

Next scheduled Committee Meeting will be held in the Council Chambers/Zoom Remote, 201 Spring Street, Springdale, Arkansas.

- The next Committee Meeting - Monday, May 18, 2020
 - Committee agendas will be available on Friday, May 15, 2020.

SPRINGDALE CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
ZOOM REMOTE
TUESDAY, May 12th, 2020

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – Jeff Watson

6:00 p.m. **OFFICIAL AGENDA**

1. Large Print agendas are available.
2. Call to Order – Mayor Doug Sprouse
3. Roll Call – Denise Pearce, City Clerk
Recognition of a Quorum.
4. Comments from Citizens
The Council will hear brief comments from citizens present at the meeting during this period on issues not on the Agenda. No action will be taken tonight. All comments will be taken under advisement.
5. Approval of Minutes – April 28th, 2020 Pgs. 3 - 15
6. Procedural Motions
 - A. Entertain Motion to read all Ordinances and Resolutions by title only.
 - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as item number(s) 7.A – C & 10. Motion must be approved by two-thirds (2/3) of the council members).
7. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development:
 - A. **An Ordinance** amending Section 112-8 of the Code of Ordinances of the City of Springdale, Arkansas; and for other purposes. Chapter 112 of the Code of Ordinances of the City of Springdale, Arkansas contains the procedures for the subdivision of land in the City of Springdale. Pgs. 16 - 24
 - B. **An Ordinance** accepting the Final Plat of Phase 1 of Hylton Place Subdivision to the City of Springdale, Arkansas, and declaring an emergency. Pgs. 25 - 27
 - C. **An Ordinance** accepting the replat of Lots 1 and 2 of Hammitt-Eoff Business Center, a Commercial Subdivision to the City of Springdale, Arkansas, and declaring an emergency. Pgs. 28 - 30
 - D. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Chris Elder in connection with L20-10 at Large Scale Development. Property bordered on the west by S. West End Street. Pgs. 31 - 38

8. Finance Committee, Chairman Jeff Watson

A Resolution authorizing payment of an invoice for Project No. 18BPC1, Springdale Municipal Campus. Resolution forwarded from Committee with recommendation for approval. Pgs. 39 & 40

9. Police and Fire Committee, Chairman Brian Powell

A Resolution accepting the guaranteed maximum price for the construction of Springdale Fire Training Facility Project #18BPF7. Resolution forwarded from Committee with recommendation for approval. Pgs. 41 - 59

10. Ordinance Committee, Chairman Mike Overton

An Ordinance accepting the Northwest Arkansas National Airport second restated and amended agreement, pursuant to Ark. Code Ann. §14-362-103; declaring an emergency; and for other purposes. Resolution forwarded from Committee with recommendation for approval. Pgs. 60 - 71

11. Comments from Council Members.

12. Comments from City Attorney.

13. Adjournment.

SPRINGDALE CITY COUNCIL
APRIL 28, 2020

The City Council of the City of Springdale met in regular session on Tuesday, April 28, 2020, in the City Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 4
Rick Evans	Ward 2
Brian Powell	Ward 1
Kathy Jaycox	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Mike Irwin	Fire Chief
Mike Peters	Police Chief
Wyman Morgan	Director of Financial Services
Patsy Christie	Planning & Comm. Dev. Director
Brad Baldwin	Eng. & Public Works Director
Mark Gutte	IT Director

CITIZENS COMMENTS

Melinda Mason, 106 W. Allen, spoke on the trial period with the zebras and bollards on the bike lanes. She was very happy to hear they are coming out. She suggested the following things that need to happen immediately:

- 1) Bring back the left turn lane for traffic turning left (south) at Pleasant and Maple by the Library.
- 2) Ever since they put the zebras and bollards in the pavement in front of the hospital on Maple, the markings on the pavement are streaked, overlapping and very hard to tell what is what when trying to get into the parking garage.
- 3) Adding the bike lane at Maple and Highway 71 causes the ambulances to lose time when trying to get to the hospital.
- 4) Cars do not need to be parked on Holcomb nine feet out. They need to be parked by the curb. The green stock tanks, white markings and bollards there at Meadow and Holcomb are a stumper especially after dark.

Mrs. Mason asked that the city please take a little time before they immediately install reflectors to make sure they are needed.

APPROVAL OF MINUTES

Council Member Evans moved the minutes of the April 14, 2020 City Council meeting be approved as presented. Council Member Jaycox made the second.

There was a voice vote of all ayes and no nays.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Evans made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Council Member Jaycox made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Evans, Powell, Jaycox

No: None

ORDINANCE NO. 5470 – REZONING .66 ACRES OWNED BY ADAMS FAMILY PROPERTIES LOCATED AT 1641 BUTTERFIELD COACH ROAD AT THE CORNER OF GREEN ACRES ROAD AND BUTTERFIELD BOACH ROAD, FROM A-1 TO O-1 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .66 acres owned by Adams Family Properties located at 1641 Butterfield Coach Road at the corner of Green Acres Road and Butterfield Coach Road, from A-1 to O-1 and declaring an emergency.

A public hearing was held at the April 7, 2020 Planning Commission meeting. The Adams Family Properties, LLC, requested the tract of real estate be zoned from Agricultural District (A-1) to General Commercial District (C-1) but downgraded to Neighborhood Office District (O-1).

After reading the title of the Ordinance, Council Member Evans moved the Ordinance “Do Pass”. Council Member Jaycox made the second.

The vote:

Yes: Watson, Overton, Lawson, Evans, Powell, Jaycox, Williams

No: None

Council Member Evans moved the Emergency Clause be adopted. Council Member Jaycox made the second.

The vote:

Yes: Overton, Lawson, Evans, Powell, Jaycox, Williams, Watson

No: None

The Ordinance was numbered 5470.

ORDINANCE NO. 5471 – REZONING 3.81 ACRES OWNED BY C & K KARRINGTON, LLC LOCATED AT 1509 S. WEST END STREET, FROM MF-12 TO MF-16 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 3.81 acres owned by C & K Karrington, LLC, located at 1509 S. West End Street, from MF-12 to MF-16 and declaring an emergency.

A public hearing was held at the April 7, 2020 Planning Commission meeting.

After reading the title of the Ordinance, Council Member Evans moved the Ordinance “Do Pass”. Council Member Jaycox made the second.

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton

No: None

Council Member Evans moved the Emergency Clause be adopted. Council Member Jaycox made the second.

The vote:

Yes: Evans, Powell, Jaycox, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5471.

RESOLUTION NO. 44-20 – APPROVING A CONDITIONAL USE APPEAL BY THE PITS MEATERY FOR A MOBILE VENDING SITE AT THE CORNER OF W. MEADOW AVENUE AND S. MAIN STREET (106 MAIN STREET) LOCATED IN THE DOWNTOWN FORM BASED CODE, NEIGHBORHOOD CENTER TYPE 1 DISTRICT, NC-1

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by The Pits Meatery for a mobile vending site at the corner of W. Meadow Avenue and S. Main Street (106 Main Street) located in the Downtown Form Based Code, Neighborhood Center Type 1 District, NC-1.

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE AT 106 MAIN AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on April 7, 2020 on a request by The Pits Meatery for a conditional use for a Use Unit 44 (Mobile Vending) in the Downtown Form Based code, Neighborhood Center Type 1 District (NC-1) at 106 Main; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to The Pits Meatery Use Unit 44 (Mobile Vending) in the Downtown Form Based code, Neighborhood Center Type 1 District (NC-1) at 106 Main with the following conditions –

1. **Designation of parking spaces for use on this site**
2. **May not operate between the hours of 10:00 p.m. and 7:00 a.m.**
3. **If a health certificate is required, display the health certificate in a manner visible to customers.**
4. **No obstruction of pedestrian or motor vehicle traffic flow.**
5. **No obstruction of traffic signals or regulatory signs.**
6. **No vending upon a public way.**
7. **No sound device that produces a loud and raucous noise in violation of city ordinance, or violate any other city ordinances in connection with the vending operation.**
8. **Sites to remain clean and free of paper or refuse of any kind generated from the operation of the business with all trash or debris accumulating with twenty (20) ft. of any vending stand to be collected and deposited into a trash container.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to

The Pitts Meatery, for a Use Unit 44 (Mobile Vending) in the Downtown Form Based code, Neighborhood Center Type 1 District (NC-1) at 106 Main with the following conditions –

1. Designation of parking spaces for use on this site
2. May not operate between the hours of 10:00 p.m. and 7:00 a.m.
3. If a health certificate is required, display the health certificate in a manner visible to customers.
4. No obstruction of pedestrian or motor vehicle traffic flow.
5. No obstruction of traffic signals or regulatory signs.
6. No vending upon a public way.
7. No sound device that produces a loud and raucous noise in violation of city ordinance, or violate any other city ordinances in connection with the vending operation.
8. Sites to remain clean and free of paper or refuse of any kind generated from the operation of the business with all trash or debris accumulating with twenty (20) ft. of any vending stand to be collected and deposited into a trash container.

PASSED AND APPROVED THIS _____ DAY OF APRIL, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Council Member Evans moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Powell, Jaycox, Williams, Watson, Overton, Lawson, Evans

No: None

The Resolution was numbered 44-20.

RESOLUTION NO. 45-20 – APPROVING A WAIVER REQUEST BY PURE SPRINGDALE FOR STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO DEARING ROAD IN CONNECTION WITH L20-08, A LARGE SCALE DEVELOPMENT

Planning Director Patsy Christie presented a Resolution approving a waiver request by Pure Springdale for street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Dearing Road in connection with L20-08, a Large Scale Development.

Planning Commission recommended approval of this waiver.

Council Member Jaycox moved the Resolution be adopted with Option 1. Council Member Powell made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO PURE SPRINGDALE IN CONNECTION WITH L20-08 A LARGE SCALE DEVELOPMENT

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-08 a Large Scale Development for Pure Springdale and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: Grants a waiver of street improvements to Dearing Road including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-08, a Large Scale Development for Pure Springdale. Don Tyson Parkway extension from Gene George Boulevard dedicating right-of-way.

PASSED AND APPROVED THIS ____ DAY OF APRIL, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Jaycox, Williams, Watson, Overton, Lawson, Evans, Powell

No: None

The Resolution was numbered 45-20.

PROPOSED RESOLUTION APPROVING A WAIVER REQUEST BY CHRIS ELDER FOR STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO PROPERTY BORDERED ON THE WEST BY SOUTH WEST END STREET IN CONNECTION WITH L20-10 A LARGE SCALE DEVELOPMENT

Planning Director Patsy Christie presented a Resolution approving a waiver request by Chris Elder for street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 in connection with L20-10, a Large Scale Development on property bordered on the west by South West End Street. The right of way has already been dedicated, the street improvements are completed, the sidewalk is there and they are actually building on the back side of that project.

Planning Commission recommended approval of this waiver.

Council Member Evans moved the Resolution be adopted with Option 1. Council Member Jaycox made the second.

Council Member Watson asked what they would have to improve if everything is already there. Is there a requirement for street lighting?

There was discussion on why we would waive street lighting. This is an engineering question. It was decided to table the Resolution to allow more time to get information.

Council Members Evans and Jaycox withdrew their motion and second.

Council Member Watson made the motion to table the Resolution until the May 12, 2020 meeting. Council Member Lawson made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Evans, Powell, Jaycox

No: None

The Resolution was tabled.

RESOLUTION NO. 46-20 – APPROVING A WAIVER REQUEST BY MILL CREEK NURSING CENTER IN CONNECTION WITH L20-13, A LARGE SCALE DEVELOPMENT BORDERED ON THE SOUTH BY ALLISON LANE AND ON THE EAST BY SOUTH 48TH STREET

Planning Director Patsy Christie presented a Resolution approving a waiver request by Mill Creek Nursing Center in connection with L20-13, a Large Scale Development bordered on the South by Allison Lane and on the East by South 48th Street for street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725.

Planning Commission recommended approval of this waiver.

Council Member Jaycox moved the Resolution be adopted with Option 1. Council Member Lawson made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO MILL CREEK NURSING CENTER IN CONNECTION WITH L20-13 A LARGE SCALE DEVELOPMENT

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-13 a Large Scale Development for Mill Creek Nursing Center and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: Grants a waiver of street improvements to 48th Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-13, a Large Scale Development for Mill Creek Nursing Center. S 48th Street per the Master Street Plan is a major collector since 1997. Right of way already exists for major collectors built by City in 2003.

PASSED AND APPROVED THIS ____ DAY OF APRIL, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Watson, Overton, Lawson, Evans, Powell, Jaycox, Williams

No: None

The Resolution was numbered 46-20.

RESOLUTION NO. 47-20 – AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM SHERMAN PARTNERS LLC FOR THE DEAN'S TRAIL PHASE II PROJECT (PROJECT NO. ST1801)

Council Member Rick Evans presented a Resolution authorizing the expenditures of funds to acquire a portion of land from Sherman Partners LLC for the Dean's Trail Phase II Project (Project No. ST1801).

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM SHERMAN PARTNERS, LLC., FOR THE DEAN'S TRAIL PHASE II PROJECT (PROJECT NO. ST1801).

WHEREAS, the City of Springdale is in need of acquiring a portion of a tract of land for the Dean's Trail Phase II Project, Project No. ST1801, Tract 40, said land being owned by Sherman Partners, LLC.;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$33,000.00 is the estimated just compensation for the property needed from Sherman Partners, LLC.;

WHEREAS, the property owner has extended a counter-offer that the City pay the sum of \$35,781.00 to acquire the land needed for the project, said amount being based on an increase in the market value of the property since the City's appraisal was conducted;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$2,781.00 to acquire the

property needed from Sherman Partners, LLC., as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of a trial;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of a tract of land for the Dean's Trail Phase II Project, Project No. ST1801, Tract 40, said land being owned by Sherman Partners, LLC. for the total sum of \$35,781.00.

PASSED AND APPROVED this ____ day of April, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Council Member Jaycox moved the Resolution be adopted. Council Member Powell made the second.

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson

No: Overton

The Resolution was numbered 47-20.

DISCUSSION REGARDING MODIFICATIONS TO BIKE TRAILS ON MAPLE AVENUE AND HOLCOMB STREET

Mayor Sprouse and City Council received the following memo from the Trail Committee regarding the Maple/Holcomb Demonstration Project:

The Maple/Holcomb Demonstration Project was a project of BikeNWA and funded by the Walton Family Foundation. BikeNWA and the City of Springdale held two public meetings to gather input for project design and implementation. After evaluating the public input, the City of Springdale agreed to the use of the Maple and Holcomb corridor for the year-long demonstration of on-street bikeway infrastructure and to gather data to inform future projects. The project is now complete, a draft report has been presented to the Trail Committee and the Committee has the following findings:

1. The Trail Committee found that the project increased corridor use by cyclists and provided traffic calming for the neighborhood. Use by cyclists was negatively impacted by two factors. First, the lack of current bikeway standards for ArDOT R/W limited use of the project west of Thompson. Second, the delay in construction of the Maple St extension limited eastward access to the Razorback Greenway.
2. The hospital on Maple and the Academy on Holcomb has seen significant traffic calming in their respective areas.
3. While a majority of citizens indicate support for the use of bikeway infrastructure in Springdale, there has been significant public pushback against certain aspects of this project.

4. The Trail Committee believes that the project has important data that can be used in further projects and that this project should continue to be evaluated in the coming year after renovation of the project.

The Trail Committee recommends the following project renovation:

1. Painted bike lanes should remain throughout the project corridor. Public Works should grind up obsolete markings and restripe street center lines as weather permits.
2. Zebras and flex-posts should be removed throughout the project corridor with two exceptions. The zebras and flex-posts should be retained in the blocks in front of the Hospital on Maple and the Academy on Holcomb. Zebras should be replaced with white pavement marking reflectors (picture attached).
3. Public Works should adjust signage at the Hospital and Academy in accordance with current MUTCD to make these areas into traffic calming hospital and school zones.
4. Next year when new MUTCD Bikeway standards are in place, an application for bikeway markings across Thompson at Maple should be requested from ArDOT.
5. Monitoring and evaluation of the project corridor should continue until the Maple St extension project has been completed later this year.

Chris Weiser, Chairman of the Trails Committee, went over the recommendations for modifications to the bike trails on Maple Avenue and Holcomb Street.

Brad Baldwin said the reflectors will be set 8–10 feet apart.

RESOLUTION NO. 48-20 – APPOINTING JIM REED TO THE UNEXPIRED TERM OF OFFICE FOR SPRINGDALE CITY COUNCIL, WARD 1, POSITION 2, PURSUANT TO ARKANSAS CODE ANNOTATED §14-43-411

Council Member Brian Powell reported the City Council Committee of the Whole met last Monday in Executive Session to consider eight applicants for the unexpired term of the Springdale City Council position, Ward 1, Position 2. Colby Fulfer resigned this position February 29, 2020.

The Committee recommended that former City Council Member Jim Reed be appointed to this position. The following Resolution was presented:

RESOLUTION NO. ____

A RESOLUTION APPOINTING JIM REED TO THE UNEXPIRED TERM OF OFFICE FOR SPRINGDALE CITY COUNCIL, WARD 1, POSITION 2, PURSUANT TO ARK. CODE ANN. §14-43-411.

WHEREAS, on February 29, 2020, Colby Fulfer resigned his seat on the Springdale City Council, Ward 1, Position 2, thereby creating a vacancy on the Springdale City Council;

WHEREAS, the term of office for Springdale City Council, Ward 1, Position 2, will expire on December 31, 2020, and as such the unexpired term of office for Springdale City Council, Ward 1, Position 2, is less than one (1) year;

WHEREAS, given that the unexpired term of office for Springdale City Council, Ward 1, Position 2, is less than one (1) year, a successor to fill the unexpired term shall be chosen by a majority vote of the members of the Springdale City Council, pursuant to Ark. Code Ann. §14-43-411(b)(2);

WHEREAS, the City Council for the City of Springdale finds that Jim Reed should be appointed to fill the vacancy for Springdale City Council, Ward 1, Position 2, with the appointment to expire on December 31, 2020;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Jim Reed be appointed to serve the unexpired term of Springdale City Council, Ward 1, Position 2, effective upon the date of passage of this Resolution, with said term expiring on December 31, 2020.

PASSED AND APPROVED, this ____ day of April, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate

Council Member Jaycox moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton

No: None

The Resolution was numbered 48-20.

RESOLUTION NO. 49-20 – ADOPTING THE DEPARTMENT MANUAL OF THE SPRINGDALE POLICE DEPARTMENT, PURSUANT TO ARKANSAS CODE ANNOTATED §14-51-302 AND REPEALING AND REPLACING ALL PRIOR RESOLUTIONS PERTAINING THERETO

Council Member Brian Powell presented a Resolution adopting the department manual of the Springdale Police Department, pursuant to Arkansas Code Annotated §14-51-302 and repealing and replacing all prior resolutions pertaining thereto.

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE DEPARTMENT MANUAL OF THE SPRINGDALE POLICE DEPARTMENT, PURSUANT TO ARK. CODE ANN. §14-51-302, AND REPEALING AND REPLACING ALL PRIOR RESOLUTIONS PERTAINING THERETO

WHEREAS, on April 9, 1996, the City Council for the City of Springdale, Arkansas, passed Resolution 15-96, adopting the Operations Manual of the Springdale Police Department;

WHEREAS, the Operations Manual of the Springdale Police Department was subsequently amended by resolutions passed by the City Council for the City of Springdale, Arkansas;

WHEREAS, Ark. Code Ann. §14-51-302 provides that employees in any police department shall be governed by rules and regulations set out by the Chief of Police after rules and regulations have been adopted by the governing body of the municipality;

WHEREAS, the Operations Manual of the Springdale Police Department has been completely revised and updated, and the Chief of Police wishes to repeal and replace all prior resolutions pertaining to the Operations Manual of the Springdale Police Department, and to establish the Department Manual for the Springdale Police Department;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that a document known as the Department Manual for the Springdale Police Department, dated March 1, 2020, is hereby adopted, pursuant to Ark. Code Ann. §14-51-302, the employees of the Springdale Police Department shall be governed by this Department Manual, and all prior resolutions pertaining to the operations manual of the Springdale Police Department are hereby repealed and replaced.

PASSED AND APPROVED, this ____ day of April, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Overton moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Evans, Powell, Jaycox, Williams, Watson, Overton, Lawson

No: None

The Resolution was numbered 49-20.

PUBLIC HEARING - RESOLUTION NO. 50-20 – APPROVING AN APPLICATION FOR A TAXICAB OPERATOR PERMIT FILED BY JOE WASHINGTON ON BEHALF OF NWA TAXI LLC

A Public Hearing was held on an application by Joe Washington to get a taxicab operator permit to operate NWA Taxi in the City of Springdale.

Sergeant Mike Bell explained that NWA Taxi had a permit in the City in the past. He let his license lapse and was operating these past few months without a permit. Mr. Washington asked when he would get his reimbursement for taxi coupons with the city for January and February. He was told that he would have to go through the permitting procedures again with the city to get reinstated and then would get payment.

Sergeant Bell said he has not had any issues with Mr. Washington in the past. The only issue is him not getting permitted in a timely manner.

The question was brought up on whether or not he should be paid for the past couple of months if he wasn't permitted.

Council Member Williams suggested going ahead and paying Mr. Washington this time and put a stipulation in next time that they will not be paid for any months they are not in compliance.

Kenneth Mourton, Attorney representing Mr. Washington, said there is no justification that he got out of compliance and he will take a more active role in seeing that this doesn't happen again.

Kyle Empsall, owner of Payless Cab Company, spoke in favor of Mr. Washington being reinstated his taxi permit.

Stu Larabee, Fayetteville Taxi, spoke against Mr. Washington and NWA Taxi Company.

After the public hearing, the following Resolution was presented.

RESOLUTION NO. _____

A RESOLUTION APPROVING AN APPLICATION FOR A TAXICAB OPERATOR PERMIT FILED BY JOE WASHINGTON ON BEHALF OF NWA TAXI, LLC.

WHEREAS, the City of Springdale has received an application for a taxicab operator permit filed by NWA Taxi, LLC.;

WHEREAS, Section 122-27 of the Code of Ordinances for the City of Springdale, Arkansas, provides that no taxicab operator permit shall issue unless and until the City Council shall certify a need for the additional service to be rendered by the applicant(s);

WHEREAS, after public hearings and public comment on the issue of public transportation within the City of Springdale, and after the Public Vehicle Commission for the City of Springdale met and recommended the Springdale City Council find that need exists for additional taxicab service in the City of Springdale, the Springdale City Council certified a need for additional taxicab services in the City of Springdale; and

WHEREAS, pursuant to Section 122-27 of the Code of Ordinances for the City of Springdale, the Springdale City Council conducted a hearing on the application for a taxicab operator permit filed by Joe Washington of NWA Taxi, LLC.;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that a need for additional taxicab service exists in the City of Springdale, Arkansas, and the application for a taxicab operator permit filed by Joe Washington of NWA Taxi, LLC. is hereby approved, and such permit shall issue at such time as the applicant complies with all requirements and provisions of Chapter 122 of the Code of Ordinances for the City of Springdale, Arkansas.

PASSED AND APPROVED this ____ day of April, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Council Member Overton moved the Resolution be adopted. Council Member Evans made the second.

SPRINGDALE CITY COUNCIL
APRIL 28, 2020

The vote:

Yes: Powell, Jaycox, Williams, Watson, Overton, Lawson, Evans

No: None

The Resolution was numbered 50-20.

ADJOURNMENT

Council Member Overton made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 7:20 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 112-8 OF THE
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,
ARKANSAS; AND FOR OTHER PURPOSES**

WHEREAS, Chapter 112 of the Code of Ordinances of the City of Springdale, Arkansas, contains the procedures for the subdivision of land in the City of Springdale;

WHEREAS, Section 112-8 of the Code of Ordinances of the City of Springdale, Arkansas, contains the regulations and requirements for development plans;

WHEREAS, Section 112-8 needs to be amended in its entirety to clarify, update, and replace the regulations and requirements for development plans;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to amend Section 112-8 of the Code of Ordinances of the City of Springdale, Arkansas; and

WHEREAS, pursuant to Section 112-12(d) of the Code of Ordinances of the City of Springdale, Arkansas, a public hearing was held before the Springdale Planning Commission on May 5, 2020, after notice was given of said hearing as required by law.

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

Section 1: Section 112-8 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby replaced in its entirety to read as follows:

Sec. 112-8. –Development plan.

- (a) **Applicability:** A development plan shall be submitted for all developments, building construction, and parking lots before a grading permit and/or building permit can be issued and temporary or permanent connection to city utilities shall not be allowed until the development has been approved as set forth in this article. Single family residential construction is exempted from this requirement. A development plan must be submitted to the Planning and Community Development Division for review and approval as follows:
- (1) Large Scale Developments – developments of one acre or greater shall be classified as a Large Scale Development and shall be submitted to and approved by the Planning Commission as outlined below.
 - (2) Non-Large Scale Developments – developments less than one acre shall be classified as a Non-Large Scale Development and must be reviewed and approved by the Director of the Planning and Community Development Division or an authorized representative as outlined below.
 - (3) Exceptions are as follows:
 - a. The Director of Planning and Community Development Division may require a Non-Large Scale Development plan be submitted to the Planning Commission where there are significant problems with storm drainage, traffic, or pedestrian circulation, utility access, construction methods, impact on adjacent property, or other factors.

- b. Developments within a platted commercial or industrial subdivision whose final plat was approved by the city Planning Commission and the City Council and filed with appropriate county after January 1, 2002 shall not be required to have a Large Scale Development plan approved by the Planning Commission. These developments shall be considered as Non-Large Scale Developments unless one of the previously stated factors would require submission of a Large Scale Development plan by the Director of Planning and Community Development Division.
- (b) **Pre-application Conference:** A pre-application conference is required prior to the submission of a Large Scale and/or a Non-Large Scale Development plan. The purpose and intent of the pre-application conference is to afford the owner/developer and development team an opportunity to obtain the advice of the planning staff in order to avoid unnecessary costs and delays to the applicant and to give informal guidance to the development at a stage where potential points of conflict or differences can be resolved. No fees shall be collected for pre-application conference.

At the pre-application conference, the general character of the development will be discussed and items including zoning, design standards, landscaping, paving, and utility service, street requirements, flooding, drainage, and other pertinent factors related to the proposed development will be reviewed. Guidelines and instructions and/or checklists will be made available to assist in the preparation of the plans. This will familiarize the owner with these regulations, the master street plan, the land use plan, zoning regulations, design standards and other official plans, policies and public improvements.

- (c) **Applications for Development Approval:** Development plans are to be submitted to the Planning and Community Development Division in accordance with current planning department policies and procedures and shall be reviewed upon their individual merits upon specific application of the developer.
- (1) Large Scale Development plan: The developer shall submit to the Director of the Planning and Community Development Division or the appointed representative a Large Scale Development Application, 3 hard copies of a Large Scale Development plan, one digital copy of the plan, colored building elevations and one digital copy of the preliminary drainage report (as required by the Springdale Drainage Criteria Manual) and filing fees before the submission deadline for technical plat review as established adopted by the Planning Commission and published as the schedule of meeting dates and submission deadlines.
 - (2) Non-Large Scale Development plan: The developer shall submit to the Director of the Planning and Community Development Division or the appointed representative a Non-Large Scale Development Application, 3 copies of a Non-Large Scale Development plan, one digital copy of the plan, colored building elevations, and one digital copy of the preliminary drainage report and filing fee.
- (d) **Review Criteria:** A Large Scale and/or Non-Large Scale Development Plan will not be accepted for review and approval if the applicant does not provide clear and convincing evidence of meeting the following criteria:

- (1) Complete application: The development plan was submitted in accordance with the requirements of this article.
 - (2) Compliance of law: The proposed development or construction would not violate a city, state, or federal law.
 - (3) No dangerous traffic conditions: The proposed development would not create or compound a dangerous traffic condition.
 - (4) Utilities provided: City water and sewer utilities are readily available to the property and/or the developer has made provisions for extending such service to the development. If sewer service is not available to the site a County Health Department approved alternative treatment method is proposed.
 - (5) Adequate drainage conditions: The proposed development plan shows adequate drainage conditions and any extreme drainage problem on the property is corrected with the proposed development plan.
 - (6) Other actions required: The proposed plans are consistent with platting and zoning regulations.
- (e) **Review and approval:**

(1) Large Scale Development Plan

- a. Technical Plat Review: Copies of the Large Scale Development plan shall be provided to the Technical Review Committee. The developer or his representative may be requested to meet with the technical plat review committee at an appointed time to discuss the submitted plan and to answer questions concerning said plan, grading, utilities/services, and drainage report. Comments from the committee members will be forwarded to the applicant and the designated representative by the scheduled date on the approved submission schedule. The developer shall address each comment in writing indicating the action taken and how it is shown on the revised plans. The resubmittal shall contain 3 hard copies and one digital copy of the revised plans, one digital copy of the final drainage report, and the written responses in digital form. The revised plans should include a site plan, landscaping plan, lighting plan, colored building elevations, grading plan, drainage report and any other plans needed to address the project by the scheduled date on the approved submission schedule. The submission of all these items shall constitute an acceptance for review by the Planning Commission for the Large Scale Development plan and placement on next scheduled meeting agenda.
- b. Planning Commission Review: Within 60 days after acceptance for review of the large-scale development plan, the Planning Commission shall conduct a public meeting to review said plan. The subdivider or his designated representative shall be responsible for providing notice to all adjacent property owners, including across any street, highway or expressway of the project by certified mail, return receipt requested, to the last known address of all such record owner(s) as certified by a licensed abstractor or

licensed land surveyor within the past 60 days. The developer or his/her representative, who has been designated in writing and who has full authority to make decisions in the developer's absence, shall be present to address all questions by the Planning Commissioners.

- c. Planning Commission action: The Planning Commission shall approve, approve with conditions, disapprove, or table the large-scale development plan.
 - (i) Approval. Plans approved by the Planning Commission shall be signified by the signature of the Planning and Community Development Division Director or designated representative upon the development plan set. Approval by the Planning Commission does not constitute approval for construction.
 - (ii) Approval with conditions. If the plan is approved by the Planning Commission with conditions and/or remaining staff comments, the conditions shall be set forth in written form to the developer. The signature of the developer on the form setting forth the conditions of proposal shall be deemed his agreement to comply with said conditions. Project which are approved with conditions and/or remaining staff comments will not receive final approval for construction until all outstanding comments or concerns have been addressed.
 - (iii) Disapproval. If the plans are disapproved, the reasons for such action shall be reduced to written form and supplied to the developer.
 - (iv) Tabling. If the large-scale development plan is tabled, it will be placed on the agenda of the next Planning Commission meeting without the requirement of re-notification. Tabling beyond one month requires the resubmission with required notification.
- d. Phasing: If the developer desires to develop only a portion of the total area intended for development, the Planning Commission shall require large-scale development plan approval for the entire area to insure that the purpose and intent of these regulations are complied with. Each phase shall be clearly defined on the Large Scale Development plan.
- e. Adjustments and alteration of approved plans: The development plan approved by the Planning Commission will be deemed to be a final plan for which minor adjustments and modifications may be granted upon request to the Planning and Community Development Division Director. In no event may any modification to a development plan be made without prior approval by the Director. Any substantial changes in the development will be in conformance with the procedures for a submission. Determination of the magnitude of the alteration will be the responsibility of the Director of Planning and Community Development Division.

- f. Expiration. The approved large scale development plan is conditioned upon the applicant/developer accomplishing the following task within one year from the date of approval:
 - (i) Receive a building permit;
 - (ii) Pour footing; and
 - (iii) Receive all permits and approvals required by city, state, and federal regulations to start construction of the development or project.
- g. Extension: Prior to expiration, an applicant may request the Planning Commission extend the period to accomplish the task by up to one (1) year. The applicant has the burden to show good cause why the task could not be reasonably completed with the normal time limit. Failure to meet the conditions of section (f) above after the second year will require submission of the development as a new submission.

(2) Non-Large Scale Development Plan

- a. Staff Review: A submittal through the scheduled Technical Review Committee process is not required for a Non-Large Scale Development Plan unless so stipulated by the Director of Planning and Community Development Division as indicated in subsection (a) above. The plans will be directed to the appropriate city departments and utility companies for review and all comments received will be forwarded to the developer and the designated representative.

The developer shall address each comment in writing indicating the action taken and how it is shown on the revised plans. The resubmittal shall contain 3 hard copies and one digital copy of the revised plans, one digital copy of the final drainage report, and the written responses in digital form. The revised plans should include a site plan, landscaping plan, lighting plan, colored building elevations, grading plan, drainage report and any other plans needed to address the project by the scheduled date on the approved submission schedule. The submission of all these items shall constitute an acceptance for review of the Non-Large Scale Development plan.

- b. Staff Approval: Within sixty (60) days after acceptance for review of the Non-Large-Scale development plan, the Planning and Community Development Division Director shall approve, approve with conditions, or disapprove.
 - (i) Approval. Plans approved by the Director shall be signified by the signature of the Planning and Community Development Director or designated representative upon the development plan and the applicant may apply for a building permit.
 - (ii) Approval with conditions. If the plans are approved with conditions, the conditions shall be set forth in

written form to the developer. The signature of the developer on the form setting forth the conditions of proposal shall be deemed his agreement to comply with said conditions.

(iii) Disapproval. If the plans are disapproved, the reasons for such action shall be reduced to written form and supplied to the developer.

c. Adjustments and alteration of approved plans: The development plan approved by Director of Planning and Community Development Division will be deemed to be a final plan for which minor adjustments and modifications may be granted upon request to the Planning and Community Development Director. In no event may any modification to a development plan be made without prior approval by the Director. Any substantial changes in the development will be in conformance with the procedures for a submission. Determination of the magnitude of the alteration will lie with the Director of Planning and Community Development.

d. Expiration: The approved Non-Large scale development plan is conditioned upon the applicant/developer accomplishing the following task within one year from the date of approval: shall lapse after one year from the date of approval:

(i) Receive a building permit;

(ii) Pour footing; and

(iii) Receive all permits and approvals required by city, state, and federal regulations to start construction of the development or project.

e. Extension: Prior to expiration, an applicant may request extension of the period to accomplish the task by up to one (1) year. The applicant has the burden to show good cause why the task could not be reasonably completed with the normal time limit. Failure to meet the conditions of section (d) above after the second year will require submission of the development as a new submission.

(f) **Plans and specifications:**

(1) *Large Scale Development plan:* After the approval of the Large Scale Development plan but before improvements are started, the developer shall submit engineering plans, a final drainage report, and specifications for the streets, grading, and storm drainage improvements including, but not limited to, profiles, specifications, and cross-sections along with grading and storm drainage plans and computations, pursuant to and in compliance with chapter 106, Stormwater Drainage of this Code, to the Director of the Planning and Community Development Division for review and written approval prior to commencement of improvements. No work shall begin without prior approval of the Director of the Planning and Community Development Division.

All streets shall be dedicated and constructed in conformance with the master street plan and chapter 110 of this Code, with right-of-

way dedicated when such right-of-way is needed to conform to the master street plan.

All provisions of chapter 112 governing subdivisions also apply to large scale developments in the city.

- (2) *Non-Large Scale Development plan:* After the approval of the Non-Large Scale Development plan but before improvements are started, the developer shall submit engineering plans, a final drainage report (if required), and specifications for the streets, grading, and storm drainage improvements including, but not limited to, profiles, specifications, and cross-sections along with grading and storm drainage plans and computations, pursuant to and in compliance with chapter 106, Stormwater Drainage of this Code, to the Director of the Planning and Community Development Division for review and written approval prior to commencement of improvements. No work shall begin without prior approval of the Director of the Planning and Community Development Division.

All streets shall be dedicated and constructed in conformance with the master street plan and chapter 110 of this Code, with right-of-way dedicated when such right-of-way is needed to conform to the master street plan.

All provisions of chapter 112 governing subdivisions also apply to large scale developments in the city.

- (g) **Fees.** When the developer submits a Large Scale Development plan to the Director of the Planning and Community Development Division he/she shall remit the following fees:

Large Scale Development plan.....\$500.00
 Non Large Scale Development plan.....\$250.00

- (h) **Plan requirements.** The development plan shall be drawn on acceptable material and at a scale of no smaller than 1" = 100' on a maximum sheet size of 24 inches by 36 inches (the Director of the Planning and Community Development Division may approve other sizes and scales in special cases).

- (i) **Plan information.** The following information shall be submitted to the Director of the Planning and Community Development Division for a development plan review and approval:

General	As-Builts	Large Scale	Non Large Scale
Parcel number.	NO	YES	YES
Copy of a filed, stamped warranty deed.	NO	YES	YES
Name and address of owner, developer, engineer, surveyor, and person preparing the plat.	YES	YES	YES
Subdivision name (Unique and non-duplicating).	YES	YES	YES
Date, graphic scale, north arrow, vicinity map, acreage.	YES	YES	YES

Flood zone statement, zoning, surveyor's certification, stamp, and signature.	YES	YES	YES
Location and description of all stakes and monuments.	YES	YES	YES
Legal description of the property with dimensions and angles sufficient to locate all lines on the ground. Lots and blocks shall be identified, boundaries shall be shown by distance, and property shall be located by section, range, and township and by corporate limits.	YES	YES	YES
Original topography at five-foot contour intervals where grades are over ten percent and two-foot contour intervals where grades are less than ten percent.	YES	YES	YES
Location and names of existing or platted streets and utility easements within or abutting the plat.	YES	YES	YES
Location of all prominent physical features such as buildings, railroads, parks, creeks, ponds, and public spaces.	YES	YES	YES
Names of adjacent subdivisions and names and addresses of owners of adjacent property.	NO	YES	YES
Location and size of utility lines, watercourses, bridges, culverts, lakes, floodplains, wooded areas and underground installations within or adjacent to the plat.	YES	YES	YES
Digital copy of preliminary grading/drainage plan.	NO	NO	NO
Digital copy of final grading/drainage plan.	YES	YES	YES
Location and dimension of all proposed lot lines lot and block numbers, building lines, street lines, easements, dedications, and reservations.	YES	YES	YES
Radial and linear dimensions including angles, bearings and distances sufficient to reproduce the plat on the ground.	NO	NO	NO
Location and size of utilities and drainage systems.	YES	YES	YES
Location and size of any property to be dedicated or reserved with special conditions for special uses.	NO	NO	NO
Vicinity map to show the relation of the plat to streets and other information requested by the planning commission.	YES	YES	YES
Plans of street and utility lines with profiles.	YES	YES	YES
Location and size of all street islands, including all plantings and improvements, platted as common open space, and property owners' association agreement.	YES	YES	YES
Transmittal, ownership, and ordinance statement.	NO	NO	NO
Signatures of owners.	NO	NO	NO
Certificates of acceptance statement and signature spaces.	NO	NO	NO

Corporation resolution and appropriate signature blanks if the owner is a corporation.	NO	NO	NO
Must proceed to Planning Board for Approval	NO	YES	NO
Certified letters sent to all neighboring properties	NO	YES	NO

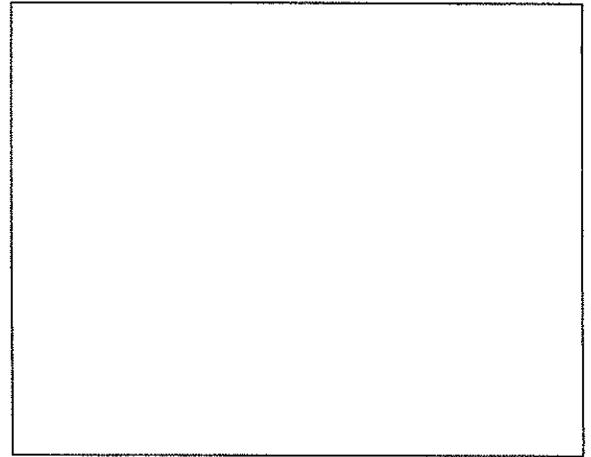
(j) **Final Inspection.** The purpose of the final inspection is to insure a completed project complies with the development requirements, zoning or ordinance and applicable design standards and other governing specifications and regulations of the City of Springdale as follows:

- (1) Certificate of Completion. When site construction is complete, the owner/developer's engineer of record shall submit a written statement certifying that all improvements and installations to the Large Scale/Non-Large scale required for its approval under the terms of these regulations have been made, added, or installed and functional in accordance with city specifications.
- (2) Site final inspection. The owner/developer's engineer-of-record shall request in writing a site inspection, addressed to the Engineering Department with a copy to the Planning and Community Development Department. No inspection shall be passed until all items are completed in accordance with Section (k) below.
- (3) Building final inspection. A building final inspection shall be scheduled only after the project has passed the site final inspection.

(k) **Completed improvements:** The following improvements shall be complete prior to the city passing the development site final inspection and the owner/developer scheduling a building final inspection:

- (1) Drainage
 - a. Drainage swales in-place, sodded or concrete-lined, property dedicated with erosion control in place.
 - b. Detention/retention facilities to grade and draining property.
 - c. Outlet structures, pilot channel, headwalls, flumes, etc. in-place and constructed to approved plans and specifications.
 - d. Any needed off-site improvements or easements in-place.
 - e. Sodding of detention/retention ponds in-place.
 - f. All drainage inlets, outlets, and conduit in proper location and constructed to approved plans and specifications.
 - g. Required fencing of detention/retention ponds in-place.
 - h. Final layer of drainage paving in-place as required by approved plans, including parking lots.

(2) Fire



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT OF
PHASE 1 OF HYLTON PLACE SUBDIVISION TO THE
CITY OF SPRINGDALE, ARKANSAS, AND DECLARING
AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

A PART OF THE NORTH HALF (N 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 17, SAID POINT BEING A FOUND "MAG" NAIL IN BUTTERFIELD COACH ROAD; THENCE ALONG THE WEST LINE OF SAID SE 1/4 AND BUTTERFIELD COACH ROAD, S02°22'14"W A DISTANCE OF 67.00 FEET TO A FOUND NAIL IN BUTTERFIELD COACH ROAD AND THE **POINT OF BEGINNING**; THENCE S87°26'22"E A DISTANCE OF 699.63 FEET TO A FOUND IRON PIN WITH CAP "PLS 1204"; THENCE S02°23'50"W A DISTANCE OF 133.00 FEET TO A FOUND IRON PIN WITH CAP "PLS 1204"; THENCE S87°05'00"E A DISTANCE OF 625.36 FEET TO THE EAST LINE OF THE NW 1/4 OF SAID SE 1/4 AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID EAST LINE, S02°21'08"W A DISTANCE OF 129.52 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID EAST LINE, S87°12'57"E A DISTANCE OF 195.33 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S02°19'13"W A DISTANCE OF 113.60 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S87°40'46"E A DISTANCE OF 120.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S02°19'13"W A DISTANCE OF 210.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°40'46"W A DISTANCE OF 120.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S02°19'13"W A DISTANCE OF 2.55 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°52'18"W A DISTANCE OF 195.51 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°21'53"W A DISTANCE OF 1,047.00 FEET TO A FOUND 3/8 INCH REBAR; THENCE N02°24'28"E A DISTANCE OF 381.75 FEET TO A FOUND IRON PIN WITH CAP "PLS 1429"; THENCE N88°00'16"W A DISTANCE OF 278.31

FEET TO THE WEST LINE OF THE NW 1/4 OF SAID SE 1/4, SAID POINT BEING A SET "MAG" NAIL WITH WASHER "PLS 1156" IN BUTTERFIELD COACH ROAD; THENCE ALONG SAID WEST LINE AND BUTTERFIELD COACH ROAD, N02°22'14"E A DISTANCE OF 214.42 FEET TO THE **POINT OF BEGINNING**, CONTAINING 15.75 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF BUTTERFIELD COACH ROAD ALONG THE WEST SIDE THEREOF AND THE RIGHT OF WAY OF HYLTON ROAD ALONG THE EAST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said plat and join with said petitioner in petitioning the City Council to accept the said plat of Phase 1 of Hylton Place Subdivision to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the plat of Phase 1 of Hylton Place Subdivision, as shown on the plat approved by the Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2020.

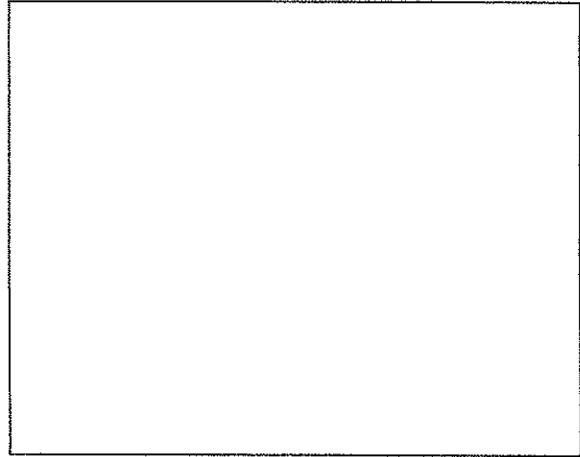
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE REPLAT OF LOTS 1 AND 2 OF HAMMITT-EOFF BUSINESS CENTER, A COMMERCIAL SUBDIVISION TO THE CITY OF SPRINGDALE ARKANSAS, AND DECLARING AN EMERGENCY.

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

ALL OF LOTS 1 AND 2, HAMMITT-EOFF BUSINESS CENTER SUBDIVISION, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD BOOK 23, PAGE 354, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2, SAID POINT BEING A FOUND IRON PIN WITH CAP, "PBA 752", ON THE SOUTH RIGHT-OF-WAY LINE OF HAILE LANE (PRIVATE DRIVE); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, THE FOLLOWING 5 CALLS; THENCE S81°38'26"E A DISTANCE OF 70.78 FEET TO A SET IRON PIN WITH CAP, "PLS 1156"; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 350.59 FEET, AN ARC LENGTH OF 41.38 FEET AND A CHORD BEARING & DISTANCE OF S84°19'40"E - 41.36 FEET TO FOUND IRON PIN WITH CAP, "PBA 752"; THENCE S86°56'18"E A DISTANCE OF 13.14 FEET TO A FOUND 1/2 INCH IRON PIN; THENCE S86°56'14"E A DISTANCE OF 241.42 FEET TO A FOUND IRON PIN WITH CAP, "TEMPLE 1021"; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.02 FEET AND A CHORD BEARING & DISTANCE OF S42°12'58"E - 35.18 FEET TO A FOUND IRON PIN WITH CAP, "PBA 752" ON THE WEST RIGHT-OF-WAY LINE OF S. 40TH STREET (PUBLIC RIGHT-OF-WAY); THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S02°30'09"W A DISTANCE OF 80.48 FEET TO A SET IRON PIN WITH CAP, "PLS 1156"; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, N87°06'44"W A DISTANCE OF 266.90 FEET TO A FOUND IRON PIN WITH CAP, "TEMPLE 1021"; THENCE CONTINUING N87°06'44"W A DISTANCE OF 124.62 FEET TO A SET IRON PIN WITH CAP, "PLS 1156"; THENCE N02°45'16"E A DISTANCE OF 114.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.95 ACRES MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the replat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF LOTS 1 AND 2 OF HAMMITT-EOFF BUSINESS CENTER SUBDIVISION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT OF LOTS 1 AND 2 OF HAMMITT-EOFF BUSINESS CENTER SUBDIVISION., as shown on the replat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO CHRIS ELDER IN CONNECTION WITH L20-10 A LARGE SCALE DEVELOPMENT

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-10 a Large Scale Development for Elder Multi Family and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: Grants a waiver of street improvements to South West End Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-10, a Large Scale Development for Elder Multi Family.

Option 2: Denies a waiver of street improvements to South West End Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L20-10 a Large Scale Development for Elder Multi Family.

Option 3: Approves payment in lieu of improvements to South West End Street in connection with L20-10, a Large Scale Development for Elder Multi Family with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to South West End Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with L20-10 a Large Scale Development for Elder Multi Family.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

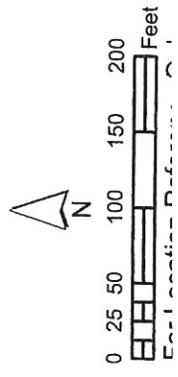
APPROVED AS TO FORM:

Ernest Cate, City Attorney



Waiver of Street Improvements - S. West End St.
Elder Multifamily

PLANNING COMMISSION MEETING
April 7, 2020





SPRINGDALE
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

To: Mayor and City Council
From: Brad Baldwin, Director of Engineering
Date: May 1, 2020
Re: Waiver of Street Improvements – W20-4 Elder Multi-family

The following comments are made concerning the waiver request (W20-4) submitted by the engineering consultant, Bates Engineering, for the Elder Multi-family Development (L20-10).

On 3/3/2020, the Engineering submitted the following comment and ordinance reference to the Planning Department to include in the review document forwarded to the project's consulting engineer. The project plan sheet (attached) didn't propose improvements to a small area of street frontage as required by ordinance.

110.111 - The developer is required to improve the abutting street to the City of Springdale standards and in accordance with the Master Street Plan, including constructing sidewalks, curb and gutter, pave or widen the existing street, or install or construct drainage facilities.

The comment was forwarded to the consultant by the Planning Department as usual. However, the consultant didn't address the comment; rather he submitted a request to waive the requirements of Section 110.111 (attached). To date the comment has not been addressed by the consultant.

Since the consultant hadn't provided new information relative to the earlier request, a second request for information was forwarded through Planning to the consultant on 3/27/20. To date the information has not been provide by the consultant. The attached images are provided to clarify the small street issue that the Engineering Department comment sought to address. The first image shows the location of a 15-20' length of street frontage that has not been constructed to the requirements (curb & gutter, sidewalk and proper driveway radius) of the Master Street Plan. The second image is a picture of the area where the street improvements are needed.

On 4/7/20 the Planning Commission approved the Elder Multifamily large scale development (L20-10) plan with the Engineering Department comment concerning section 110.111 still attached. They also recommended approval of the waiver request (W20-4) which negated the comment concerning Section 110.111 compliance.

It is our opinion that the waiver should be denied because it transfers construction of these small street and sidewalk improvements from the developer to the tax payers through the Public Works Department.

This issue should have been resolved earlier in the process. We have made the following adjustments on the Engineering side of plan review to help address the issue:

1. Engineering review comments will strive to include more detail when appropriate to guide consulting engineers.
2. Engineering has requested that all waiver requests that concern engineering comments be forwarded to Ryan Carr, Sr. Project Engineer, for review and comment back to the Planning Department. We would request that waiver requests be specific to the relief sought and the applicable ordinance rather than overly broad waiver requests.
3. Ryan or I will provide a memorandum similar to this one to accompany the waiver request in the Planning Commission packet. Ryan will discuss the waiver request with the appropriate Planning Department representative prior to the matter being heard by the Planning Commission.
4. Engineering will recommend approval or denial of the waiver with supporting information in the memorandum to the Planning Commission.

Scale: 1/8" = 1'-0" (Horizontal) 1/4" = 1'-0" (Vertical)
 Date: 11/15/11
 Project: Elder Multi-Family Development



GENERAL NOTES:

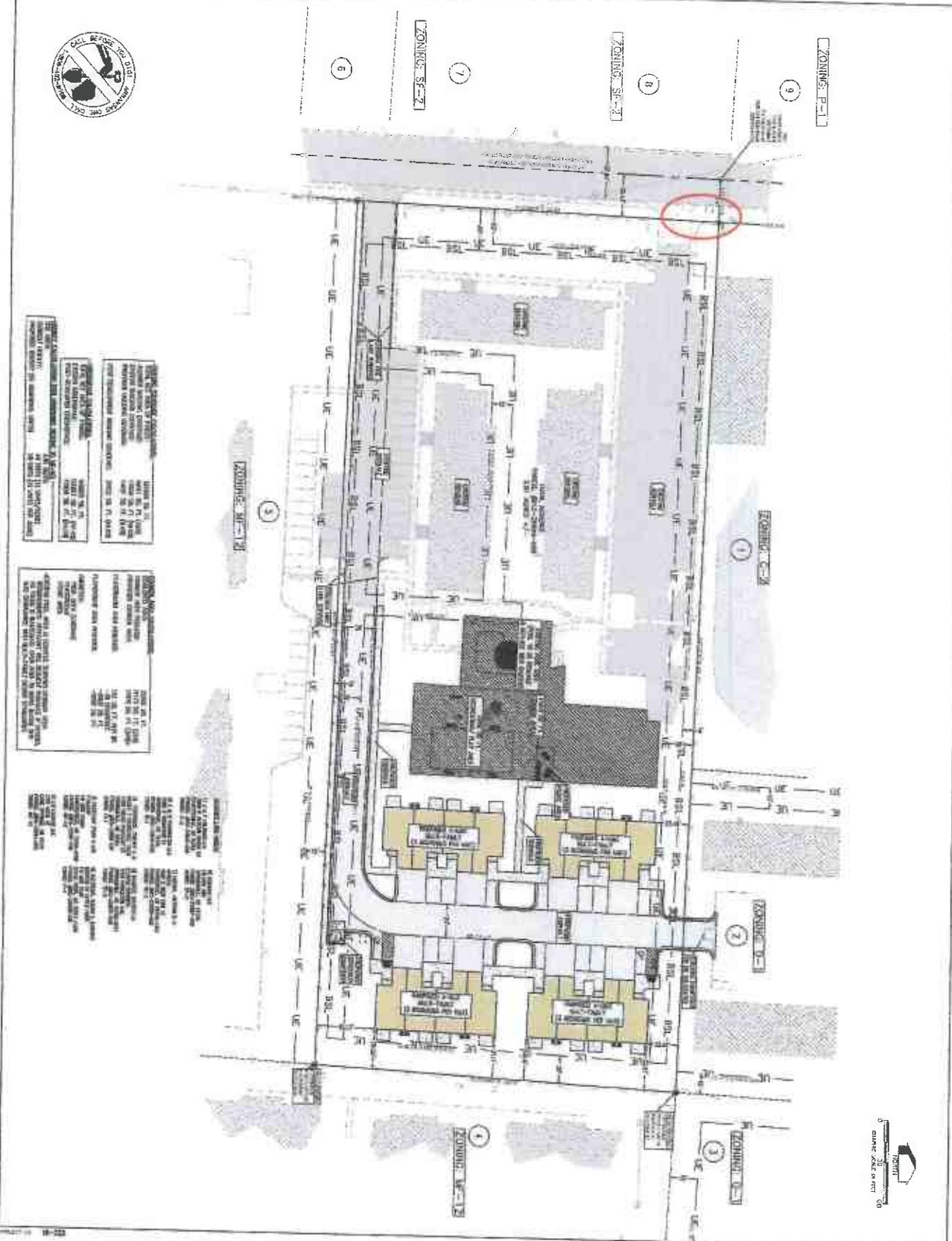
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ARKANSAS CONSTRUCTION CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PROCESS.

GENERAL NOTES:

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02

Bates & Associates, Inc.
 Civil Engineering & Surveying
 1000 S. Peoria Street, Suite 100, Springdale, AR 72761
 Phone: 479-751-1111 Fax: 479-751-1112

ELDER MULTI-FAMILY
 LARGE SCALE DEVELOPMENT L20-10
 OVERALL SITE PLAN
 SPRINGDALE, ARKANSAS

NO.	REVISIONS	DATE

Professional Engineer
 State of Arkansas
 License No. 12345
 Date: 11/15/11

Debbie Ponders

From: Christian McGuire <christian@batesnwa.com>
Sent: Wednesday, March 18, 2020 5:05 PM
To: 'Debbie Ponders'
Cc: 'Austin Thomas'
Subject: Elder Multi-Family Street Improvement Waiver

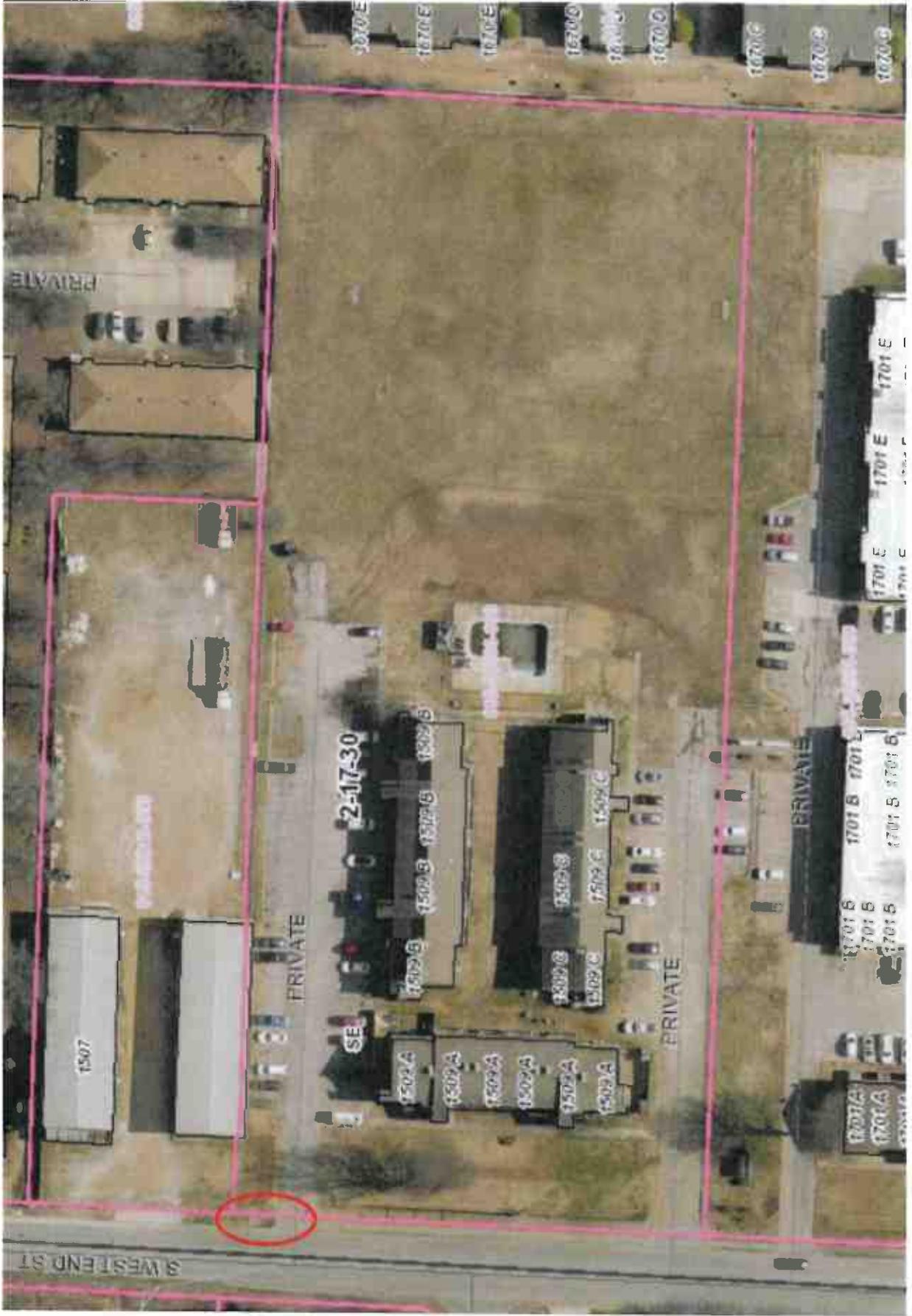
Debbie,

The project accesses South West end street which is a minor collector with 60' right of way per MSP. The existing portion of the street already has curb and gutter with sidewalk. The existing street width exceeds the required width by 2ft and the amount of right of way currently dedicated exceeds the required amount by 1 ft. The applicant would request a waiver from any additional street improvements.

Sincerely,

Christian McGuire, E.I.
Project Engineer
Bates & Associates, Inc.
Civil Engineering and Land Surveying
7230 S. Pleasant Ridge Dr.
Fayetteville, AR, 72704
479.442.9350







RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING PAYMENT OF AN
INVOICE
PROJECT NO. 18BPC1**

WHEREAS, Springdale municipal code sec. 2-158 requires approval of the governing body before paying any bill that exceeds \$1,000,000, and

WHEREAS, the City of Springdale has contracted with Milestone Construction Company, LLC to construct/renovate the Springdale Municipal Campus, and

WHEREAS, The City has received an invoice for \$1,132,918.83 for construction expenses for April 2020.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are hereby authorized to pay Milestone Construction Company, LLC \$1,132,918.83 with funds from the 2018 Bond Construction Fund.

PASSED AND APPROVED this 12th day of May, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING THE GUARANTEED
MAXIMUM PRICE FOR THE CONSTRUCTION OF
SPRINGDALE FIRE TRAINING FACILITY
PROJECT # 18BPF7**

WHEREAS, Arkansas Statute 19-11-801 provides for the employment of a construction manager for public improvement projects, and

WHEREAS, fire training facility has been designed and bids taken from sub-contractors, and

WHEREAS, Flintco, LLC has proposed a guaranteed maximum price of \$2,805,890 for the construction of the fire training facility.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that

1. The City Council accepts the guaranteed maximum price of \$2,805,890 submitted by Flintco LLC for the construction of the fire training facility.
2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the change orders does not exceed 10% of the guaranteed maximum price.

PASSED AND APPROVED this 12th day of May, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Guaranteed Maximum Price Amendment

for the following PROJECT:

(Name and address or location)

Springdale Fire Department Training Facility
2398 Turnbow Ave.
Springdale, AR 72764

THE OWNER:

(Name, legal status and address)

City of Springdale, Arkansas
201 Spring Street
Springdale, AR 72764

THE CONSTRUCTION MANAGER:

(Name, legal status and address)

Flintco, Limited Liability Company
184 E. Fantinel Blvd
Springdale, AR 72762

ARTICLE A.1

§ A.1.1 Guaranteed Maximum Price

Pursuant to Section 2.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of this Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Two Million Eight Hundred Five Thousand Eight Hundred Ninety Dollars (\$ 2,805,890), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 Itemized Statement of the Guaranteed Maximum Price. Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, allowances, contingencies, alternates, the Construction Manager's Fee, and other items that comprise the Guaranteed Maximum Price.

(Provide below or reference an attachment.)

BP 1B General Package	45,061
BP 1C Final Clean	3,810
BP 3A Building & Exterior Concrete	317,100
BP 3B Polished Concrete	11,485
BP 4A Masonry	56,264
BP 5A Steel Supply (Stairs, Handrails, Misc.)	18,608
BP 6A Finish Carpentry	22,473

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201[™]-2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

Init.

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User Notes:

(1279683431)

BP 7A Waterproofing & Damproofing	27,658
BP 7B Metal Panels & Soffits	144,790
BP 8A Doors/Frames/Hardware (Supply Only)	46,400
BP 8B Overhead Doors	7,498
BP 8C Aluminum Storefronts, Glass & Glazing	42,012
BP 9A Framing, Sheathing, Drywall, ACT	147,800
BP 9B Carpet, Flooring, Tile, Wall Base	28,970
BP 9C Paints & Coatings	48,459
BP 10A Specialty Supply	36,106
BP 10B Specialty, Door & Hardware Installation	12,450
BP 10C Flagpole (Supply)	3,232
BP 10D Operable Partitions	13,740
BP 10E Metal Canopies	18,395
BP 10F Bldg Signage & Lettering	12,545
BP 12A Manual Roller Shades	1,575
BP 13A PEMB (Supply)	135,516
BP 13B PEMB (Erect)	94,679
BP 21A Fire Sprinkler	44,484
BP 22A Plumbing	100,500
BP 23A HVAC	120,898
BP 26A Electrical	313,713
BP 28A Fire Alarm	6,893
BP 31A Earthwork, Demo & Storm Damage	121,174
BP 32A Fences & Gates	41,415
BP 32B Landscape & Irrigation	21,289
BP 32C Asphalt Paving	30,805
BP 32D Pavement Marking, Exterior Signage & Wheel Stops	3,170
Project Requirements	89,898
General Conditions	277,029
Insurance & Bonds	79,331
Contractor Contingency	56,794
Fee	155,631

§ A.1.1.3 The Guaranteed Maximum Price is based on the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:
(State the numbers or other identification of accepted alternates. If the Contract Documents permit the Owner to accept other alternates subsequent to the execution of this Amendment, attach a schedule of such other alternates showing the amount for each and the date when the amount expires.)

Owner Provided Extractor & Lawn Maintenance	<13,260>	Deduct
Create Onsite Berms with Earthwork Spoils	<0,000>	Deduct
Delete North Fire Department Sign	<1,500>	Deduct

§ A.1.1.4 Allowances included in the Guaranteed Maximum Price, if any:
(Identify allowance and state exclusions, if any, from the allowance price.)

Item	Price (\$0.00)
Materials Testing	10,000
Access Control	10,000
Low Voltage	15,000
Unsuitable Soils	35,000

§ A.1.1.5 Assumptions, if any, on which the Guaranteed Maximum Price is based:

Init.

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(1279883431)

See Exhibit B – Clarifications & Assumptions

§ A.1.1.6 The Guaranteed Maximum Price is based upon the following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
----------	-------	------	-------

§ A.1.1.7 The Guaranteed Maximum Price is based upon the following Specifications:
(Either list the Specifications here, or refer to an exhibit attached to this Agreement.)

See Exhibit C – Enumeration of Documents

Section	Title	Date	Pages
---------	-------	------	-------

§ A.1.1.8 The Guaranteed Maximum Price is based upon the following Drawings:
(Either list the Drawings here, or refer to an exhibit attached to this Agreement.)

See Exhibit C – Enumeration of Documents

Number	Title	Date
--------	-------	------

§ A.1.1.9 The Guaranteed Maximum Price is based upon the following other documents and information:
(List any other documents or information here, or refer to an exhibit attached to this Agreement.)

Document	Title	Date
Exhibit B	Clarifications & Assumptions	5/12/2020
Exhibit C	Enumeration of Documents	5/12/2020

ARTICLE A.2

§ A.2.1 The anticipated date of Substantial Completion established by this Amendment:

March 1st, 2021

OWNER (Signature)

CONSTRUCTION MANAGER (Signature)

Wyman Morgan
(Printed name and title)

Brent Farmer, Vice President/Area Manager
(Printed name and title)

Init.

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Additions and Deletions Report for AIA® Document A133™ – 2009 Exhibit A

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 17:20:27 ET on 04/29/2020.

PAGE 1

Springdale Fire Department Training Facility
2398 Turnbow Ave.
Springdale, AR 72764

...

City of Springdale, Arkansas
201 Spring Street
Springdale, AR 72764

...

Flintco, Limited Liability Company
184 E. Fantinel Blvd
Springdale, AR 72762

...

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Two Million Eight Hundred Five Thousand Eight Hundred Ninety Dollars (\$ 2,805,890), subject to additions and deductions by Change Order as provided in the Contract Documents.

...

<u>BP 1B General Package</u>	<u>45,016</u>
<u>BP 1C Final Clean</u>	<u>3,810</u>
<u>BP 3A Building & Exterior Concrete</u>	<u>317,100</u>
<u>BP 3B Polished Concrete</u>	<u>11,485</u>
<u>BP 4A Masonry</u>	<u>56,264</u>
<u>BP 5A Steel Supply (Stairs, Handrails, Misc.)</u>	<u>18,608</u>
<u>BP 6A Finish Carpentry</u>	<u>22,473</u>

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<u>BP 8B Overhead Doors</u>	<u>7,498</u>
<u>BP 8C Aluminum Storefronts, Glass & Glazing</u>	<u>42,012</u>
<u>BP 9A Framing, Sheathing, Drywall, ACT</u>	<u>147,800</u>
<u>BP 9B Carpet, Flooring, Tile, Wall Base</u>	<u>28,970</u>
<u>BP 9C Paints & Coatings</u>	<u>48,459</u>
<u>BP 10A Specialty Supply</u>	<u>36,106</u>

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User Notes:

(1279683431)

BP 10B Specialty, Door & Hardware Installation	12,450
BP 10C Flagpole (Supply)	3,232
BP 10D Operable Partitions	13,740
BP 10E Metal Canopies	18,395
BP 10F Bldg Signage & Lettering	12,545
BP 12A Manual Roller Shades	1,575
BP 13A PEMB (Supply)	135,516
BP 13B PEMB (Erect)	94,679
BP 21A Fire Sprinkler	44,484
BP 22A Plumbing	100,500
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BP 32A Fences & Gates	41,415
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BP 32D Pavement Marking, Exterior Signage & Wheel Stops	3,170
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Contractor Contingency	56,794
Fee	155,631

PAGE 2

Owner Provided Extractor & Lawn Maintenance	-13,260	Deduct
Create Onsite Berms with Earthwork Spoils	-8,000	Deduct
Delete North Fire Department Sign	-1,500	Deduct

...

Materials Testing	10,000
Access Control	10,000
Low Voltage	15,000
Unsuitable Soils	35,000

PAGE 3

See Exhibit B – Clarifications & Assumptions

...

See Exhibit C – Enumeration of Documents

...

See Exhibit C – Enumeration of Documents

...

Document	Title	Date
Exhibit B	Clarifications & Assumptions	5/12/2020
Exhibit C	Enumeration of Documents	5/12/2020

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User Notes:

(1279683431)

...

March 1st, 2021

...

Wyman Morgan

Brent Farmer, Vice President/Area Manager

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User Notes:

(1279683431)

Certification of Document's Authenticity

AIA® Document D401™ – 2003

I, _____, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 17:20:27 ET on 04/29/2020 under Order No. 7772483407 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A133™ – 2009 Exhibit A, Guaranteed Maximum Price Amendment, as published by the AIA in its software, other than those additions and deletions shown in the associated Additions and Deletions Report.

(Signed)

(Title)

(Dated)

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User Notes:

(1279883431)

Exhibit B

Clarifications and Assumptions

Construction Package: May 12, 2020

Micky Jackson Fire Training Center for The
City of Springdale

2398 Turnbow Avenue, Springdale, AR



CLARIFICATIONS, ASSUMPTIONS, INCLUSIONS AND EXCLUSIONS

Project Description

The Micky Jackson Fire Training Center includes construction of a new 10,047 square foot Fire Training Facility which includes site improvements to the immediate surrounding area in Springdale, AR. Designed by Crafton Tull (Architects), ESI (Civil) Engineers, Engineering Elements, PLLC (MEP) Engineers, and 360 Engineering Group, PLLC (Structural).

Scope of Work

This proposal includes furnishing labor, material, equipment, tools and supervision required to perform each of the stated items of work, and includes all insurance, general expenses, overhead and profit for the construction of the project, as defined in accordance with the plans and specifications provided by Crafton Tull dated March 31, 2020; as well as, the plans and specifications provided by Engineering Services, Inc. dated April 7, 2020. We have acknowledged Addendum #1 dated April 6, 2020 provided by Crafton Tull.

Design Criteria

Where possible, items and systems specified by these C&A's are defined and specific to material, finish and intended use. Where materials, finishes and/or quantities are not clearly defined, this proposal assumes the most practical and economical solution consistent with the design concepts and scope. Where scope is unclear, suggested allowances have been provided.

Any work referred to as "By Owner", "By Others", "OFCl" (owner furnished contractor installed), or "N.I.C." (not in contract) is not part of the scope of this proposal unless installation is specified.

Where the word "allowance" appears, it shall mean that a fixed sum is included in the cost of the work for design, materials, equipment and/or labor for the complete installed product specified. Allowances are identified with a specific dollar amount. Adjustment in the contract amount may be necessary if costs are less than or in excess of these allowances.

Code Requirements

We exclude any liability with regard to errors and omissions from the bid documents. In addition, we have assumed that the Architect/Engineer has incorporated into the bid documents all code requirements, ADA requirements and has taken all seismic design into consideration.

Construction Manager's Bid Manual and CM Clarifications

The Guaranteed Maximum Price is also based upon the following documents and information:

1. Flintco, LLC Construction Manager's Bid Manual April 23, 2020
2. CM Clarification #1 April 20, 2020
3. CM Clarification #2 April 21, 2020
4. Value Analysis log with accepted items April 29, 2020
 - a. Lawn care and weeding services by Owner
 - b. Delete fire department sign at north exterior
 - c. Excavation of dirt spoils deposited as berm on-site (no spoils haul-off)



General Conditions & Project Requirements

General conditions are included as a lump sum value which will be billed as an equal monthly value throughout the project duration. Fixed General Condition Items shall mean the provision of facilities or performance of supervisory work by the Construction Manager with respect to items that are not included in one of the separate trade contracts and are not customarily so included. They shall include all of the Construction Manager's indirect costs and expenses, supervisory or general overhead costs, and personnel and benefit costs related to the administration and supervision of the work. Extension of project duration due to changes in scope of work or unforeseen conditions warrant general conditions extension as well.

Fixed General Condition Items shall include but are not limited to the following items:

1. Salaries or wages of the Construction Manager's supervisory and administrative personnel managing and overseeing the performance of the Work, all benefits and overhead expenses incurred in connection with the wages or salaries of Construction Manager's employees performing the Work.
2. Cost and expenses incurred by the Construction Manager in operating and maintaining a field office or in supporting the work from the Construction Manager's main office.
3. Cost and expenses incurred by the Construction Manager during close out.

Project Requirements Items shall include but are not limited to cost and expenses incurred by the Construction Manager in operating and maintaining jobsite security, safety, and supporting the work from the subcontractors in the field. Example of project requirements are permits, layout, documentation photos, temporary toilets, cleanup, waste disposal, etc.

Quality Control Services

Costs for testing and special inspection services are included as an allowance and as listed below within the scope of work. We will provide coordination and scheduling of said services.

Bonds & Insurance

Costs for bonds and insurance are included and will be billed at the following rates: General Liability (0.7%), Builder's Risk (0.182%), General Contractor Bond (0.777%), and Subcontractor Default Insurance (1.5%).

Sales Tax

Sales tax (9.75%) is included in our proposal.

Schedule

This proposal is based on a continuing construction schedule with anticipated activity from May 25, 2020 through March 1, 2021.

Delays

If the Contractor is delayed at any time in the progress of the work by labor disputes, unavoidable casualties, changes in the work, or any other causes beyond Contractor's control, the time of completion shall be extended. Claims for extension of time and/or adjustments to the Contract Sum shall be made within a reasonable time after the occurrence of the delay.

This proposal excludes any time delays and cost increases arising from or related to the COVID-19 virus and any government or other third-party action in response thereto.

Permits and Fees

The Architect is responsible for permit review and acceptance by the City of Springdale and other Authorities Having Jurisdiction (AHJ).

The Owner is responsible for the cost of the building permit, tap fees, impact fees and meters.

Temporary Utilities/Facilities

Costs to tie into existing city utilities for temporary use during the construction process are included.

Any costs and/or fees for temporary use of existing city utilities are included.



Construction Access

The construction site will be security fenced; all access will be controlled by Flintco personnel. Visitors to the site must sign in with the onsite Flintco staff.

We plan to use existing drives and paved areas for staging and worker parking. It is understood existing drives and paving are of heavy-duty construction. Facility traffic will need to be redirected during of construction.

Prevailing Wage

Prevailing wage rates do not apply to this project and are not included. Certified Payroll and/or project audit is excluded.

Submittals

Phased submittals with quick response are required in order to maintain productivity. Flintco will submit partial/phased submittals as necessary in order to facilitate construction progress which includes, but is not limited to:

- Pre-engineered metal building
- Concrete and reinforcing
- Electrical equipment and fixtures
- HVAC equipment
- Interior finish items

Architect and Consultants are requested to review partial/phased submittals upon receipt. We prefer to meet with design team, if necessary, rather than return submittals for "revise and resubmit" if and when feasible. Due to the short duration of the project, no mock-ups or physical samples are included. Approval process will be through digital media.

Owner Furnished Products

Owner furnished items are insured, provided, delivered, accepted and installed outside of this construction agreement.

- APL-10: Extractors
- Phone equipment
- Two-way radios
- Marker boards and related trim and accessories
- Furniture and furnishings: workstations, desk, tables, chairs, decorations etc.
- Site lawn and weeding maintenance

Allowances

The following allowances are included:

1. Materials Testing	\$10,000
2. Access Control	\$10,000
3. Low Voltage	\$15,000
4. Unsuitable Soils	\$35,000

Unit Prices

Mass rock excavation, removal and onsite disposal	\$250 /CY (in place)
Excavation, removal and offsite disposal of unsuitable soils	\$8.30 / CY (in place)
Provide, place and compact engineered fill	\$12.10 / CY (in place)

Alternates

Alternate 1: Reduce Area of Heavy-Duty Concrete:	Not Accepted
Alternate 2: Delete Mezzanine and Related Components	Not Accepted



General Inclusions/Exclusions

1. Should conflict occur between the General Conditions and/or the Supplementary General Conditions and this Agreement between Owner and Construction Manager as Constructor, the requirements of this Agreement shall take precedence.
2. Typical hours of construction operations are 7 am through 7 pm.
3. Certain construction procedures such as concrete placement and material deliveries require work outside of normal hours.
4. Unforeseen conditions and/or items not located and shown on plans are not included in the GMP.
5. Builder's risk deductibles are excluded.
6. Restriping and/or resealing of existing paving is excluded.
7. Exclude special certifications and/or testing of aluminum storefront glazing systems.
8. Repair of existing drives or paving due to construction activity.

Division 3 - Concrete

Per plans and specs.

Division 4 - Masonry

Per plans and specs.

Division 5 - Metals

Pre-engineered metal building supply and erection. Includes structural steel, interior liner panels at Apparatus Bay and exterior R-panels.
Mezzanine stairs and handrail supply and erection.
Decorative metal panels at exterior.

Division 6 - Finish Carpentry

Millwork as shown with plastic laminate tops.
Cypress accent wall at Reception 110.

Division 7 - Waterproofing and Damproofing

Fluid applied air and water barrier at exterior sheathing.

Division 7 - Roofing

Per PEMB provider.

Division 7 - Metal Panels

Per PEMB provider.

Division 7 - Insulation

Vinyl batt per PEMB provider where shown.
Two-inch rigid at CMU and decorative panels where shown.
R-19 batt at interior walls where shown.

Division 8 - Openings

Overhead door with motor at Apparatus Bay.
Access controls at three walk-through exterior doors.

Division 9 - Framing

Metal stud as shown.
Supports for classroom partition.

Division 9 - Finishes

Per plans and specs.



Division 10 – Specialties

Per plans and specs.
Bicycle rack and exterior bench per Flintco specifications.
Delete fire department sign at north exterior (see Value Analysis Log).

Division 12 – Roller Window Shades

Per plans and specs.

Divisions 21 – Fire Protection

Wet pipe system included with dry heads at front entry canopy and back porch area.

Divisions 22 & 23 – Mechanical/Plumbing

Per plans and specs.

Divisions 26 - Electrical

Per plans and specs.
Transformer to be set at southeast corner of building.
We have included data and communications conduit for service point to be located south of building along Turnbow Avenue. Utility provider must install main communication line into building.

Divisions 27 – Low Voltage

Refer to allowances for access control and security.

Divisions 28 – Fire Alarm

Per plans and specs.

Divisions 31 – Earthwork/Demolition/Site Utilities

Undercutting existing soils to grade elevation of 1339 at building and one foot below pavement sections. Additional soils undercut may be required if directed by project engineer. Unit prices and allowance reported in this document control additional undercut expense.

Refer to Value Analysis, excavation of dirt spoils deposited as berm on-site (no spoils haul-off).

Divisions 32 – Fences & Gates and Handrails & Guardrails

Per plans and specs.

EXCLUSIONS

Items included or specified in the Project Manual, but not specifically included in the architectural or engineering plans are excluded.
Videography requirements for closeout submittals are excluded.
Moving or relocating existing furnishings are not included.
FFE items are not included, as these are furnished and installed by other methods by Owner.
New sodding is not shown on the contract documents and, if required, will be at an additional cost.

PROJECT MANUAL FOR MICKY JACKSON FIRE TRAINING CENTER FOR THE SPRINGDALE FIRE DEPARTMENT
 2398 TURNBOW AVENUE
 SPRINGDALE, ARKANSAS
 ISSUE SET: CONSTRUCTION DOCUMENT
 PREPARED BY: CRAFTON TULL
 DATED: MARCH 31, 2020

Division	Number	Description	Revision	Issued Date
00 - Procurement and Contracting Requirements				
	000110	Table of Contents	0	3/31/2020
	003132	GEOTECHNICAL ENGINEERING REPORT	0	3/31/2020
	006000	PROJECT FORMS	0	3/31/2020
	0073300	SUPPLEMENTARY CONDITIONS	0	3/31/2020
01 - General Requirements				
	11000	SUMMARY	0	3/31/2020
	12300	ALTERNATES	0	3/31/2020
	12600	CONTRACT MODIFICATION PROCEDURES	0	3/31/2020
	12900	PAYMENT PROCEDURES	0	3/31/2020
	13100	PROJECT MANAGEMENT AND COORDINATION	0	3/31/2020
	13300	SUBMITTAL PROCEDURES	0	3/31/2020
	14000	QUALITY REQUIREMENTS	0	3/31/2020
	15000	TEMPORARY FACILITIES AND CONTROL	0	3/31/2020
	16000	PRODUCT REQUIREMENTS	0	3/31/2020
	17300	EXECUTION	0	3/31/2020
	17700	CLOSEOUT PROCEDURES	0	3/31/2020
	17900	DEMONSTRATION AND TRAINING	0	3/31/2020
03 - Concrete				
	33300	CAST-IN-PLACE CONCRETE	0	3/31/2020
	33600	GROUND AND POLISHED CONCRETE	0	3/31/2020
04 - Masonry				
	42200	CONCRETE MASONRY UNITS	0	3/31/2020
05 - Metals				
	54000	COLD FORMED METAL FRAMING	0	3/31/2020
	55000	METAL FABRICATIONS	0	3/31/2020
	55213	PIPE AND TUBE RAILINGS	0	3/31/2020
06 - Wood, Plastics, and Composites				
	61100	MISC. ROUGH CARPENTRY	0	3/31/2020
	64116	PLASTIC LAMINATE FACED ARCHITECTURAL CABINETS	0	3/31/2020
07 - Thermal and Moisture Protection				
	72100	THERMAL INSULATION	0	3/31/2020
	72600	Fluid-Applied Membrane Air Barriers	0	3/31/2020
	74601	PRE-FORMED STEEL SIDING	0	3/31/2020
	74646	FIBER CEMENT SIDING	0	3/31/2020
	76200	SHEET METAL FLASHING AND TRIM	0	3/31/2020
	79200	JOINT SEALANTS	0	3/31/2020

08 - Openings			
81113	HOLLOW METAL DOORS & FRAMES	0	3/31/2020
81416	FLUSH WOOD DOORS	0	3/31/2020
83613	SECTIONAL DOORS	0	3/31/2020
84113	ALUMINUM FRAMED ENTRANCES AND STOREFRONTS	0	3/31/2020
87100	FINISH HARDWARE	0	3/31/2020
88100	Glazing	0	3/31/2020
09 - Finishes			
92216	NON-STRUCTURAL METAL FRAMING	0	3/31/2020
92900	GYPSUM BOARD	0	3/31/2020
93013	Tiling	0	3/31/2020
95100	Acoustical Panel Ceilings	0	3/31/2020
96513	RESILIENT BASE	0	3/31/2020
96813	TILE CARPETING	0	3/31/2020
99113	EXTERIOR PAINTING	0	3/31/2020
99123	INTERIOR PAINTING	0	3/31/2020
99600	HIGH PERFORMANCE COATINGS	0	3/31/2020
10 - Specialties			
101400	EXTERIOR SIGNAGE	0	3/31/2020
101423	INTERIOR SIGNAGE	0	3/31/2020
102113	PLASTIC TOILET COMPARTMENTS	0	3/31/2020
102226	FOLDING PANEL PARTITIONS	0	3/31/2020
102600	WALL PROTECTION	0	3/31/2020
102800	TOILET, BATH, AND LAUNDRY ACCESSORIES	0	3/31/2020
104416	FIRE EXTINGUISHER CABINETS AND ACCESSORIES	0	3/31/2020
105113	METAL LOCKERS AND FIRE GEAR STORAGE	0	3/31/2020
107316	ALUMINUM WALL HUNG CANOPIES	0	3/31/2020
107516	GROUND SET FLAGPOLES	0	3/31/2020
12 - Furnishings			
122413	ROLLER WINDOW SHADES	0	3/31/2020
13 - Special Construction			
133419	METAL BUILDING SYSTEMS	0	3/31/2020
21 - Fire Suppression			
211313	WET PIPE SPRINKLER SYSTEM	0	3/31/2020
22 - Plumbing			
220719	PLUMBING PIPING INSULATION	0	3/31/2020
221116	DOMESTIC WATER PIPING	0	3/31/2020
23 - Heating, Ventilating, and Air Conditioning (HVAC)			
230100	BASIC MECHANICAL MATERIALS AND METHODS	0	3/31/2020
230593	TESTING, ADJUSTING, AND BALANCING FOR HVAC	0	3/31/2020
230700	HVAC INSULATION	0	3/31/2020
231123	FACILITY NATURAL GAS PIPING	0	3/31/2020
233113	METAL DUCTWORK	0	3/31/2020
233300	Air Duct Accessories	0	3/31/2020
233713	AIR DIFFUSERS	0	3/31/2020
238126	SPLIT SYSTEM AIR CONDITIONERS	0	3/31/2020

26 - Electrical

260500	GENERAL ELECTRICAL REQUIREMENTS	0	3/31/2020
260519	LOW VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES	0	3/31/2020
260526	GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS	0	3/31/2020
260533	RACEWAYS AND BOXES FOR ELECTRICAL SYSTEMS	0	3/31/2020
262416	PANELBOARDS	0	3/31/2020
262726	WIRING DEVICES	0	3/31/2020
265119	LED INTERIOR LIGHTING	0	3/31/2020
265613	LIGHTING POLES AND STANDARDS	0	3/31/2020
265619	LED EXTERIOR LIGHTING	0	3/31/2020

28 - Electronic Safety and Security

284621	ADDRESSABLE FIRE ALARM SYSTEM	0	3/31/2020
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31 - Earthwork

313116	Termite Control	0	4/16/2020
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32 - Exterior Improvements

323119	ARCHITECTURAL METAL FENCE	0	3/31/2020
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GC - General Civil Details

CITY OF SPRINGDALE CAPITAL IMPROVEMENTS PROGRAM MANUAL
STANDARD SPECIFICATIONS FOR STREET AND DRAINAGE CONSTRUCTION
VERSION 4, NOVEMBER 2005
PREPARED BY: ENGINEERING SERVICES, INC.

CITY OF SPRINGDALE ENGINEERING DEPARTMENT PROGRAM MANUAL
STANDARD DETAILS FOR STREET AND DRAINAGE CONSTRUCTION
VERSION 18.1029, OCTOBER 2018
PREPARED BY: ENGINEERING SERVICES, INC.

GEOTECHNICAL ENGINEERING REPORT
PLANNED NEW FIRE TRAINING CENTER
2398 TURNBOW AVENUE
SPRINGDALE, ARKANSAS
PREPARED BY: GTS, INC. (GEOTECHNICAL & TESTING SERVICES)
DATED: MONTH 18, 2019

ADDENDUM NO. 1
PREPARED BY: CRAFTON TULL
DATED: APRIL 16, 2020
2 PAGES AND 10 ATTACHMENTS

DRAWINGS FOR THE MICKY JACKSON FIRE TRAINING CENTER FOR THE SPRINGDALE FIRE DEPARTMENT
 2398 TURNBOW AVENUE
 SPRINGDALE, ARKANSAS
 ISSUE SET: CONSTRUCTION DOCUMENTS
 PREPARED BY: CRAFTON TULL
 DATED: MARCH 31, 2020

Drawing No.	Drawing Title	Revision	Drawing Date
G-001	SYMBOL LEGENDS, ABBREVIATIONS	CD	3/31/2020
G-002	CODE, LIFE SAFETY, FIRE SAFETY	CD	3/31/2020
G-003	STANDARD MOUNTING HEIGHTS, GENERAL NOTES	CD	3/31/2020
G-004	GENERAL NOTES	CD	3/31/2020
G-005	GENERAL NOTES	CD	3/31/2020
U-100	UTILITY SITE PLAN	CD	3/31/2020
AS-100	SITE PLAN	CD	3/31/2020
S001	GENERAL NOTES	1	4/6/2020
S002	SPECIAL INSPECTIONS	CD	3/31/2020
S003	SPECIAL INSPECTIONS	1	4/6/2020
S101	FOUNDATION PLAN	1	4/6/2020
S501	DETAILS	1	4/6/2020
S502	DETAILS	CD	3/31/2020
A-00	COVER SHEET	CD	3/31/2020
A-101	FIRST FLOOR & MEZZANINE PLANS	1	4/6/2020
A-102	REFLECTED CEILING PLAN	CD	3/31/2020
A-103	ROOF PLAN	CD	3/31/2020
A-201	EXTERIOR ELEVATIONS	CD	3/31/2020
A-202	3-D PERSPECTIVES	CD	3/31/2020
A-301	BUILDING SECTIONS	CD	3/31/2020
A-302	WALL SECTIONS	CD	3/31/2020
A-303	WALL SECTIONS	CD	3/31/2020
A-304	WALL SECTIONS	CD	3/31/2020
A-355	PARTITION TYPES	CD	3/31/2020
A-401	ENLARGED PLANS & ELEVATIONS	CD	3/31/2020
A-402	ENLARGED PLANS, ELEVATIONS, & DETAILS	CD	3/31/2020
A-403	ENLARGED RCP & 3D VIEWS	CD	3/31/2020
A-404	STOREFRONT ELEVATIONS	CD	3/31/2020
A-501	DETAILS	CD	3/31/2020
A-502	DETAILS	CD	3/31/2020
A-601	DOOR AND FRAME, DOOR HARDWARE, AND GLAZING SCHEDULES	1	4/6/2020
A-602	FINISH SCHEDULE & MATERIALS LEGEND	CD	3/31/2020
A-603	FINISH PLAN	CD	3/31/2020
P-101	PLUMBING DRAIN PLAN	CD	3/31/2020
P-111	PLUMBING SUPPLY PLANS	CD	3/31/2020
P-600	PLUMBING SCHEDULES AND DETAILS	CD	3/31/2020
M-101	MECHANICAL PLANS	CD	3/31/2020
M-500	MECHANICAL DETAILS	CD	3/31/2020

M-600	MECHANICAL SCHEDULES	1	4/21/2020
E-101	ELECTRICAL POWER PLANS	1	4/6/2020
E-201	ELECTRICAL LIGHTING PLANS	CD	3/31/2020
E-600	ELECTRICAL NOTES, SCHEDULES & DETAILS	1	4/6/2020
E-601	ELECTRICAL PANEL SCHEDULES	CD	3/31/2020

PLANS FOR A LARGE SCALE DEVELOPMENT TO SERVE SPRINGDALE FIRE DEPARTMENT
FOR THE CITY OF SPRINGDALE, ARKANSAS

L19-25

PREPARED BY: ENGINEERING SERVICES, INC.

DATED: APRIL 7, 2020

C.0	SITE COVER SHEET	CD	3/31/2020
1	OVERALL SITE PLAN	CD	3/31/2020
2	SITE DETAILS	CD	3/31/2020
3	STORMWATER POLLUTION PREVENTION PLAN	CD	3/31/2020
4	LANDSCAPE PLAN	CD	3/31/2020

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE NORTHWEST ARKANSAS NATIONAL AIRPORT SECOND RESTATED AND AMENDED AGREEMENT, PURSUANT TO ARK. CODE ANN. §14-362-103; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Springdale, Arkansas, is a member of the Northwest Arkansas Regional Airport Authority, having previously authorized this participation by Ordinance;

WHEREAS, the members of the Northwest Arkansas Regional Airport Authority have been governed by a First Amended Northwest Arkansas Regional Airport Authority Agreement, approved by the City of Springdale, Arkansas, by the passage of Ordinance No. 1991 on March 26, 1991, and by the passage of Ordinance No. 2021 on July 9, 1991;

WHEREAS, the Northwest Arkansas Regional Airport Authority Agreement is in need of further revision, known as the Northwest Arkansas National Airport Second Restated and Amended Agreement ("the Agreement"), attached hereto as Exhibit "A" and incorporated herein by reference;

WHEREAS, Ark. Code Ann. §14-362-103 provides that no municipality shall participate in a regional airport authority unless and until its governing body so provides by ordinance and enters into an agreement with the other participating governmental units establishing the terms and conditions for the operation of the regional airport authority;

WHEREAS, the City of Springdale wishes to continue its participation in the Northwest Arkansas Regional Airport Authority, and wishes to ratify the Agreement;

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

Section 1: That the Mayor and City Clerk are hereby authorized to execute the attached Northwest Arkansas National Airport Second Restated and Amended Agreement on behalf of the City of Springdale, Arkansas, and the same is hereby ratified and approved pursuant to Ark. Code Ann. §14-362-103.

Section 2: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



DATE: December 11, 2019

TOPIC: Changes to XNA Agreement

CONTACT: Andrew Branch, Chief Business Development Officer

ISSUE: The Northwest Arkansas Regional Airport Authority operates under the “Restated and Amended Agreement” executed on November 21, 1994. The agreement forms the basis for the authority granted to the board by the participating cities and counties.

Although the agreement has largely allowed the authority to operate as needed, there are some aspects of the agreement that would benefit from being updated. The proposed changes are summarized below:

- Changing the name to the “Northwest Arkansas National Airport”
- Updating language to a gender-neutral format
- Updating the Conflicts of Interest section to allow for the board to modify the conflicts policy as Federal and State laws change
- Removing specific power language to instead reference the statutory authority granted to Regional Airport Authorities under Arkansas law.

Any changes to the Northwest Arkansas Regional Airport Authority Restated and Amended Agreement must be approved by the governing bodies of all the participating cities and counties. With approval from this board, XNA staff and external counsel will work with each participating city and county to address questions and concerns and ultimately to seek their approval.

ACTION: Board approval is needed for the proposed changes to the agreement and for staff, in coordination with external counsel, to proceed with seeking approval from the XNA member cities and counties.

Return to Agenda

NORTHWEST ARKANSAS NATIONAL AIRPORT
SECOND RESTATED AND AMENDED AGREEMENT

A regional airport authority organized pursuant to
Arkansas Code Title 14, Subtitle 22, Chapter 362 **EXHIBIT A**

NORTHWEST ARKANSAS REGIONAL AIRPORT AUTHORITY
RESTATED AND AMENDED AGREEMENT

This agreement (herein referred to as the "Agreement") entered into as of the 24th day of ~~November 1994~~ 2020, but actually executed by the respective parties hereto on the dates indicated for such parties on the signature pages hereto, by and among the City of Bentonville, the City of Fayetteville, the City of Rogers, the City of Siloam Springs, and the City of Springdale, the County of Benton and the County of Washington, all of which parties are situated in the State of Arkansas (the "State");

RECITALS

WHEREAS, Title 14, Chapter 362 of the Arkansas Code, as amended, permits any two or more Arkansas municipalities, any two or more contiguous counties, or any one or more Arkansas municipalities together with any one or more contiguous Arkansas counties to create and establish a regional airport authority for the purpose of acquiring, equipping, constructing, maintaining, and operating regional airports; and

WHEREAS, pursuant to Title 14, Chapter 362 of the Arkansas Code, the Cities of Bentonville, Fayetteville, Rogers, Siloam Springs, and Springdale, Arkansas, and the Counties of Benton and Washington, Arkansas, (herein referred to collectively as the "Governmental Units") have heretofore entered into an agreement entitled "Northwest Arkansas Regional Airport Authority Agreement," effective as of December 14, 1990, (herein referred to as the "Original Agreement") and have created and established the Northwest Arkansas Regional Airport Authority (herein referred to as the "Authority") pursuant to the Original Agreement; and

WHEREAS, the Governmental Units subsequently amended the Original Agreement by entering into that certain "Northwest Arkansas Regional Airport Authority Restated and Amended Agreement" (the "Amended Agreement") with an effective date of November 21, 1994; and

WHEREAS, the Governmental Units desire to join together to amend, revise, restate, and confirm the Amended Agreement and the Original Agreement for the creation and establishment of a regional airport authority for the purpose of acquiring, equipping, constructing, maintaining, and operating a regional airport to provide airport services and facilities in Northwest Arkansas; and

WHEREAS, the governing bodies of the Cities of Bentonville, Fayetteville, Rogers, —Siloam Springs, and Springdale, Arkansas, and the counties of Benton and, Washington, Arkansas, respectively, have each enacted an ordinance (collectively, the "Ordinances") authorizing the participation of each of the respective Governmental Units in such an authority (a certified copy of each of such Ordinance being filed with the Board of Directors of the Authority); and

WHEREAS, pursuant to Article XI of the Original Agreement, all amendments or modifications of the Original Agreement must be in writing.

NOW WHEREFORE, it is hereby agreed by the Governmental Units as follows:

ARTICLE I- DEFINITIONS

101. Definitions and Interpretations. (A) All defined terms contained in this Agreement shall have the same meaning, respectively, in this Agreement as such terms are given in Section 14-362-102 of the Arkansas Code, as the same may be amended from time to time.

(B) In addition, as used in this Agreement, unless the context shall otherwise require, the following terms shall have the following respective meanings:

- (1) "Act" means the Regional Airport Act, constituted as Title 14, Chapter 362 of the Arkansas Code, as amended;
- (2) "Agreement" means this Northwest Arkansas ~~Regional Airport Authority~~ National Airport ~~Second~~ Restated and Amended Agreement, as the same may from time to time be amended or supplemented;
- (3) "Authority" means the Northwest Arkansas Regional Airport Authority created in Article II hereof;
- (4) "Authorized Officer" means, with respect to the Authority, its ~~Chairman~~ Chair and any other person duly authorized by the By-laws or resolution of the Authority to perform the act or sign the document in question, and with respect to a City or Participating County, the Mayor or County Judge, respectively, and any other person duly authorized by ordinance or resolution of the Governing Body of the applicable City or Participating County to perform the act or sign the document in question;
- (5) "Board of Directors" or "Board" means the governing board of the Authority established in Section 501 hereof;
- (6) "City" means each of the Cities of Bentonville, Fayetteville, Rogers, Siloam Springs, and Springdale, Arkansas;
- (7) "Participating County" means each of the Counties of Benton and Washington, Arkansas.

Words of the masculine gender shall be deemed and construed to include correlative words of the feminine gender. Unless the context shall otherwise indicate, words importing the singular number shall include the plural number and vice versa.

The terms "hereby," "hereto," "herein," and "hereunder," and any similar terms, as used in this Agreement, refer to this Agreement.

ARTICLE II - CREATION

For the purpose of acquiring, equipping, constructing, maintaining, and operating a regional airport, and providing airport services and facilities in Northwest Arkansas, the Governmental Units, pursuant to authority granted in the Act, hereby reaffirm and re-authorize the creation and establishment of the Northwest Arkansas Regional Airport Authority.

ARTICLE III - AUTHORIZATION

The parties to the Agreement are the Governmental Units. The Governmental Units have agreed to join cooperatively in establishing the Authority and do hereby agree to the continued operation of the Authority.

ARTICLE IV - DURATION

The Authority shall have a perpetual succession. Such succession shall continue until the existence of the Authority is terminated as provided herein.

ARTICLE V - ORGANIZATION

501. The Authority shall be governed by a Board of Directors consisting of fourteen (14) members appointed by the Governmental Units. The Mayor of each City and the County Judge of each Participating County shall appoint members to the Board of Directors, each of such appointments to become effective upon ratification by a majority vote of the applicable Governing Body of such City and such Participating County. The Governmental Units shall be entitled to make the following number of appointments:

City of Bentonville	2 Members
City of Fayetteville	2 Members
City of Rogers	2 Members
City of Siloam Springs	2 Members
City of Springdale	2 Members
Benton County	2 Members
Washington County	2 Members

502. Term of Office. The terms of the Board members shall be six (6) years; provided, however, that the initial Board members, having drawn lots at the creation of the Board to provide for staggered terms, and their successors shall continue to serve as Board members as provided for in the Original Agreement.

503. Removal. A member of the Board of Directors, once qualified, shall not be removed during his or her appointment except for cause by the Governing Body which appointed said member and after a hearing before said Governing Body as required by law, conducted in accordance with the rules of administrative procedure applicable to or recognized by such Governing Body.

504. Qualifications. A member of the Board of Directors shall be a bona fide resident and qualified elector of the City or Participating County that appointed such member. A member of the Board of Directors shall be eligible for reappointment.

505. Compensation of Board members. The members of the Board of Directors shall receive no compensation, whether in the form of salary or per-diem or otherwise, for or in connection with his or her services as a Board member. The members of the Board of Directors shall be entitled to reimbursement of actual necessary travel and out-of-pocket expenses incurred on behalf of the Authority as authorized by the Board. Such expenses shall be reimbursed in accordance with procedures established by the Board of Directors.

ARTICLE VI - OFFICERS, BY-LAWS AND MEETINGS

601. Officers. (A) At the first regular meeting of each calendar year, the Board shall elect one of its members as ~~Chairman~~Chair, one as Vice ~~Chairman~~Chair, one as Secretary, and one as Treasurer. The offices of Secretary and Treasurer may be held by one person at the discretion of the Board of Directors.

(B) The ~~Chairman~~Chair, Vice ~~Chairman~~Chair, Secretary and Treasurer shall compose the Executive Committee of the Authority. -The Board of Directors may, by a two-thirds (2/3) majority vote, delegate to the Executive Committee such powers and duties as the Board may deem proper.

(C)The Board of Directors may create such committees as it deems necessary for the proper exercise of its functions. The Board shall keep a complete record of its activities and business, which shall be a public record.

602. By-laws. The Board of Directors shall adopt such By-laws for the governance of the affairs of the Authority as are not inconsistent with the provisions of this Agreement or State law.

603. Meetings. (A) The -Board of Directors shall, upon reasonable notice, meet not less than quarterly at dates, times, and places to be established by the Board. All meetings shall be open to the public as provided by State law. A meeting may be called by any Board officer or upon the direction of a majority of the members of the Board.

(B) A quorum shall consist of one half (1/2) of the total Board membership, plus one member, and no vacancy in the membership of the Authority shall restrict the rights of a quorum to exercise all the rights and privileges or the duties of the Authority.

604. Conflicts of Interest. ~~No member of the Board of Directors or any officer, employee, or agent of the Authority shall have a personal interest in any business of the Authority or in any contract with the Authority, or in any property or other assets in which the Authority is interested. No person shall be employed by the Authority who is related to a Board member or officer of the Authority by blood or marriage within the fourth degree. For purposes of this provision, any corporation or other business in which a person has a substantial interest shall be prohibited from doing business with the Authority if the owner of the substantial interest would have been so prohibited.~~

The Board of Directors shall adopt and maintain a Conflicts of Interest policy ensuring compliance with all applicable statutes and regulations applicable to members of the Board of Directors and all officers, employees, and agents of the Authority.

ARTICLE VII - PURPOSES, POWERS, AND DUTIES

701. Purposes. The purpose of the Authority shall be to acquire, equip, construct, maintain, and operate a regional airport or airports, and such auxiliary services and facilities as may be deemed desirable from time to time by the Board of Directors. "Auxiliary services and facilities" shall include, but not be limited to, any service or facility necessary or desirable for the take-off, landing, parking, and storing of aircraft; the transportation by air of persons or things; the repair and maintenance of aircraft; the loading, unloading, or handling and storing of goods, commodities, cargo, and other property; the ground transportation to, on, and from the airport or airports of the Authority; the promotion of air safety; the development of industrial potential and services in the economic interest of the trade area to be served by the Authority; and participation of the Authority in programs of air transportation. Such services and facilities may be located on the property of the Authority or by arrangement at any other location.

702. Powers and Duties. In addition to other powers and duties elsewhere conferred and imposed and acting through its duly constituted Board of Directors, the Authority shall have all powers and duties conferred and imposed by the Act. ~~In addition to the foregoing, the Authority shall specifically have the following powers and duties:~~

~~To make and adopt all necessary by laws, rules, and regulations for its organization and operations not inconsistent with law;~~

~~To elect its own officers, to appoint committees, and to employ and fix the compensation for personnel necessary for its operation;~~

~~To enter into contracts with any person, governmental department, firm, or corporation, including both public and private corporations, and generally to do any and all things necessary or convenient for the purpose of acquiring, equipping, constructing, maintaining, improving, extending, financing, and operating a public airport to best serve the region of Northwest Arkansas;~~

~~To delegate any authority given to it by law to any of its officers, committees, agents, or employees;~~

~~To apply for, receive, and use grants in aid, donations, and contributions from any source, including but not limited to, the federal government, or any agency thereof, and the State, or any agency thereof, and to accept and use bequests, devises, gifts, and donations from any person, firm, or corporation;~~

~~To acquire lands and hold title thereto in its own name;~~

~~To acquire, own, hold, lease as lessor or as lessee, sell, encumber, dispose of, or otherwise deal in and with any facilities or real, personal or mixed property, wherever located;~~

~~To borrow money and execute and deliver negotiable notes, mortgage bonds, other bonds, debentures, and other evidences of indebtedness, and give such security therefore as shall be required, including giving a mortgage or deed of trust on its airport properties and facilities in connection with the issuance of mortgage bonds;~~

~~To raise funds by the issuance and sale of revenue bonds in the manner and according to the terms set forth in State law;~~

To expend its funds in the execution of the powers and authorities given herein or by law and to invest and reinvest any of its funds pending need therefor;

To apply for, receive, and use loans, grants, donations, technical assistance, and contributions from any regional or area commissions that may be established and any agency of the federal government or the State;

To constitute the Authority, or a committee thereof, as improvement district commissioners and to create and operate an improvement district, composed of the area encompassed within the jurisdictions of the participating governing bodies, upon petition of persons claiming to be two-thirds (2/3) in value of owners of real property in the area, as shown by the last county assessment. The improvement district shall be for the purpose of financing the construction, reconstruction, or repair of the regional airport and its facilities. The creation and operation of an improvement district shall, to the extent consistent with the Act, be in accordance with the procedures established by the laws of the State for the creation and operation of municipal improvement districts;

To enforce all rules, regulations, and statutes relating to its airports, including airport compatible land use, height hazard and zoning regulations. In this connection, the Authority is empowered and authorized to exercise the powers and privileges of the Governmental Units under Section 14-263-301 et seq. of the Arkansas Code, as amended, and the Board of Directors is designated by the Governmental Units as the zoning board for the purposes and powers under such provisions;

To levy and collect a tax on aviation fuel sold at an airport or airports of the Authority as is provided for in Section 14-264-101 and 14-264-102 of the Arkansas Code, as amended;

To plan, establish, develop, construct, enlarge, improve, maintain, equip, operate, and regulate its airports and auxiliary services and facilities, and to establish minimum building codes and regulations and to protect and police the airports of the Authority, in cooperation with the law enforcement agencies and officers having jurisdiction in the area where the facilities of the Authority are located;

To levy and collect a tax, in an amount not to exceed the maximum permitted by law, on the boarding or disembarking of aircraft at the airport or airports of the Authority. The tax shall be levied upon and collected from the passengers boarding or disembarking from the aircraft of the airlines operating the aircraft, and the Authority is empowered to make reasonable classifications of passengers for such purpose;

To receive real and personal property from the United States for airport and related purposes by donation, purchase, lease or otherwise, and subject to such conditions and requirements relating thereto as the United States may require and to which the Authority may agree;

To apply to the proper authorities of the United States pursuant to appropriate law for the right to establish, operate, and maintain foreign trade zones within the area of jurisdiction of the member municipalities and/or counties and to establish, operate, and maintain such foreign trade zones;

To promote, advertise, and publicize the Authority and its facilities; provide information to shippers, operators, and other commercial interests; and to represent and promote the interests of the Authority;

ARTICLE VIII - FINANCING

801. The cost of planning and acquiring, establishing, developing, constructing, enlarging, improving, or equipping an airport or airports or facilities on the site thereof, including buildings and other facilities, may be funded in any manner not inconsistent with the Arkansas Constitution or State law, including but not limited to: the issuance of bonds, borrowing money, allocations of other available funds from whatever source; constituting the Authority, or a committee thereof, as improvement district commissioners and to create and operate an improvement district, composed of the area encompassed within the jurisdictions of the participating governing bodies, upon petition of persons claiming to be two-thirds (2/3) in value of owners of real property in the area as shown by the last county assessment; revenues derived from the operation of the airport or facilities; revenues from leases and contracts granting privileges for use of the airport or facilities; revenue from contracts conferring the privilege of supplying goods, commodities, services, or facilities at the airport; revenue from aviation fuel taxes, and gifts and grants.

802. The plan for financing and construction of the airport facilities contemplated by this Agreement is herewith presented to the Governmental Units. The Governmental Units expressly recognize that the specific improvements, conditions in the financial marketplace, marketing strategy, and other factors may affect the precise terms of such plan. Receipt by the Governmental Units of such plan shall not be deemed to constitute approval nor preclude the amendment, modification, variation or revision of the plan by the Board of Directors, so long as such amendment, modification, variation or revision imposes no liability on the Governmental Units as provided in Article IX below. The Governmental Units expressly disclaim any warranty of the Authority's financing plan.

ARTICLE IX - LIMITATION OF LIABILITY

None of the Governmental Units has herewith obligated itself to expend any of its individual funds nor has it authorized the use of its individual bonding capacity. The obligations of the Authority, including revenue bonds issued by the Authority under the Act, shall be payable from and secured by the revenues and property of the Authority, and shall not constitute a general or limited obligation of any Governmental Unit. Bonds issued by the Authority shall not constitute an indebtedness of any Governmental Unit within any constitutional or statutory limitation.

ARTICLE X - AMENDMENT

This Agreement may be modified or amended upon the unanimous written consent of all of the Governmental Units. Such consent shall be evidenced by (i) the enactment of an ordinance by the Governing bodies of each Governmental Unit approving the substance of any such modification or amendment and (ii) the duly attested manual signature of an Authorized Officer of each of the Governmental Units affixed to the amendatory document.

ARTICLE XI - TERMINATION

1101. This Agreement shall continue in full force and effect subsequent to its adoption by all the Governmental Units. Once this Agreement has been approved and executed by the Governmental Units,

this Agreement may not be terminated until the expiration of the period of any financial commitment made by the Authority and the payment, termination, or defeasance of any such bonds, notes or other obligations of the Authority payable solely from revenues of the airport or airports of the Authority.

1102. In the event the Authority shall be dissolved or for any reason the Authority shall cease to function, and no successor entity shall assume the power, duties and obligations of the Authority, upon due satisfaction of all financial debts and obligations of the Authority, the properties and assets of the Authority shall be liquidated and distributed to the Governmental Units in direct proportion to the funds contributed to the Authority by said Governmental Units, respectively. For the purposes of carrying out this provision, the Board of Directors shall appoint a Trustee, who shall be paid reasonable compensation and who shall serve until the property and assets of the Authority have been fully liquidated and distributed.

ARTICLE XII - COOPERATIVE AGREEMENT

This Agreement shall be treated as a cooperative agreement under the provisions of the Interlocal Cooperation Act, constituted as Section 25, Chapter 20 of the Arkansas Code, as amended and, further, may be treated as a formal compact pursuant to Section 14-165-201 - 14-165-204 of the Arkansas Code, as amended. The Authority may accept contributions from Governmental Units, and persons, firms or corporations.

For purposes of qualifying as an Interlocal Cooperative Agreement, this Agreement shall be submitted to the Attorney General of the State of Arkansas in accordance with Section 25-20-104(f) of the Arkansas Code, and filed with the County Clerks of Benton County and Washington County and the Secretary of State of the State of Arkansas in accordance with Sections 25-20-105(a) of the Arkansas Code.

ARTICLE XIII - AGREEMENT CONTROLLING; RATIFICATION OF PRIOR AGREEMENT AND ACTS

This Agreement constitutes a revision and restatement of the Amended Agreement and the Original Agreement between the Governmental Units that created and established the Authority, and the provisions of this Agreement shall be controlling.

The Governmental Units, by the execution of this Agreement, ratify, validate, approve, and confirm the original creation and establishment of the Authority.

ARTICLE XIV - ENTIRE AGREEMENT; DATED DATE; EFFECTIVE DATE

This writing constitutes the entire agreement between the Governmental Units. All amendments or modifications hereto must be in writing.

This Agreement shall be dated as of the date on which the last Governmental Unit executes this Agreement.

IN WITNESS WHEREOF the Governmental Units have caused this Agreement to be executed in their respective behalves on the signature dates set forth below:

CITY OF BENTONVILLE, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____

CITY OF FAYETTEVILLE, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____

CITY OF ROGERS, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____

CITY OF SILOAM SPRINGS, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____

CITY OF SPRINGDALE, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____

COUNTY OF BENTON, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____

COUNTY OF WASHINGTON, ARKANSAS, BY:

Name: _____ DATE: _____
Title: _____

ATTEST:

Name: _____ DATE: _____
Title: _____