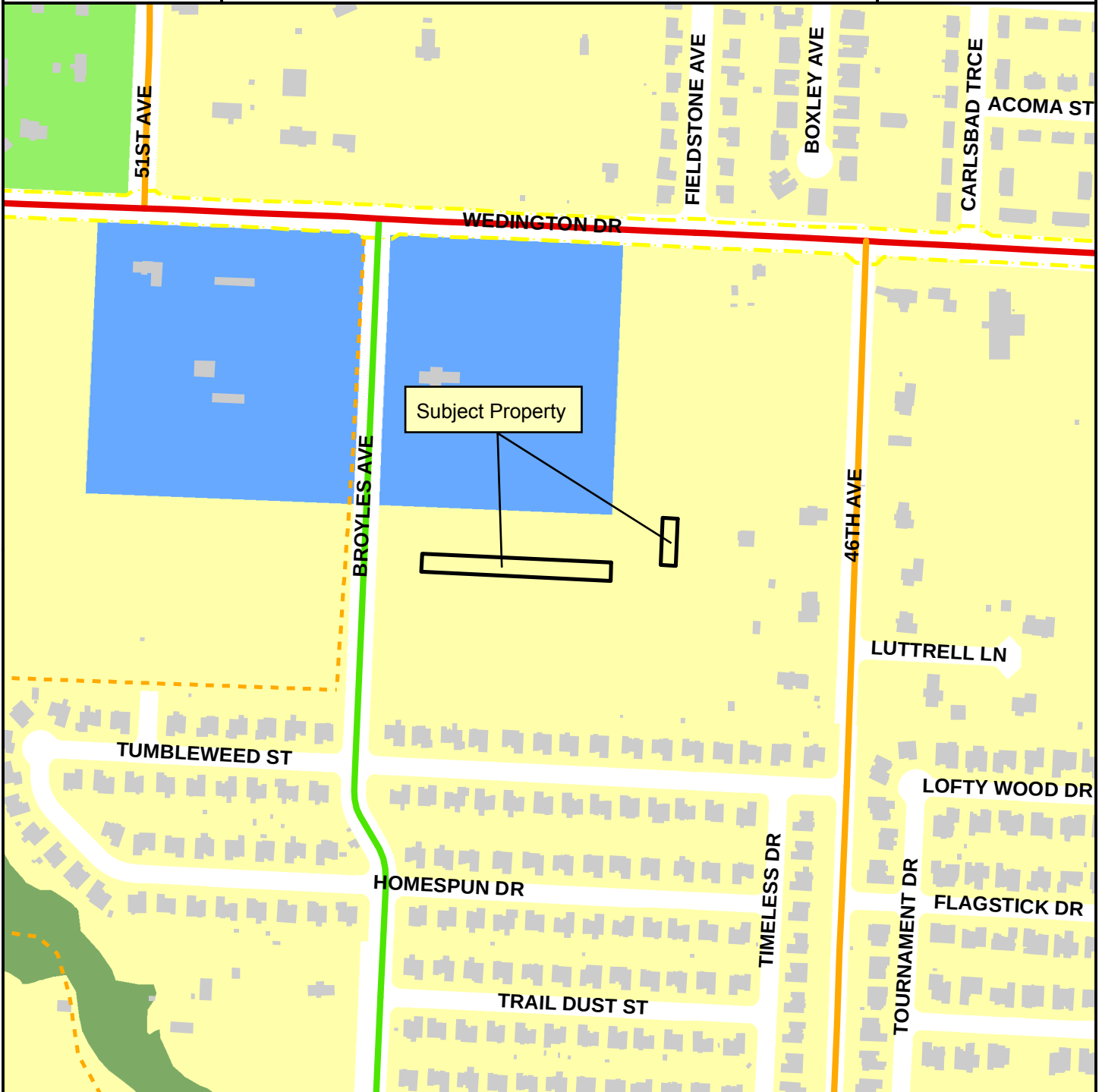
Planning Commission
December 11, 2017

Agenda Item 6
17-6015 Leisure Homes RZN #2
Page 15 of 16

RZN17-6015

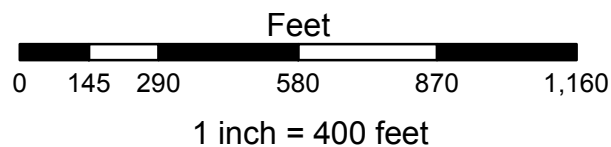
LEISURE HOMES CORP.

Future Land Use



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



FUTURE LAND USE 2030

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area

Planning Commission
December 11, 2017



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0747

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 7

ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD):

AN ORDINANCE TO AMEND RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS TO ALLOW SINGLE FAMILY HOMES ON LOTS 24-42, 68 AND 69

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 Residential Planned Zoning District 04-1154 Timber Trails to allow single family homes on lots 24-42, 68 and 69.

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

City of Fayetteville Staff Review Form

2017-0747

Legistar File ID

1/2/2018

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

Garner Stoll

12/15/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 17-6010: Administrative Item (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD, 526): Submitted by JORGENSEN & ASSOCIATES, INC. for LOTS 24-42 AND LOTS 68 & 69, TIMBER TRAILS SUBDIVISION. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS and contain approximately 3.33 acres. The request is to amend the R-PZD the allow single family homes.

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 COUNCIL AGENDA MEMO

MEETING OF JANUARY 2, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Jonathan Curth, Senior Planner
Andrew Garner, City Planning Director

DATE: December 15, 2017

SUBJECT: **ADM 17-6010: Administrative Item (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD, 526):** Submitted by JORGENSEN & ASSOCIATES, INC. for LOTS 24-42 AND LOTS 68 & 69, TIMBER TRAILS SUBDIVISION. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS and contain approximately 3.33 acres. The request is to amend the R-PZD to allow single family homes.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to amend the Cliffside R-PZD for Lots 24-45, 68, and 69 to allow single-family dwellings as an addition to those uses currently permitted. The proposed amendments are depicted in the attached Exhibits 'A', 'B', and 'C'.

BACKGROUND:

The subject property is on the eastern slope of Mount Sequoyah, between Happy Hollow Road to the west and Happy Hollow Elementary School to the east. In 2004 the subject property and the subdivision of which it is a part was rezoned by the City Council as the Cliffside R-PZD. As a part of this approximately 26-acre subdivision, 15 single-family dwelling and 48 two-family dwelling lots were created, allowing 111 dwelling units. Lots were designated for either single-family or two-family dwellings, but not both. Characteristics of the subdivision include narrow lots, lot layouts that facilitate the sale of individual attached dwellings, trail access, protected riparian corridors, and an emphasis on tree preservation, with canopy exceeding 38%. It is not clear when, but at some point between the R-PZD's approval and final platting in 2006, the subdivision's name changed from Cliffside to Timber Trails. Although many lots in the subdivision remain un-built, the last dwellings constructed in the subdivision were in 2010. The properties that are the subject of this amendment are currently undeveloped and only permit two-family dwellings (Use Unit 9).

Request: The request is to amend the current Timber Trails Residential Planned Zoning District requirements for Lots 24-42, 68, and 69 to allow Use Unit 8, Single-family Dwellings.

Public Comment: Staff has received no public comment.

FINDINGS:

Staff finds that the proposal to allow single-family dwellings on the subject property is compatible with adjacent land uses and consistent with City Plan 2030. Development in the area is largely residential of varying types, with multi-family to the north and large lot residential to the south. This agrees with the City Plan 2030 designation of Residential Neighborhood Area for the subdivision, which is intended to for low- to medium-density housing of various types. Although the Cliffside R-PZD permits exclusively residential uses, the intent of the lot layout was to limit development to 2-family dwellings along the subdivision's northern border to create a transition from the multi-family housing to the north, to the single-family housing in the south. Given the dense vegetation and terrain in the area, staff believes that this transition is not critical, and that either single- or 2-family dwelling development in this area can be compatible.

An additional consideration in this request is the significant amount of changes that have occurred within Fayetteville's Unified Development Code, and how these effect development feasibility. Since the approval of the Cliffside R-PZD in 2004 and final platting in 2006, the City has amended several sections of code, including the Street Design and Access Management Standards and the Urban Residential Design Standards. In March of 2008, the City Council approved an ordinance (Ord 5118) which adopted the Urban Residential Design Standards. Among the requirements of this ordinance is that garages may not protrude from a principal façade. Compliance with this design requirement in particular has proven very difficult given the narrowness of lots, sloping terrain, areas of tree preservation, and lack of rear or side access options.

The second major code change to affect development in this subdivision was an amendment to the access management standards approved by the City Council in 2013. Prior to this amendment, curb cuts on Local and Residential Streets were permitted for any use if they were located a minimum of 50 feet from an intersection centerline and 15 feet from an adjacent property line. After the amendment, curb cut separation for two-family dwellings on Local and Residential Streets was increased to 50 feet. With the narrow lots and cul-de-sacs in this subdivision, achieving a 50-foot separation is difficult at best. Combined with market conditions, it is possible that these code changes are one of the major causes for development stagnating in the subdivision, and why no 2-family dwelling has been built since 2009 despite there being numerous lots available.

DISCUSSION:

On December 11, 2017, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 7-0-0. No public comment was made.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Exhibit C
- Application
- Planning Commission Staff Report

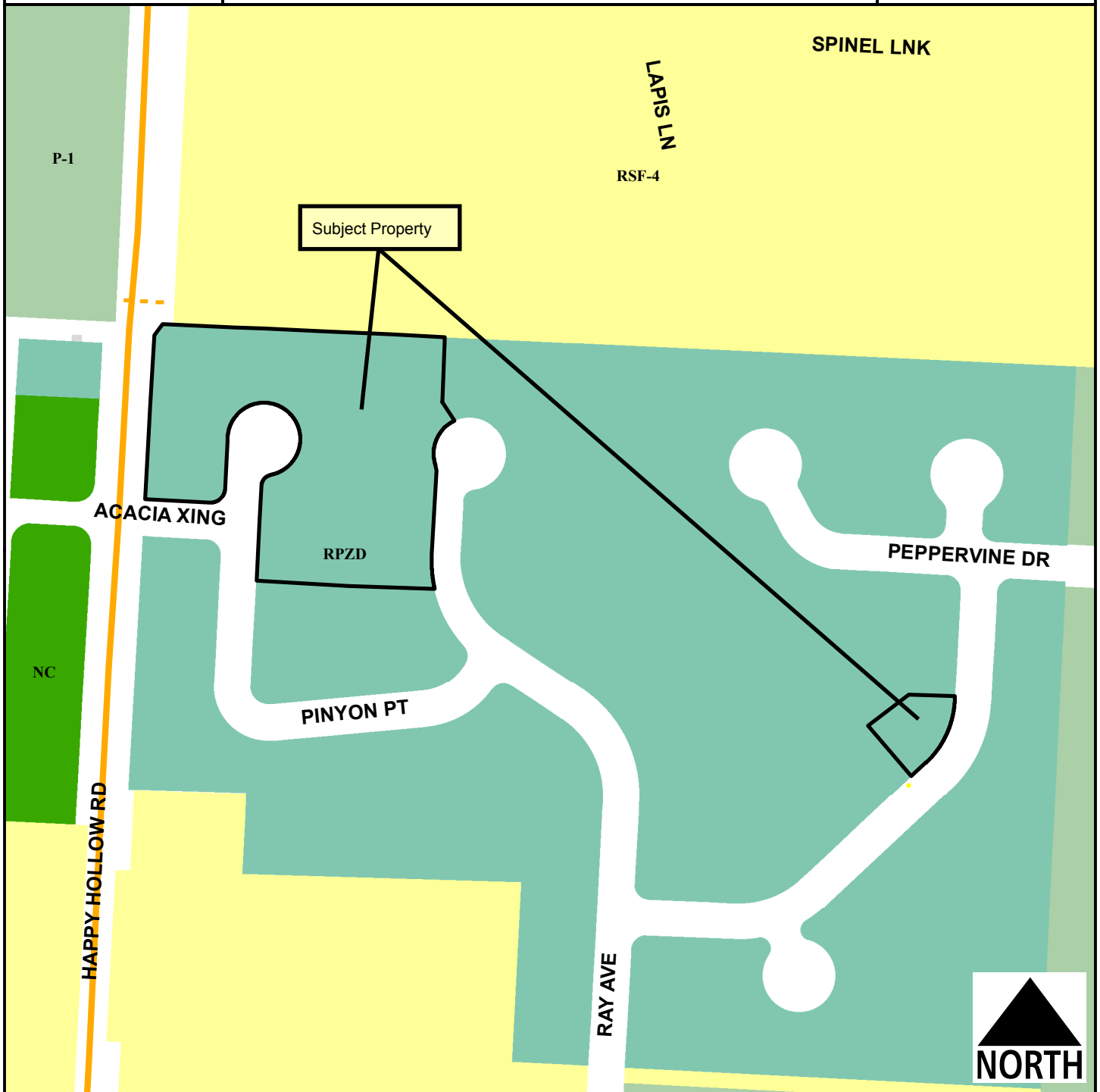
RZN 17-6010

TIMBER TRAILS SD

17-6010

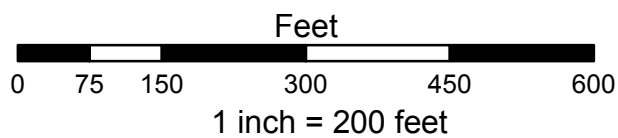
Close Up View

EXHIBIT 'A'



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



- RSF-4
- Neighborhood Conservation
- Commercial, Industrial, Residential
- P-1

17-6010
EXHIBIT 'B'

Lots 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 68 and 69, Timber Trails Subdivision, Fayetteville, Washington County, Arkansas as shown on plat record "23A" at page 55.

OR

Lots 24 through 42, 68, and 69, Timber Trails Subdivision, Fayetteville, Washington County, Arkansas as shown on plat record "23A" at page 55

17-6010 EXHIBIT 'C'

Proposed PZD Zoning Amendment for Lots 24-42, 68 & 69 of the Cliffside R-PZD

(1) Permitted Uses.

Lot Numbers	Permitted Land Use
Lots 1-3, 34-38, 67, 106-111	Single-family Dwellings, Use Unit 8
Lots 4-23, 43-66, 70-105	Two-family Dwellings, Use Unit 9
Lots 24-42, 68-69	Single-family Dwellings, Use Unit 8 Two-family Dwellings, Use Unit 9

(2) Other Requirements.

As regulated by the Cliffside Subdivision Covenants and Restrictions

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY
 Date Application Submitted:
 Date Accepted or Complete:
 Case / Appeal Number:
 Public Hearing Date:

FEE: \$325.00
 Sign Fee: \$5.00
 S-I-R
 PP#
 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: ☐ Applicant ☒ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: TERRY POLLOCK MANAGING PARTNER
WFB LLC

Name: Jorgensen & Assoc

Address: 216 NORMANDY RD
LITTLE ROCK, AR
72207

Address: 124 W. Sunbelt
Fayetteville, Ar 72703

E-mail: T.POLLOCK@stephens.com

E-mail: dave@jorgensenassoc.com

Phone: 501-377-2160
 ()
 ()
 Fax:
 ()

Phone: 442-9127
 ()
 ()
 Fax:
 ()

Site Address / Location: Timber Trails Subd.

Current Zoning District: _____

Requested Zoning District: _____

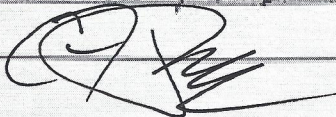
Assessor's Parcel Number(s) for subject property: _____

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

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.

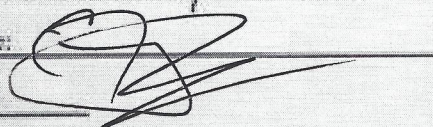
X Name (printed): TERRY POLLOCK **MANAGING PARTNER** **WFB LLC** Date: 11/3/2017

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.)

Property Owners of Record (attach additional info if necessary):

X Name (printed): TERRY POLLOCK

Signature: 

Date: 11/3/2017

Address: 216 NORMAN RD

LITTLE ROCK, AR 72207

Phone: (501) 377-2160

Name (printed): CLARENCE POLLOCK

Signature: 

Date: 11/3/2017

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.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

MEETING DATE: December 11, 2017 (Updated with Planning Commission Results)

SUBJECT: **ADM 17-6010: Administrative Item (LOTS 24-42, LOTS 68 & 69/TIMBER TRAILS SD, 526):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties contained in LOTS 24-42 AND LOTS 68 & 69. The properties are zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contain approximately 3.33 acres. The request is to amend the zoning to allow single family homes.

RECOMMENDATION:

Staff recommends forwarding **ADM 17-6010** to the City Council with a recommendation for approval.

BACKGROUND:

The subject property is on the eastern slope of Mount Sequoyah, between Happy Hollow Road to the west and Happy Hollow Elementary School to the east. In 2004 the subject property and the subdivision of which it is a part was rezoned by the City Council as the Cliffside R-PZD. As a part of this approximately 26-acre subdivision, 15 single-family dwelling and 48 two-family dwelling lots were created, allowing 111 dwelling units. Lots were designated for either single-family or two-family dwellings, but not both. Characteristics of the subdivision include narrow lots, lot layouts that facilitate the sale of individual attached dwellings, trail access, protected riparian corridors, and an emphasis on tree preservation, with canopy exceeding 38%. It is not clear when, but at some point between the R-PZD's approval and final platting in 2006, the subdivision's name changed from Cliffside to Timber Trails. Although many lots in the subdivision remain un-built, the last dwellings constructed in the subdivision were in 2010. The properties that are the subject of this amendment are currently undeveloped and only permit two-family dwellings (Use Unit 9). Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Multi-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
South	Large Lot Single-family Residential; Fayetteville Public Schools Virtual Academy	RSF-4, Residential Single-family, 4 Units per Acre; P-1, Institutional
East	Happy Hollow Elementary	P-1, Institutional
West	Single-family Residential; Undeveloped	R-PZD, Residential Planned Zoning District NC, Neighborhood Conservation

Request: The request is to amend the current Timber Trails Residential Planned Zoning District requirements for Lots 24-42, 68, and 69 to allow Use Unit 8, Single-family Dwellings.

Public Comment: Staff has received no public comment.

FINDINGS:

Staff finds that the proposal to allow single-family dwellings on the subject property is compatible with adjacent land uses and consistent with City Plan 2030. Development in the area is largely residential of varying types, with multi-family to the north and large lot residential to the south. This agrees with the City Plan 2030 designation of Residential Neighborhood Area for the subdivision, which is intended to for low- to medium-density housing of various types. Although the Cliffside R-PZD permits exclusively residential uses, the intent of the lot layout was to limit development to 2-family dwellings along the subdivision's northern border to create a transition from the multi-family housing to the north, to the single-family housing in the south. Given the dense vegetation and terrain in the area, staff believes that this transition is not critical, and that either single- or 2-family dwelling development in this area can be compatible.

An additional consideration in this request is the significant amount of changes that have occurred within Fayetteville's Unified Development Code, and how these effect development feasibility. Since the approval of the Cliffside R-PZD in 2004 and final platting in 2006, the City has amended several sections of code, including the Street Design and Access Management Standards and the Urban Residential Design Standards. In March of 2008, the City Council approved an ordinance (Ord 5118) which adopted the Urban Residential Design Standards. Among the requirements of this ordinance is that garages may not protrude from a principal façade. Compliance with this design requirement in particular has proven very difficult given the narrowness of lots, sloping terrain, areas of tree preservation, and lack of rear or side access options.

The second major code change to affect development in this subdivision was an amendment to the access management standards approved by the City Council in 2013. Prior to this amendment, curb cuts on Local and Residential Streets were permitted for any use if they were located a minimum of 50 feet from an intersection centerline and 15 feet from an adjacent property line. After the amendment, curb cut separation for two-family dwellings on Local and Residential Streets was increased to 50 feet. With the narrow lots and cul-de-sacs in this subdivision, achieving a 50-foot separation is difficult at best. Combined with market conditions, it is possible that these code changes are one of the major causes for development stagnating in the subdivision, and why no 2-family dwelling has been built since 2009 despite there being numerous lots available.

RECOMMENDATION: Staff recommends forwarding **ADM 17-6010** to City Council with a recommendation for approval with conditions.

RECOMMENDED MOTION: "I move to forward ADM 17-6010 to the City Council with a recommendation of approval with conditions as recommended by staff."

Conditions of Approval

1. All conditions of approval from the previously approved Cliffside R-PZD 04-1154 shall apply;

2. Approval of this R-PZD modification does not grant approval of the development details for the project. The proposed housing will be required to be reviewed for compliance with all Unified Development Code requirements as part of the standard development review process; and
3. The attached zoning requirements will be in addition to all previous zoning regulations on the subject property.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>December 11, 2017</u>	☐ Tabled	☒ Forwarded	☐ Denied		
Motion: Scroggin					
Second: Quinlan					
Vote: 7-0-0					
CITY COUNCIL ACTION:				Required	<u>YES</u>
Date: <u>January 2, 2017 (Tentative)</u>	☐ Approved		☐ Denied		

BUDGET/STAFF IMPACT:

None

Attachments:

- Proposed PZD Amendment
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

ADM 17-6010
Proposed PZD Zoning Amendment
for Lots 24-42, 68 & 69 of the Cliffside R-PZD

(1) Permitted Uses.

Lot Numbers	Permitted Land Use
Lots 1-3, 34-38, 67, 106-111	Single-family Dwellings, Use Unit 8
Lots 4-23, 43-66, 70-105	Two-family Dwellings, Use Unit 9
Lots 24-42, 68-69	Single-family Dwellings, Use Unit 8 Two-family Dwellings, Use Unit 9

(2) Other Requirements.

As regulated by the Cliffside Subdivision Covenants and Restrictions



JORGENSEN
+ ASSOCIATES
Civil Engineering + Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

ADM 17-6010
**Request
Letter**

11/30/17

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Planning Dept.

Re: Rezoning of some lots in Timber Trails Subdivision
(Revise R-PZD)

Attached please find information pertaining to the rezoning request. This is for 16 lots in Timber Trails Subdivision. This currently is an R-PZD zone and we are requesting to amend this R-PZD to allow the Construction of Single Family Houses in addition to the currently allowed Two-Family.

Water and Sewer services may have to be modified, since there are services for 22 duplexes we would cap/plug the sewer or water services that are not needed.

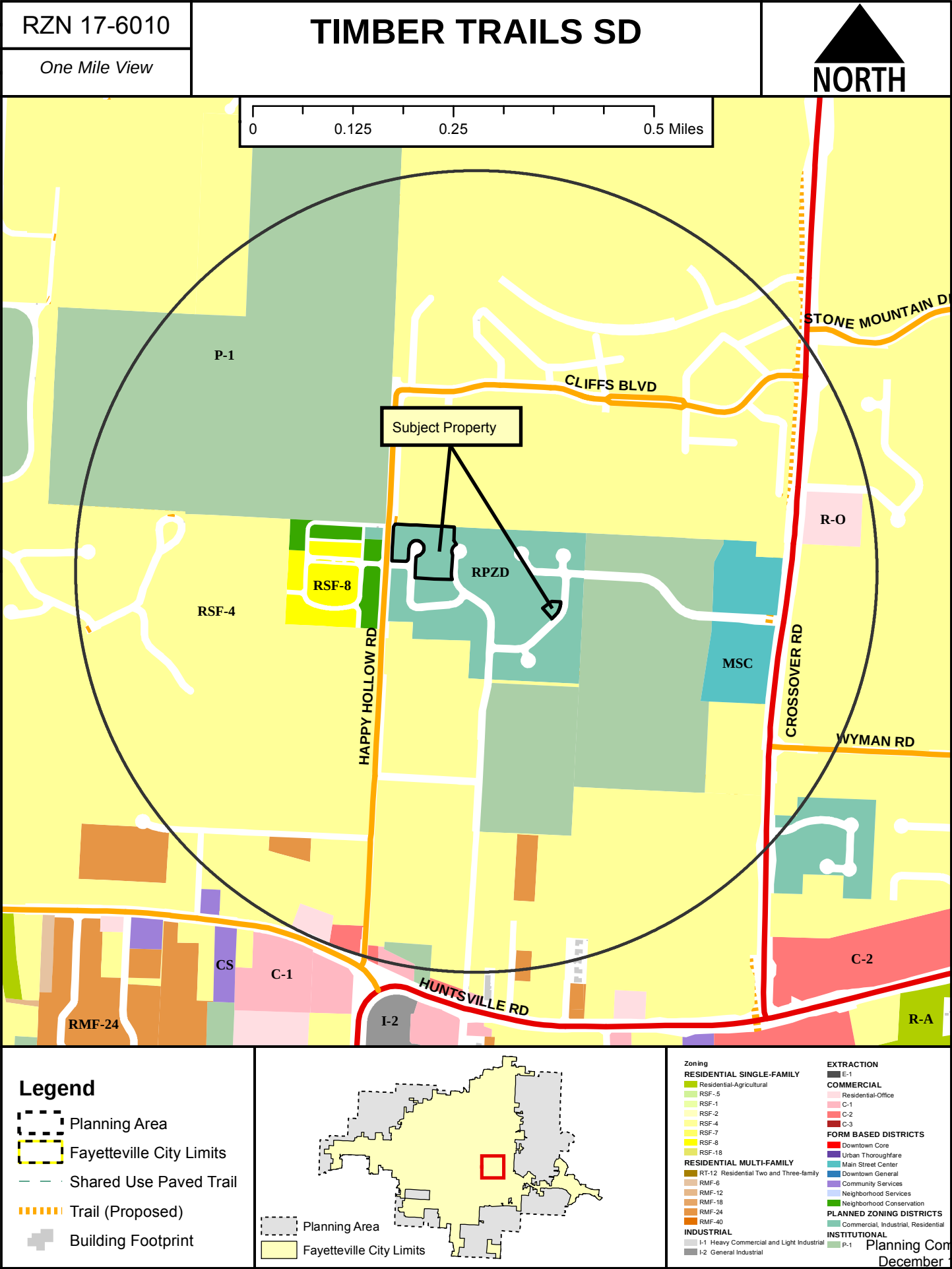
The request is for lots 24-42 and lots 68 & 69.

Please call concerning any questions you may have.

Thank you

Sincerely,

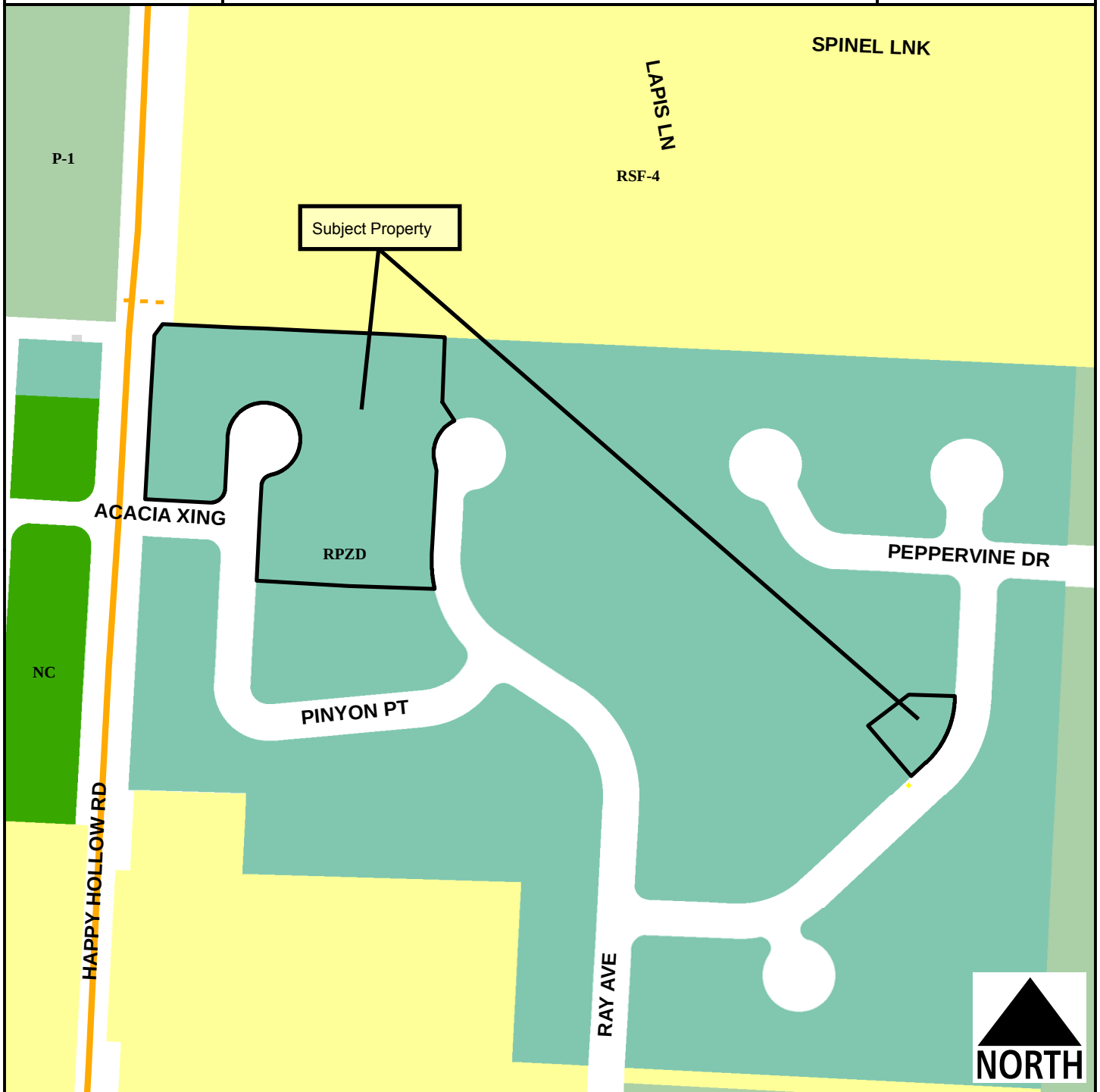
David L. Jorgensen, P.E.



RZN 17-6010

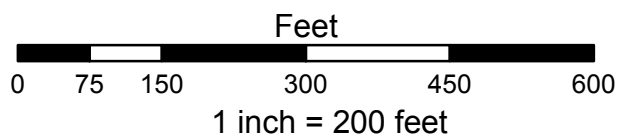
TIMBER TRAILS SD

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

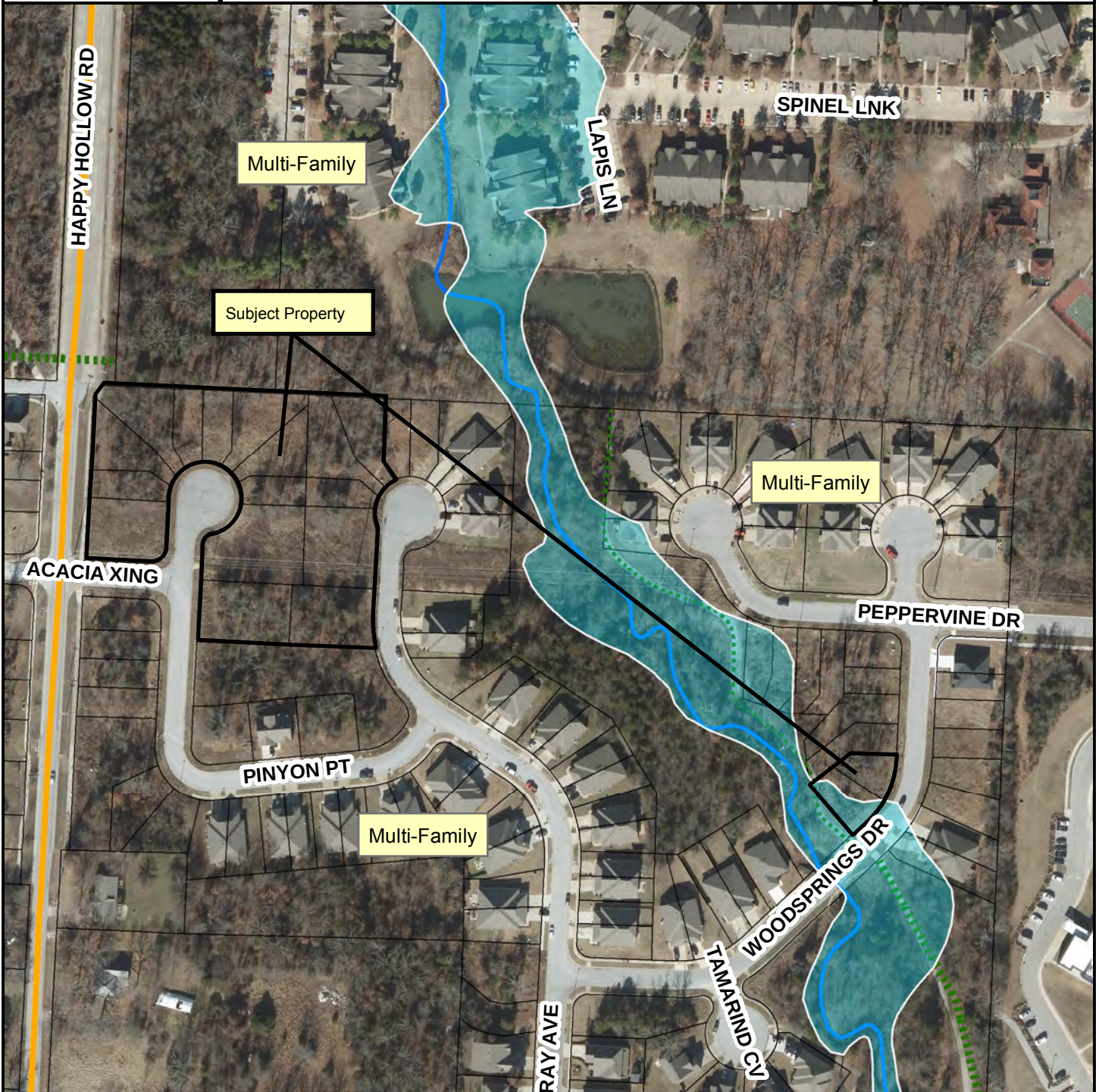


- RSF-4
- Neighborhood Conservation
- Commercial, Industrial, Residential
- P-1

RZN 17-6010

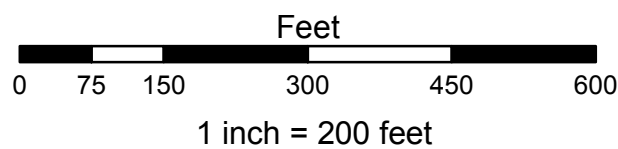
Current Land Use

TIMBER TRAILS SD



Streets Existing MSP Class

- COLLECTOR
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

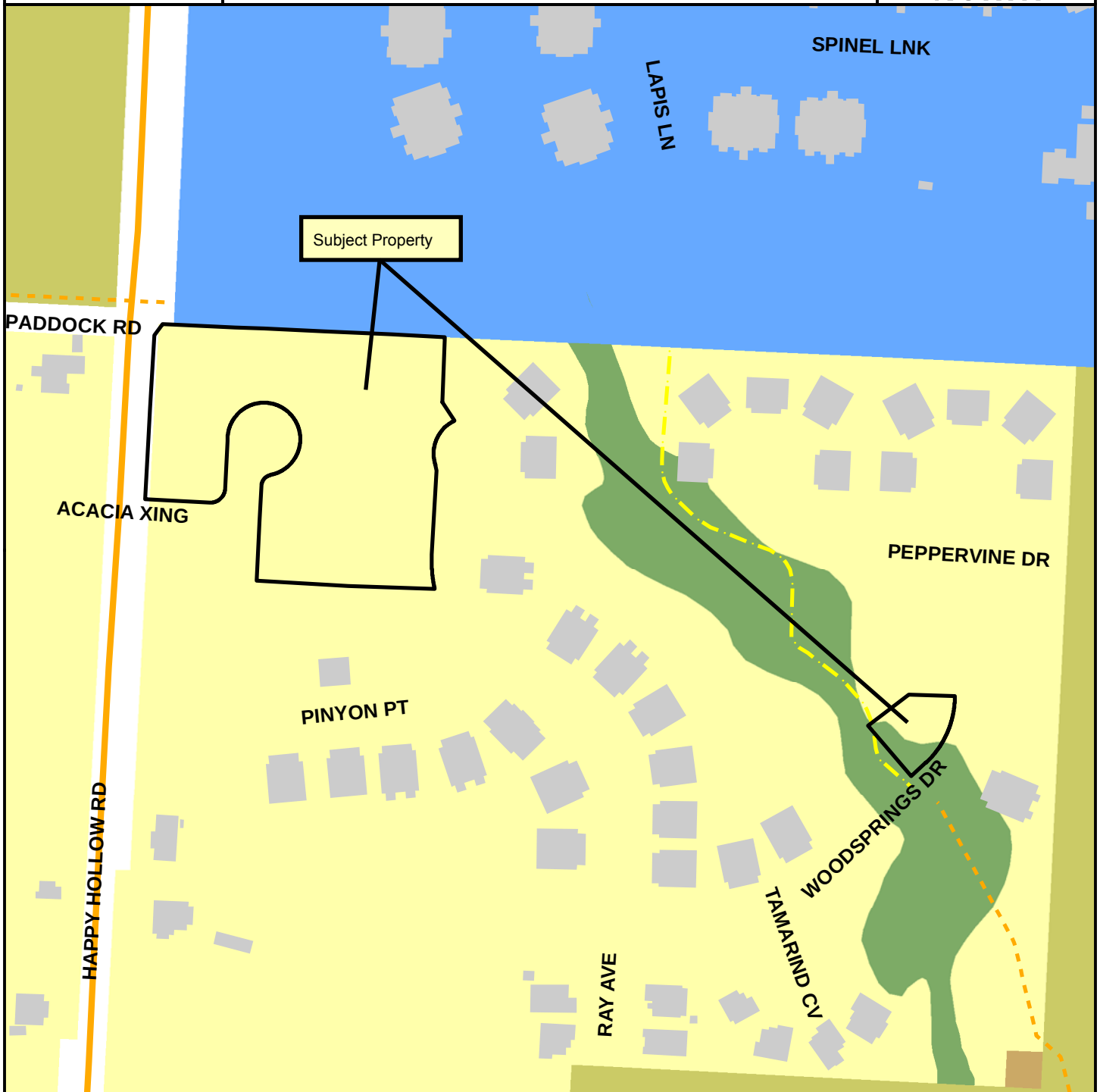
- 100-Year Floodplain
- Floodway

RZN 17-6010

TIMBER TRAILS SD

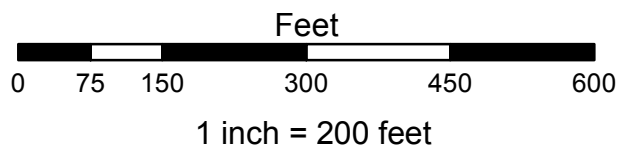


Future Land Use



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



FUTURE LAND USE 2030

- Natural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Civic and Private Open Space/Parks
- Civic Institutional



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0751

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 8

AMEND § 97.081 INTOXICATING BEVERAGES:

AN ORDINANCE TO AMEND § 97.081 INTOXICATING BEVERAGES IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW THE MAYOR OR THE MAYOR'S DESIGNEE TO AUTHORIZE THE CONSUMPTION, POSSESSION AND SALE OF ALCOHOLIC BEVERAGES IN CITY PARKS DURING SPECIAL EVENTS

WHEREAS, § 97.081 of the Fayetteville City Code currently prevents the possession and consumption of alcoholic beverages within city parks, except that 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; and

WHEREAS, special events increase the economic and social potential of the city, and the City recognizes that the possession, sale and consumption of alcoholic beverages is inherent to the viability of certain events; and

WHEREAS, the City desires to ensure the success of the many diverse special events held in the City, including those that are held or could be held in city parks, and permitting the limited and temporary consumption, possession and sale of alcohol at certain special events will further that objective; and

WHEREAS, the City will continue to consider the safety of park visitors and event participants as its highest priority and will require permit holders to provide all necessary measures to ensure the safety of all park visitors and event participants, including complying with all City of Fayetteville ordinances and rules and regulations of the Arkansas Alcoholic Beverage Control Division.

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 § 97.081 **Intoxicating Beverages** in Chapter 97: Parks and Recreation by repealing subsection (B) and enacting a new subsection (B) as follows:

“(B) Notwithstanding the above prohibition:

(1) 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 Alcoholic Beverage Control requirements.

(2) The Mayor or the Mayor's designee may issue a permit allowing the temporary possession, sale and consumption of alcoholic beverages in City parks for special events as long as the event sponsors fully comply with all Alcoholic Beverage Control requirements. The permit may include any conditions necessary to ensure public safety and the protection of City property."

City of Fayetteville Staff Review Form

2017-0751

Legistar File ID

1/2/2018

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

John Crow

12/14/2017

PARKS & RECREATION (520)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends City Council approval to amend § 97.081 Intoxicating Beverages to allow the Mayor or the Mayor's designee to issue permits allowing the temporary possession, sale and consumption of alcoholic beverages in City parks for special events.

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 # 97.081

Original Contract Number:

Approval Date:

Comments:



MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Connie Edmonston, Parks and Recreation Director

FROM: John Crow, Recreation Superintendent

DATE: December 12, 2017

SUBJECT: **Amendment to § 97.081 Intoxicating Beverages to allow alcohol in the parks for special events**

RECOMMENDATION:

Staff recommends City Council approval to amend § 97.081 Intoxicating Beverages to allow the Mayor or the Mayor's designee to issue permits allowing the temporary possession, sale and consumption of alcoholic beverages in City parks for special events.

BACKGROUND:

The Parks and Recreation Department was recently approached by The Homegrown Music and Sports Festival regarding moving the event to the Kessler Mountain Regional Park. Beer and wine sales are a vital component to the success of this event. At this time, however, city ordinance prohibits alcoholic beverages in City parks with the exception of the Botanical Garden Society of the Ozarks where it is allowable to serve alcoholic beverages on the premises they lease from the City in the Lake Fayetteville area for special events and weddings. Staff had originally proposed for City Council to approve a one-time waiver to the prohibition of alcoholic beverages in the parks for the Homegrown Festival. After discussion and advisement from the City Attorney, staff is proposing an amendment to the § 97.081 that would allow the Mayor or his designee to issue permits to approved special events to allow the temporary possession, sale and consumption of alcoholic beverages in City parks.

Staff has done extensive research into practices and ordinances of other municipalities in Arkansas and some out of state. The City of Little Rock allows alcoholic beverages in the parks except for those with "Little League" or youth sports taking place. The City of North Little Rock prohibits alcoholic beverages in city parks unless authorized by the parks and recreation commission which is done on a case by case basis. The City of Fort Smith allows alcoholic beverages in specifically named parks by permit only which is approved by the chief of police. Boulder, Colorado and Boise, Idaho have similar policies, naming the specific parks that alcoholic beverages are permitted for approved special events. Lawrence, Kansas allows alcoholic beverages in the parks only during approved events and only by permit approved and issued by the Parks and Recreation Department.

DISCUSSION:

Parks and Recreation staff have discussed, for quite some time now, the potential benefit of selling or serving alcoholic beverages at various special events held in City parks. Participants have given feedback of their desire to have it at the Race Series events. Revenue impacts can be significant through sponsorships and sales. The overall experience for the participant can be enhanced with the addition of alcoholic beverages for many events held in City parks. Staff has also recognized that the sale, possession, or consumption of alcoholic beverages is vital to the success of certain special events.

Staff is not only committed to providing the best overall experience to attendees or participants of events in City parks, we also consider safety the highest priority. City staff will ensure that any special events proposing to sell, provide, or allow alcoholic beverages taking place in City parks must comply with all City of Fayetteville policies and ordinances, as well as requirements of the Arkansas Alcoholic Beverage Control Division. Appropriate conduct of participants or attendees of the events will still be expected as it is now. They must also comply with any conditions necessary to ensure public safety and the protection of City property. City staff will require a comprehensive risk management plan from those requesting a permit that will include a security plan, a safety plan, and an identification process that will ensure only those legally allowed to consume alcoholic beverages do so at their event. Any special event requesting the possession, sale or consumptions of alcoholic beverages in the park will also be required to complete the City-wide Event Permit, ensuring that the police, fire and transportation departments will review the application with the Mayor's office as the final approver.

The Parks and Recreation Advisory Board called a special meeting on December 13, 2017 to review and discuss the proposed amendments to this ordinance. They unanimously voted 7-0 in recommending to City Council to approve amending § 97.081 Intoxicating Beverages to allow for the Mayor or the Mayor's designee to issue permits allowing the temporary possession, sale and consumption of alcoholic beverages in City parks for special events.

BUDGET/STAFF IMPACT:

Budget impact would be the permit fees required for the special events. Some of the special events may impact HMR tax revenues.

Attachments:

Parks and Recreation Advisory Board Meeting Minutes December 13, 2017
Ordinance amending § 97.081 Intoxicating Beverages



Parks and Recreation Advisory Board

Special Meeting on December 13, 2017

5:30 pm

City Administration Building Room 326
113 West Mountain Street

Members: Richie Lamb, chair; Phillip McKnight, co-chair Wade Colwell; JL Jennings, Chuck Maxwell, Kyle McHan, David Proffitt, Bill Putman, Dana Smith

City Staff: Connie Edmonston, Director; Byron Humphry, Maintenance Superintendent; John Crow, Recreation Superintendent; Ted Jack, Planning Superintendent, Ken Eastin, Park Planner, Chanel Pennington, Operations Assistant

1. **Call to Order:** Richie Lamb called the meeting to order at 5:30 pm.
2. **In Attendance:** Lamb, McKnight, Colwell, Jennings, Maxwell, Putman, and Smith.
Absent: Proffitt and McHan.
Staff: Edmonston, Humphry, Crow, Jack, Eastin, and Pennington.
3. **Ordinance to amend Chapter 97.081 Intoxicating Beverages in the Parks and Recreation Code to allow the Mayor or designee to authorize the consumption, possession and sale of alcoholic beverages in City Parks during special events – Connie Edmonston, Parks and Recreation Director**

Edmonston recalled the Homegrown Festival proposal at the December 4th Parks and Recreation Advisory Board meeting regarding the request to allow alcohol at this event. PRAB approved the festival and to allow alcohol to be served which would be an amendment to the current City Ordinance for this event. After discussions with the City Attorney, it was determined it would be the best interest to request an amendment to the alcohol ordinance instead of a one-time waiver of the ordinance. Parks Staff has been considering to allow alcohol at special events such as their Race Series and other possible fund raising events for parks. She noted the following points:

- a. The Mayor or his designee may issue permits allowing the temporary possession, sale and consumption of alcoholic beverages in City park for special events if the event sponsors fully comply with all Alcoholic Beverage Control requirements.
- b. This is not a day to day grantee, this is only for special events and organizers must abide by the Alcoholic Beverage and Control requirements and the City of Fayetteville requirements outlined in the City Special Event Permit and the Parks and Recreation Special Event Permit.
- c. The well-being of the parks and patrons are always the priority.

Crow presented staff research, he discussed the following:

- a. In North Little Rock, it is unlawful to provide alcohol unless you have a special permit from the Parks Commission, which are granted on a case by case basis.

- b. In Little Rock, alcohol consumption is allowed in parks but is not permitted near youth sports.
- c. Fort Smith has prohibited alcohol in the parks with exception to large venues for special events.
- d. Boise, ID will only allow beer and wine by permit only. A temporary permit is granted on a case by case basis for special events in certain parks.
- e. Boulder, Co permits alcohol by permit in certain parks only.
- f. Lawrence, KS will only allow alcohol during approved events at Parks and Recreation facilities that are operated by the department or a sponsor. These are granted on a case by case basis and must follow ABC requirements.

Jennings asked if there will be a criteria process for granting the permits.

Edmonston replied yes, they will have a special form to complete and will have to go through the city permitting process as well that involves the Police, Fire, Transportation, Traffic and Parking.

Colwell noted he had concern of the Mayor, or one person being able to approve or deny the permits.

Maxwell asked about the size of the events.

Edmonston approval will depends on where they would like to hold the event and if the facility at the park can accommodate the event. They will need to have security and a risk management plan in place.

Putman asked if there would be fees associated with the permits.

Edmonston replied yes, due to the staff time it will take with the review process.

Maxwell asked if other cities allow alcohol during city programs.

Crow said he did not recall it being allowed during programs. It would only be allowed during approved special events.

McKnight expressed his encouragement if it goes through the proper safety precautions and vetting process.

Lamb said he thinks it is appropriate that the Mayor, or his designee, could approve the events. He noted that this is a starting point to test the waters, on a case by case basis, and see what will work and what will not work. Future amendments may be needed in the future.

PRAB Motion: Lamb made a motion to accept staff recommendation and approve the amendment to the alcoholic ordinance as stated. McKnight seconded the motion, Motion passed, 7-0-0.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND § 97.081 **INTOXICATING BEVERAGES** IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW THE MAYOR OR THE MAYOR'S DESIGNEE TO AUTHORIZE THE CONSUMPTION, POSSESSION AND SALE OF ALCOHOLIC BEVERAGES IN CITY PARKS DURING SPECIAL EVENTS

WHEREAS, § 97.081 of the Fayetteville City Code currently prevents the possession and consumption of alcoholic beverages within city parks, except that 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; and

WHEREAS, special events increase the economic and social potential of the city, and the City recognizes that the possession, sale and consumption of alcoholic beverages is inherent to the viability of certain events; and

WHEREAS, the City desires to ensure the success of the many diverse special events held in the City, including those that are held or could be held in city parks, and permitting the limited and temporary consumption, possession and sale of alcohol at certain special events will further that objective; and

WHEREAS, the City will continue to consider the safety of park visitors and event participants as its highest priority and will require permit holders to provide all necessary measures to ensure the safety of all park visitors and event participants, including complying with all City of Fayetteville ordinances and rules and regulations of the Arkansas Alcoholic Beverage Control Division.

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 § 97.081 **Intoxicating Beverages** by repealing subsection (B) and enacting a new subsection (B) as follows:

“(B) Notwithstanding the above prohibition:

- (1) 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 Alcoholic Beverage Control requirements.
- (2) The Mayor or the Mayor's designee may issue a permit allowing the temporary possession, sale and consumption of alcoholic beverages in City parks for special events as long as the event sponsors fully comply with all Alcoholic Beverage Control requirements. The permit may include any conditions necessary to ensure public safety and the protection of City property.”

PASSED and **APPROVED** this _____ day of January, 2018.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA SMITH, City Clerk/Treasurer



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0738

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 9

512 E REBECCA ST. DRAINAGE IMPROVEMENTS COST SHARE:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BRADFORD AND ERIN WHEELER FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ALONG A PORTION OF EAST REBECCA STREET WITH THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS NOT TO EXCEED \$40,387.06, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

WHEREAS, Bradford and Erin Wheeler receive offsite storm water runoff from adjacent property that appears to be damaging their property located at 512 East Rebecca Street and desire to install an underground drainage collection system to connect the new improvements to the City's downstream collection system; and

WHEREAS, the Wheelers have requested that the City share in the cost of constructing drainage improvements along East Rebecca Street so the Wheelers can construct a home; and

WHEREAS, § 170.05 of the Fayetteville Unified Development Code allows for cost sharing and states "If it is determined that offsite drainage improvements are required, and that such specific off-site drainage improvements are consistent with the city's current and established priorities, then cost sharing will be in accordance with *"Required Off-site Improvements;"* and

WHEREAS, City engineers explored various options to alleviate the drainage problems in this area and have determined that the proposed offsite drainage improvements in the City's right of way are required and, further, that these improvements are consistent with the City's priorities; and

WHEREAS, the City's Transportation Division is unable to work this project into its 2018 program year and waiving formal competitive bidding will save time and cost by utilizing the developer's contractor who will be on-site installing the privately-owned drainage improvements.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a cost share agreement with Bradford and Erin Wheeler for the installation of drainage improvements along a portion of East Rebecca Street, with the City of

Fayetteville paying the portion of the construction costs for the improvements within the City's right of way in an amount not to exceed \$40,387.06, and further approves a project contingency in the amount of \$5,000.00.

City of Fayetteville Staff Review Form

2017-0738

Legistar File ID

1/2/2018

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

Chris Brown

12/14/2017

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of cost share for drainage improvements along E Rebecca St. in the amount of \$40,387.06 (City's share) to help alleviate drainage issues associated with the lot/construction located at 512 E Rebecca St. and approve a \$5,000 contingency.

Budget Impact:

4470.800.8820-5809.00

4470-Sales Tax Capital Improvements

Account Number

Fund

02116.1

Street Improvements

Project Number

Project Title

Budgeted Item? No

Current Budget \$ 615,076.00

Funds Obligated \$ 10,483.25

Current Balance \$ 604,592.75

Does item have a cost? Yes

Item Cost \$ 40,387.06

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 564,205.69

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF JANUARY 2, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: December 19, 2017

SUBJECT: Approval of cost share for drainage improvements along E Rebecca St. in the amount of \$40,387.06 (City's share) to help alleviate drainage issues associated with the lot/construction located at 512 E Rebecca St. and approve a \$5,000 contingency.

RECOMMENDATION:

Staff recommends approval of cost share for drainage improvements along E Rebecca St. in the amount of \$40,387.06 (City's share) to help alleviate drainage issues associated with the lot/construction located at 512 E Rebecca St. and approve a \$5,000 contingency.

BACKGROUND:

On October 16, 2016 the City of Fayetteville Planning Commission approved a lot split of 800 N Olive (LSP 16-5628) which created a separate vacant lot that fronted E Rebecca Street. This lot was given the address of 512 E Rebecca and later the current owner submitted a plan to construct a home at this address. During construction of the home, several flooding events damaged the foundation at which time the Engineering Division requested a hold be placed on the permit until a solution for the drainage could be developed. A subsequent review of the construction plan for the home revealed that offsite drainage was not taken into account and as a result the relatively large amount of runoff that drains through the lot toward E Rebecca was flooding the project site. This runoff originates from the area of Mt. Sequoyah around Rockwood Trail and based on existing contours and aerial photography and has drained in this direction for quite some time, at least several decades. However, the runoff was previously able to spread out across the entire lot and drain toward the ditch along the north side E Rebecca Street where it entered several culverts directing it under E Rebecca and continued to the south.

It should also be noted that the City is aware of drainage problems directly downstream of this lot due to a lack of capacity in the existing storm drain system. A project, referred to as Upper Scull Creek Phase 2, has been designed and is currently awaiting funding to help alleviate these flooding issues. However, the Upper Scull Creek Phase 2 project did not take into account the development of the lot at 512 Rebecca and additional improvements are required in order to redirect water around this lot and to the ditch along E Rebecca.

DISCUSSION:

Due to the previous design work associated with the Upper Scull Creek Phase 2 project the Engineering Division agreed to research a potential solution to redirect the water around the proposed home at 512 E Rebecca. This proposed solution is represented in the attached drainage improvement plans and generally includes an extension of the Phase 2 plans. Essentially, a 34" by 53" Elliptical Horizontal Reinforced Concrete Pipe extension is proposed from the right-of-way of E Rebecca to the rear property line of the home at 521 E Rebecca. Based on the attached agreement, the City would be responsible for the improvements within the right-of-way of E Rebecca Street and the property owner would be responsible for all improvements within the platted alleyway as well as any improvements to be made on their property.

This design is theoretically capable of passing the 2% Chance Annual (50-year) flood event. Therefore, larger events will continue to overtop the system and run down the referenced alleyway and onto adjacent properties. It would remain the responsibility of the property owner to ensure that this overflow is conveyed safely through the property and take the necessary precautions to ensure their home does not flood during those events.

Due to current workload, it does not appear the transportation division could work this into the 2018 program year. Therefore, the property owner has requested that the City participate in the cost of the improvements within the City right-of-way so that construction of the home can be completed. The attached agreement represents the scenario in which the City would reimburse the owner for expenses incurred to install the system within City right-of-way. Given the fact that the owner will have a contractor onsite to complete their portion, the cost share appears to be the most efficient way to complete this project in a timely fashion.

BUDGET/STAFF IMPACT:

The City currently has adequate funding in project 02116.1, Cost Share, Right-of-way, Intersection and Street Calming for this project.

Attachments:

Proposed Agreement with Owner
Drainage Improvement Exhibit
City/Owner Cost Breakdown

CONTRACTUAL AGREEMENT FOR
COST SHARE OF DRAINAGE IMPROVEMENT COSTS

This Agreement, made and entered into on this _____ day of January, 2018, by and between the City of Fayetteville, Arkansas ("City") and Bradford M and Erin Wheeler ("Property Owner"), witnesseth:

WHEREAS, the property owner receives offsite storm water runoff from adjacent areas that damaged their home during the construction process and has the potential to continue to damage their home without additional drainage improvements being constructed; and

WHEREAS, the property owner desires to install an underground drainage collection system to divert water around their home and additional storm drain is necessary within the right-of-way (ROW) of E Rebecca in order to facilitate a complete and functional system; and

WHEREAS, the property owner has committed to completing the improvements on their property and/or adjacent alleyway; and

WHEREAS, § 170.05 of the Fayetteville Unified Development Code allows for cost sharing and states "If it is determined that offsite drainage improvements are required, and that such specific off-site drainage improvements are consistent with the city's current and established priorities, then cost sharing will be in accordance with *"Required Off-site Improvements."*

NOW, THEREFORE, the City of Fayetteville, Arkansas and the property owner agree as follows:

1. The City of Fayetteville, Arkansas agrees to:
 - A. Reimburse the property owner for \$40,387.06 which represents the cost to install all planned improvements within the right-of-way (ROW) of E Rebecca Street including, but not limited to, approximately 77 LF of 53" by 34" Elliptical Horizontal Reinforced Concrete Pipe (EHRCP) with associated headwall and two stormwater junction boxes as well as approximately 24 LF of 18" reinforced concrete pipe (RCP) and associated flared end section. Refer to the attached plans and cost breakdown for additional information. Actual cost may vary based on field measurements and any approved field changes/change orders that may be required.
 - B. Payments due to the property owner shall be remitted within sixty (60) days after receipt of valid invoices.
 - C. Provide all work and materials associated with the modifications to the existing sanitary sewer lines planned to be routed through the stormwater junction boxes as shown on the attached plans in a timely manner.

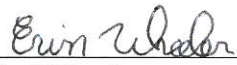
2. Property Owner agrees to:

- A. Provide the necessary and normal project management, inspection, and testing as necessary for a complete and acceptable storm drain installation per the City of Fayetteville Standard Specifications for Street and Drainage Construction.
 - B. Notify the City a minimum of 48 hours in advance of the required sanitary sewer work that the work is ready to be performed. As a condition of this contract, the cost share assumes that the excavation will be complete, the surrounding area exposed and ready for the Water and Sewer Division to complete the required work to the existing sanitary sewer mains.
 - C. Provide a copy of the invoices from the Contractor upon City approval of the storm drainage installation.
 - D. Pay for the storm drainage installation (with reimbursement of \$40,387.06 of the cost by the City of Fayetteville).
3. It is further understood that the contract for construction is between the property owner and their Contractor and that the City has no contractual obligation with either the Contractor or any agent for property owner. The City's only obligation shall be to participate in a contractual agreement with a not-to-exceed amount of \$40,387.06 for the drainage improvements.
4. Changes in the reimbursement amount must be agreed upon by all parties prior to the work associated with the proposed change commencing. Any additional cost in excess of the approved contingency amount must be approved by City Council.

IN AGREEMENT WITH ALL THE TERMS AND CONDITIONS ABOVE, WE SIGN BELOW:

PROPERTY OWNER

By: 
Bradford M Wheeler

By: 
Erin Wheeler

ATTEST:

By: _____

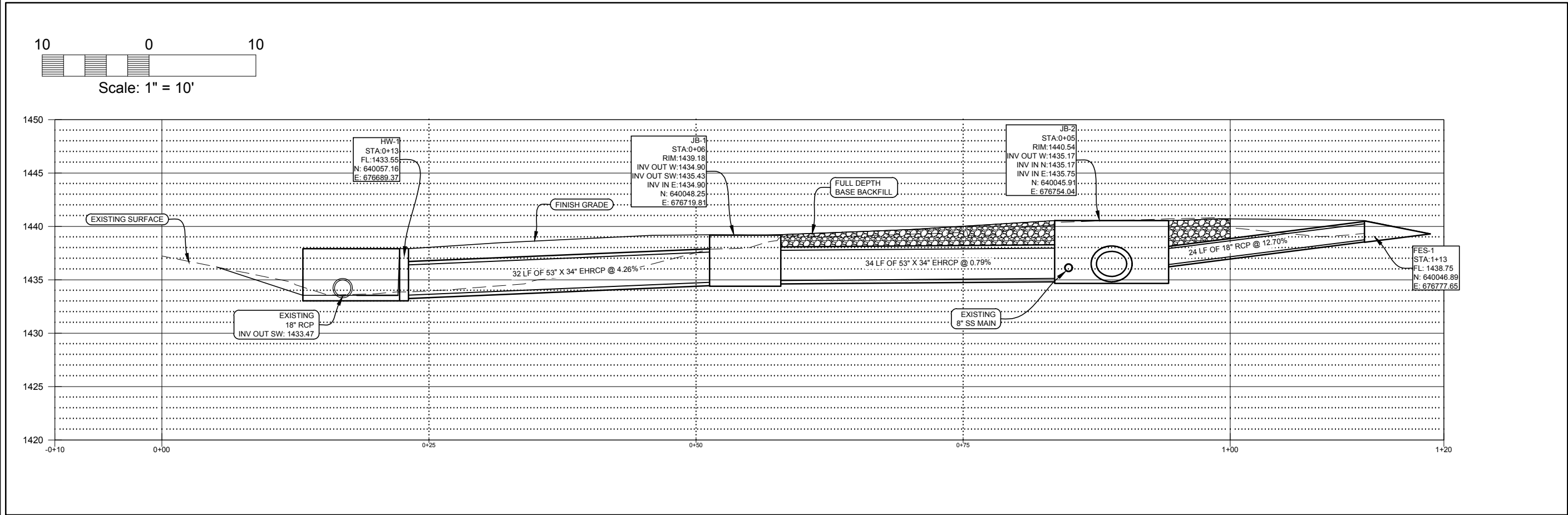
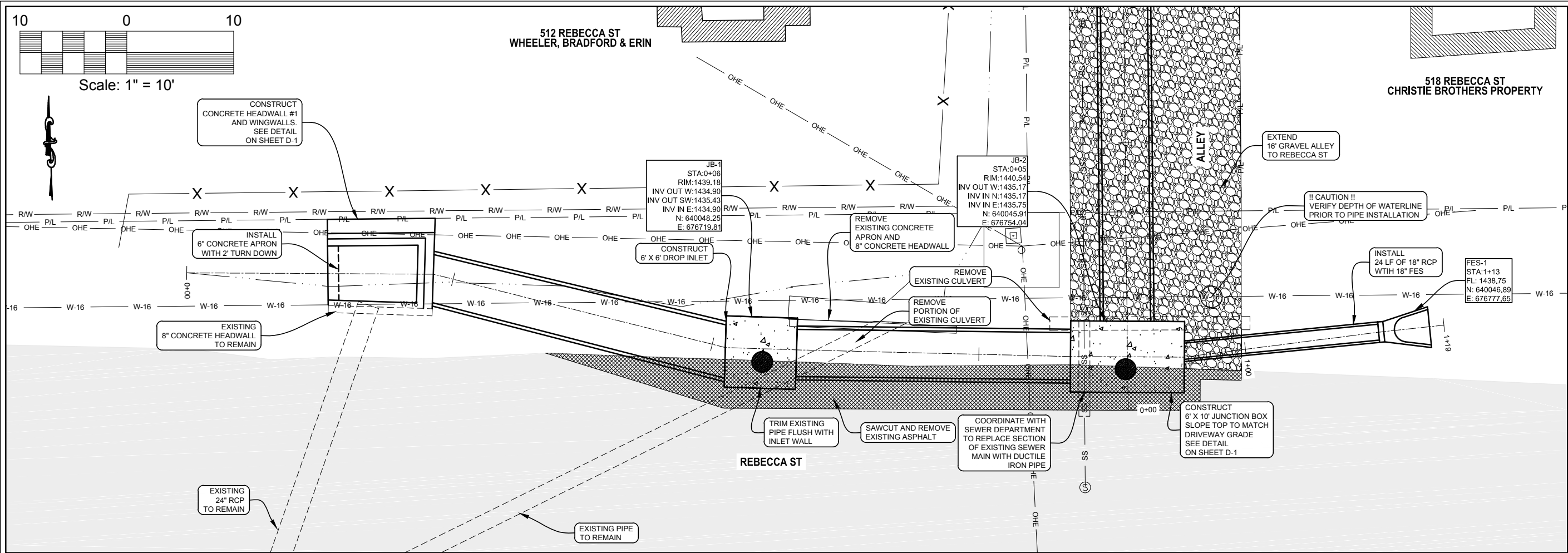
**CITY OF FAYETTEVILLE,
ARKANSAS**

By: _____
LIONELD JORDAN, Mayor

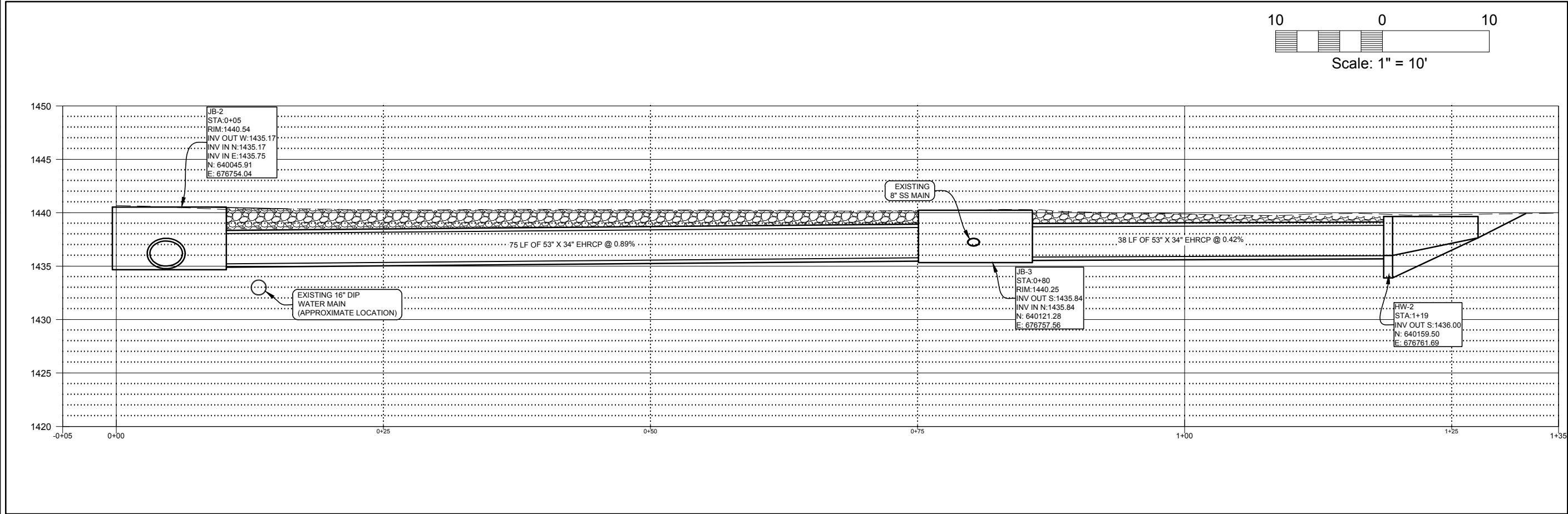
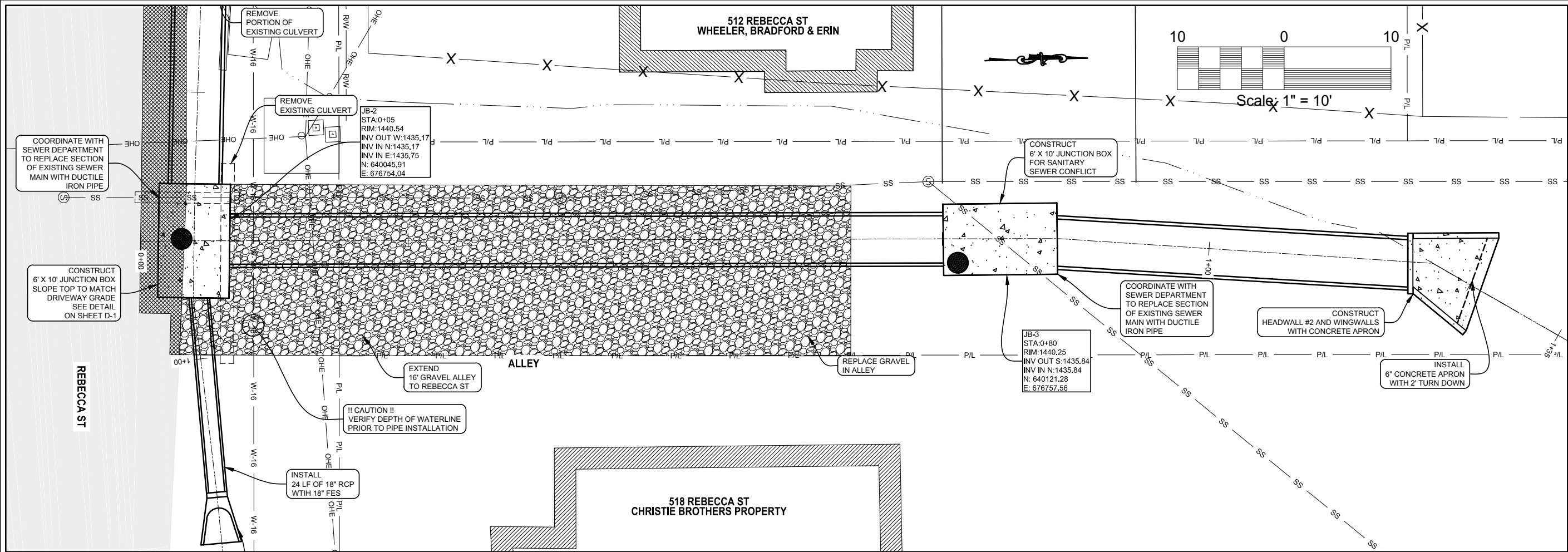
ATTEST:

By: _____
SONDRA SMITH, City Clerk

November 17, 2017: Engineering Design Services\Projects\City Projects\512 Rebecca Drainage\DWG\Design 11.9.17 Drainage 512 Rebecca.DWG Liva, Christopher



SURVEYED BY: MCE, INC	
DRAWN BY: CRL	
DESIGNED BY: MC	
FILE NAME: Design 11.9.17 Drainage 512 Rebecca.DWG	
TITLE: CITY OF FAYETTEVILLE REBECCA ST DRAINAGE IMPROVEMENTS PLAN - 1	
REVISED	
CITY OF FAYETTEVILLE ARKANSAS ENGINEERING DIVISION 1113 W. MOUNTAIN STREET PHONE NO: (479) 575-8206 FAX NO: (479) 575-8202	
DATE: Nov 17, 2017	
SHEET: 1	
PROJECT: Design 11.9.17 Drainage 512 Rebecca	

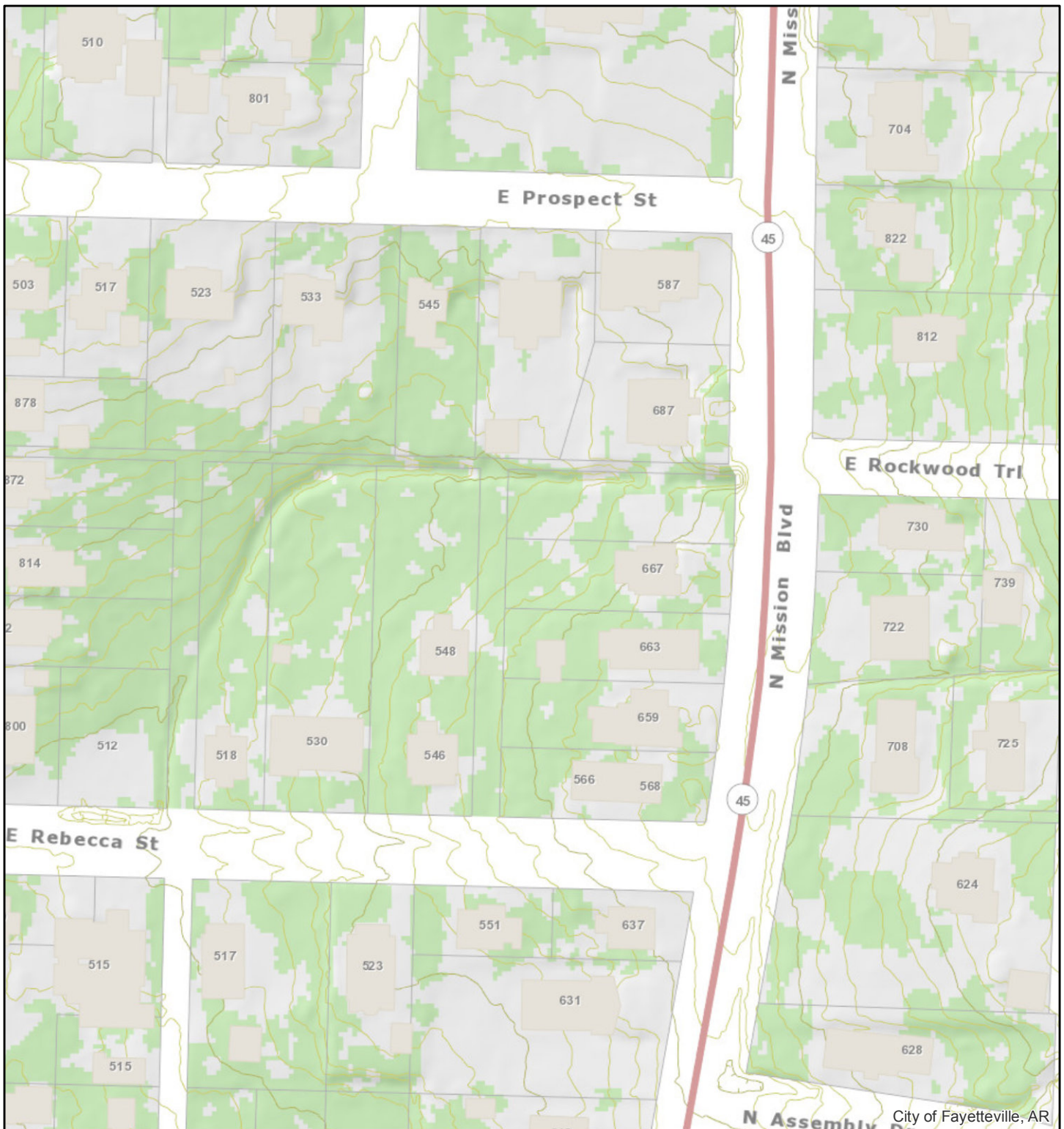


SURVEYED BY: MCE, INC	
DRAWN BY: CRL	
DESIGNED BY: MC	
FILE NAME: Design 11.9.17 Drainage 512 Rebecca.DWG	
CITY OF FAYETTEVILLE	
REBECCA ST DRAINAGE IMPROVEMENTS	
PLAN - 2	
TITLE:	
REVISED	
CITY OF FAYETTEVILLE ARKANSAS	
ENGINEERING DIVISION	
113 W. MOUNTAIN STREET	
PHONE NO: (479) 575-8206 FAX NO: (479) 575-8202	
DATE: Nov 17, 2017	
SHEET: 2	
PROJECT: Design 11.9.17 Drainage 512 Rebecca	

512 Rebecca Drainage Cost Share

						Cost Share	
Item #	Item	Quantity	Unit	Unit Price	Extended	City	Property Owner
1	Saw Cut	85	LF	\$5.00	\$425.00	\$425.00	\$0.00
2	Haul off Asphalt, Pipe and Concrete Headwall	1	LS	\$750.00	\$750.00	\$750.00	\$0.00
3	Remove Existing Culvert	1	LS	\$2,200.00	\$2,200.00	\$2,200.00	\$0.00
4	Remove Concrete Apron	1	LS	\$1,000.00	\$1,000.00	\$1,000.00	\$0.00
5	Replace Gravel on Alley	1	LS	\$1,035.00	\$1,035.00	\$0.00	\$1,035.00
6	53" by 34" EHRCP	179	LF	\$160.00	\$28,640.00	\$12,320.00	\$16,320.00
7	18" RCP	24	LF	\$48.00	\$1,152.00	\$1,152.00	\$0.00
8	18" RCP FES	1	EA	\$380.00	\$380.00	\$380.00	\$0.00
9	Headwall No 1 W/Wing walls & Apron	1	LS	\$3,500.00	\$3,500.00	\$3,500.00	\$0.00
10	Headwall No 2 W/Wing walls & Apron	1	LS	\$4,800.00	\$4,800.00	\$0.00	\$4,800.00
11	6' by 6' Drop Inlet	1	EA	\$5,035.00	\$5,035.00	\$5,035.00	\$0.00
12	6' by 10' Junction Box w/Sewer Line Through	2	EA	\$7,000.00	\$14,000.00	\$7,000.00	\$7,000.00
13	Traffic Control & Street Closure/Detour	1	LS	\$3,000.00	\$3,000.00	\$3,000.00	\$0.00
				Subtotal	\$65,917.00	\$36,762.00	\$29,155.00
				% Breakdown		56%	44%
14	Mobilization, Bonds	1	LS	\$4,000.00	\$4,000.00	\$2,230.81	\$1,769.19
15	Staking	1	LS	\$2,500.00	\$2,500.00	\$1,394.25	\$1,105.75
Total Improvements					\$72,417.00	\$40,387.06	\$32,029.94

512 E Rebecca Topography



December 13, 2017

1:1,504

Paved Trail

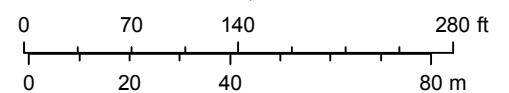
Parcel

Lake

Stream

Park

Point of Interest



The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user, and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warranties with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas law.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0766

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: D. 10

OZARK REGIONAL TRANSIT ADDITIONAL FUNDING:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$122,908.00 TO PROVIDE ADDITIONAL FUNDS TO MAINTAIN OZARK REGIONAL TRANSIT SERVICES IN THE CITY OF FAYETTEVILLE AT THE 2017 SERVICE LEVELS

WHEREAS, Ozark Regional Transit has calculated that, due to operational cost increases, it will have a 2018 budget shortfall in the amount of \$338,000.00 if it maintains the same level of service across its entire service area as 2017; and

WHEREAS, without an increase in funding, the service levels for four fixed routes in the City of Fayetteville will have to be reduced.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution, in the amount of \$122,908.00 to provide additional funds to maintain Ozark Regional Transit services in the City of Fayetteville at the 2017 service levels.

City of Fayetteville Staff Review Form

2017-0766

Legistar File ID

1/2/2018

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Don Marr, Chief of Staff

12/19/2017

TRANSPORTATION SERVICES (410)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a budget adjustment for \$122,908 to cover funding gap to maintain four Ozark Regional Transit Routes at the same service level as prior years.

Budget Impact:

2100.410.4100.5723.00

Street Fund

Account Number

Fund

Project Number

Project Title

Budgeted Item? No

Current Budget \$ 300,000.00

Funds Obligated \$ 300,000.00

Current Balance \$ -

Does item have a cost? Yes

Item Cost \$ 122,908.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 122,908.00

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # 2017-0755

Original Contract Number:

Approval Date:

Comments:



CITY OF
FAYETTEVILLE
ARKANSAS

STAFF MEMO

TO: Mayor Lioneld Jordan
City Council

THRU: City Attorney
City Clerk

FROM: Don Marr, Chief of Staff 

DATE: December 19, 2017

SUBJECT: Funding Request by Ozark Regional Transit

RECOMMENDATION:

To approve a budget adjustment for \$122, 908 (\$30,727 per fixed route) to maintain Ozark Regional Transit Services to the 2017 service levels.

BACKGROUND:

On November 30, 2017, the Ozark Regional Staff asked the ORT Board members to request an audience with each Municipality that is a part of the ORT Inter-local agreement and where current fixed route service levels in the urbanized area exist to discuss a budget amendment requesting \$30,727 per fixed route offered in order to meet a balanced budget for operations of the ORT system.

Ozark Regional Transit is formally petitioning the City of Fayetteville to increase the funding levels for Fixed Route public transit services and FTA associated ADA Para-Transit Service. The ORT 2018 budget will realize a local match shortfall and will also realize increased operational cost for the upcoming year. The items that play into this budgetary gap are:

- Decreases in County funding and associated State funding
- Increases in labor rates from year to year
- Increases in hard costs such as vehicle parts and fuels
- Decreases in on-vehicle advertising revenue due to not running ORT's own buses.

The 2018 proposed overall budget currently reflects the expected reductions in funding and is also reflecting the associated rural demand response service reduction in hours and labor, as well as the removal of the private partnership sponsored route and associated service hours and labor. Even with these calculated reductions in funding and services, ORT finds its funding below expected costs associated with running fixed route services in NWA.

DISCUSSION:

Ozark Regional Transit has calculated its shortfall in 2018 to be \$338,000 in order to maintain the same level of services as in 2017 for fixed routes. With eleven (11) urbanized fixed routes, the equitable distribution of this shortfall would be \$30,727 per fixed route. That equates to an increase per fixed route of 14.22%. 11% of this increase is due to operational cost increases

realized from 2016 to 2018. The other 3.22% is attributable to the operational cost increases from 2017 to 2018. Only an increase in funding will ensure ORT is able to compensate for operational increases expected in 2018 and will result in enough funding associated with State supported expense items.

BUDGET/STAFF IMPACT:

This request will cost the City an additional \$122,908 (\$30,727 for four fixed routes within the City of Fayetteville AR). This will be a budget adjustment utilizing City of Fayetteville reserve funds. With the absence of this additional funding the routes will have to be reduced and service levels cut to the corresponding dollar amounts needed.

Attachments:

Ozark Regional Transit Funding Request Memo
Budget Adjustment



2423 East Robinson Avenue, Springdale, Arkansas 72764

To: City of Fayetteville
From: Ozark Regional Transit
Re: 2018 Funding Level Increase

Ozark Regional Transit (ORT) is formally petitioning the City of Fayetteville to increase the funding levels for Fixed Route Public Transit services and FTA associated ADA Para-Transit.

ORT's 2018 budget will realize a local match shortfall, and will also realize increases in operational costs.

There are many factors that play into the causes of this budgetary gap that include:

- Decreases in County funding and associated State funding.
- Increases in labor rates from year to year.
- Increases in hard costs such as vehicle parts and fuels.
- Decreases in on-vehicle advertising revenue due to not running our own buses.

To better understand where the City's funding supports ORT routes, we have calculated the straight operational cost for running a fixed route. This cost includes:

- Wages for Operators and Maintenance
- Associated Benefits
- Vehicle Insurance
- Uniforms
- Shop Supplies
- Communication Equipment and Service costs
- Equipment Rental and Repair
- Fuel and Oil

This does not include:

- Wages for Support Staff or Management
- Associated Benefits
- Property Insurance
- Office Supply Costs
- Computer Hardware and Software Service costs
- Utilities
- Travel, Marketing or Association Dues
- Other Ancillary Expenses
- Costs associated with post-fire recovery

For 2016 and 2017, the costs per route are as follows:

Average Cost per Route	2017	2016	%Difference
One Route	\$185,354	\$165,171	11%
Two Routes	\$370,709	\$330,342	11%
Four Routes	\$741,418	\$660,684	11%

The costs that are not associated with directly operating a route are supported financially through the fare box revenue, advertising revenue, local partnerships with non-governmental organizations and charter fares. There is also approximately 10% of these additional costs that are paid utilizing State funding, which is only obtained by providing rural services. Now that we are forced to cut the rural services, due to the reduction in County funding, our State grant money has been decreased by \$100,000 or close to 40%.

For 2018, ORT will have to propose an overall budget below the 2017 budget proposed and subsequent expected actuals. The 2018 budget currently reflects the expected reductions in funding and is also reflecting the associated rural demand response service reduction in hours and labor, as well as the removal of the private partnership sponsored route and associated service hours and labor. Even with these calculated reductions in funding and services, ORT finds its funding below expected costs associated with running fixed route services in NWA.

On November 30, 2017 ORT staff asked that the Board members request an audience with each city we provide fixed route services in, to allow us that audience from whom to request additional funding, in order to maintain our current fixed route service levels in the urbanized area. ORT also offered a secondary resolution. Although contradictory to our plans to continue public transit growth and development, it is the only other predictable alternative to keep the 2018 budget balanced; we reduce service hours daily by 1.5 hours. Again, these are the present options that allow us to enter into 2018 with a balanced budget.

ORT has calculated its shortfall in 2018 to be \$338,000 in order to maintain the same level of services as in 2017 for fixed routes. With eleven (11) urbanized fixed routes, the equitable distribution of this shortfall would be \$30,727 per fixed route. That equates to an increase per fixed route of 14.22%. As indicated above, 11% of this increase is due to operational cost increases realized from 2016 to 2017. The other 3.22% is attributable to the operational cost increases from 2017 to 2018. Only an increase in funding will ensure ORT is able to compensate for operational increases expected in 2018 and will result in enough funding associated with State supported expense items. Due to ORT applying approximately 10% of its budget to the State grant, for 2018, our proposed budget of \$3,538,000 will have \$353,800 reimbursable by that State grant.

When ORT staff began the final assembly of the 2018 budget, we took into consideration that there would be 4 less operators needed because of the loss of the County and private funding. Even though we are reducing our overall employee pool through natural attrition, there are some jobs and duties that cannot be reduced. While a portion of staff salary and benefits can be attributable to the State grant, having lost that funding stream does not allow me to reduce staff hours or duties at the non-operational and mechanical jobs level.

Over the years, ORT has maintained a lean leadership team. We have excelled in ensuring that no positions are manned or created that are not integral to the operation of the system. Many of our staff or leadership perform multiple layers of duties that would normally be staffed by more than one individual. However, due to our lean nature and propensity to be as frugal as possible, we do not over-staff or open positions until it is absolutely necessary. In the 2018 budget, we are reducing the number of operators needed to perform our daily tasks. This does not translate into reducing leadership or staff positions due to the fact that we continue to consolidate and delegate tasks and responsibilities to our present, few positions.

It is my hope that the City of Fayetteville will review this letter of request, and grant the increase of \$30,727 per fixed route for the total of \$122,908 in additional funding for 2018 budget. If you have any questions, or request further clarification of this budget dilemma, please do not hesitate to contact me directly.



Joel Gardner, Executive Director
Ozark Regional Transit

Budget Year	Division	Adjustment Number
2018 (BY)	CHIEF OF STAFF (070)	
	/Org2	
	Requestor: Don Marr	

Ozark Regional Transit has requested additional funds in order maintain four routes at the same service level as in prior years.

	COUNCIL DATE:	1/2/2018
	LEGISTAR FILE ID#:	2017-0766
	<i>Barbara Fell</i> 12/20/2017 7:28 AM	
	Budget Director	Date
	TYPE:	
DESCRIPTION:		
GLDATE:		
POSTED:	/	
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0755

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 11

OZARK REGIONAL TRANSIT, INC.

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A FIVE-YEAR CONTRACT WITH OZARK REGIONAL TRANSIT, INC. IN THE AMOUNT OF \$300,000.00 IN 2018, AND SUBJECT TO ANNUAL BUDGET APPROVAL IN FUTURE YEARS, FOR PUBLIC TRANSIT SERVICES FOR FAYETTEVILLE RESIDENTS

WHEREAS, Ozark Regional Transit, Inc. has operated a transit system in the City of Fayetteville since 1999 when the City Council authorized the transfer and sale of City trolleys in exchange for transportation services for Fayetteville residents; and

WHEREAS, in 2002, the City of Fayetteville first entered into an interlocal agreement with other cities and counties in Northwest Arkansas which allowed the City to become part of the Ozark Transit Authority, which is served by Ozark Regional Transit, Inc. and which is the only provider of public transit services connecting Fayetteville residents with other parts of Northwest Arkansas; and

WHEREAS, the agreement should be updated to address how annual payments are handled and to include language consistent with the City's standard contract terms.

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

Section 1: That the City Council of City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a five-year contract between the City of Fayetteville, Arkansas and Ozark Regional Transit, Inc. in the amount of \$300,000.00 in 2018, and subject to annual budget approval in future years, for public transit services for Fayetteville residents.

City of Fayetteville Staff Review Form

2017-0755

Legistar File ID

1/2/2018

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

Andrea Rennie

12/15/2017

PURCHASING (160)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

An ordinance to waive the requirements of formal competitive bidding and to enter into an agreement with Ozark Regional Transit, Inc. (ORT) for a one-year contract, renewable for up to four additional one-year terms for transit services. City Council appropriations for 2018 included \$300,000 for this contract. Future renewals are subject to amounts appropriated by City Council for each budget year.

Budget Impact:

2100.410.4100-5723.00

Street

Account Number

Fund

40901.4001

Outside Agencies Funding / Ozarks Regional
Transit

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 300,000.00

Funds Obligated \$ -

Current Balance \$ 300,000.00

Does item have a cost? Yes

Item Cost \$ 300,000.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # See below

Original Contract Number:

Approval Date:

Comments: Previous: Ordinance 4418 (September 17, 2002), Ordinance 5334 (July 06, 2010)



TO: Mayor Jordan and Fayetteville City Council

THRU: Don Marr, Chief of Staff
Paul A. Becker, Chief Financial Officer

FROM: Andrea Rennie, Purchasing Manager

DATE: Friday, December 15, 2017

SUBJECT: Renewable agreement with Ozark Regional Transit

RECOMMENDATION:

An ordinance to waive the requirements of formal competitive bidding and to enter into an agreement with Ozark Regional Transit, Inc. (ORT) for a one-year contract, renewable for up to four additional one-year terms for transit services. City Council appropriations for 2018 included \$300,000 for this contract. Future renewals are subject to amounts appropriated by City Council for each budget year.

BACKGROUND:

In 1999, the Fayetteville City Council authorized the transfer and sale of all City trolleys to Ozark Regional Transit in exchange for transportation services for Fayetteville citizens. In 2002, the Public Transit System Act enabled the City to become part of a public transit authority, known as Ozark Transit Authority, after approval of an interlocal agreement (Ordinance 4418). The 2002 agreement was amended in 2010 (Ordinance 5334) including items such as board terms, board structure and board member additions. A new agreement is needed at this time to address how annual payments are handled and to update the contract with ORT to language in line with the City's standard contract terms.

The Ozark Transit Authority currently operates transit services for Washington, Benton, Carroll, and Madison Counties. ORT's mission statement states it "is dedicated to providing safe, reliable and affordable public transportation to both the rural and urban residents of the four-county area within our jurisdiction."

Don Marr, Chief of Staff, currently serves as the representative for the City of Fayetteville through 05/31/2021.

DISCUSSION:

The recommended contract is for one-year with up to four one-year renewable terms. Subsequent renewals are subject to amounts appropriated by City Council for each budget year. Payments will be made at the beginning of each quarter.

BUDGET/STAFF IMPACT:

This is a budgeted expense and includes \$300,000 as appropriated by City Council for the 2018 budget.

Attachments:

Contract for Services with ORT (3 pages)



**CITY OF
FAYETTEVILLE
ARKANSAS**

Contract for Services
Between the City of Fayetteville, AR
and the Ozark Regional Transit
Term: One year with four one-year renewals

This agreement is entered into on this _____ day of _____, 20____ between the City of Fayetteville, hereinafter known as the "City" and the Ozark Regional Transit, Inc., hereinafter known as "ORT".

WHEREAS, the City has determined that a public need exists for fixed route public transit services within the city limits of Fayetteville;

WHEREAS, the Ozark Transit Authority was created in 2002 by Washington, Benton, Carroll and Madison counties and the cities of Fayetteville, Springdale, Rogers, and Bentonville;

WHEREAS, the City has an interlocal agreement providing for participation for the City of Fayetteville with Ozark Transit Authority;

WHEREAS, the Ozark Transit Authority contracts with Ozark Regional Transit, Inc. (ORT) for public transportation services;

WHEREAS, ORT is dedicated to providing safe, reliable and affordable public transportation to both the rural and urban residents of the four-county area within its jurisdiction; AND

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and ORT agree as follows:

1. This agreement shall cover the period of January 1, 2018 through December 31, 2022 unless terminated or amended.
2. ORT agrees to develop, operate and maintain a fixed route public transit system and allow Fayetteville residents use of the same system. ORT reserves the right to refuse service to anyone for violation of transit service rules. ORT reserves the right to determine the route structure of the transit system.
3. ORT agrees to provide written annual reports to the City that describe the activities undertaken during the preceding period concerning its public transit system and also report on the following performance measure: estimated number of passengers by route. The annual reports to be submitted to the Project Coordinator as soon as practical after the end of the year. The data will be reported for the current year and prior year.
4. ORT agrees to make available all records pertaining to public transit fixed route and paratransit service, except those restricted by federal regulations, for review by the City and City auditors as requested. ORT agrees to comply with the Arkansas Freedom of Information Act as applicable.
5. For the purpose of the Agreement, the Project Coordinator for the City will be the Mayor or his/her designee. The Project Coordinator for ORT will be the ORT Transit and Parking Director or his/her designee. Communications pertaining to this agreement will be through the respective Project Coordinators for the City and ORT.
6. **Terms of performance.** The term of performance for this agreement will expire December 31, 2018 but will automatically be renewed and extended for up to an additional four one- year terms if the City's budget containing funding for the service is approved by the City Council for the next year and the ORT agrees to continue the service.

7. **Budget.** The City agrees to pay ORT and ORT agrees to accept as payment in full for its services \$300,000 for 2018. The amounts to be paid for services in future budget years are dependent on the amounts appropriated by City Council for each budget year. It is understood that a reduction in City funding may require a reduction in transit service. Payments shall be made on a quarterly basis.
8. ORT shall provide and maintain in force at all times during the term of the agreement, for its own employees, coverage for worker's compensation to the extent required by law.
9. ORT shall render to the City a Request for Payment at the beginning of each quarter and the City shall pay the invoice within thirty (30) calendar days of invoice acceptance.
10. **Notices.** All notices required or permitted under this agreement will be submitted in writing to the other party in this agreement by personal delivery or the address below, or by certified mail, return receipt requested, in which case notice will be effective three (3) business days after deposit therein address to the following:

City of Fayetteville, AR
Attn: Mayor
113 Mountain
Fayetteville, AR 72701

Ozark Regional Transit
Attn: Executive Director
2423 E. Robinson Ave.
Springdale, AR 72764

11. Neither party may assign any of its rights or obligations under this agreement without the express written consent of the other, nor shall this agreement be construed to bestow any rights or benefits upon anyone other than ORT and the City.
12. The parties agree and understand that this Agreement is exclusive of any and all other agreements, and that it in no way alters, amends or abridges any rights, obligations or duties of the parties contained in such agreements.
13. A waiver by either party of any of the terms or conditions herein shall be limited to that particular instance and shall not be construed as a general waiver of any other breaches by either party.
14. This Agreement constitutes the entire understanding of the parties, and no modification or variation of the terms of this agreement shall be valid unless made in writing and signed by the duly authorized agents of ORT and the City.
15. **Severability.** Each paragraph of this agreement is severable from all other paragraphs. If any paragraph or subparagraph is found to be invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.
16. **Interpretation.** The contract shall be interpreted according to and enforced under the laws of the State of Arkansas, in Washington County.
17. **Non -Appropriation.** The parties recognize that performance of the Agreement by ORT may be dependent in whole or in part upon the appropriation of state or federal funds. If a state or federal legislative body fails to appropriate the necessary funds, then by written notice to City, ORT may cancel all or the remaining portion of the Agreement without further duty or obligation. In the event this agreement must be terminated prior to the end of the term pursuant to this clause, the amounts due to ORT by City shall be prorated. The parties recognize and understand the appropriation is a legislative act and is beyond the control of ORT.
18. If Ozark Transit Authority or ORT or its transit unit receives new or additional funding from a local sales tax, both parties shall meet to determine whether this agreement should be mutually terminated or amended because of

this new funding source. The City may elect to discontinue funding called for in this contract and terminate this contract without penalty if a new or additional local sales tax provides at least \$300,000.00 annualized funding to ORT.

19. The City or ORT may cancel this contract within thirty (30) calendar day notice.

IN WITNESS WHEREOF, we have hereunto set our hands on the date first written above.

CITY OF FAYETTEVILLE, ARKANSAS

By: _____
LIONELD JORDAN, MAYOR

ATTEST:

By: _____
Sondra E. Smith, City Clerk, Treasurer

Date: _____

OZARK REGIONAL TRANSIT, INC.

By: _____

Printed Name: JOEL GARNER

ATTEST:

By: _____

Printed Name: Melinda Campbell

Title: CFO

Date: 12/5/17



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0730

Agenda Date: 1/2/2018

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: D. 12

2018 RULES OF ORDER AND PROCEDURE:

A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2018

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 **Rules of Order and Procedure of the Fayetteville City Council** for 2018 as attached to this Resolution.

Legistar ID No.: 2017-0730

AGENDA REQUEST FORM

FOR: Council Meeting of January 2, 2018

FROM: City Attorney Kit Williams

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE
FAYETTEVILLE CITY COUNCIL FOR 2018

APPROVED FOR AGENDA:



City Attorney Kit Williams

December 7, 2017

Date



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Rhonda Lynch
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Sondra Smith**, City Clerk
Don Marr, Chief of Staff

FROM: **Kit Williams**, City Attorney

DATE: **December 8, 2017**

RE: **Rules of Order and Procedure**

The City Council has recently begun readopting the **Rules of Order and Procedure of the Fayetteville City Council** every year as recommended by the Arkansas Municipal League. My office has drafted the appropriate Resolution to do so again on January 2, 2018.

Reading through the Rules, I noticed some rules that need to be amended. The first is E.1.a. **Standing City Council Committees**. This was written and approved prior to the ad hoc creation of the Equipment Committee. I believe that the Equipment Committee should be formally recognized and included within the list of the Standing City Council Committees and so have amended that subsection to add the Equipment Committee.

I was surprised to find on page 11 of the Rules, a section on **Appointment of New City Council Member**. This section must have been drafted before the Legislature changed the law and provided the requirements and options the City Council now must follow pursuant to A.C.A. § 14-43-411. State law always trumps any conflicting local rule of procedure so **Appointment of New City Council Member** should be changed to **Vacancy in the Office of a City Council Member** which should refer to the controlling state law.

City Clerk Sondra Smith noticed a reference to "the Code of Ethics of the International Mayor's Association" in F. 2. We could not find any such code, nor were we aware how or when this provision was included within your **Rules of**

Order and Procedure. I questioned Chief of Staff Don Marr who also could not find a real reference to this group or its code of ethics. While investigating, Don came upon a short, but comprehensive and understandable code of ethics that the State of Georgia had produced and which had been adopted by Atlanta and many other cities in Georgia. We liked its clarity and simplicity and so propose to include it within **G. CODE OF ETHICS** as the first subsection entitled **General**, rename the current first section **Business transactions** and renumber the remaining subsections.

I have made those four changes in the attached **Rules of Order and Procedure** for your consideration at your January 2, 2018 meeting. All other rules remain exactly the same as they are today.

RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL

A. CITY COUNCIL MEETINGS

1. Regular Meetings

The City Council shall meet in regular session on the first and third Tuesday of each month at 5:30 P.M. When a holiday or general election occurs on any such Tuesday, the regular meeting shall be held on the following Thursday at the same hour unless otherwise provided for by motion. The regular meeting time may be rescheduled by the City Council in special circumstances, but when so done the change must be made far enough in advance to allow normal public notification.

2. Location

The place of City Council meetings shall be in the City Council Chambers in the City Hall unless another place has been previously set by the City Council.

3. Special Meetings

Special meetings may be called by three or more members of the City Council or by the Mayor. Notification of a special meeting, including specific items to be considered, shall be at least two hours prior to the meeting. Such notification shall be by personal service to each member or by telephone, specifying time and place of meeting.

4. Executive Session

An executive session may be requested by any member of the City Council or the Mayor. A majority vote by the City Council is required to convene in executive session. Executive sessions will be permitted only for the purpose of considering the employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee.

5. Quorum

A majority of the City Council shall be necessary to constitute a quorum to do business at a City Council meeting. The concurring vote of a majority of those attending a meeting shall be sufficient to pass procedural motions except a Motion to Suspend the Rules which requires six affirmative votes. Ordinances and Resolutions require five affirmative votes to pass.

6. Public Notification

The City will go further than legally required in order to inform citizens of the items to be considered by the City Council. The means used may include press releases or advertisements in a local newspaper, special notice to citizens who have shown a direct interest in matters to be

considered, Government Channel announcements and presentation, and agenda copies available at City Council meetings.

7. Presentation of Agenda Items at City Council Meetings

a. Agenda Items not Included Within the Tentative Agenda Packet.

(1) **Staff Agenda Items.** If the City staff requests to “walk-on” an agenda item for the City Council Agenda during the City Council Agenda Session, the memo from the City staff shall begin with a clear and compelling reason why this proposed agenda item could not have been included within the Tentative Agenda and cannot wait for City Council consideration at a later City Council meeting. Any member of the City Council including the Mayor can then place this item on the Final Agenda.

(2) **Council Member Agenda Items.** Council Members should also strive to include any agenda item a Council Member wishes the City Council to consider within the Tentative Agenda. If that is not possible, the Council Member should explain during the Agenda Session why the proposed agenda item should be included in the Final Agenda rather than postponed to the next meeting. Any member of the City Council including the Mayor can then place this item on the Final Agenda.”

b. **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.

c. **Consent Agenda.** Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If a Council Member 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.

d. Unfinished Business and New Business.

(1) **Presentations by Staff and Applicants.** Agenda items at a City Council meeting 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 a Council Member later to answer questions. City staff, Council Members and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

(2) **Public Comments.** Public comment at a City Council meeting shall be allowed for all members of the audience on all items of unfinished and new business and subjects of

public hearings. Speakers shall be limited to a maximum of (5) five minutes so that all other citizens desiring to speak on that agenda item or a later item will not be unnecessarily inconvenienced. By a majority vote of the Council Members present and voting, this time limitation may be altered for a specific agenda item.

A simple majority of the Council Members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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 City Council. 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 Council Member 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 a Council Member or city staff member except through the Mayor.

- e. **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.

8. **Smoking Prohibited.**

There will be no smoking allowed in the City Council Chambers during City Council meetings.

9. **Cell Phones and Pagers.**

Cell phones must be turned off or put in silent mode and not used within the City Council Chambers during City Council meetings. Pagers must be turned off or put in silent mode within the City Council Chambers during City Council meetings. These restrictions also apply during Agenda Sessions.

B. DUTIES AND PRIVILEGES OF COUNCIL MEMBERS AT CITY COUNCIL MEETINGS

1. Seating

Members shall occupy the respective seats in the City Council Chambers assigned by position number. The Mayor (or Assistant Mayor in the Mayor's absence) shall be seated near the center of the City Council table.

2. Conduct

During City Council meetings, Council Members shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings. Neither shall they refuse to obey the orders of the Mayor or the rules of the City Council.

Every member of the City Council desiring to speak shall address the chair and, upon recognition by the Mayor, shall confine herself or himself to the question under debate and shall avoid all personalities and indecorous language. A Council Member once recognized shall not be interrupted while speaking unless called to order by the Mayor, unless a point of order is raised by another member or unless the member chooses to yield to questions from another member.

If a member is called to order while he or she is speaking, the member shall cease speaking immediately until the question of order is determined. If ruled to be not in order, the member shall remain silent or shall alter his or her remark so as to comply with the rules of the City Council.

All members of the City Council shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the City Council, and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. Council Members shall confine their questions as to the particular matters before the City Council and in debate shall confine their remarks to the issues before the City Council.

3. Financial Interest

No member of the City Council with a direct or indirect financial interest in any items before the City Council shall participate in the discussion of or voting on such matter.

4. Voting

Every member present when a question is put to a vote shall vote either "yes" or "no", except that a member may abstain from voting if he or she has not participated in the preceding discussion of the question and if that member has previously stated the reason for the abstention. Except for a question necessary to clarify the meaning of the motion, resolution or ordinance being voted upon, no questions or comments by members of the City Council including the Mayor shall be made during the voting on the pending motion, resolution or ordinance. The Council Members will vote

at City Council meetings in the order of their position number, but with a progressively different position voting first at each meeting.

5. Roll Call

Upon every vote the affirmative and negative votes shall be called and shall be recorded on every motion, resolution and ordinance; however, items which may be approved by motion, or contracts and leases which can be approved by resolution, may be grouped together and approved simultaneously with one roll call, under a "Consent Agenda."

C. MAYOR & VICE MAYOR

1. Mayor

a. General Power to Preside and Vote

The Mayor is the presiding officer and ex officio president of the City Council. The Mayor may vote to establish a quorum or to pass an ordinance, resolution or motion if the Mayor's vote is needed for passage. The Mayor does not have the right to vote for an Emergency Clause on an ordinance. An Emergency Clause requires six affirmative votes by the City Council to pass.

b. Mayor's Veto Power

The Mayor has the power to veto any ordinance, resolution or order, or part thereof, adopted by the City Council within five (5) days (Sundays excluded) of the City Council vote. Before the next City Council meeting, the Mayor shall file in the City Clerk's office a written statement of reasons for the veto. At the first City Council meeting following the veto, the City Council can override the veto by two-thirds majority (6 affirmative votes).

2. Vice Mayor

The City Council shall at the time of organizing, in public session, elect one of its members as Vice Mayor. Any Council Member may nominate himself or herself or any other member of the City Council for Vice Mayor, and no second of a nomination is required. Each Council Member shall vote by naming his or her choice by voice vote if there is more than one nominee for a position. A majority vote of the City Council shall be required for election. In the absence of the Mayor, the Vice Mayor shall preside at the City Council meeting.

3. Privileges of the Vice Mayor

The Vice Mayor acting as the Mayor may move, second and debate from the chair and shall not be deprived of the rights and privileges of being a member of the City Council by reason of her or his acting as the Vice Mayor.

D. PROCEDURES AND PARLIAMENTARY RULES

1. Agenda

The City Council's agenda order shall be coordinated by the Mayor. All items for discussion or action at the regular council meeting shall be included in a Tentative Agenda provided to City Council prior to an Agenda Session where the City Council shall determine the final arrangement of the Agenda. Any item the Mayor or a Council Member wishes to include on the Final Agenda that was not included on the Tentative Agenda may only be added to the Final Agenda during the Agenda Session. At the regular meeting of the City Council, the Council, by majority vote, may rearrange the order of the Agenda. An item may be added to the Agenda at the City Council meeting only by a Motion to Suspend the Rules.

2. Precedence of Motions

The City Council shall follow the precedence and classification of motions as given in the most recent edition of the Arkansas Municipal League's 'Procedural Rules for Arkansas Municipal Officials.' In the event a matter is not covered by the 'Procedural Rules for Arkansas Municipal Officials,' the most recent edition of *Robert's Rules of Order* shall apply. On questions of appeal, a majority of those present is required to overturn a ruling by the chair."

3. Motions to be Stated by the Chair/Withdrawal

When a motion is made and seconded, it shall be stated by the Mayor before debate. After being stated by the Mayor, a motion may not be withdrawn by the mover without the consent of the member seconding it and approval of the City Council.

4. Reconsideration

After the decision of any question, any member of the prevailing side may request a reconsideration of any action at the same or the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before final execution thereof. A motion to reconsider requires a simple majority for passage. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

5. Readings

All ordinances shall be read aloud at three different meetings unless the City Council votes to suspend the rules.

The following guidelines for reading ordinances are recommended:

- ◆ After the ordinance's first reading, a Council Member may briefly point out potential concerns or benefits from the proposed ordinance, but should refrain from attempting to persuade each other or arrive at a final consensus.
- ◆ Unless there is clearly no opposition or concern about the ordinance, it should be read and open for public discussion during at least two City Council meetings.
- ◆ Complex ordinances that need further clarification or drafting work should be referred to the Ordinance Review Committee.

6. Items Tabled Indefinitely

Any item tabled indefinitely may be taken from the table by majority vote of the City Council during the calendar year in which it was tabled indefinitely. All items tabled indefinitely and remaining on the table at the end of the calendar year shall be deemed denied and rejected for appellate and all other purposes on December 31st and shall not be considered by the City Council in the future unless brought forward as a new item.

E. INTERNAL BOARDS, COMMITTEES, COMMISSIONS AND APPOINTMENTS

1. Membership of Internal Boards, Committees, Commissions and Appointments

a. Standing City Council Committees.

The five standing committees of the City Council are: Equipment, Nominating, Ordinance Review, Streets, and Water and Sewer. Each committee shall have four Council Members appointed by the Mayor in January after every regular election. All Council Members shall serve on at least two of these five committees. Each committee shall elect a chair and vice chair during the first committee meeting after the Council Members are appointed.

b. Other Committees (See also Section H. Citizens Committees)

Council Members may volunteer or request to serve on any of the various other committees which have City Council slots. The Mayor may appoint a Council Member to the other committees pursuant to their request.

c. Appeal Right to City Council

Any Council Member who is dissatisfied with his or her committee assignments can appeal to the whole City Council who can determine by majority vote which Council Member will be appointed to a specific committee.

d. Ad Hoc Committees.

Ad hoc committees may be appointed either by the Mayor or by a majority vote of the City Council to study special problems and projects of the City.

2. Notification and Attendance

All Council Members, representatives of the news media who have requested notification, and other persons who have shown a direct interest in matters to be considered at a committee meeting shall be notified of City Council committee meetings.

Committee meetings shall be held when possible at times that allow all members of the committee to attend. In order for a committee to make an official recommendation to the City Council, a majority of the committee members must agree on that recommendation. Council Members who are not members of a particular City Council committee may generally participate in the meeting of that committee except for voting on committee recommendations, but the chairperson may rule otherwise.

3. City Council Representation on Other Governmental Groups

When it is necessary to appoint a Council Member to an external board, commission or committee, selection of that Council Member shall be made by a majority vote of the City Council. That selection shall be made by nomination and vote in a public session. Any Council Member may nominate himself or herself or (any other member of the City Council), and no second is required. Each Council Member shall vote by naming his or her choice by voice vote if there is more than one nominee for a position. A majority vote of the City Council shall be required for election.

F. MAYOR RELATIONSHIP

1. Definition of Authority

In exercising its legislative responsibilities, the City Council may approve policy which represents broad statements of its intentions, approve plans and programs, and manage the financial aspects of the city through its budgetary powers. The Mayor is empowered to hire capable personnel within the approved wage and salary policy, to plan and establish schedules and to train, supervise and terminate employees.

2. Definition of Responsibilities

The Mayor has the principal responsibility for directing the operations of the city government, and for advising and assisting the City Council in its deliberations. In connection with this latter responsibility, the City Council expects and requests the Mayor shall furnish the City Council with whatever data, information and material it may need to properly carry out its functions in an

informed manner. The City Council also expects the Mayor to abide by the City of Fayetteville Code of Ethics.

3. City Council/Mayor Cooperation

Efficient management of the city can exist only through mutual understanding and complete cooperation between the City Council and the Mayor. The Mayor's performance cannot be of the best unless the Mayor is given the latitude to exercise independent judgment in executing policies of the City Council. The City Council acknowledges that obligation and gives the Mayor the latitude of judgment and discretion, and expects faithful performance in carrying out the policies of the City Council.

While open communication between the City Council and City personnel is encouraged, it shall be understood that administrative authority for the management of the City rests with the Mayor. Members of the City Council should refrain, as individuals, from giving specific direction or instruction to City personnel pertaining to the discharge of assigned duties.

G. CODE OF ETHICS

1. General

As the governing authority of the City of Fayetteville, Arkansas we, the Mayor and Council Members, adhere to the following ethics principles and pledge to conduct our affairs accordingly:

- Serve others, not ourselves.
- Use resources with efficiency and economy.
- Treat all people fairly.
- Use the power of our position for the well-being of our constituents.
- Create an environment of honesty, openness and integrity.

2. Business Transactions

Members of the City Council and the Mayor occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly, must be subject to the scrutiny of public opinion both as to the legality and to the propriety of such transactions.

3. Conflict of Interest

Members of the City Council and the Mayor shall refrain from making use of special knowledge or information before it is made available to the general public; shall refrain from making or

influencing decisions involving business associates, customers, clients, competitors and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing herein, however, shall serve to deny the members of the City Council and the Mayor of the legal rights and privileges available to all Fayetteville citizens.

4. Responsibility to All Citizens

Members of the City Council and the Mayor shall conduct themselves so as to bring credit upon the city as a whole and so as to set an example of good ethical conduct for all citizens of the community. The members of the City Council and the Mayor shall bear in mind at all times their responsibility to the entire electorate, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, or the economic or social position of individual citizens.

In an effort to allow the public full knowledge of financial and personal interests, the Members of the City Council and the Mayor are expected to disclose annually all real estate holdings in Fayetteville and the Fayetteville planning area, and any business or financial interest which could affect or be affected by decisions of the City Council. Such disclosure should be made in writing to the City Clerk in January of each year.

H. CITIZEN COMMITTEES

1. Authorization by the City Council

The City Council may authorize citizen advisory boards, committees and commissions to assist the City Council in discharging its responsibilities more effectively. Authorization will be made by majority vote of the City Council.

2. Selecting of Members

The Nominating Committee shall have the responsibility of coordinating the selection process of members for the citizen advisory groups prior to the final City Council decision. The objectives of the selection process shall be as follows: To provide a broad diversity of qualified individuals for service on the appointed bodies; and to provide an opportunity for participation in city affairs by interested citizens.

The selection process shall follow these procedures:

- a. Periodic news releases and articles, generally at least two weeks in advance of appointments, requesting interested individuals to notify the City Clerk's office of their interest in being considered for appointment. Application forms should be completed by each person who expresses an interest in a position.

- b. Council Members, city staff members and interested individuals and organizations who know of qualified persons should encourage them to apply for appointment.
- c. Cable television should be used to notify citizens of vacancies in citizen committees.
- d. The City website, **accessfayetteville.org**, should list vacancies in citizen committees.
- e. Any person who has served two consecutive full terms on any City commission or board shall not be eligible for reappointment to the same commission or board until one full term of office has expired, unless there is an insufficient number of qualified applicants to fill all vacancies. Service of a partial term shall not count against the two terms that are allowed.

Prior to any appointment, the City Clerk's office will circulate to the full City Council copies of applications of the individuals on file for the appointive body. Council Members may recommend applicants or offer comments to the Nominating Committee prior to their scheduled meeting.

The Nominating Committee will narrow the list of prospective appointees to no more than two individuals for each position. This decision will be made in an open meeting. The recommendations will be submitted to the full City Council for final decision. The committee's first choice may be indicated. All positions shall be decided by majority vote of the City Council. In instances where there is more than one nominee for a position, either by Nominating Committee recommendation or by other nominations, each Council Member shall vote by naming his or her choice for that position. The City Council will act officially on all appointments in public session.

I. Vacancy in the Office of a Council Member

A vacancy in the office of a Council Member shall be filled pursuant to the requirements of Ark. Code Ann. § 14-43-411.

J. Orientation of New Council Members

1. **Orientation Meeting Scheduled.** The City Council, Mayor, City Attorney, City Clerk/Treasurer and appropriate City Staff shall meet with and conduct one or more orientation sessions with newly elected Council Member's in December after each General Election or within one month after a Special Election in which a new Council Member is elected. Each newly elected Council Member shall attend the orientation session(s).
2. **Content of Orientation.** The City Council, Mayor and other members of the orientation group shall explain:
 - a. Rights and duties of Council Member's;
 - b. Organizational structure of city government;

- c. Role of the City Council Committees;
- d. How to initiate Resolutions and Ordinances;
- e. The purpose and procedure for the City Council Agenda session;
- f. Reasons to approve or disapprove land use and development issues;
- g. Council tours to view and discuss land proposed for rezoning or development;
- h. City Council Rules of Order and Procedure;
- i. Freedom of Information Act requirements.

3. Ongoing Orientation.

- a. Within the first week of a Council Member's term, the administration should provide an administrative and human resources orientation to include issuing parking permits, fobs, and other necessary equipment for the Council Member, as well as assistance for the completion of all necessary state and federal documents.
- b. Within the first quarter of a Council Member's term, the administration should arrange for a budget overview and tours of all major city facilities and functional areas.

1 Addition
See Page 12

Agenda Session 12-28-17

City of Fayetteville, Arkansas

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



City Council Agenda Session Tentative Agenda

Thursday, December 28, 2017

4:30 PM

City Hall Room 326

City Council Members

Adella Gray Ward 1

Sarah Marsh Ward 1

Mark Kinion Ward 2

Matthew Petty Ward 2

Justin Tennant Ward 3

Sarah Bunch Ward 3

John S. La Tour Ward 4

Kyle Smith 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:**

1. 2017-0746
ELECTION OF VICE MAYOR
2. 2017-0540
MONTHLY FINANCIAL REPORT - PAUL BECKER
3. 2017-0683
REPORT OF THE FIREMEN'S AND POLICEMEN'S PENSION AND RELIEF FUND

Agenda Additions**A. Consent:**

- A.1 2016-0590
APPROVAL OF THE DECEMBER 19, 2017 CITY COUNCIL MEETING MINUTES.
- A.2 2017-0737
ARKANSAS DEPARTMENT OF TRANSPORTATION:

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM FEDERAL-AID GRANT IN THE AMOUNT OF \$280,000.00 FOR THE INSTALLATION OF LIGHTING ALONG THE CATO SPRINGS TRAIL, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: ARKANSAS DEPARTMENT OF TRANSPORTATION
 BA ARKANSAS DEPARTMENT OF TRANSPORTATION

~~A.3~~2017-0743

BID #17-49 SUMMIT TRUCK GROUP:

A RESOLUTION TO AWARD BID #17-49 AND AUTHORIZE THE PURCHASE OF THREE (3) INTERNATIONAL 7300 4X2 RECYCLING TRUCKS WITH KANN BODIES IN THE TOTAL AMOUNT OF \$507,300.00 FROM SUMMIT TRUCK GROUP OF LOWELL, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: BID #17-49 SUMMIT TRUCK GROUP

~~A.4~~2017-0742

BID #17-64 WILLIAMS TRACTOR:

A RESOLUTION TO AWARD BID #17-64 AND AUTHORIZE THE PURCHASE OF A BOBCAT S-595 SKID STEER AND 84-INCH ANGLE BROOM IN THE TOTAL AMOUNT OF \$46,298.00 FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: BID #17-64 WILLIAMS TRACTOR

~~A.5~~2017-0714

BID #17-59 BULK CRUSHED ROCK SALT:

A RESOLUTION TO AWARD BID #17-59 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC FOR \$73.00 PER TON FOR MATERIALS PICKED UP AND \$75.65 PER TON FOR MATERIALS DELIVERED AS NEEDED THROUGH THE 2018 WINTER SEASON

Attachments: BID #17-59 BULK CRUSHED ROCK SALT

~~A.6~~2017-0710

BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC:

A RESOLUTION TO AWARD BID #18-01 AND AUTHORIZE THE PURCHASE OF REFLECTORIZED PAINT MARKINGS FROM CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC

A. 7 2017-0711

BID #18-02 CURB AND GUTTER CONSTRUCTION:

A RESOLUTION TO AWARD BID #18-02 AND AUTHORIZE THE PURCHASE OF CURB AND GUTTER CONSTRUCTION FROM FOCHTMAN ENTERPRISES, INC. AS A PRIMARY SUPPLIER IN VARIABLE AMOUNTS, AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-02 CURB AND GUTTER CONSTRUCTION

A. 8 2017-0712

BID #18-03 TRUCK HAULING SERVICES:

A RESOLUTION TO AWARD BID #18-03 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM B&B ROOFING AND CONSTRUCTION OF ARKANSAS, LLC AS PRIMARY SUPPLIER, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-03 TRUCK HAULING SERVICES

A. 9 2017-0713

BID #18-04 CONCRETE PURCHASE:

A RESOLUTION TO AWARD BID #18-04 AND AUTHORIZE THE PURCHASE OF CONCRETE FROM TUNE TRUCKING, INC. D/B/A TUNE CONCRETE COMPANY AS PRIMARY SUPPLIER IN VARIABLE AMOUNTS AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-04 CONCRETE PURCHASE

A.10 2017-0715

BID #18-05 AGGREGATE MATERIALS:

A RESOLUTION TO AWARD BID #18-05 AND AUTHORIZE THE PURCHASE OF AGGREGATE MATERIALS FROM HUNT ROGERS MATERIALS, LLC AS PRIMARY SUPPLIER AND TO AUTHORIZE THE USE OF VARIOUS SECONDARY VENDORS AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-05 AGGREGATE MATERIALS

A.11 2017-0716

BID #18-07 HILLSIDE GRAVEL:

A RESOLUTION TO AWARD BID #18-07 AND AUTHORIZE THE PURCHASE OF HILLSIDE GRAVEL FROM LES ROGERS, INC. IN VARYING AMOUNTS AND FOR VARIABLE UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-07 HILLSIDE GRAVEL

A.12 2017-0718

BID #18-08 PLASTIC DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-08 AND AUTHORIZE THE PURCHASE OF PLASTIC DRAINAGE PIPE FROM FERGUSON WATERWORKS AS THE PRIMARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-08 PLASTIC DRAINAGE PIPE

A.13 2017-0719

BID #18-09 CONCRETE DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-09 AND AUTHORIZE THE PURCHASE OF CONCRETE DRAINAGE PIPE FROM SCURLOCK INDUSTRIES, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-09 CONCRETE DRAINAGE PIPE

~~A.14~~ 2017-0720

BID #18-10 SCREENED TOPSOIL:

A RESOLUTION TO AWARD BID #18-10 AND AUTHORIZE THE PURCHASE OF SCREENED TOPSOIL FROM LES ROGERS, INC. AS PRIMARY SUPPLIER AND SWEETSER CONSTRUCTION, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-10 SCREENED TOPSOIL

~~A.15~~ 2017-0721

BID #18-11 RETAINING WALL BLOCKS:

A RESOLUTION TO AWARD BID #18-11 AND AUTHORIZE THE PURCHASE OF RETAINING WALL BLOCKS FROM VARIOUS VENDORS FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-11 RETAINING WALL BLOCKS

~~A.16~~ 2017-0722

BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT:

A RESOLUTION TO AWARD BID #18-12 AND AUTHORIZE THE PURCHASE OF HIGH PERFORMANCE COLD MIX ASPHALT FROM HUTCHENS CONSTRUCTION CO. AS PRIMARY SUPPLIER AND ATLAS ASPHALT, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT

~~A.17~~ 2017-0723

BID #18-13 CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES:

A RESOLUTION TO AWARD BID #18-13 AND AUTHORIZE THE PURCHASE OF CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES FROM HOLTZCLAW EXCAVATING, INC. IN THE AMOUNT OF \$10.00 PER LOAD AS NEEDED THROUGH THE END OF 2018

Attachments: CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES

~~A. 18~~ 2017-0724

BID #18-15 DECORATIVE FENCING:

A RESOLUTION TO AWARD BID #18-15 AND AUTHORIZE THE PURCHASE OF DECORATIVE FENCING FROM THOMAS FENCE AS PRIMARY SUPPLIER AND ROBINSON FENCE AS SECONDARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-15 DECORATIVE FENCING

~~A. 19~~ 2017-0734

2018 T-HANGAR LEASE AGREEMENTS:

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2018 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Attachments: 2018 T-HANGAR LEASE AGREEMENTS

~~A. 20~~ 2017-0729

MCGOODWIN, WILLIAMS AND YATES, INC.:

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN THE AMOUNT OF \$573,309.00 FOR THE ENGINEERING DESIGN OF THE EAST FAYETTEVILLE WATER SYSTEM IMPROVEMENTS AND TOWNSHIP TANK PROJECT, AND APPROVING A CONTINGENCY IN THE AMOUNT OF \$57,331.00

Attachments: MCGOODWIN, WILLIAMS AND YATES, INC.

~~A. 21~~ 2017-0611

833 NORTH CROSSOVER ROAD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$174,135.00 RECOGNIZING REVENUE FROM THE SALE OF THE FIRE PREVENTION BUREAU AT 833 NORTH CROSSOVER ROAD

Attachments: 833 NORTH CROSSOVER ROAD
BA 833 NORTH CROSSOVER ROAD

A. 22 2017-0753

G&W DIESEL SERVICE, INC.:

A RESOLUTION TO APPROVE THE PURCHASE OF A 2018 PIERCE ARROW XT FIRE APPARATUS FROM G&W DIESEL SERVICE, INC. IN THE AMOUNT OF \$893,472.00 PLUS A PERFORMANCE AND PAYMENT BOND AT A COST OF \$3,000.00 PURSUANT TO THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:G&W DIESEL SERVICE, INC.BA G&W DIESEL SERVICE, INC.**A. 23** 2017-0754

BLACK HILLS ENERGY ARKANSAS, INC.:

A RESOLUTION TO APPROVE THE CONVEYANCE OF RIGHT OF WAY AND EASEMENT TO BLACK HILLS ENERGY ARKANSAS, INC. ACROSS A PORTION OF THE WEST SIDE WASTEWATER TREATMENT FACILITY PROPERTY AND OTHER CITY-OWNED PROPERTY ALONG BROYLES ROAD

Attachments:BLACK HILLS ENERGY ARKANSAS, INC.**A. 24** 2017-0756

ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,600.00 RECOGNIZING REVENUE FROM THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD FOR THE FUTURE SUPPLEMENTAL BENEFITS PAID TO PENSIONERS

Attachments:ARKANSAS FIRE AND POLICE PENSION REVIEW BOARDBA ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD

A. 25

2017-0689

WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED
INTERLOCAL AGREEMENT:

A RESOLUTION TO APPROVE THE NINTH AMENDED INTERLOCAL
AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY,
ARKANSAS CONTINUING THE BOOKING FEE AT \$62.00 PER PRISONER
IN 2018

Attachments:WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AG**B. Unfinished Business:**

B. 1

2017-0703

ENERGY ACTION PLAN:

A RESOLUTION TO ACCEPT AND ADOPT AN ENERGY ACTION PLAN
FOR THE CITY OF FAYETTEVILLE

Attachments:ENERGY ACTION PLANADDITIONAL ENERGY ACTION PLAN

This resolution was tabled to the January 2, 2018 City Council meeting.

C. Public Hearing:

C. 1

2017-0757

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A
DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY
PAUL BRICKMAN LOCATED AT 171 EAST MEADOW STREET IN THE
CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET
ADJUSTMENT OF \$4,715.00

Attachments:RAZE AND REMOVAL 171 E MEADOW STREETBA_RAZE AND REMOVAL 171 E MEADOW STREET**D. New Business:**

D.1 2017-0705

AUTOMATIC ENGINEERING:

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO ACCEPT A REPAIR QUOTE OF \$208,198.00, PLUS ANY APPLICABLE TAX WITH AUTOMATIC ENGINEERING TO REPAIR SEVEN AERATOR GEARBOXES FOR THE NOLAND WASTEWATER FACILITY

Attachments: AUTOMATIC ENGINEERING

D.2 2017-0707

2018 ASPHALT MATERIALS:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING 2018 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION, BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

Attachments: 2017-0707 Asphalt Bid Waiver

D.3 2017-0706

2018 OVERLAY AND SIDEWALK PROJECTS:

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2018

Attachments: 2018 OVERLAY AND SIDEWALK PROJECTS

D.4 2017-0761

RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5997 FOR APPROXIMATELY 0.54 ACRES LOCATED AT 690 WEST WHILLOCK STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

Attachments: RZN 17-5997 (690 W. WHILLOCK ST./MOLDENHAUER)

D.5 2017-0749

RZN 17-6004 (1620 N. PORTER RD./REAGOR):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6004 FOR APPROXIMATELY 0.55 ACRES LOCATED AT 1620 NORTH PORTER ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Attachments: RZN 17-6004 (1620 N. PORTER RD./REAGOR)

D.6 2017-0748

RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6015 FOR APPROXIMATELY 0.86 ACRES LOCATED SOUTH OF WEDINGTON DRIVE BETWEEN 46TH STREET AND BROYLES AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

Attachments: RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2)

D.7 2017-0747

ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD):

AN ORDINANCE TO AMEND RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS TO ALLOW SINGLE FAMILY HOMES ON LOTS 24-42, 68 AND 69

Attachments: ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD)

D.8 2017-0751

AMEND § 97.081 INTOXICATING BEVERAGES:

AN ORDINANCE TO AMEND § 97.081 INTOXICATING BEVERAGES IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW THE MAYOR OR THE MAYOR'S DESIGNEE TO AUTHORIZE THE CONSUMPTION, POSSESSION AND SALE OF ALCOHOLIC BEVERAGES IN CITY PARKS DURING SPECIAL EVENTS

Attachments: AMEND § 97.081 INTOXICATING BEVERAGES

D.9 2017-0738

512 E REBECCA ST. DRAINAGE IMPROVEMENTS COST SHARE:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BRADFORD AND ERIN WHEELER FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ALONG A PORTION OF EAST REBECCA STREET WITH THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS NOT TO EXCEED \$40,387.06, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

Attachments: 512 E REBECCA ST. DRAINAGE IMPROVEMENTS

D.10 2017-0766

OZARK REGIONAL TRANSIT ADDITIONAL FUNDING:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$122,908.00 TO PROVIDE ADDITIONAL FUNDS TO MAINTAIN OZARK REGIONAL TRANSIT SERVICES IN THE CITY OF FAYETTEVILLE AT THE 2017 SERVICE LEVELS

Attachments: OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS
BA_OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS

D.11 2017-0755

OZARK REGIONAL TRANSIT, INC.

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A FIVE-YEAR CONTRACT WITH OZARK REGIONAL TRANSIT, INC. IN THE AMOUNT OF \$300,000.00 IN 2018, AND SUBJECT TO ANNUAL BUDGET APPROVAL IN FUTURE YEARS, FOR PUBLIC TRANSIT SERVICES FOR FAYETTEVILLE RESIDENTS

Attachments: OZARK REGIONAL TRANSIT, INC.

D.12 2017-0730

2018 RULES OF ORDER AND PROCEDURE:

A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2018

Attachments: 2018 RULES OF ORDER AND PROCEDURE

(*) Add: Assign two cell tower leases
NB. #1 Smith Communications, LLC to American Tower, LLC

E. City Council Agenda Session Presentations:

F. City Council Tour:

G. Announcements:

H. Adjournment

Pre Agenda Meeting 12/20/17

City of Fayetteville, Arkansas

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



City Council Agenda Session Tentative Agenda

Thursday, December 28, 2017

4:30 PM

City Hall Room 326

City Council Members

Adella Gray Ward 1

Sarah Marsh Ward 1

Mark Kinion Ward 2

Matthew Petty Ward 2

Justin Tennant Ward 3

Sarah Bunch Ward 3

John S. La Tour Ward 4

Kyle Smith 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:**

- ✓ 2017-0746
ELECTION OF VICE MAYOR
- ✓ 2017-0540
MONTHLY FINANCIAL REPORT - PAUL BECKER
- ✓ 2017-0683
REPORT OF THE FIREMEN'S AND POLICEMEN'S PENSION AND RELIEF FUND

Agenda Additions**A. ~~Consent:~~**

- ✓ AV1 2016-0590
APPROVAL OF THE DECEMBER 19, 2017 CITY COUNCIL MEETING MINUTES.
- ✓ AV2 2017-0737
ARKANSAS DEPARTMENT OF TRANSPORTATION:

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM FEDERAL-AID GRANT IN THE AMOUNT OF \$280,000.00 FOR THE INSTALLATION OF LIGHTING ALONG THE CATO SPRINGS TRAIL, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: ARKANSAS DEPARTMENT OF TRANSPORTATION
 BA ARKANSAS DEPARTMENT OF TRANSPORTATION

✓
A. 32017-0743

BID #17-49 SUMMIT TRUCK GROUP:

A RESOLUTION TO AWARD BID #17-49 AND AUTHORIZE THE PURCHASE OF THREE (3) INTERNATIONAL 7300 4X2 RECYCLING TRUCKS WITH KANN BODIES IN THE TOTAL AMOUNT OF \$507,300.00 FROM SUMMIT TRUCK GROUP OF LOWELL, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: BID #17-49 SUMMIT TRUCK GROUP

✓
A. 42017-0742

BID #17-64 WILLIAMS TRACTOR:

A RESOLUTION TO AWARD BID #17-64 AND AUTHORIZE THE PURCHASE OF A BOBCAT S-595 SKID STEER AND 84-INCH ANGLE BROOM IN THE TOTAL AMOUNT OF \$46,298.00 FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: BID #17-64 WILLIAMS TRACTOR

NB3
A. 52017-0706

2018 OVERLAY AND SIDEWALK PROJECTS:

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2018

Attachments: 2017-0706 Legistar Packet

✓
A. 62017-0714

BID #17-59 BULK CRUSHED ROCK SALT:

A RESOLUTION TO AWARD BID #17-59 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC FOR \$73.00 PER TON FOR MATERIALS PICKED UP AND \$75.65 PER TON FOR MATERIALS DELIVERED AS NEEDED THROUGH THE 2018 WINTER SEASON

Attachments: BID #17-59 BULK CRUSHED ROCK SALT

✓
AV72017-0710

BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC:

A RESOLUTION TO AWARD BID #18-01 AND AUTHORIZE THE PURCHASE OF REFLECTORIZED PAINT MARKINGS FROM CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-01 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC

✓
AV82017-0711

BID #18-02 CURB AND GUTTER CONSTRUCTION:

A RESOLUTION TO AWARD BID #18-02 AND AUTHORIZE THE PURCHASE OF CURB AND GUTTER CONSTRUCTION FROM FOCHTMAN ENTERPRISES, INC. AS A PRIMARY SUPPLIER IN VARIABLE AMOUNTS, AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-02 CURB AND GUTTER CONSTRUCTION

✓
AV92017-0712

BID #18-03 TRUCK HAULING SERVICES:

A RESOLUTION TO AWARD BID #18-03 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM B&B ROOFING AND CONSTRUCTION OF ARKANSAS, LLC AS PRIMARY SUPPLIER, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-03 TRUCK HAULING SERVICES

✓
A. 10 2017-0713

BID #18-04 CONCRETE PURCHASE:

A RESOLUTION TO AWARD BID #18-04 AND AUTHORIZE THE PURCHASE OF CONCRETE FROM TUNE TRUCKING, INC. D/B/A TUNE CONCRETE COMPANY AS PRIMARY SUPPLIER IN VARIABLE AMOUNTS AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-04 CONCRETE PURCHASE

✓
A. 11 2017-0715

BID #18-05 AGGREGATE MATERIALS:

A RESOLUTION TO AWARD BID #18-05 AND AUTHORIZE THE PURCHASE OF AGGREGATE MATERIALS FROM HUNT ROGERS MATERIALS, LLC AS PRIMARY SUPPLIER AND TO AUTHORIZE THE USE OF VARIOUS SECONDARY VENDORS AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-05 AGGREGATE MATERIALS

✓
A. 12 2017-0716

BID #18-07 HILLSIDE GRAVEL:

A RESOLUTION TO AWARD BID #18-07 AND AUTHORIZE THE PURCHASE OF HILLSIDE GRAVEL FROM LES ROGERS, INC. IN VARYING AMOUNTS AND FOR VARIABLE UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-07 HILLSIDE GRAVEL

✓
A. 13 2017-0718

BID #18-08 PLASTIC DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-08 AND AUTHORIZE THE PURCHASE OF PLASTIC DRAINAGE PIPE FROM FERGUSON WATERWORKS AS THE PRIMARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY, AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-08 PLASTIC DRAINAGE PIPE

A.✓14 2017-0719

BID #18-09 CONCRETE DRAINAGE PIPE:

A RESOLUTION TO AWARD BID #18-09 AND AUTHORIZE THE PURCHASE OF CONCRETE DRAINAGE PIPE FROM SCURLOCK INDUSTRIES, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-09 CONCRETE DRAINAGE PIPE

A.✓15 2017-0720

BID #18-10 SCREENED TOPSOIL:

A RESOLUTION TO AWARD BID #18-10 AND AUTHORIZE THE PURCHASE OF SCREENED TOPSOIL FROM LES ROGERS, INC. AS PRIMARY SUPPLIER AND SWEETSER CONSTRUCTION, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-10 SCREENED TOPSOIL

A.✓16 2017-0721

BID #18-11 RETAINING WALL BLOCKS:

A RESOLUTION TO AWARD BID #18-11 AND AUTHORIZE THE PURCHASE OF RETAINING WALL BLOCKS FROM VARIOUS VENDORS FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-11 RETAINING WALL BLOCKS

A.✓17 2017-0722

BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT:

A RESOLUTION TO AWARD BID #18-12 AND AUTHORIZE THE PURCHASE OF HIGH PERFORMANCE COLD MIX ASPHALT FROM HUTCHENS CONSTRUCTION CO. AS PRIMARY SUPPLIER AND ATLAS ASPHALT, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND FOR VARYING PRICES AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-12 HIGH PERFORMANCE COLD MIX ASPHALT

A.✓18 2017-0723

BID #18-13 CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES:

A RESOLUTION TO AWARD BID #18-13 AND AUTHORIZE THE PURCHASE OF CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES FROM HOLTZCLAW EXCAVATING, INC. IN THE AMOUNT OF \$10.00 PER LOAD AS NEEDED THROUGH THE END OF 2018

Attachments: CONSTRUCTION DEBRIS WASTE DISPOSAL SERVICES

A✓19 2017-0724

BID #18-15 DECORATIVE FENCING:

A RESOLUTION TO AWARD BID #18-15 AND AUTHORIZE THE PURCHASE OF DECORATIVE FENCING FROM THOMAS FENCE AS PRIMARY SUPPLIER AND ROBINSON FENCE AS SECONDARY SUPPLIER AND AUTHORIZING THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2018

Attachments: BID #18-15 DECORATIVE FENCING

A✓20 2017-0734

2018 T-HANGAR LEASE AGREEMENTS:

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2018 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Attachments: 2018 T-HANGAR LEASE AGREEMENTS

A✓21 2017-0729

MCGOODWIN, WILLIAMS AND YATES, INC.:

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN THE AMOUNT OF \$573,309.00 FOR THE ENGINEERING DESIGN OF THE EAST FAYETTEVILLE WATER SYSTEM IMPROVEMENTS AND TOWNSHIP TANK PROJECT, AND APPROVING A CONTINGENCY IN THE AMOUNT OF \$57,331.00

Attachments: MCGOODWIN, WILLIAMS AND YATES, INC.

A. 22 2017-0611

833 NORTH CROSSOVER ROAD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$174,135.00 RECOGNIZING REVENUE FROM THE SALE OF THE FIRE PREVENTION BUREAU AT 833 NORTH CROSSOVER ROAD

Attachments: 833 NORTH CROSSOVER ROAD
 BA 833 NORTH CROSSOVER ROAD

A. 23 2017-0753

G&W DIESEL SERVICE, INC.:

A RESOLUTION TO APPROVE THE PURCHASE OF A 2018 PIERCE ARROW XT FIRE APPARATUS FROM G&W DIESEL SERVICE, INC. IN THE AMOUNT OF \$893,472.00 PLUS A PERFORMANCE AND PAYMENT BOND AT A COST OF \$3,000.00 PURSUANT TO THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: G&W DIESEL SERVICE, INC.
 BA G&W DIESEL SERVICE, INC.

A. 24 2017-0754

BLACK HILLS ENERGY ARKANSAS, INC.:

A RESOLUTION TO APPROVE THE CONVEYANCE OF RIGHT OF WAY AND EASEMENT TO BLACK HILLS ENERGY ARKANSAS, INC. ACROSS A PORTION OF THE WEST SIDE WASTEWATER TREATMENT FACILITY PROPERTY AND OTHER CITY-OWNED PROPERTY ALONG BROYLES ROAD

Attachments: BLACK HILLS ENERGY ARKANSAS, INC.

A. ~~25~~ 2017-0756

ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,600.00 RECOGNIZING REVENUE FROM THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD FOR THE FUTURE SUPPLEMENTAL BENEFITS PAID TO PENSIONERS

Attachments:ARKANSAS FIRE AND POLICE PENSION REVIEW BOARDBA_ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD

A. 26 2017-0730

2018 RULES OF ORDER AND PROCEDURE:

A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2018

Attachments:2018 RULES OF ORDER AND PROCEDURE

B. Unfinished Business:

B.1 2017-0703

ENERGY ACTION PLAN:

A RESOLUTION TO ACCEPT AND ADOPT AN ENERGY ACTION PLAN FOR THE CITY OF FAYETTEVILLE

Attachments:ENERGY ACTION PLANADDITIONAL ENERGY ACTION PLAN

This resolution was tabled to the January 2, 2018 City Council meeting.

C. Public Hearing:

C.1 2017-0757

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY PAUL BRICKMAN LOCATED AT 171 EAST MEADOW STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT OF \$4,715.00

Attachments:RAZE AND REMOVAL 171 E MEADOW STREETBA_RAZE AND REMOVAL 171 E MEADOW STREET

D. New Business:**D.1** 2017-0705**AUTOMATIC ENGINEERING:**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO ACCEPT A REPAIR QUOTE OF \$208,198.00, PLUS ANY APPLICABLE TAX WITH AUTOMATIC ENGINEERING TO REPAIR SEVEN AERATOR GEARBOXES FOR THE NOLAND WASTEWATER FACILITY

Attachments: AUTOMATIC ENGINEERING

D.2 2017-0707**2018 ASPHALT MATERIALS:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING 2018 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION, BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

Attachments: 2017-0707 Asphalt Bid Waiver

D.3 2017-0689**WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AGREEMENT:**

A RESOLUTION TO APPROVE THE NINTH AMENDED INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY, ARKANSAS CONTINUING THE BOOKING FEE AT \$62.00 PER PRISONER IN 2018

Attachments: WASHINGTON COUNTY JAIL SERVICES NINTH AMENDED INTERLOCAL AG

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A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$122,908.00 TO PROVIDE ADDITIONAL FUNDS TO MAINTAIN OZARK REGIONAL TRANSIT SERVICES IN THE CITY OF FAYETTEVILLE AT THE 2017 SERVICE LEVELS

Attachments: OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS
BA_OZARK REGIONAL TRANSIT FAYETTEVILLE OPERATIONS

D. 5

2017-0755

OZARK REGIONAL TRANSIT, INC.

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A FIVE-YEAR CONTRACT WITH OZARK REGIONAL TRANSIT, INC. IN THE AMOUNT OF \$300,000.00 IN 2018, AND SUBJECT TO ANNUAL BUDGET APPROVAL IN FUTURE YEARS, FOR PUBLIC TRANSIT SERVICES FOR FAYETTEVILLE RESIDENTS

Attachments: OZARK REGIONAL TRANSIT, INC.

2017-0761

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2017-0749

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Attachments: RZN 17-6015 (SE OF 4847 W. WEDINGTON DR./LEISURE HOMES #2)

D. 9 2017-0747

ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD):

AN ORDINANCE TO AMEND RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS TO ALLOW SINGLE FAMILY HOMES ON LOTS 24-42, 68 AND 69

Attachments: ADM 17-6010 (LOTS 24-42 & LOTS 68 & 69/TIMBER TRAILS SD)

D. 10 2017-0751

AMEND § 97.081 INTOXICATING BEVERAGES:

AN ORDINANCE TO AMEND § 97.081 INTOXICATING BEVERAGES IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW THE MAYOR OR THE MAYOR'S DESIGNEE TO AUTHORIZE THE CONSUMPTION, POSSESSION AND SALE OF ALCOHOLIC BEVERAGES IN CITY PARKS DURING SPECIAL EVENTS

Attachments: AMEND § 97.081 INTOXICATING BEVERAGES

D. 11 2017-0717

AMEND UDC CHAPTERS 151 & 167:

Staff recommends approval of the changes to Unified Development Code Chapter 151 and 167 to amend and clarify regulations concerning clear-cutting of trees.

Attachments: AMEND UDC CHAPTERS 151 & 167

D. 12 2017-0738

512 E REBECCA ST. DRAINAGE IMPROVEMENTS:

Attachments: 512 E REBECCA ST. DRAINAGE IMPROVEMENTS

E. City Council Agenda Session Presentations:

F. City Council Tour:

G. Announcements:

H. Adjournment