



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, August 12, 2014 6:00 p.m.
305 SW "A" Street**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

**Tuesday, August 12, 2014 6:00 p.m.
305 SW "A" Street**

**Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: July 22, 2014**

AGENDA

1. Presentation of appreciation for community support to the City of Bentonville by the 188th Air National Guard.

2. Planning:

- 2a. **Andy and Karen Stuckey: Lot Split, Lot 1, Stuckey Subdivision, 407 North Main Street, Zoned R-1, Single Family Residential.**

(Pages 7-10)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot split Application for property located at 407 North Main Street. The proposed plat as provided indicates the creation of one lot to be known as Lot 1, Stuckey Subdivision (0.36 acres). The proposed plat also shows the dedication of additional right-of-way along North Main Street per the master street plan as well as a 20 feet utility easement along the rear of the property.

- 2b. **Dynamic Development, Inc.: Property Line Adjustment, Lots 31 and 32, Fountain Plaza Subdivision, Southeast Plaza Avenue and Southeast Fountain Boulevard, Zoned C-2, General Commercial.**

(Pages 11-14)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a property line adjustment to create two new lots from one existing lot to be known as Lot 31 (5.72 acres) and Lot 32 (1.76 acres) of the Fountain Plaza Subdivision. The plat also shows the dedication of a

right-of-way along Southeast 'C' Street per the city's Master Street Plan and the dedication of a cross access easement along the newly created lot line to allow access to both lots with only one curb cut onto Southeast Plaza Avenue.

- 2c. **Landmarc Custom Homes: Final Plat, College Place Subdivision Phase 9, Southeast 7th Street and Southeast Fullerton Street, Zoned R-1, Single Family Residential.**

(Pages 15-19)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a final plat for a 56 lot single family residential subdivision on 19 acres. The subdivision will be known as College Place Subdivision Phase 9. It will be located to the west of the existing College Place Subdivision Phase 8 and includes an extension of both Southeast 7th Street and Southeast 10th Street. A traffic circle has been installed at the intersection of Southeast 7th Street and Southeast Fullerton Street as well as Southeast 7th and Southeast Eaton Street. This phase of the subdivision will utilize an existing regional detention pond in phase 8 to address stormwater runoff. All lots are sized to meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications. All non-bondable and final inspection items have been completed.

- 2d. **Allied Bank, Thomas & Judith Terrell, Judith Phillips, Thomas & Nichole Reynolds and LB Granata Inc.: Rezoning From R-1, Single Family Residential to C-2, General Commercial, Braithwaite Park Addition (North Walton Boulevard & Northwest 14th Street).**

(Pages 20-26)

The planning commission voted 5-2 recommending approval.

The applicants have requested a rezoning from R-1, Single Family Residential to C-2, General Commercial to allow retail commercial.

- 2e. **Allied Bank, Thomas & Judith Terrell, Judith Phillips, Thomas & Nicole Reynolds, & LB Granata Inc.: Property Line Adjustment, Lots 12,13,14 & 15, Block 1, Braithwaite Park Addition, Front 350 feet bordering Walton Boulevard is C-2 and the remaining portion is R-1, Single Family Residential.**

(Pages 27-30)

The planning commission voted 7-0 recommending approval.

The applicant has submitted a property line adjustment to create four new lots from six existing lots to be known as Lot 12, (7.13 acres), Lot 13, (.70 acres), Lot 14, (.72 acres) and Lot 15, (1.08 acres) of Braithwaite Park Addition. Additional right-of-way is being dedicated along Northwest 14th & 15th Streets as well as Bella Vista Road to meet the requirements of the city's Master Street Plan as well as the dedication of utility easements for both existing and future utilities. The plat also indicates the dedication of right-of way for 60-future expansion of NW 15th Street to North Walton Boulevard.

- 2f. **Bentonville Redevelopment, LLC: Rezoning, 705 Southeast 4th Street, Existing Zoning R-3, Medium Density Residential to R-C2, Central Residential-Moderate Density.**

(Pages 31-35)

The planning commission voted 7-0 recommending approval.

The applicants have requested a rezoning from R-3 Medium Residential to R-C2, Central Residential-Moderate Density to allow for narrower lots to build single family homes. Plans are to create (4) single family lots.

3. City Council acceptance of a donation to the City of Bentonville from Walmart Stores Inc. in the amount of \$25,000.00 to purchase trees for Make a Difference Day, Friday October 24, 2014. **(Pages 36-37)**
4. An ordinance vacating a utility easement located in Lot 151 Phase 4, Wildwood Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 38-41)**
5. An ordinance vacating a utility easement located in Lots 8 & 9 Phase 3, Woods Creek South, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 42-45)**
6. An ordinance vacating a utility easement located in Lot 16 of the Bluffs Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 46-49)**
7. An ordinance vacating a utility easement located in Lot 1 Sunshine School Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 50-53)**
8. A resolution setting a public hearing for a utility easement vacation request by John and Libby Walsh located in Lot 6 Halifax Subdivision. **(Pages 54-56)**
9. A resolution setting a public hearing for August 26, 2014 for a drainage easement vacation requested by Mike Rudzik located in Lot 221 Stone Meadow Addition. **(Pages 57-59)**
10. Council approval of a resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Morrison-Shipley Engineers, Inc. to provide services to prepare a Master Plan Update for the Bentonville Municipal Airport in an amount not to exceed \$162,187.00. Services shall be in accordance with provisions of the Master Agreement executed April 12, 2011. This contract will be funded by an FAA AIP Grant and is subject to said FAA Grant award. No funds will be expended until the FAA awards the grant and a budget adjustment is approved. **(Pages 60-82)**
11. Council's approval of Mayor McCaslin's appointment of Chris Sooter as an ex-officio member of the Parks and Recreation Advisory Board. **(Pages 83-85)**
12. Parks and Recreation Staff are seeking City Council's approval of an ordinance establishing fees and charges for the Bentonville Community Center. **(Pages 86-91)**
13. Recommend Mayor and City Council award bid #14-09, Downtown Trail Extension Construction to the lowest complete bidder, General Solutions Group, as shown on the attached bid tabulation in the amount of \$99,076.80. **(Pages 92-95)**

14. An ordinance authorizing the Mayor and City Council to enter into a settlement agreement with SWEPCO concerning the changes to the Integrated Market Place dealing with purchasing power. **(Pages 96-122)**
15. An ordinance authorizing the Mayor and City Council to enter into an agreement with SWEPCO amending the Power Supply Agreement between Bentonville and SWEPCO in order to address the changes to the Integrated Market Place dealing with purchasing power. **(Pages 123-126)**
16. Council approval of a budget adjustment recognizing \$42,551.84 received from FEMA for damage that occurred during a storm that occurred on August 8th, 2013. **(Pages 127-128)**
17. Recommend the Mayor and City Council award bid for the reconstruction of the Stonehenge Fire Access Road to Dean Crowder Construction in the amount of \$94,335.00 plus a 10% contingency for a total amount of \$103,768.50. **(Pages 129-131)**

**City Council
Agenda
August 12, 2014**

Andy and Karen Stuckey: Lot Split, Lot 1, Stuckey Subdivision, 407 North Main Street, Zoned R-1, Single Family Residential.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot split Application for property located at 407 North Main Street. The proposed plat as provided indicates the creation of one lot to be known as Lot 1, Stuckey Subdivision (0.36 acres). The proposed plat also shows the dedication of additional right-of-way along North Main Street per the master street plan as well as a 20 feet utility easement along the rear of the property.

Dynamic Development, Inc.: Property Line Adjustment, Lots 31 and 32, Fountain Plaza Subdivision, Southeast Plaza Avenue and Southeast Fountain Boulevard, Zoned C-2, General Commercial.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a property line adjustment to create two new lots from one existing lot to be known as Lot 31 (5.72 acres) and Lot 32 (1.76 acres) of the Fountain Plaza Subdivision. The plat also shows the dedication of a right-of-way along Southeast 'C' Street per the city's Master Street Plan and the dedication of a cross access easement along the newly created lot line to allow access to both lots with only one curb cut onto Southeast Plaza Avenue.

Landmarc Custom Homes: Final Plat, College Place Subdivision Phase 9, Southeast 7th Street and Southeast Fullerton Street, Zoned R-1, Single Family Residential.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a final plat for a 56 lot single family residential subdivision on 19 acres. The subdivision will be known as College Place Subdivision Phase 9. It will be located to the west of the existing College Place Subdivision Phase 8 and includes an extension of both Southeast 7th Street and Southeast 10th Street. A traffic circle has been installed at the intersection of Southeast 7th Street and Southeast Fullerton Street as well as Southeast 7th and Southeast Eaton Street. This phase of the subdivision will utilize an existing regional detention pond in phase 8 to address stormwater runoff. All lots are sized to meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications. All non-bondable and final inspection items have been completed.

Allied Bank, Thomas & Judith Terrell, Judith Phillips, Thomas & Nichole Reynolds and LB Granata Inc.: Rezoning From R-1, Single Family Residential to C-2, General Commercial, Braithwaite Park Addition (North Walton Boulevard & Northwest 14th Street).

The planning commission voted 5-2 recommending approval.

The applicants have requested a rezoning from R-1, Single Family Residential to C-2, General Commercial to allow retail commercial.

Allied Bank, Thomas & Judith Terrell, Judith Phillips, Thomas & Nicole Reynolds, & LB Granata Inc.: Property Line Adjustment, Lots 12,13,14 & 15, Block 1, Braithwaite Park Addition, Front 350 feet bordering Walton Boulevard is C-2 and the remaining portion is R-1, Single Family Residential.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a property line adjustment to create four new lots from six existing lots to be known as Lot 12, (7.13 acres), Lot 13, (.70 acres), Lot 14, (.72 acres) and Lot 15, (1.08 acres) of Braithwaite Park Addition. Additional right-of-way is being dedicated along Northwest 14th & 15th Streets as well as Bella Vista Road to meet the requirements of the city's Master Street Plan as well as the dedication of utility easements for both existing and future utilities. The plat also indicates the dedication of right-of way for 60-foot future expansion of NW 15th Street to North Walton Boulevard.

Bentonville Redevelopment, LLC: Rezoning, 705 Southeast 4th Street, Existing Zoning R-3, Medium Density Residential to R-C2, Central Residential-Moderate Density.

The planning commission voted 7-0 recommending approval.

The applicants have requested a rezoning from R-3 Medium Residential to R-C2, Central Residential-Moderate Density to allow for narrower lots to build single family homes. Plans are to create (4) single family lots.

Planning Commission Staff Report
Lot Split: Lot 1, Stuckey Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 5, 2014

GENERAL INFORMATION:

Project Number: 14-05000021

Applicant: Andy and Karen Stuckey

Representative: David Platz

Requested Action: Lot Split Approval

Location: 407 North Main Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Downtown Mixed Use Residential

BACKGROUND:

The applicant has submitted a Lot split Application for property located at 407 North Main Street. The proposed plat as provided indicates the creation of one lot to be known as Lot 1, Stuckey Subdivision (0.36 acres). The proposed plat also shows the dedication of additional right-of-way along North Main Street per the master street plan as well as a 20 feet utility easement along the rear of the property.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Downtown Mixed Use Residential
South	R-1, Single Family Residential	Downtown Mixed Use Residential
East	R-1, Single Family Residential	Downtown Mixed Use Residential
West	R-1, Single Family Residential	Downtown Mixed Use Residential

STREETS

Direction	Name	Classification
North		
South		
East	North Main Street	Collector
West		

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (b) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of an existing single family residential home within a developed residential subdivision.

Drainage Report: A drainage report is not required for this lot split.

Water / Sewer: Per the G.I.S. site, water and sewer are currently in use at this location.

Waiver(s): N/A

Analysis / Conclusion: This lot split **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



1 inch = 100 feet

LOT SPLIT
ANDY & KAREN STUCKEY
STUCKEY SUBDIVISION (NEW)
407 N MAIN ST
14-05000021 ZONED R-1



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 1, STUCKEY SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lot 1, Stuckey Subdivision, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 5th day of August, 2014 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said plat on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

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

Section 1: That the lot split of Lot 1, Stuckey Subdivision, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR

Planning Commission Staff Report
Property Line Adjustment: Lots 31 and 32, Fountain Plaza Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: August 5, 2014

GENERAL INFORMATION:

Project Number: 14-07000025

Applicant: Dynamic Development, Inc.

Representative: Tom Oppenheim

Requested Action: Property Line Adjustment Approval

Location: Southeast Plaza Avenue and Southeast Fountain Boulevard

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a property line adjustment to create two new lots from one existing lot to be known as Lot 31 (5.72 acres) and Lot 32 (1.76 acres) of the Fountain Plaza Subdivision. The plat also shows the dedication of a right-of-way along Southeast 'C' Street per the city's Master Street Plan and the dedication of a cross access easement along the newly created lot line to allow access to both lots with only one curb cut onto Southeast Plaza Avenue.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial	Commercial
South	C-2, General Commercial	Commercial
East	C-2, General Commercial	Commercial
West	C-2, General Commercial	Commercial

STREETS

Direction	Name	Classification
North		
South	Southeast Plaza Avenue	Local
East	Southeast Fountain Boulevard	Local
West		

TRAFFIC FINDINGS

- (c) Traffic data for the nearest intersections are as follows: N/A.
- (d) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is currently a vacant lot in a developed commercial area.

Drainage Report: A drainage report is not required for this property line adjustment.

Water / Sewer: Per the G.I.S. site, water and sewer currently in use on site.

Waiver(s): N/A

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOTS 31 AND 32, FOUNTAIN PLAZA SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lots 31 and 32, Fountain Plaza Subdivision, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 5th day of August, 2014 and

WHEREAS, said property line adjustment is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said property line adjustment should be approved.

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

Section 1: That the property line adjustment of Lots 31 and 32, Fountain Plaza Subdivision, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR

Planning Commission Staff Report
Final Plat: College Place Subdivision Phase 9

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 5, 2014

GENERAL INFORMATION:

Project Number: 14-03000002

Applicant: Landmarc Custom Homes

Representative: Ken Booth (Sand Creek Engineering)

Requested Action: Final Plat Approval

Location: Southeast 7th Street and Southeast Fullerton Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Medium Density Residential

BACKGROUND:

The applicant has submitted a final plat for a 56 lot single family residential subdivision on 19 acres. The subdivision will be known as College Place Subdivision Phase 9. It will be located to the west of the existing College Place Subdivision Phase 8 and includes an extension of both Southeast 7th Street and Southeast 10th Street. A traffic circle has been installed at the intersection of Southeast 7th Street and Southeast Fullerton Street as well as Southeast 7th and Southeast Eaton Street. This phase of the subdivision will utilize an existing regional detention pond in phase 8 to address stormwater runoff. All lots are sized to meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications. All non-bondable and final inspection items have been completed.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Medium Density Residential
South	R-1, Single Family Residential	Medium Density Residential
East	R-1, Single Family Residential	Medium Density Residential
West	R-1, Single Family Residential	Medium Density Residential

STREETS

Direction	Name	Classification
North	Southeast Fullerton Street	Local
South		
East	Southeast 7 th Street/Southeast 10 th Street	Local
West		

TRAFFIC FINDINGS

- (e) Traffic data for the nearest intersections are as follows: N/A
- (b) Traffic summary software predicts the additional traffic for this project is: N/A

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat
2. All technical review comments must be addressed before building permits are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is comprised of currently vacant lots in a developing residential subdivision.

Drainage Report: A drainage report is not required at the time of final platting.

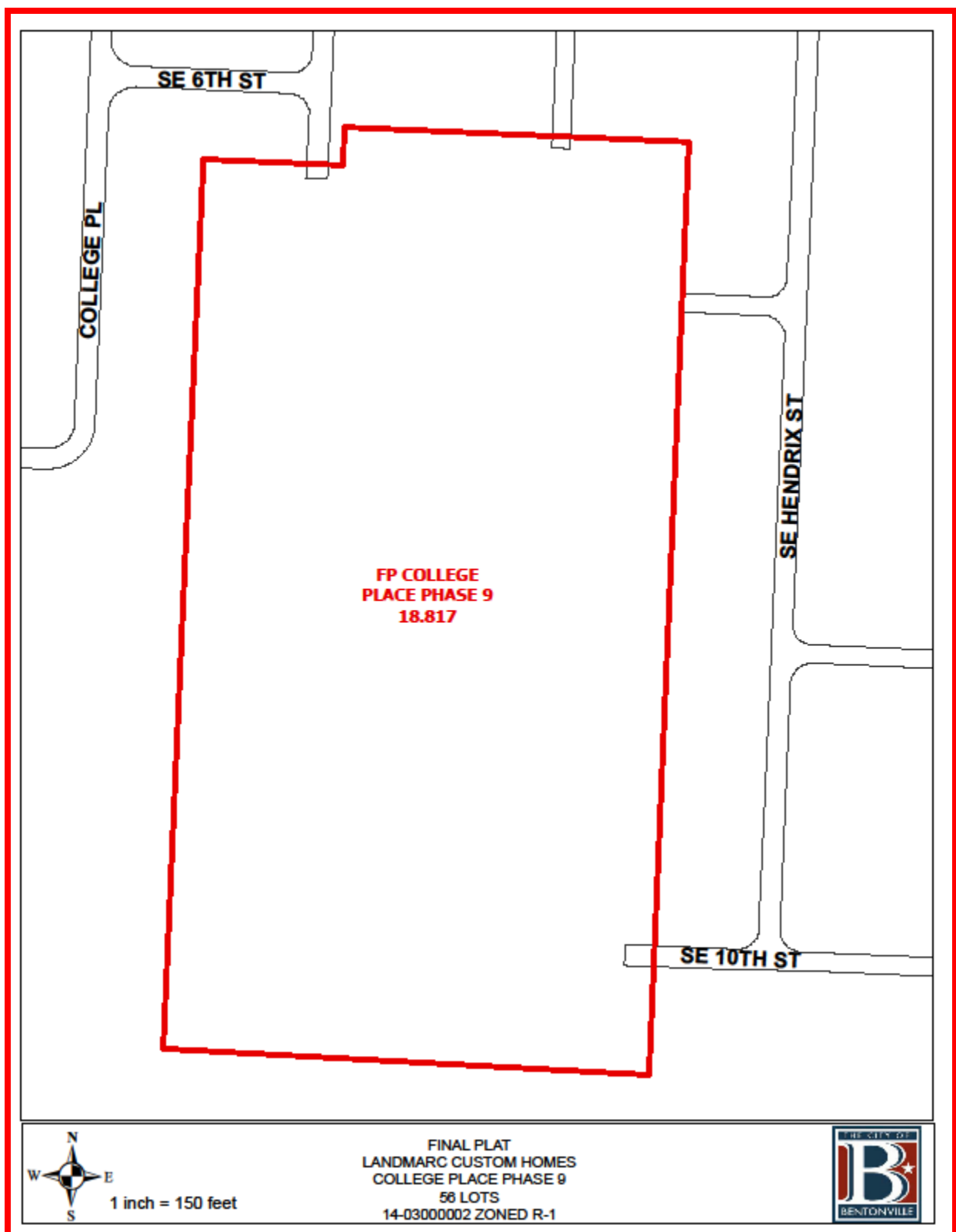
Water / Sewer: Per the G.I.S. site, water and sewer **ARE** available to this subdivision.

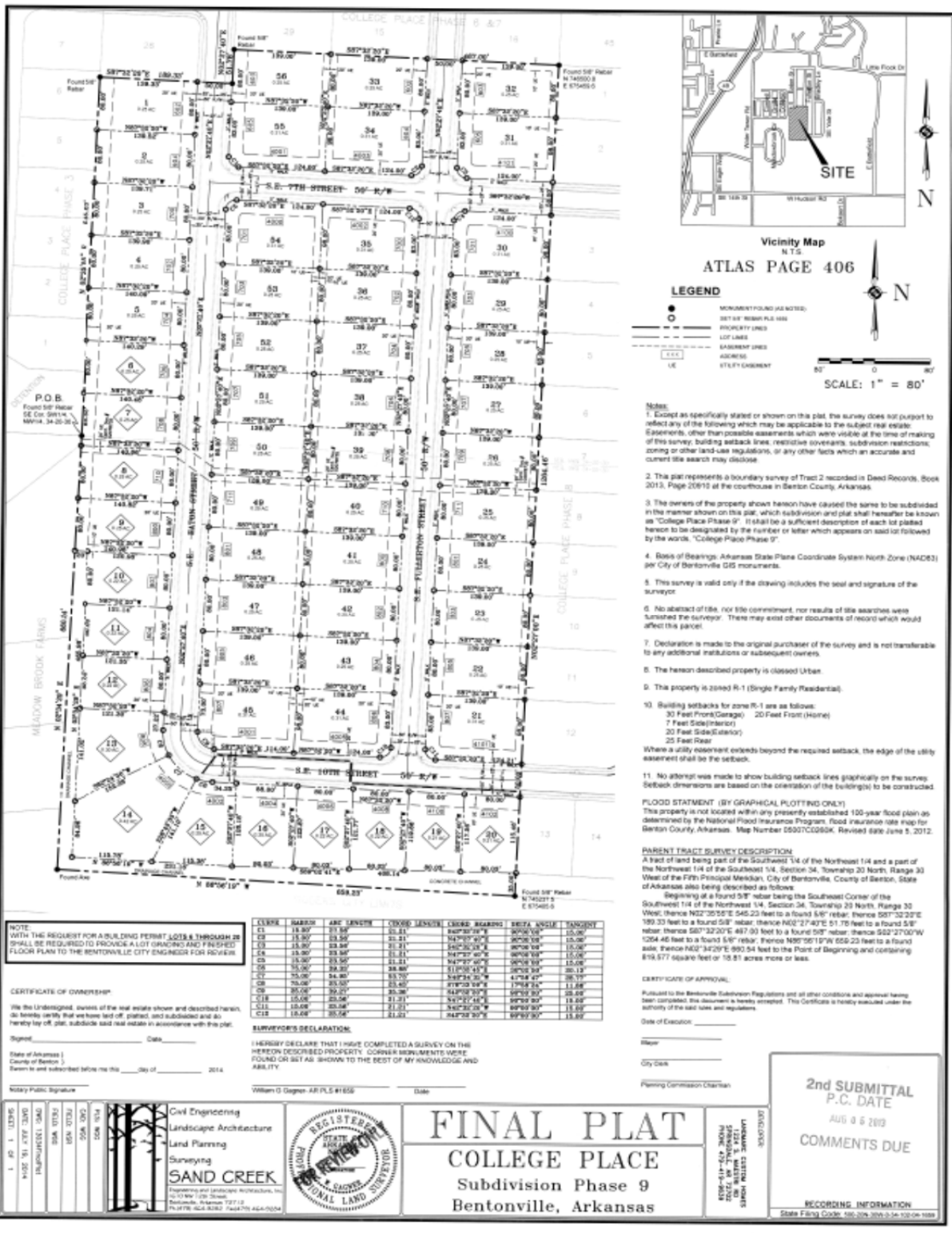
Waiver(s): N/A

Analysis / Conclusion: This final plat **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.





NOTE: WITH THE REQUEST FOR A BUILDING PERMIT, LOTS 8 THROUGH 18 SHALL BE REQUIRED TO PROVIDE A LOT GRADING AND FINISHED FLOOR PLAN TO THE BENTONVILLE CITY ENGINEER FOR REVIEW.

CERTIFICATE OF COMPLETION
We, the undersigned, survey of the real estate shown and described herein, do hereby certify that we have laid off, plotted, and subdivided and do hereby lay off, plot, subdivide said real estate in accordance with this plat.
Signed: _____ Date: _____
(Date of Arkansas) _____
County of Benton }
Benton is and subscribed before me this _____ day of _____, 2014.

LOT	AREA	ACREAGE	PERCENT	BEARING	FEET	ANGLE	TANGENT
1	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
2	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
3	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
4	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
5	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
6	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
7	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
8	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
9	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
10	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
11	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
12	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
13	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
14	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
15	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
16	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
17	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00
18	18.80	0.43	23.81	S89°30'00"W	30.00	15.00	15.00

SURVEYOR'S DECLARATION:
I HEREBY DECLARE THAT I HAVE COMPLETED A SURVEY ON THE HEREIN DESCRIBED PROPERTY. CORNER MONUMENTS WERE FOUND OR SET AS SHOWN TO THE BEST OF MY KNOWLEDGE AND ABILITY.
William G. Ogden - AR PLS #1658 Date: _____

CERTIFICATE OF APPROVAL:
Pursuant to the Bentonville Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.
Date of Execution: _____
Mayor: _____
City Clerk: _____
Planning Commission Chairman: _____

Civil Engineering
Land Planning
Surveying
SAND CREEK
Engineering and Land Planning Solutions, Inc.
4010 NW 12th Street
Bentonville, Arkansas 72712
PL 0776 064 0002 7662770 464-0004



FINAL PLAT

COLLEGE PLACE

Subdivision Phase 9
Bentonville, Arkansas

AR 064-064-0002
STATE OF ARKANSAS
SURVEYOR

2nd SUBMITTAL
P.C. DATE
AUG 8 2013
COMMENTS DUE

RECORDING INFORMATION
State Filing Code: 99-009-000-0-0-100-00-000

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF COLLEGE PLACE SUBDIVISION PHASE 9, TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the final plat of College Place Subdivision Phase 9, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 5th day of August, 2014 and

WHEREAS, said final plat is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said final plat on the date stated and at other times, and voted to recommend the approval of said final plat to the City Council; and

WHEREAS, the final plat of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said final plat should be approved.

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

Section 1: That the final plat of College Place Subdivision Phase 9, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



PC Meeting of: July 15, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Allied Bank, Terrell, Reynolds & LB Granata, Inc., R-1, Single Family Residential to C-2, General Commercial

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: July 15, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000018

Applicant/Current Owner: Allied Bank (parcel #'s 01-01522-000, & 01-01520-000,) Thomas & Judith Terrell (parcel #'s 01-01523-000, 01-01521-000, 01-01518-001), Judith Phillips (parcel # 01-01523-001), Thomas & Nicole Reynolds (parcel # 01-01517-000), LB Granata Inc. (parcel # 01—1519-000)

Representative: Stephen Giles

Requested Action: Rezoning

Location: Braithwaite Park Addition (North Walton Boulevard & Northwest 14th Street)

Existing Zoning: Front 350 feet bordering Walton Boulevard is C-2 and the remaining portion is R-1, Single Family Residential

Proposed Zoning: All to C-2, General Commercial

Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is currently the site of the old bowling alley and is unoccupied.

Previous Rezoning Requests for this Property: There are no known rezoning requests for this property

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant/Commercial	C-2, General Commercial and R-MPH, Manufactured Home Residential	Commercial
South	Single Family Residential	C-2, General Commercial & R-1, Single Family Residential	Commercial & Low Density Residential
East	Single Family Residential	R-1, Single Family Residential	Low Density Residential
West	Vacant	C-2, General Commercial	Commercial

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Northwest 15 th Street	Local	2 lane
South	Northwest 14 th Street	Local	2 lane
East	-	-	-
West	North Walton Boulevard	Arterial	4 lanes with center turn lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **June 30, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **June 28, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 30, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

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

Finding(s) of Staff: **The intent of the General plan and the Future Land Use Map is to create activity and commercial corridors along major arterial corridors. Walton Boulevard (State Highway 71B). This portion of Walton Boulevard is a commercial corridor and allows the vehicular traffic that utilize it, as well as the neighborhoods that border it, means to obtain goods and utilize services in the Northwest part of the city.**

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

Finding(s) of Staff: **The proposed zoning does have the potential to cause an adverse effect on current traffic danger and congestion. The impact on traffic conditions will be assessed at the time of development and improvements will be provided as needed to alleviate concerns.**

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

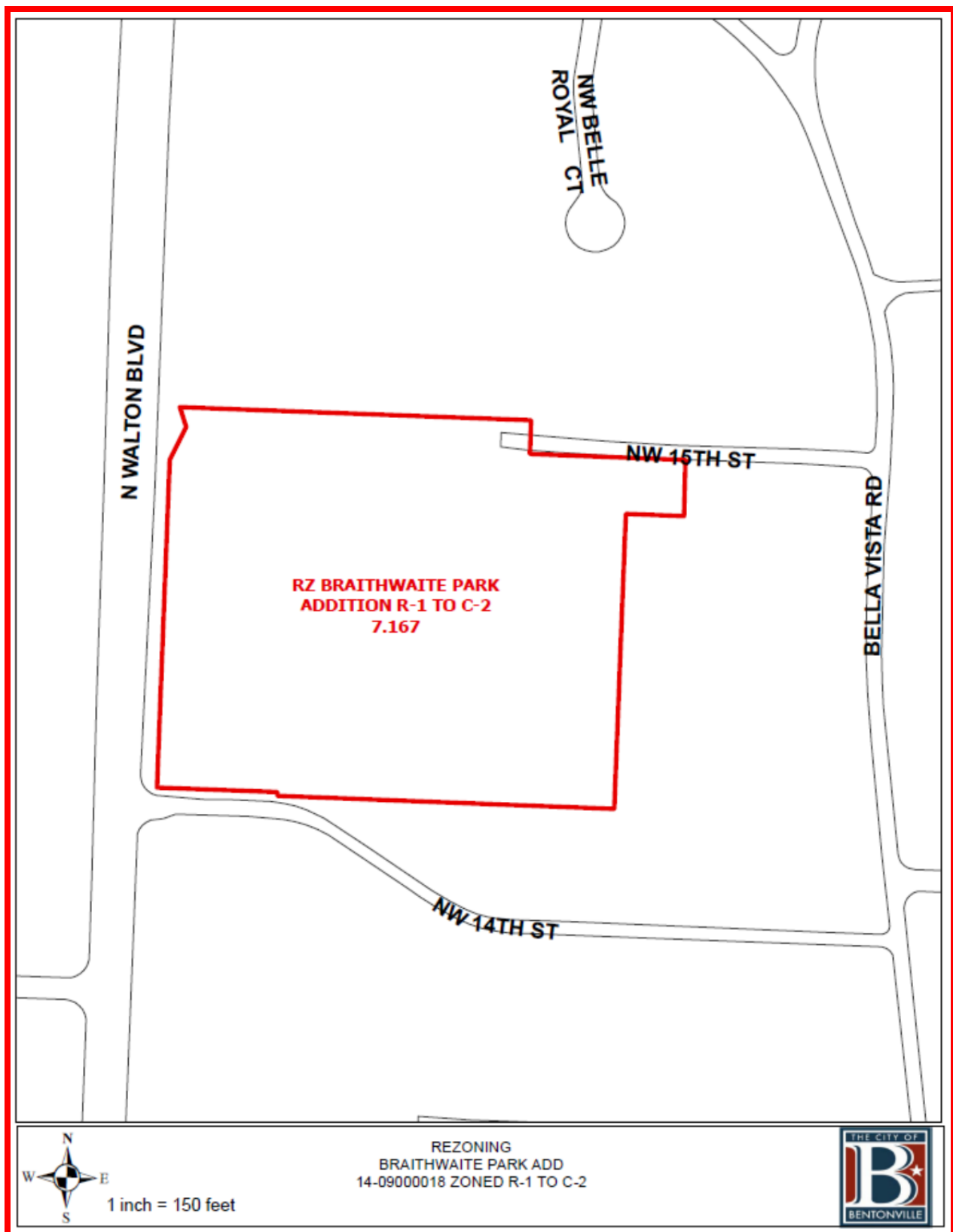
Finding(s) of Staff: **Water and sewer are available at this location. Pressure and capacity is adequate for the scope of the project.**

ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as commercial.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** this item.



The Law Firm of
Stephen R. Giles
A Professional Association

Telephone
(501) 687-0836

425 West Capitol Avenue
Suite 3200
Little Rock, Arkansas 72201-3469
E-mail: sgiles@gileslaw.net

Facsimile
(501) 374-5092

June 6, 2014

Mr. Troy Galloway, AICP
Community Development Director
305 Southwest A Street
Bentonville, AR 72712

Re: Rezoning of Land on North Walton Boulevard

Dear Mr. Galloway:

I am the agent of the various owners of property who have petitioned for rezoning of their property on North Walton Boulevard and N.W. 14th Street in the City of Bentonville. The current zoning of the tracts requested in this application consist of R-1 Residential. The owners request the property to be rezoned to allow retail commercial use pursuant to the C-2 General Commercial zoning classification of the Bentonville Zoning Code.

Much of the property is to be used for retail development is occupied by the current bowling alley at that location. Portions of other properties that require rezoning will be assembled for a retail commercial development. The project will be designed in such a way as to minimize any potential impacts on the surrounding properties at this location. Traffic to and from the retail development will be on North Walton Boulevard and will not interfere with the surrounding neighborhood. Signage will be in accordance with the Bentonville sign code provisions and the appearance will be attractive and in conformance with modern retail buildings which have been developed in the City of Bentonville. Water and sewer is available at the site.

We look forward to working with staff, the Bentonville Planning Commission and the City Council on this rezoning. If you have any questions or need additional information, please do not hesitate to contact me. Tom Burry of CBI Engineers will also be working on the project with me. As always, thank you for your consideration.

Kindest regards,



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO C-2, GENERAL COMMERCIAL.

WHEREAS, Allied Bank, Thomas & Judith Terrell, Judith Phillips, Thomas & Nicole Reynolds and LB Granata Inc., duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to C-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

A part of Lot Four (4) B, Block One (1) of the Replat of part of Lot Four (4), Block One (1), Braithwaite Park Addition to the City of Bentonville, Benton County, Arkansas, as recorded in Plat Book 13, Page 58; a part of Lot Five (5), Block One (1), Braithwaite Park Addition to the City of Bentonville, Benton County, Arkansas, as recorded in Plat Book "N", Page 37; Lots Eight (8) and Nine (9) of the Replat of Lots Three (3) and Four (4), Block One (1), Braithwaite Park Addition to the City of Bentonville, Benton County, Arkansas, as recorded in Plat Book 7, Page 232; Tracts One (1) and Two (2) of the Replat of a Part of Lot Five (5), Block One (1), Braithwaite Park Addition to the City of Bentonville, Benton County, Arkansas, as recorded in Plat Book "P2", Page 474; and Lots Five (5) A and Five (5) B, Block One (1), of the Replat of Lot Five (5), Block One (1), Braithwaite Park Addition to the City of Bentonville, Benton County, Arkansas, as recorded in Plat Book 7, Page 4, being more particularly described as follows:

Commencing at the Northeast Corner of Lot Four (4) A, Block One (1) Braithwaite Park Addition, as recorded in Plat Book 13, Page 58; thence North 87°50'27" West, a distance of 306.27 feet to the Point of Beginning; Thence South 02°18'04" West, a distance of 295.03 feet; Thence North 87°42'08" West, a distance of 219.03 feet to a 5/8" Rebar at the Southeast Corner of aforementioned Lot Nine (9); Thence along the South boundary thereof, North 87°49'54" West, crossing a 1/2" Rebar at a distance of 155.79 feet, and continuing for a total distance of 230.71 feet; Thence North 02°10'06" East, a distance of 5.00 feet; Thence North 87°49'54" West, a distance of 160.72 feet to the Southwest Corner of said Lot Eight (8) and the Easterly Right-of-Way of U.S. Hwy. 71, a.k.a. N Walton Blvd., per AHTD Job #9668; Thence along said Easterly Right-of-Way, North 2°14'17" East, crossing a 5/8" Rebar at the Northwest Corner of said Lot Eight (8) at a distance of 289.43 feet, and continuing for a total distance of 437.90 feet; Thence North 26°12'02" East, a distance of 49.24 feet; Thence North 17°44'42" West, a distance of 27.52 feet to the North boundary of aforementioned Lot Five (5); Thence along the said North

boundary thereof, South 87°53'03" East, crossing a 5/8" Rebar at a distance of 298.24 feet, and continuing for a total distance of 468.69 feet to the Northwest Corner of aforementioned Tract One (1) of the Replat of a Part of Lot Five (5); Thence along the East boundary thereof, South 1°39'55" West, a distance of 44.88 feet to the Northwest Corner of aforementioned Lot Five (5) A; Thence along the North boundary thereof, South 87°41'56" East, a distance of 207.86 feet to the Northeast Corner of aforementioned Lot Five (5) B; Thence along the East boundary thereof, South 1°35'53" West, a distance of 75.01 feet; Thence North 87°41'56" West, a distance of 77.53 feet; Thence South 02°18'04" West, a distance of 99.48 feet to the Point of Beginning, and containing 312,194 Square Feet or 7.17 Acres, more or less.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 5th day of August 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to C-2 property;

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

Section 1: That the above described real property is hereby changed from its present classification to C-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR

Planning Commission Staff Report
Property Line Adjustment: Lots 12, 13, 14 & 15, Block 1, Braithwaite Park Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: July 15, 2014

GENERAL INFORMATION:

H.T.E. Project Number: 14-07000021

Applicant/Current Owner: Allied Bank (parcel #'s 01-01522-000, & 01-01520-000,) Thomas & Judith Terrell (parcel #'s 01-01523-000, 01-01521-000, 01-01518-001), Judith Phillips (parcel # 01-01523-001), Thomas & Nicole Reynolds (parcel # 01-01517-000), LB Granata Inc. (parcel # 01—1519-000)

Representative: Stephen Giles

Requested Action: Property Line Adjustment Approval

Location: North Walton Boulevard & Northwest 14th Street

Existing Zoning: Front 350 feet bordering Walton Boulevard is C-2 and the remaining portion is R-1, Single Family Residential

Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a property line adjustment to create four new lots from six existing lots to be known as Lot 12, (7.13 acres), Lot 13, (.70 acres), Lot 14, (.72 acres) and Lot 15, (1.08 acres) of Braithwaite Park Addition. Additional right-of-way is being dedicated along Northwest 14th & 15th Streets as well as Bella Vista Road to meet the requirements of the city's Master Street Plan as well as the dedication of utility easements for both existing and future utilities. The plat also indicates the dedication of right-of way for future expansion of NW 15th Street to North Walton Boulevard.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial and R-MPH, Manufactured Home Residential	Commercial
South	C-2, General Commercial & R-1, Single Family Residential	Commercial & Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	C-2, General Commercial	Commercial

STREETS

Direction	Name	Classification
North	Northwest 15 th Street	Local
South	Northwest 14 th Street	Local
East	-	-
West	North Walton Boulevard	Arterial

TRAFFIC FINDINGS

- (f) Traffic data for the nearest intersections are as follows: N/A.
- (g) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently the site of the old bowling alley and is unoccupied.

Drainage Report: A drainage report is not required for this property line adjustment.

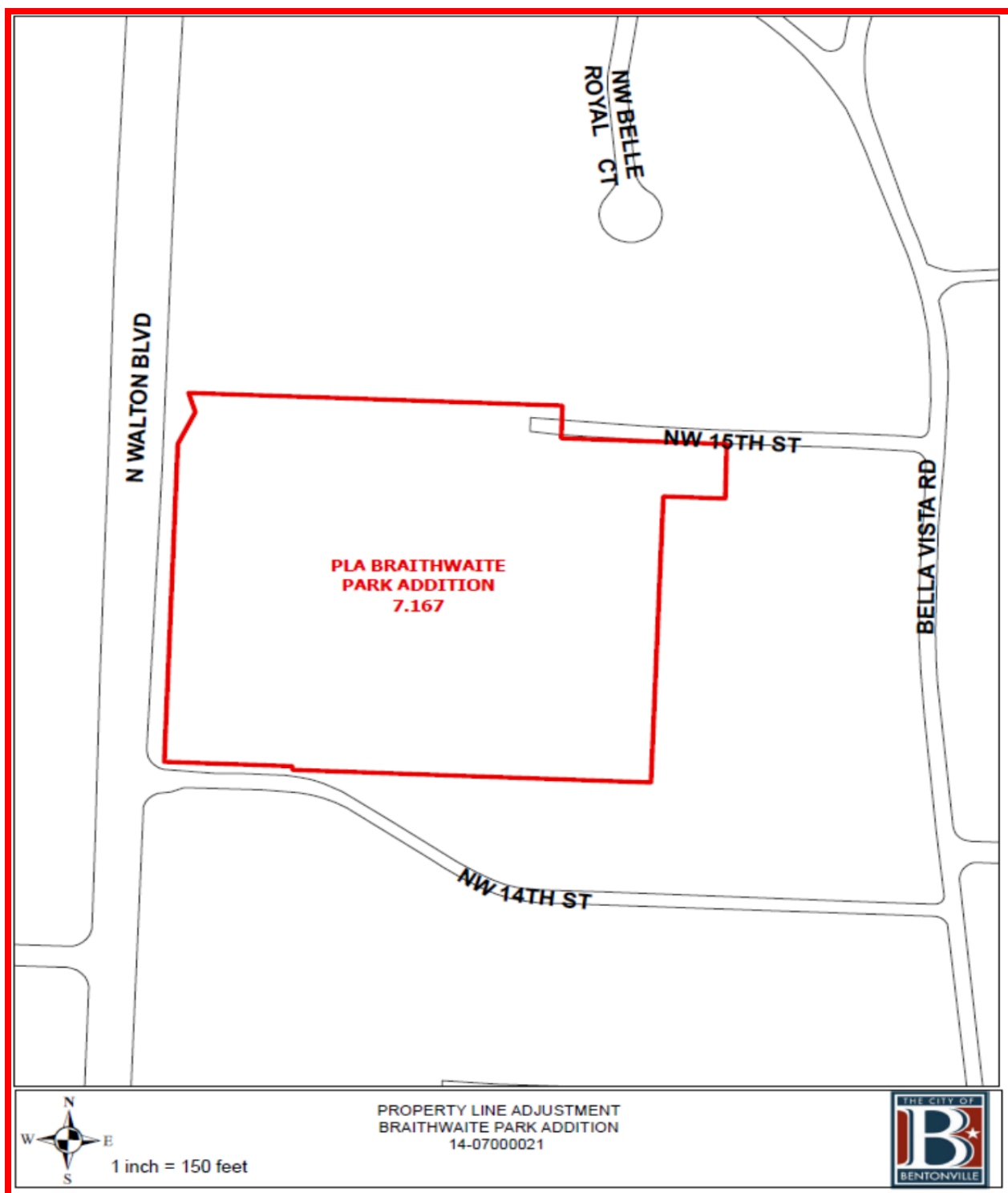
Water / Sewer: Per the G.I.S. site, water and sewer are available at this location.

Waiver(s): There are no waiver request for this project.

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends this item be **APPROVED** at the request of the applicant.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 12,13,14 & 15, BLOCK 1, BRAITHWAITE PARK ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 12,13,14 & 15, Block 1, Braithwaite Park Addition, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 5th day of August, 2014 and

WHEREAS, said property line adjustment is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said property line adjustment should be approved.

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

Section 1: That the property line adjustment of Lot 12, 13, 14 & 15, Block 1, Braithwaite Park Addition, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



PC Meeting of: August 5, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Bentonville Redevelopment, LLC (R-3, Medium Density Residential to R-C2, Central Residential – Moderate Density)

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: August 5, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000019
Applicant/Current Owner: Bentonville Redevelopment, LLC
Representative: Joseph Thompson
Requested Action: Rezoning
Location: 705 Southeast 4th Street
Existing Zoning: R-3, Medium Density Residential
Proposed Zoning: R-C2, Central Residential – Moderate Density
Future Land Use Map Designation: Medium Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is currently the site of a single family dwelling in a medium density residential area.

Previous Rezoning Requests for this Property: This property was rezoned on June 4, 2013 from R-1, Single Family Residential to R-3, Medium Density Residential. ORD. NO. 2013-54

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Dwelling	R-1, Single Residential Family	Medium Density Residential
South	Single Family Dwelling	R-1, Single Residential Family	Medium Density Residential
East	Single Family Dwelling	R-1, Single Residential Family	Medium Density Residential
West	Two Duplexes	R-1, Single Residential Family	Medium Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South	Southeast 4 th Street	Local	2 lane asphalt - Good
East	Southeast 'G' Street	Local	2 lane asphalt - Good
West			

LEGAL NOTIFICATIONS

Public Notice: On **July 3, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **July 3, 2014**. In addition, staff posted a notice of public hearing sign on the property on **July 14, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

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

Finding(s) of Staff: According to Policy LU-16 Infill Development of the General Plan "The City shall encourage the development of mixed-use and residential projects with in the downtown area to increase the community's housing stock and to enhance the vitality of downtown businesses. Policy LU-23 Housing Types states "the City should encourage the development of a mix of housing types to the meet the needs of residents...". The proposed rezoning will meet the intent of both policies therefore the request is consistent with good land use planning and the general plan.

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

Finding(s) of Staff: The proposed rezoning will not create an increase to traffic in the area.

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

Finding(s) of Staff: The proposed zoning will not adversely impact the public infrastructure. Water and sewer are available at this location. Emergency services are adequate at this location.

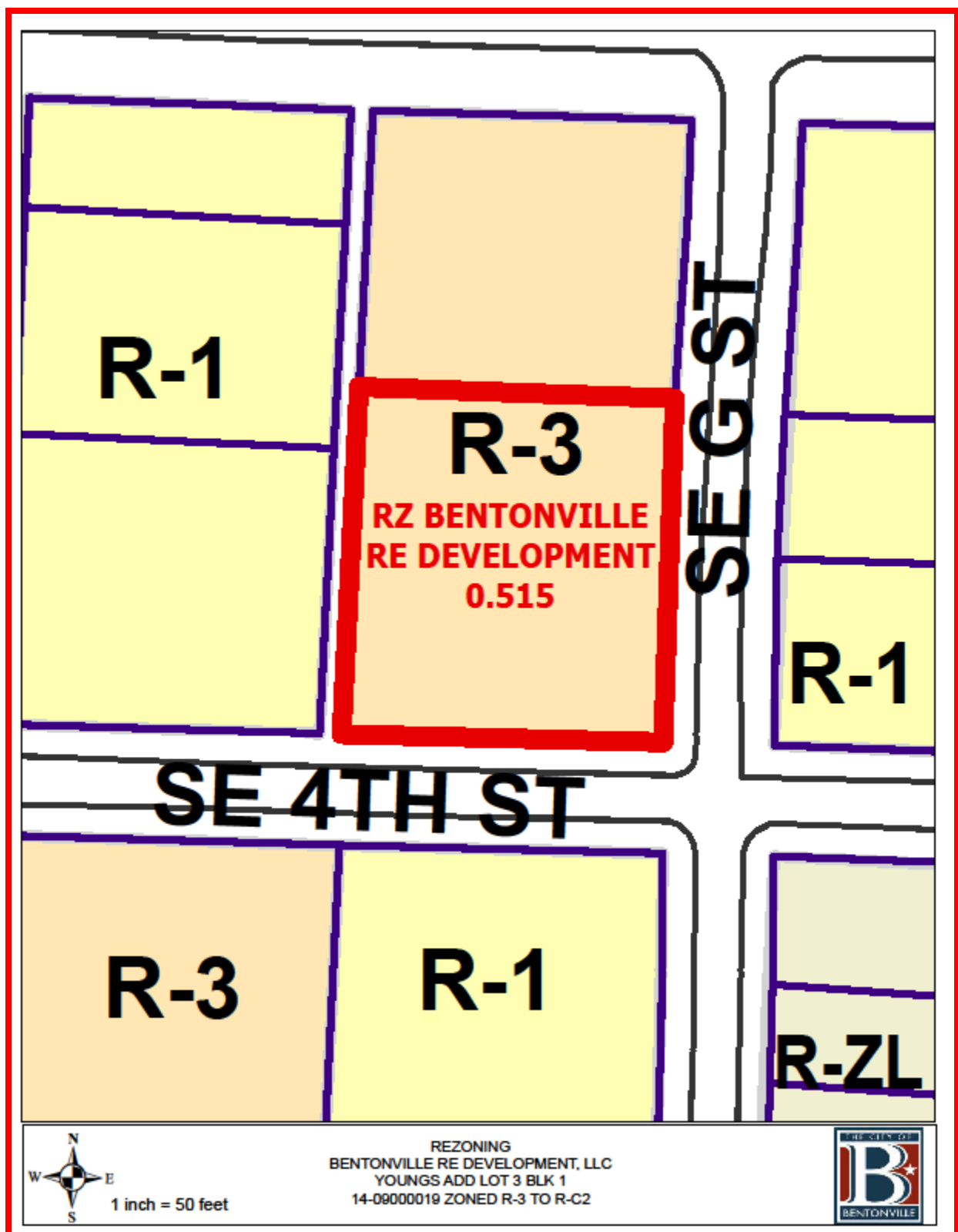
ANALYSIS, CONCLUSION, & SUMMARY

The RC-2 zoning district will increase density to the downtown while providing consistent housing types with adjoining property. The additional density will further increase the validity of downtown businesses without adversely impacting city infrastructure.

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Medium Density Residential.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-1 Single Family Residential** to **RC-2, Central**



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-C2, CENTRAL RESIDENTIAL-MODERATE DENSITY.

WHEREAS, Bentonville Redevelopment, LLC., duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-C2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

Lot 3, Block 1, Young's Addition to the City of Bentonville, Arkansas.

More commonly known as 705 Southeast 4th Street, Bentonville AR

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 5th day of August 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-C2 property;

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

Section 1: That the above described real property is hereby changed from its present classification to R-C2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



CHECK ALL THAT APPLY			
	Bid Award	Bid #	
X	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
X	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Troy Galloway

Department: Planning

Phone: 479-271-3122

ACTION REQUIRED:

City council acceptance of a donation to the City of Bentonville from Wal-Mart Stores, Inc. in the amount of \$25,000 to purchase trees for Make a Difference Day, Friday Oct 24, 2014.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

7/14/14
Date

Staff Attorney

Date

Purchasing Agent

Date

Mayor

8/6/14
Date

Finance Director

8-7-14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE







CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

An ordinance vacating a utility easement located in Lot 151 Phase 4, Wildwood Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: TWP Date: 7/24/14

Purchasing Agent: _____ Date: _____

Finance Director: MC Date: 8/7/14

Staff Attorney: CT Date: 7/31/14
Mayor: BM Date: 8/07/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



ORDINANCE NO _____

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN LOT 151 PHASE 4, WILDWOOD SUBDIVISION, TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS.

WHEREAS, a petition was filed by Russell Schilb, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

From NE corner of LOT 151 of Wildwood Subdivision Ph4 S2d27'1"w 15', thence N87-32-59w 7' to a point of beginning.

From POB N87-32-59w 129.03', S2-16-13w 5', S87-32-59E 129.03', Thence N2-27-1E 5' to the POB.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

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

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

From NE corner of LOT 151 of Wildwood Subdivision Ph4 S2d27'1"w 15', thence N87-32-59w 7' to a point of beginning.

From POB N87-32-59w 129.03', S2-16-13w 5', S87-32-59E 129.03', Thence N2-27-1E 5' to the POB.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2014, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

An ordinance vacating a utility easement located in Lots 8 & 9, Phase 3 of Woods Creek South, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	
Budget Adjustment	
Remaining After Adjustment	\$

Department Head: TSM Date: 7/24/14

Staff Attorney: CT Date: 7/31/14

Purchasing Agent: _____ Date: _____

Mayor: BPM Date: 8/6/14

Finance Director: DN Date: 8/7/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



ORDINANCE NO _____

**AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN LOTS 8 & 9
PHASE 3 of WOODS CREEK SOUTH, TO THE CITY OF BENTONVILLE,
ARKANSAS, BENTON COUNTY ARKANSAS.**

WHEREAS, a petition was filed by Kevin Sedlacek, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

Part of Lots 8 and 9 of Woods Creek South, Phase 3, City of Bentonville, Benton County, Arkansas, as shown in Plat Book 2010, Page 93 of the Benton County Records, and being more particularly described as:

Commencing at the SW Corner of said Lot 8, thence N69°39'47" E 92.86 feet, thence N15°16'38" W 15.06 feet to the Point of Beginning, thence N15°16'38" W 120.16 feet, thence along a curve to the left, said curve having a radius of 295.00 feet, an arc length of 15.67 feet, a central angle of 03°02'33", and a chord bearing and distance of S88°32'16" E 15.66 Feet, thence S15°16'38" E 114.32, thence S69°39'47" W 15.06 feet to the Point of Beginning, containing 1,757.47 square feet.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

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

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

Part of Lots 8 and 9 of Woods Creek South, Phase 3, City of Bentonville, Benton County, Arkansas, as shown in Plat Book 2010, Page 93 of the Benton County Records, and being more particularly described as:

Commencing at the SW Corner of said Lot 8, thence N69°39'47" E 92.86 feet, thence N15°16'38" W 15.06 feet to the Point of Beginning, thence N15°16'38" W 120.16 feet,

thence along a curve to the left, said curve having a radius of 295.00 feet, an arc length of 15.67 feet, a central angle of 03°02'33", and a chord bearing and distance of S88°32'16" E 15.66 Feet, thence S15°16'38" E 114.32, thence S69°39'47" W 15.06 feet to the Point of Beginning, containing 1,757.47 square feet.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2014, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

An ordinance vacating a utility easement located in Lot 16 of the Bluffs Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: TWM Date: 7/24/14

Staff Attorney: CT Date: 7/31/14

Purchasing Agent: _____ Date: _____

Mayor: ROM Date: 8/07/14

Finance Director: M Date: 8/7/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



ORDINANCE NO _____

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN LOT 16 OF THE BLUFFS SUBDIVISION, TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS.

WHEREAS, a petition was filed by Rafael Colberg, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

Located in a part of Lot 16 of The Bluffs Subdivision in Bentonville, Benton County, Arkansas, more precisely described as follows:

Starting at a set MAG nail at the Southwest Corner of Lot 16; thence along the South line of Lot 16, South 71 degrees 32 minutes 56 seconds East, 51.57 feet; thence along the existing building setback, utility & drainage easement line, North 32 degrees, 38 minutes, 39 seconds East, 96.42 feet to the true POINT OF BEGINNING; thence along the proposed easement release area the following courses: North 5 degrees, 21 minutes, 21 seconds West, 3.00 feet; thence parallel to the existing building setback, utility & drainage easement, North 32 degrees, 38 minutes, 39 seconds East, 25.00 feet; thence South 57 degrees, 21 minutes, 21 seconds East, 3.00 feet; thence along the existing building setback, utility & drainage easement, South 32 degrees, 38 minutes, 39 seconds, West, 25.00 feet to the true POINT OF BEGINNING containing 0.002 acres more or less.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

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

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

Located in a part of Lot 16 of The Bluffs Subdivision in Bentonville, Benton County,

Arkansas, more precisely described as follows:

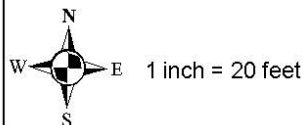
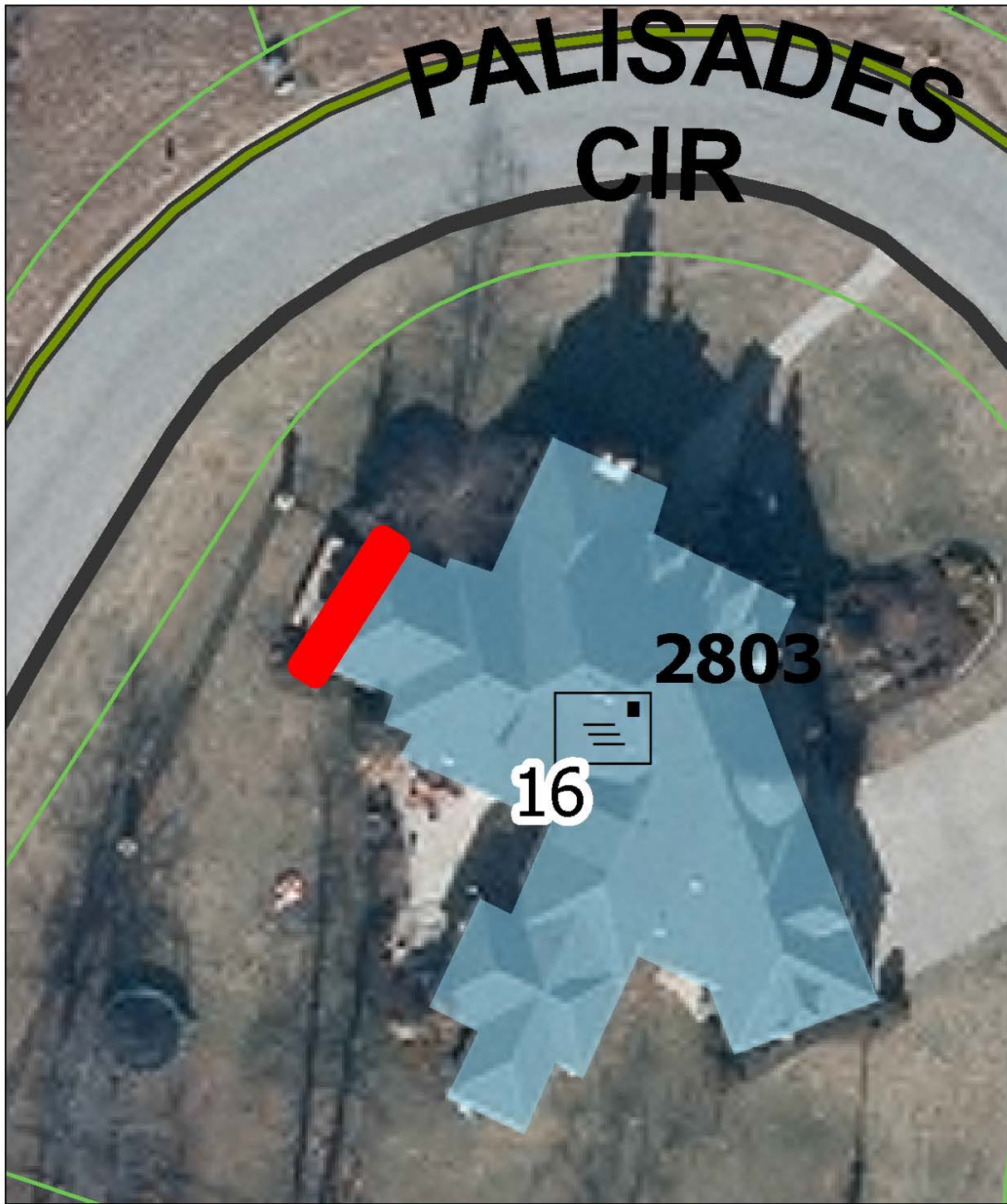
Starting at a set MAG nail at the Southwest Corner of Lot 16; thence along the South line of Lot 16, South 71 degrees 32 minutes 56 seconds East, 51.57 feet; thence along the existing building setback, utility & drainage easement line, North 32 degrees, 38 minutes, 39 seconds East, 96.42 feet to the true POINT OF BEGINNING; thence along the proposed easement release area the following courses: North 5 degrees, 21 minutes, 21 seconds West, 3.00 feet; thence parallel to the existing building setback, utility & drainage easement, North 32 degrees, 38 minutes, 39 seconds East, 25.00 feet; thence South 57 degrees, 21 minutes, 21 seconds East, 3.00 feet; thence along the existing building setback, utility & drainage easement, South 32 degrees, 38 minutes, 39 seconds, West, 25.00 feet to the true POINT OF BEGINNING containing 0.002 acres more or less.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2014, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**



Utility Easement Vacation
2803 Palisades Cir
Lot 16 The Bluffs Subdivision
75 Square Feet





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

An ordinance vacating a utility easement located in Lot 1 Sunshine School Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: TWP Date: 7/24/14

Staff Attorney: CT Date: 7/31/14

Purchasing Agent: _____ Date: _____

Mayor: FBM Date: 8/07/14

Finance Director: TR Date: 8/11/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



ORDINANCE NO _____

**AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN LOT 1
SUNSHINE SCHOOL SUBDIVISION, TO THE CITY OF BENTONVILLE,
ARKANSAS, BENTON COUNTY ARKANSAS.**

WHEREAS, a petition was filed by Alan Cole, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

Part of Lot 1, Sunshine School Subdivision, City of Bentonville, Benton County, Arkansas as shown in Plat Book 2004, Page 735 of the Benton County Records, and being more particularly described as:

Commencing at the NW Corner of said Lot 1, thence S87°28'27"W 46.63 feet to the point of the beginning, thence S87°28'27"E 383.30 Feet, thence S02°58'25"W 15.00 Feet, thence N87°28'27"W 394.81 Feet, thence N40°18'46"E 18.98 Feet to the POINT OF BEGINNING, containing 5,834.85 square feet or 0.13 acres, more or less.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

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

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

Part of Lot 126 of Chapel Hill, City of Bentonville, Benton County, Arkansas, as shown in Plat Book 2004, Page 1269 of the Benton County Records, and being more particularly described as:

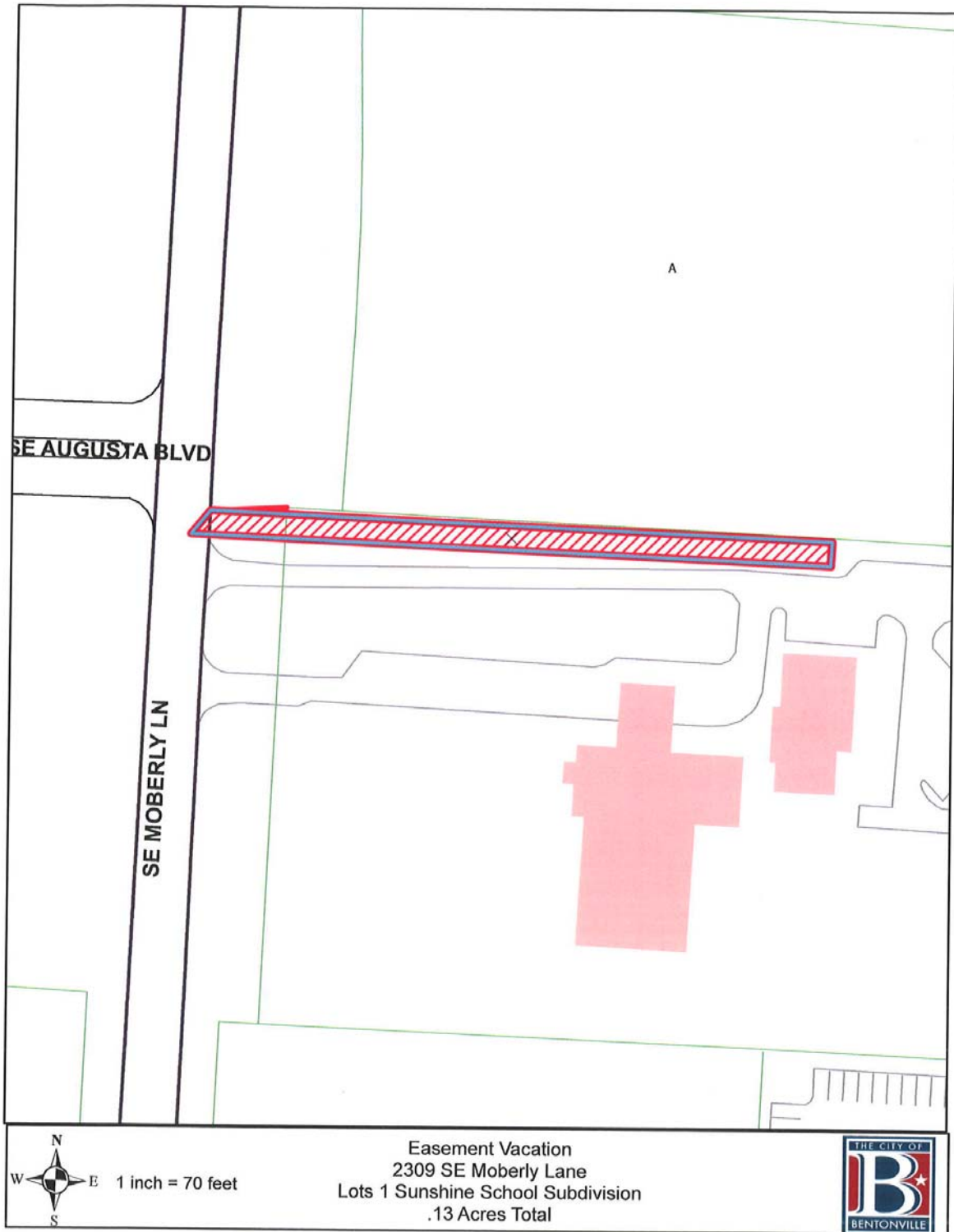
Commencing at the NW corner of said Lot 126, thence S86°06'01"E 20.00 Feet to the Point of Beginning, thence S86°06'01"E 5.00 feet, thence S03°53'59"W 97.92 feet, thence S62°37'03"W 5.85 feet, thence N03°53'59"E 85.77 feet to the Point of Beginning, containing 497.20 square feet.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2014, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**





CHECK ALL THAT APPLY		
Bid Award	Bid #	
Budget Adjustment		
Change Order		
Informational		
Ordinance		
Resolution		
Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

A resolution setting a public hearing for a utility easement vacation request by John and Libby Walsh located in Lot 6 Halifax Subdivision.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: TWP Date: 7/24/14

Staff Attorney: _____ Date: _____

Purchasing Agent: _____ Date: _____

Mayor: BM Date: 8/6/14

Finance Director: DL Date: 8-7-14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by John & Libby Walsh, requesting a utility easement vacation within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

Commencing at the NE corner of Lot 6 of Halifax Subdivision, thence S2°22'37"W 10.00 feet, thence N86°36'7"W 7.00 feet to the Point of Beginning. Thence N86°36'7"W 34.00 feet, thence S2°22'37"W 10.00 feet, thence S86°36'7"E 34.00 feet, thence N2°22'37"E 10.00 feet to the Point of Beginning.

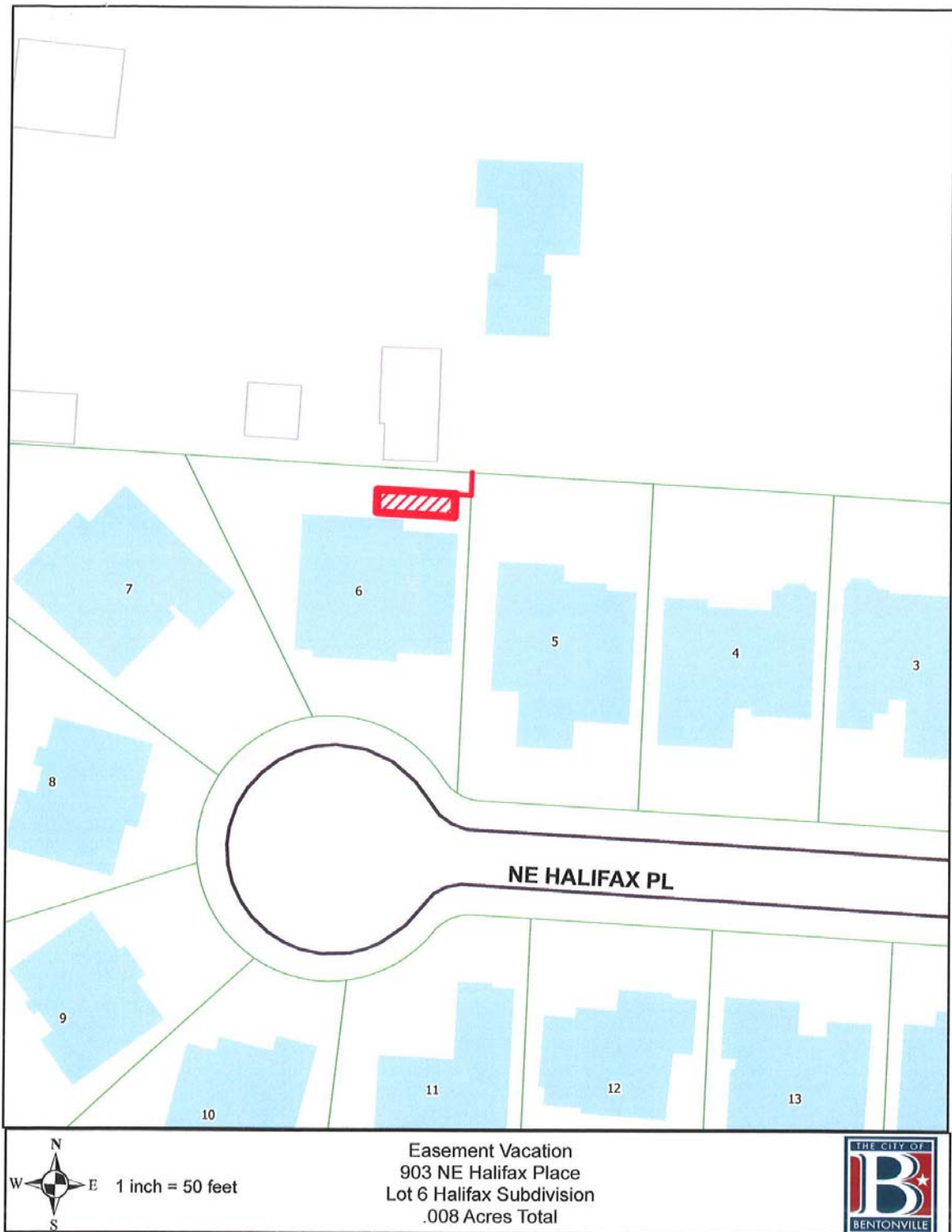
WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close and vacate a utility easement at the above described property is set for hearing on August 26, 2014 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2013 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Linda Spence, City Clerk
Bentonville, Arkansas

Bob McCaslin, Mayor
City of Bentonville, Arkansas





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

A resolution setting a public hearing for August 26, 2014 for a drainage easement vacation requested by Mike Rudzik located in Lot 221 Stone Meadow Addition.

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount ☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: 7/21/14
Date

Purchasing Agent: 8/7/14
Date

Finance Director: 8/7/14
Date

Staff Attorney: 7/31/14
Date
Mayor: 8/10/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Mike Rudzik, requesting a drainage easement within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

Lot 221 Stone Meadow Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat 2006 at Pages 954-956. Requested drainage easement vacation is for the 10ft. on the far most west edge of Lot 221.

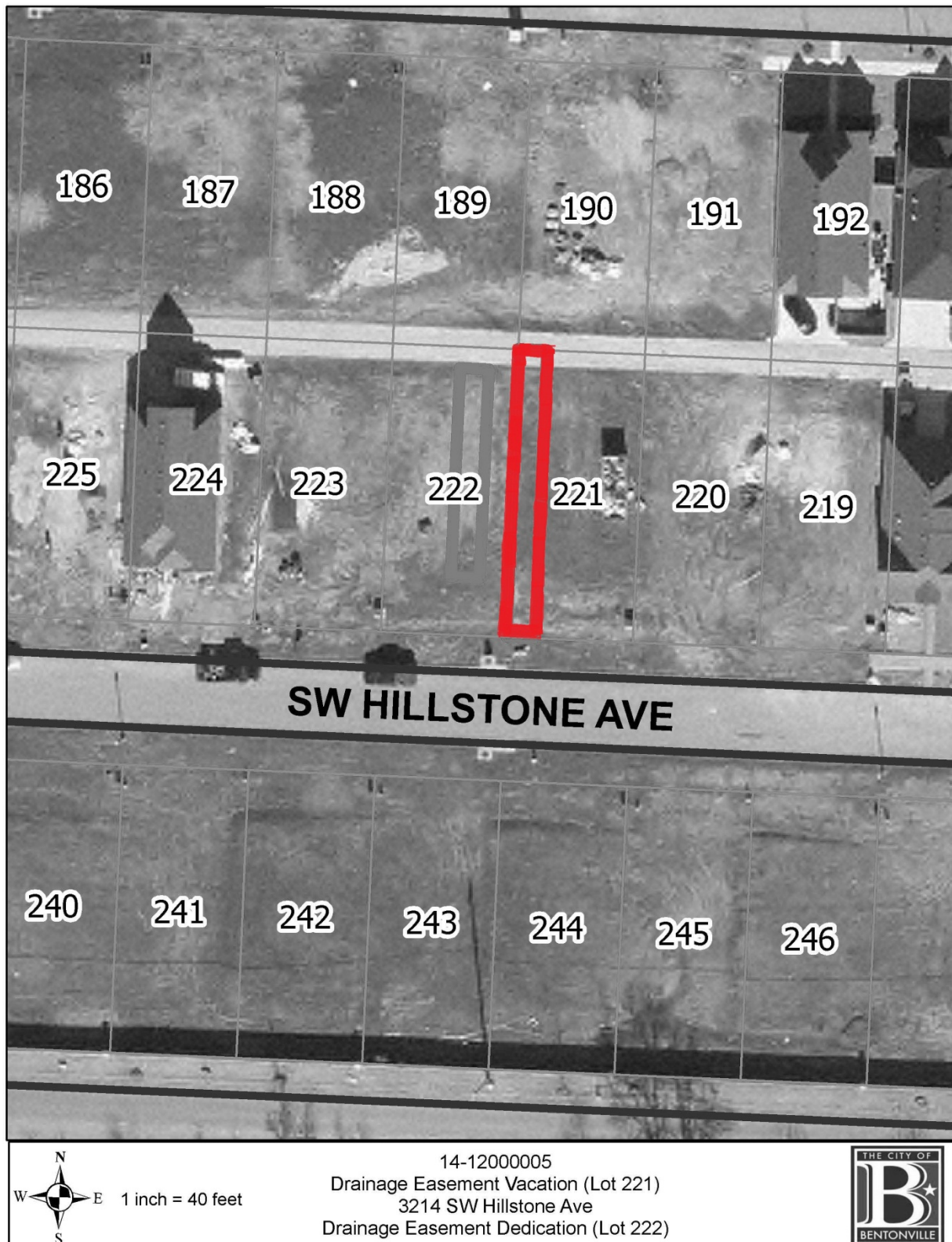
WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close and vacate a drainage easement at the above described property is set for hearing on August 26, 2014 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2014 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Linda Spence, City Clerk
Bentonville, Arkansas

Bob McCaslin, Mayor
City of Bentonville, Arkansas





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
X Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 271-3166

ACTION REQUIRED:

Council approval of a Resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Morrison-Shipley Engineers, Inc. to provide services to prepare a Master Plan Update for the Bentonville Municipal Airport in an amount not to exceed \$162,187.00. Services shall be in accordance with provisions of the Master Agreement executed April 12, 2011. This contract will be funded by an FAA AIP Grant and is subject to said FAA Grant award. No funds will be expended until the FAA awards the grant and a budget adjustment is approved. See attached memo for details.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

8-4-14
Date

Purchasing Agent

Date

Finance Director

8/7/14
Date

Staff Attorney

Date

Mayor

8/7/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Mike Bender *MB*
CC:
Date: July 31, 2014
Re: Contract for Engineering Services for Master Plan Update

Staff is requesting approval of a resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Morrison-Shipleigh Engineers, Inc. for engineering services associated with a Master Plan Update for the Bentonville Municipal Airport in an amount not to exceed \$162,187.00. The FAA requires development of an airport to follow its Master Plan. The current Master Plan for the Bentonville Municipal Airport was prepared in 2003. Although the overall development goals have not changed much, the layout, especially the west side, has changed significantly. Before development proceeds, a new master plan needs to be completed. This project will be funded with a 90% FAA AIP Grant which will cover \$145,968.00. In addition, once the project is complete, the City will apply to the Arkansas Department of Aeronautics for a 10% AIP Matching Grant to cover the remaining costs of \$16,219.00. This contract is subject to the final offer and award of the FAA grant which will be presented to Council as soon as it is officially offered. The FAA requires Council to approve the consultant contract prior to processing the application. No money will be expended on this contract until the grant has been offered and accepted by City Council. At the time of the grant offer/award, staff will also present a budget adjustment for the revenue and expenses associated with this contract. ✓

The engineering services will be governed by the Master Agreement with Morrison-Shipleigh Engineers, Inc. executed April 12, 2011.

Staff has reviewed this project with the FAA and the Arkansas Department of Aeronautics. The Airport Advisory Board unanimously voted to forward the contract with Morrison-Shipleigh to City Council for consideration and approval.

Thank you for your consideration of this request

APPENDIX 1
MASTER AGREEMENT
TASK ORDER

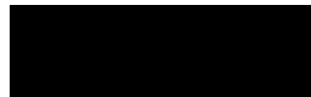
TASK ORDER NO. 9a	
CLIENT NAME:	City of Bentonville
PROJECT NAME:	Airport Master Plan Update
PROJECT NO.:	VB-T-17

SERVICES PROVIDED SHALL BE IN ACCORDANCE WITH PROVISIONS OF MASTER AGREEMENT EXECUTED April 12, 2011.

1. SCOPE OF SERVICES & OTHER REQUIREMENTS See Scope of Services and Fee Schedule attached hereto. Kimley-Horn & Associates will assist Morrison-Shipley as a Subcontractor.	2. COST COMPONENTS Prepare Airport Master Plan Update working with the FAA, City staff, VBT Airport Advisory Board, and other interested parties in accordance with Scope of Services appended hereto. <u>\$162,187.00 Hourly NTE</u>
3. DELIVERABLES Engineer to provide services and deliver to Client items noted in the Scope Services, including but not limited to, paper reports, electronic document files, and any other records or design files produced for the Project.	4. SCHEDULED MILESTONES This project will be a dynamic process involving coordination with multiple parties, but the anticipated completion time is twelve (12) months.
5. EXECUTION	

CITY OF BENTONVILLE
(CLIENT)

MORRISON-SHIPLEY ENGINEERS, INC.
(ENGINEER)



7/18/14

By: _____

Date _____

By: _____

Date _____

SCOPE OF SERVICES

Bentonville Municipal Airport (VBT) Master Plan Update

June 17, 2014

BACKGROUND

The following Scope of Services is provided to complete a Master Plan Update (MPU) for the Bentonville Municipal Airport (VBT). Morrison-ShIPLEY Engineers, Inc. will serve as the Consultant for this work and will be assisted by Subconsultant airport planner Kimley-Horn and Associates, Inc. Our team will work closely with the City of Bentonville (Sponsor), the Federal Aviation Administration (FAA), and the Arkansas Department of Aeronautics (ADA) to achieve results that meet their requirements and to create a plan that better promotes the sustainability of the Airport for the Sponsor. The end result of our work will be a final "Master Plan Update" that will serve as the general basis for future development of VBT.

This scope of services assumes that additional obstruction surveys to meet FAA Advisory Circular (AC) 150/5300-16A, 17C, and 18B, Change 1, will not be performed and that the Airport Layout Plan (ALP) that is developed will not be prepared in GIS format for integration into the FAA's AGIS. Data available from the FAA's Airport Geographic Information Survey (GIS) completed May 2010 will be integrated, as appropriate, into drawings in the Airport Layout Plan (ALP) set.

FAA references that will be utilized in completing the MPU include:

- FAA Advisory Circular 150/5300-13A, Airport Design
- FAA Advisory Circular 150/5070-6B, Airport Master Plans
- FAA Airports Division (ARP) Standard Operating Procedures (SOPs)
- FAA Order 5100.38, Airport Improvement Program (AIP) Handbook.
- Other FAA Advisory Circulars, Orders and Regulations applicable to this project.

Pursuant to FAA AC 150/5070-6B as amended, the purpose of this task is to continue the facility planning process for VBT for the planning period of 2015-2035. The MPU will define the type and extent of development needed to accommodate the current and future aviation needs.

ELEMENT 1: PRE-PLANNING AND PROJECT INITIATION

Task 1.1 – Pre-planning

Description: Prepare a draft Scope of Services and coordinate same with Sponsor, FAA, and Subconsultant. Upon receiving comments from all parties in Element 1, prepare final scope, fee estimate, schedule, and Task Order agreement for Sponsor's execution.

Product: Draft and final scope of services and executed contracts.

Task 1.2 - General Background Information

Description: Prepare general background information summarizing why the MPU is being prepared and noting what has changed since the previous Master Plan. Reference will also be given to the current and historical classification and role of the airport in regional, state, and federal aviation system planning documents. Such documents include the Arkansas State Airport System Plan (SASP), the National Plan of Integrated Airport Systems (NPIAS), and the FAA's *General Aviation Airports: A National Asset* (known as the ASSET report).

A primary issue to be addressed in this MPU is the preliminary siting for major infrastructure improvements that are currently being contemplated on the west side of the Airport in areas which are undeveloped at this time. There are also concerns on the east side of the airport that affect the development, as well as updated FAA guidance on airport design that will be addressed in the study.

Product: Background information for inclusion in the Master Plan's introduction section.

Task 1.3 – Establish Goals and Objectives

Description: Prepare a list of goals and objectives for the MPU that clearly identifies the primary expectations of the master plan process. The list will be included in the introduction section of the study. This overview will be important in determining such agenda as the role of the airport and level of service provided to the public. The listing will also be used to make sure the MPU adequately covers the key issues associated with the future development of VBT.

Product: Goals and objectives for inclusion in the introduction section of the MPU.

Task 1.4 – Outline Baseline Assumptions

Description: General assumptions that will be utilized for the study effort will be developed and outlined. These assumptions will likely include references to FAA ACs that will be used in the study and their date of publication, assumptions regarding existing and anticipated future conditions, and others that are relevant to the study's process and results. These assumptions will be coordinated with the Sponsor and FAA, and included in the introduction section of the MPU.

Product: A list of general study assumptions.

ELEMENT 2: COORDINATION AND PUBLIC OUTREACH

Task 2.1 - Coordination Meetings (Sponsor and Stakeholder)

Description: Meet with and give presentations to the Sponsor, FAA or other local stakeholders as directed by the City. Meetings are expected to involve discussion on the study's progress, provide opportunities for input and review, and presentations of final recommendations. Meeting durations are assumed to be up to two hours in duration. Up to four (4) coordination meetings have been budgeted over the entire course of the MPU. A webinar coordination meeting with the FAA has also been included as an element of this MPU.

Product: Four (4) local coordination meetings with staff and stakeholders, including Airport Advisory Board meetings, and one (1) webinar with FAA.

Task 2.2 - Public Workshops and Outreach

Description: Development of the MPU will be coordinated with the general public in public workshops, offering opportunities for input from stakeholders and the local community. The workshops will follow the “open house” format as recommended in FAA Advisory Circular 150/5070-6B - Airport Master Plans. Advertising for the workshops will be accomplished by the City primarily through electronic means, as well as through notifications in the local news media. Three (3) workshops have been budgeted over the course of the MPU, likely to be held at the project’s kick-off/initial data gathering, after completion of facility requirements and during development of alternatives, and once a recommended plan has been drafted. The location arrangements and or rental of the public meeting space will be provided by the City. These meetings are budgeted to be conducted to be held in conjunction with local coordination meetings.

Material will be provided to the City for inclusion on their website and for use in announcing the public workshops and informing the public of the study’s progress. It is anticipated that all public workshops will be announced via the website and through local news media, and materials developed for the public workshops will be provided on the website.

Product: Three (3) public information workshops and development of website content. All materials from the public information workshops will be provided to the City in both hard copy and electronic format.

ELEMENT 3: INVENTORY

Task 3.1 - Inventory Update of Airport Physical Facilities and Previous Reports

Description: Update inventory of physical facilities and land use which presently exist within the boundaries of the airport. The work effort will make maximum use of existing information available at the airport, City offices, and FAA. The following relevant areas are included as a minimum:

Airfield: Description of existing airfield pavements including pavement strength and condition, (all runways, taxiways, and aprons); lighting and NAVAID systems.

FBO/GA Services Complex: Square footage of structures and use; fuel storage capacity (by fuel grade) and location of tanks. Tie-downs and aircraft parking areas will also be inventoried, as well as the number of based aircraft.

Ancillary Facilities: Other businesses on airport (define type of business and building size), maintenance facilities and description of major equipment.

Transportation and Parking Facilities: Document roadway and access systems and parking inventories and identification of various parking uses for area.

Existing Infrastructure: Obtain GIS data for existing infrastructure to include water and sewer utilities, franchise utilities (gas, electric, phone & CATV) and include within background information.

Existing available documentation will be collected and summarized for consideration and use in the MPU including:

- FAA Terminal Area Forecast (TAF)
- City of Bentonville General Plan and pertinent local land use planning documents
- Existing Airport Layout Plan

Product: Tabulated airport facilities inventory for use in analysis in subsequent tasks.

Task 3.2 - Update Inventory Air Traffic Activity, Airspace, Air Traffic Control, and Regional Airports

Description: Air traffic activity data for the airport will be assembled and organized from available published sources including the TAF and the FAA's National Based Aircraft Inventory. Relevant data regarding general aviation (private and corporate), air taxi, and military activity will be updated to include estimated 2014 activity to establish the existing conditions at VBT. The assembled data will include, as available:

- Historical operations, including local and itinerant operational splits, and night-time splits.
- Based aircraft by type, as available.
- Estimated use (by percentage) of runway.

Update inventories of airspace and air traffic procedures at VBT. Basic inventory items will include:

- Airways and air traffic patterns.
- Approach and departure procedures.
- Airspace conflicts and obstructions.
- Military airspace.

Identify and describe existing public airport facilities within a 20-nautical mile radius of VBT. Basic inventory items will include at a minimum:

- Runway lengths and widths.
- Instrument approach procedures.
- General aviation services.
- Total based aircraft and annual operations.

Product: Input to subsequent tasks.

Task 3.3 - Inventory Socioeconomic Data

Description: Obtain available statistical data on historical and forecast socioeconomic factors for the Bentonville area, such as Woods and Poole. These factors will include employment, income, and population, with emphasis placed upon the identification of specific socioeconomic characteristics of the developed areas in the local environs, as well as trends that have been established for future development and habitation.

Product: Input to later analysis.

Task 3.4 - Inventory Vicinity Land Use and Controls

Description: Review existing local, regional, and state planning and land use regulations, including the existing local comprehensive land use plan. This will incorporate information from existing studies and input from the City. Review local development planned on and adjacent to airport.

Product: Input to later analysis.

Task 3.5 - Prepare Inventory Working Paper

Description: Prepare a working paper which will provide up to date information in tabular, narrative, and graphic format. This will include information on the airport facilities, applicable air traffic activity, an overview of airspace, air traffic characteristics, and a data summary describing aircraft activity for use in subsequent analyses. This task involves the use of existing data for the airport.

Product: A draft working paper covering the items outlined in the Inventory element. This working paper will become a chapter in the final MPU. It is anticipated that this and all subsequent draft working papers will be provided to the City in electronic PDF format but that all final deliverables will include hard copies and electronic files as described in Element 11.

ELEMENT 4: FORECASTS

Task 4.1 – Prepare Short-, Medium- and Long-term Forecasts (2015 – 2035)

Description: Forecasts will be prepared for short-, medium- and long-term periods, and will specify the existing and future critical aircraft building upon the existing baseline data through the 2014 year. Short-term forecasts are for the period up to five years, medium-term forecasts have a 6 to 10 year horizon, while long-term forecasts will look out past 10 years. For purposes of this study the planning horizon to be considered is 2015-2035.

In accordance with FAA Advisory Circular 150/5070-6B, the requirement for FAA approval of a master plan study's forecasts is that they are supported by an acceptable forecasting analysis and are consistent with the Terminal Area Forecast (TAF). When the

5- or 10-year forecast is for less than 100,000 total annual operations or 100 based aircraft, the forecast does not need to be reviewed at FAA Headquarters, but the data should be provided to the FAA for the annual update of the TAF.

The aviation demand forecast will include, but not limited to, the following aviation demand elements considerations:

- Based aircraft totals and mix.
- Annual general aviation operations (local vs. itinerant).
- General aviation aircraft mix.
- Annual military operations (local vs. itinerant).
- Military aircraft mix.
- Day/Night-time splits of operations
- Percentage of touch and go operations
- Annual instrument approaches (AIA's).

Forecasting methodologies and techniques will also be identified. Common techniques include, but not limited, to:

- Regression analysis
- Trend analysis and extrapolation
- Market share analysis or ration analysis

Product: Twenty-year forecasts (2015 to 2035) of reasonably-expected activity trends. Trends will be translated into Planning Activity Levels to be used as triggers for future development.

Task 4.2 - Prepare Forecasts Working Paper

Description: A draft working paper incorporating and extending the forecasts will be compiled.

Product: Draft working paper covering the items outlined in the Forecast element. This working paper will become a chapter in the final MPU.

ELEMENT 5: DEMAND/CAPACITY AND FACILITY REQUIREMENTS

Task 5.1 - Establish Airport Physical Planning Criteria

Description: Identify physical facility planning criteria for use in assessing the adequacy of various airport facilities to meet forecast demands. These criteria shall be based upon the latest FAA requirements and standards as they apply to the level of activity identified, new technology, and role of the airport. These criteria shall include dimensional standards for safety including runway length, runway separation, height restrictions, etc. In addition, these criteria shall include requirements to maintain airspace/air traffic control including approach and runway protection zones, safety areas, and other general physical area requirements such as apron, terminal/operations, access circulation and parking, hangar and services, and other airport service and support facilities.

Product: Detailed criteria for airport physical planning.

Task 5.2 – Conduct Demand/Capacity and Facility Requirements Analyses

Description: Using the FAA's airfield capacity/delay AC, update estimates of current and future levels of airfield capacity for VBT. These analyses will be based on the existing airfield configuration and aviation demand forecasts. In addition to demand/capacity of the airfield, the capacity of other facilities will be analyzed in this task. The facility requirements needed to meet projected demands for the airport will be determined for existing, short term, intermediate term, and long term time frames. These facility requirements will be used in the later comparative evaluations and will be based upon both the airport physical planning criteria and the aviation forecasts.

Facility requirements to meet aviation demand for the airfield will include (but not be limited to) runways, taxiways, lighting, hangars, apron, automobile parking, navigational aids, access roads, SW I Street roadway network interfaces security fencing, maintenance buildings, fuel storage facilities location, and marking and signage. These facility requirements will be developed in the form of gross areas and basic units and will be compared to those that presently exist to identify the future development items needed to maintain adequate service, function and operations of the airport. In

subsequent tasks, the above facility requirements will be translated into alternative plans for further evaluation in relation to established planning criteria.

The preliminary plans for the “West Side Development” will be analyzed to determine those facilities needed to meet projected demand, including the airfield and landside elements. The existing and proposed landside development areas, focusing on facilities such as building and hangar configuration and location, taxiway and apron development, vehicle access roads (including recommendations for service road locations) and parking areas will be analyzed in detail. Specific details will include a clear indication of existing and proposed facilities and distinctly labeling the various components.

Product: Detailed description of all airfield facilities required to meet aviation demands at the airport through the 20-year planning period.

Task 5.3 - Prepare Demand/Capacity and Facility Requirements Working Paper

Description: Organize available information, analysis, and findings related to the demand/capacity and facility requirements analysis and supplement where necessary to prepare a draft facility requirements working paper that will become a chapter in the final report.

Product: A draft working paper covering the items outlined in the Facility Requirements element. This working paper will become a chapter in the final report.

ELEMENT 6: ENVIRONMENTAL CONSIDERATION

Task 6.1 – Conduct Environmental Inventory

Description: Concurrent with the preparation of the Inventory in Element 3, known existing environmental conditions at VBT and its immediate vicinity (area of potential affect) will be inventoried. The purpose of this inventory is to: (1) update the existing conditions; and, (2) identify potential environmental issues that may require consideration in developing MPU alternatives. The environmental inventory will address all of the resource categories contained within FAA Orders 1050.1E and 5050.4B. Examples of information to be gathered include wetlands, riparian areas, threatened or endangered species, floodplains, cultural resources (archeological), air quality, parks and natural resource areas, and prime farmland. It is anticipated that the inventory will

focus primarily on available information from existing resources with limited informal consultation with various federal and state agencies.

Results of this environmental inventory will be included as an appendix to the MPU and discussed as part of the Inventory working paper.

Product: Input to MPU.

ELEMENT 7: AIRPORT ALTERNATIVES

Task 7.1 - Identify Alternative Development Issues

Description: Based on the results of the demand/capacity relationships and the facility requirements necessary to meet those demands, identify the various issues which will impact the various functional areas of the airport. This task will provide insights into the potentials for and policies constraining the development of specific land uses within the existing or future airport boundaries, including those areas which are unconstrained and meet current functional potential, thereby requiring no additional development.

Product: A listing of the various policies and guidelines impacting the development and placement of various airport alternatives.

Task 7.2 – Incorporate Potential Airfield Alternatives

Description: On the basis of the airport facility requirements established in preceding task, formulate preliminary airfield development alternatives. These alternatives will be based on concepts for development within existing airport boundaries or with the expansion of airport boundaries which show all necessary development during the planning period and beyond. This task will be conducted simultaneously with following tasks and result in a series of overall development options for the airport. A maximum of three airside alternatives will be developed and evaluated in this MPU.

Product: Documentation of a series of development options for meeting existing and forecast airfield facility needs.

Task 7.3 - Identify Potential Landside Alternatives

Description: Based on the facility requirements determined under the previous element, formulate preliminary landside development alternatives. These alternatives will be based on concepts for development within the existing airport boundaries which examine the capability to accommodate demand during the planning period. Specific attention will be paid to aircraft parking, hangar storage, and FBO facilities. A maximum of three landside alternatives will be developed and evaluated in this MPU.

Product: A series of landside alternatives which examine the capability to fulfill the facility requirements related forecast demand levels.

Task 7.4 – Conduct Environmental Review of Alternatives

Description: Using data collected in previous tasks, a preliminary environmental review will be conducted to identify any potential environmental concerns associated with the alternatives. This evaluation will be structured in a table format and will include an analysis of potential impacts on environmental resources as defined within FAA Order 5050.4B, Airport Environmental Handbook. Projects which may require further NEPA analysis (i.e., Environmental Assessment or Environmental Impact Statement) will be identified at this time. The environmental issues will be used as a criterion in the evaluation of the alternatives.

Product: A review of potential environmental concerns will be integrated into the alternatives working paper.

Task 7.5 - Prepare Airport Alternatives Working Paper

Description: Prepare a draft working paper describing the various airfield and landside development alternatives that have been considered and evaluated in this update. The working paper will detail the analysis involved in the assessment of the alternatives, including potential environmental concerns, and outline the advantages and disadvantages of each to enable the logical and systematic evaluation of each alternative concept.

Product: A draft working paper covering the items outlined in the airport alternatives element. This working paper will become a chapter in the final MPU.

ELEMENT 8: AIRPORT DEVELOPMENT PLANS (MPU CONCEPT)

Task 8.1 – Recommended Airport MPU Concept

Description: Based on the information developed in Element 6, a single recommended MPU concept for the airport facilities will be prepared. The recommendation for the most prudent and feasible concept will become the basis for the preparation of airport plans, costs, environmental review, and scheduling.

Product: A recommended MPU concept.

Task 8.2 - Prepare Airport Development Schedules

Description: Based upon the previous evaluations and results of meetings, prepare the airport development schedules in phases to reflect economic feasibility and operational requirements of the recommended airport concept. The developments schedules will include the Short Term (1-5 years), intermediate Term (6-10 years), and Long Term (11-20 years) for the planning period of 2015-2035. The approximate schedule for each airport development project will be identified.

Product: Development schedules for the improvements proposed as a part of the MPU concept.

ELEMENT 9: FINANCIAL MANAGEMENT AND DEVELOPMENT PROGRAM

Task 9.1 - Prepare Airport Development Cost Estimates

Description: Based upon the previous evaluations and recommendations, prepare airport development planning level cost estimates (rough order of magnitude opinions of probable costs) to reflect the requirements and schedule of development associated with the MPU concept. The pre-design cost opinions will be prepared for proposed non-private improvement projects, based on current dollars for similar construction. Cost opinions will be separated into AIP-eligible items and non-AIP eligible items. Such cost opinions are intended to be used for planning purposes only and will not be the result of detailed engineering design and analysis.

Product: Cost estimates for the improvements proposed as a part of the MPU concept.

Task 9.2 - Prepare Capital Improvement/Financial Program

Description: Prepare an updated airport capital improvement program which includes estimates of the amount of funds potentially available from federal and other programs to determine the net amount of capital funds required by the City to accomplish each proposed stage of improvements for the airport. Analyze the sources and uses of all airport funds that will be required to finance designated improvements.

Product: Capital Improvement/Financial Program for the selected MPU concept.

Task 9.3 - Prepare Master Plan Concept and CIP Working Paper

Description: Prepare a draft working paper which outlines the overall airport capital improvement program for the updated Master Plan concept. Organize narrative and graphical presentations of the information in this working paper to allow for a final review and adjustment of the overall MPU concept.

Product: A draft working paper covering the items outlined in the Capital Improvement Program element. This working paper will become a chapter in the final MPU.

ELEMENT 10: AIRPORT LAYOUT PLANS

Element 10.1 – Airport Layout Plan Drawing

Description: Following the Recommended Airport MPU Concept developed under the preceding element, and FAA AC 150/5070.6A, "Airport Master Plan", the Airport Layout Plan (ALP) drawings for the airport will be updated. Guidelines for the preparation of an airport layout plan as defined by the FAA will be followed. It is assumed that this will be a "traditional" ALP update and will not follow the guidelines and criteria for an Electronic ALP (eALP).

Product: An updated ALP drawing set for the airport which reflects the updated MPU concept.

Task 10.2 – Update Terminal Area Plan

Description: As with the ALP drawing, update the Terminal Area Plan reflecting future development in the terminal area and general aviation areas resulting from the recommendations of the MPU.

Product: Terminal Area Plan reflecting the development of the landside terminal areas at the airport.

Task 10.3 – Update Part 77, Approach and Inner Approach Surface Plans

Description: Update Part 77, Approach and Inner Approach Surface plans in the existing plan set to reflect any revisions to the potential runway improvements as incorporated into the MPU. As necessary, height of potential obstructions (obtained from the recent FAA Airport Obstruction Survey) will be identified on the drawing along with an obstruction chart/table indicating the obstruction description, their top elevation, affected Part 77 surface, the penetration, and disposition or corrective action to eliminate or mitigate the obstruction. No additional surveying is included as part of the budget and if it is determined that additional elevation or height information is required, the surveying will be paid separate from this contract.

Product: Part 77, Approach and Inner Approach Surface plans for the airport to meet federal guidelines. Product will include use of readily available aerial photography of the inner approach surfaces and runway protection zones.

Task 10.4 – Departure Surface Drawings

Description: Prepare new departure surface drawings in accordance with FAA AC 150/5300-13A, Change 1. Obstruction information will be obtained from the recent FAA Airport Obstruction Survey completed May 2010, as available.

Product: Departure surface drawings for the airport which meet federal guidelines.

Task 10.5 – Update of Airport Property Map – Exhibit A

Description: It is assumed that the Airport Property Map has been updated to current FAA guidelines. As a result, only proposed property changes as recommended by the MPU will be incorporated into this drawing. The City shall provide all title and

ownership documentation to support the preparation of this property map to meet FAA requirements. No land surveying is included as part of this scope of services.

Product: Updated Airport Property Map (Exhibit A) for the airport.

Task 10.6 – Update of On-Airport Land Use Plan

Description: The on-airport Land Use Plan for the area within the boundaries of the airport will be developed based on the MPU concept. This will identify the general aviation terminal area(s) and will draw distinctions between aeronautical and non-aeronautical uses and needs.

Product: Updated On-Airport Land Use Plan

Task 10.7 - Preparation of Draft ALP and Draft ALP Drawing Set

Description: Preparation of five (5) blackline copies of the "Draft" updated ALP drawing and eight (5) full drawing sets for submission to the City, and subsequent comprehensive agency review by FAA.

Product: Five (5) blackline copies of ALP drawing and five (5) copies of "full" ALP drawing set.

Task 10.8 - Preparation of Final ALP and Final ALP Drawing Set

Description: Revise the Draft Airport Layout Plans and Drawings to reflect comments received from the FAA review. Upon approval from the City, provide five (5) copies of the revised ALP drawing along with five (5) full sets of drawings to the City for their signature. The City will forward the signed drawings to the FAA for final approval.

Product: Five (5) blackline copies of ALP drawing and five (5) copies of "full" ALP drawing set. As noted subsequently, all electronic AutoCAD files will also be provided on the final CDs with the final reports.

ELEMENT 11: FINAL REPORTS AND APPROVALS

Task 11.1 - Draft Final Master Plan Report

Description: Upon completion of a review of all draft working papers and the incorporation of appropriate revisions, a draft final master plan report will be printed.

Product: Draft Final Master Plan Report in hard copy and electronic format. Five (5) hard copies of the Draft Final Master Plan Reports will be provided as well as an electronic file in PDF.

Task 11.2 - Final Master Plan Report

Description: Upon completion of review of the draft final report and the incorporation of appropriate revisions, a final master plan report will be printed. Up to twenty (20) copies of the final plan will be submitted. In addition, two CDs containing the Master Plan text and exhibits and airport plans drawing files will be provided to the City. All final electronic files will be provided in their native format including Word, Excel, and AutoCAD, as well as in PDF. If the "FAA approved" ALP is available within 90 calendar days following City approval of the "draft" Master Plan, the "approved" ALP and FAA's ALP approval letter will be included in the "final" Master Plan document. If the "FAA approved" ALP is not available, the "draft" ALP will be included in the "final" Master Plan documents along with the following disclosure statement. "This ALP was not subject to an FAA airspace review. Land use and other changes may result."

Product: Final Master Plan Report (20 hard copies) and two CDs with native electronic files and PDF format copy of the Final Master Plan document.

NHA Task # Subtask ID Number	NHA Task Name Subtask Name/Description	Task Manager	Task Hours	Task Cost	Task Labor	Task Material	Task Other	Task Total	Task Labor	Task Material	Task Other	Task Total	Task Labor	Task Material	Task Other	Task Total	Task Labor	Task Material	Task Other	Task Total
1	Pre-Planning and Project Initiation																			
1.1	Identify Project Goals and Objectives	4	4					4				4								
1.2	Identify Project Goals and Objectives	4	4					4				4								
1.3	Establish Goals and Objectives	1	1					1				1								
1.4	Outline Baseline Assumptions	2	2					2				2								
	Subtotal (Hours)	11	11					11				11								
	Task Total (Hours)																			
2	Coordination and Public Outreach																			
2.1	Coordinate with Airport	32	32					32				32								
2.2	Public Workshops and Outreach	28	28					28				28								
	Subtotal (Hours)	60	60					60				60								
	Task Total (Hours)																			
3	Inventory																			
3.1	Inventory Update of Airport Physical Facilities and Previous Re	4	4					4				4								
3.2	Update Inventory of Airport Physical Facilities and Previous Re	2	2					2				2								
3.3	Coordinate with Airport	4	4					4				4								
3.4	Inventory of Airport Physical Facilities and Previous Re	2	2					2				2								
3.5	Prepare Inventory Working Paper	6	6					6				6								
	Subtotal (Hours)	18	18					18				18								
	Task Total (Hours)																			
4	Forecasting																			
4.1	Forecast Short, Medium, and Long-Term Forecast (2015-20)	6	6					6				6								
4.2	Prepare Forecast Working Paper	24	24					24				24								
	Subtotal (Hours)	30	30					30				30								
	Task Total (Hours)																			
5	Demand/Supply and Facility Requirements																			
5.1	Estimate Airport Physical Planning Office	4	4					4				4								
5.2	Estimate Airport Physical Planning Office	2	2					2				2								
5.3	Prepare Demand/Supply and Facility Requirements Working Paper	6	6					6				6								
	Subtotal (Hours)	12	12					12				12								
	Task Total (Hours)																			
6	Environmental Considerations																			
6.1	Conduct Environmental Inventory	4	4					4				4								
	Subtotal (Hours)	4	4					4				4								
	Task Total (Hours)																			
7	Airport Alternatives																			
7.1	Identify Alternative Development Issues	2	2					2				2								
7.2	Incorporate Potential Airport Alternatives	4	4					4				4								
7.3	Identify Potential Land Use Alternatives	4	4					4				4								
7.4	Conduct Environmental Review of Alternatives	2	2					2				2								
7.5	Prepare Airport Alternatives Working Paper	6	6					6				6								
	Subtotal (Hours)	18	18					18				18								
	Task Total (Hours)																			
8	Airport Development Plans (APU Concept)																			
8.1	Recommend Airport APU Concept	4	4					4				4								
8.2	Prepare Airport Development Schedules	2	2					2				2								
	Subtotal (Hours)	6	6					6				6								
	Task Total (Hours)																			
9	Financial Management and Development Program																			
9.1	Prepare Airport Development Cost Estimates	2	2					2				2								
9.2	Prepare Capital Improvement/Financial Program	4	4					4				4								
9.3	Prepare Master Plan Concept and CIP Working Paper	6	6					6				6								
	Subtotal (Hours)	12	12					12				12								
	Task Total (Hours)																			
10	Airport Layout Plans																			

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MORRISON-SHIPLEY ENGINEERS, INC. FOR ENGINEERING SERVICES ASSOCIATED WITH THE MASTER PLAN UPDATE FOR THE BENTONVILLE MUNICIPAL AIRPORT

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into a professional services agreement with Morrison-Shipley Engineers, Inc. to provide engineering services associated with the Master Plan Update for the Bentonville Municipal Airport in an amount not to exceed \$162,187.00 as set forth in the agreement attached hereto as Exhibit "A".

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY		
Bid Award	Bid #	
Budget Adjustment		
Change Order		
Informational		
Ordinance		
Resolution		
Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: David Wright

Department

Parks & Recreation

Phone

464-7275

ACTION REQUIRED:

Council's approval of Mayor McCaslin's appointment of Chris Sooter as an ex-officio member of the Parks and Recreation Advisory Board.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	-
Remaining Budget	
Budget Adjustment	-
Remaining After Adjustment	\$

Department Head 7/24/2014
Date

Purchasing Agent Date

Finance Director 8/7/14
Date

CT 7/31/14
Staff Attorney Date

BOM 8/7/14
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: July 23, 2014
Re: Approval of Mayor McCaslin's recommendation to appoint Chris Sooter to the Parks and Recreation Advisory Board.

The PRAB is comprised of nine (9) members and one, ex-officio (1) City Council Member. PRAB Member terms are three years in length and members are able to serve two (2) consecutive terms. By ordinance, the Mayor appoints members, but must be approved by the City Council.

Shane Perry's resignation created the ex-officio City Council vacancy on the Parks and Recreation Board. Alderman Sooter expressed an interest in serving on the committee and Mayor McCaslin, pending your approval, appointed him. If council approves the appointment, Sooter will begin with this board on August 18, 2014.

If you have any questions regarding this item, please call me at 464.7275, or email dwright@bentonvillear.com.

Attachments:



August 3, 2014

To: City Council Members & City Clerk

From: Mayor Bob McCaslin

Subject: Appointment of Chris Sooter to the City of Bentonville's Parks and Recreation Advisory Board.

I recommend Chris Sooter for appointment as an ex-officio member to the City of Bentonville's Parks and Recreation Advisory Board.


Bob McCaslin



CHECK ALL THAT APPLY			
	Bid Award	Bid #	
	Budget Adjustment		
	Change Order		
	Informational		
x	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: David Wright

Department

Parks & Recreation

Phone

464-7275

ACTION REQUIRED:

Parks and Recreation Staff are seeking City Council's approval of an ordinance establishing fees and charges for the Bentonville Community Center.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	-
Remaining Budget	
Budget Adjustment	-
Remaining After Adjustment	\$

Department Head 7/24/2014
Date

Purchasing Agent
Date

Finance Director
Date 8/7/14

CT 7/31/14
Staff Attorney Date
BOM 8/07/14
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin

From: David Wright, Parks and Recreation Director

Date: July 23, 2014

Re: Council approval of an ordinance to establish fees for the Bentonville Community Center.

Immediately following the ceremonial ground breaking, Parks and Recreation Staff turned our attention to establishing an operation plan for the Bentonville Community Center. When determining a price point for usage, our goal was twofold. First, we wanted to establish a fee structure / membership rate that 1) pays for the necessary expenses to operate the facility and 2) is fair and affordable for Bentonville residents. These two goals are consistent with our department's mission of "Enriching lives through leisure, recreation and culture."

One thing you will see when you review the proposed fees is a resident rate and a nonresident rate. Bentonville Parks and Recreation currently runs approximately forty (40) recreation programs. Our department has never charged a nonresident rate. However, the Parks and Recreation Advisory Board believes this building should include a non-resident fee. Our discussions were based around the cost of the infrastructure and building, and the fact they were paid for by the Bentonville taxpayers. Despite the non-resident fees, our board and staff feel confident that residents and non-residents alike are receiving a quality product at a very reasonable price.

The pricing plan has two components. First, there is a usage fee schedule. The usage fee schedule is for a daily rate or a monthly membership rate. The daily admission is just as it sounds a fee for a one day use of the facility. This will be used most frequently by someone who intends to use the swimming pools. The other and most common charge will be a monthly membership rate. Our monthly membership fee will actually be termed a "Rec Pass" and will not only include unlimited use of the Bentonville Community Center, but will also

include unlimited use of wellness classes at the Downtown Activity Center and open swim at the Melvin Ford Aquatic Center.

Another component to our fee schedule is the option for businesses to purchase membership packages for their employees. These corporate rates are discounted, but must be purchased by a company, and must be made on an annual basis.

The second component to the fee structure is rental fees. We know for certain our community rooms and party room will be major attractions at this facility. Usage to these rooms will not require memberships, but will require a fee to use. Both our staff, and Parks and Recreation Advisory Board, believe that we will see many request for private parties. Our goal with these non-peak hour events will be to capitalize on the facility and increase the overall revenue. This will benefit our overall operation and allow us to keep our fees as affordable as possible to potential members.

Our staff relied heavily on the Parks and Recreation Advisory Board for guidance in determining the price point. Discussions about pricing continued over three separate meetings. These fees were approved by the Parks and Recreation Board on June 16 and reviewed again on July 21. Our board is comfortable with these prices and believes they are fair to our citizens.

Within thirty (30) days of council approval of fees, Parks and Recreation Staff will begin taking reservations and selling memberships to the facility. We know that many events, such as family reunions and wedding receptions, book as much as a year in advance. Our staff will begin promoting and helping residents schedule these events.

If you have any questions regarding this item, please call me at 464.7275 or email dwright@bentonvillear.com.

Attachments:

Proposed Fee Schedule (2 pages)



Bentonville Parks and Recreation

Projected Fee Schedule

Patron	Daily Resident/ Non-Resident	Multiple (20 Admissions) Resident/ Non-Resident	Annual Resident/ Non-Resident	Monthly Resident/ Non-Resident
Adults	\$5 / \$6	\$75 / \$85	\$200 / \$250	\$19 / \$23
Youth	\$5 / \$6	\$53 / \$60	\$125 / \$160	\$13 / \$15
Seniors	\$5 / \$6	\$53 / \$60	\$125 / \$160	\$13 / \$15
Family			\$425 / \$465	\$38 / \$43

- Annual Pass / Monthly Pass – Includes Unlimited access to facilities, wellness programs and classes at Bentonville Community Center, Downtown Activity Center and Melvin Ford Aquatic Center. This only excludes programs such as camps, swimming lessons and sports programs.
- Adult recreation programs such as volleyball leagues or basketball leagues will not require memberships. Those programs will be fee based per team.
- Swim team programs will not require memberships. However, the swim teams will pay a separate space for pool space for entire club. Swim teams will have access to competitive pool only. They will not have access to other parts of the building.
- Annual Fee must be paid by check / CC at one time / one installment. The fee is non-refundable.
- Camps and other programs will have member / non-member fees. These fees will never exceed 15% of the per person cost of the program. *Example: Abrakadoodle camp \$30/member, \$35/non-member.*



Corporate Membership Program	
Corporate Rates must be for annual membership, paid by the company	
10% Discount	For 8 or more members (individual or family – membership for one family counts as one membership)
15% Discount	For more than 15 memberships (individual or family – membership for one family counts as one membership)
20% Discount	For 20 or more memberships (individual or family – membership for one family counts as one membership)

Facility Rentals			
Community Rooms	Normal Operating Hours	1 Room	\$40 / Hour
		2 Rooms	\$60 / Hour
		3 Rooms	\$ 80 / Hour
		Kitchen	\$20 / Hour
Outside Normal Operating Hours		Additional \$30 / Hour	
<i>*If caterer is involved, kitchen must be included*</i>			
Rooms	Details		Cost
Entire Facility	Friday: 7pm – 11pm Saturday: 7pm – 11pm		\$250 / Hour (4 Hour Minimum)
Overnight Lock-in	Friday 8pm – Saturday 7am		\$1,400
Gymnasium	Full Court		\$150 / Hour
	Half Court		\$75 / Hour
Party Room	Includes Admission for 20 People		\$150 / 1.5 Hour
Child Watch	Two Hour Maximum / Guardian must be on Premises		\$3/Hour or \$5/2 hours
Swimming Pool	Leisure Pool – During Designated Times		\$400 / 2 Hours
	Competitive Pool – During Designated Times		\$200 / Hour

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING CERTAIN FEES FOR
THE CITY OF BENTONVILLE PARKS AND
RECREATION DEPARTMENT AND COMMUNITY
CENTER.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That certain rates and fees for the Bentonville Parks and Recreation Department and Community Center should be and the same are hereby established as set forth in the fee schedule attached hereto as Exhibit "A".

Section 2: That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: David Wright

Department

Parks & Recreation

Phone

(479) 464-7275

ACTION REQUIRED:

Recommend Mayor and City Council award bid #14-09, Downtown Trail Extension Construction to the lowest complete bidder, General Solutions Group, as shown on the attached bid tabulation in the amount of \$99,076.80.

COST TO CITY:

Cost of this Request: \$99,076.80

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ 99,076.80
Funds Expended to Date	\$0.00
Remaining Budget	\$99,076.80
Budget Adjustment	\$0.00
Remaining After Adjustment	\$ 99,076.80

Department Head

7.24.2014
Date

Purchasing Agent

8/4/14
Date

Finance Director

8/7/14
Date

Staff Attorney

CT
7/31/14
Date

Mayor

7/31/14
8/07/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





MEMO

DATE: July 24, 2014

TO: City Council

FROM: David Wright, Parks and Recreation Director
Danielle Shasteen, Community Programs Coordinator

RE: Bid Award to General Solutions Group for the Downtown Trail Extension #14-09

The City of Bentonville recommends awarding Bid No. 14-09 to the lowest complete bidder, General Solutions Group in the amount of \$99,076.80 to construct the final phase of the Downtown Trail. The bid amount is lower than the original cost estimate of \$134,111.65. The lowest bid of \$95,067.50 submitted by Crossland Heavy was not accepted because an addendum was not recognized, which makes for an incomplete bid.

The project consists of constructing 500 linear feet of a 10-foot wide hard surface trail connecting SE "B" and SE "A" Streets.

This trail connection is the final section to complete the Downtown Trail, linking to Town Branch Trail, which is part of the Regional Razorback Greenway.

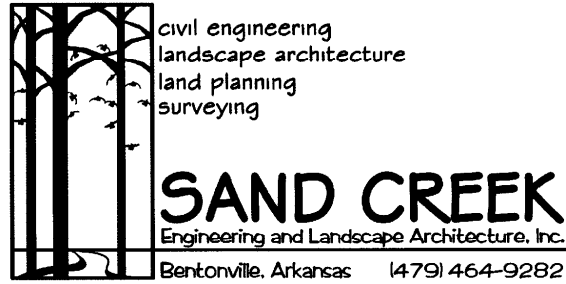
Project funding is budgeted in the City's Community Development Block Grant (CDBG) program.



1

***** NOTE: HIGHLIGHTED AMOUNTS REPRESENT CELLS THAT ARE CORRECTED FROM ORIGINAL BID FORMS.

Project # 13069



April 10, 2014

Katherine Bertschy
City of Bentonville Purchasing Agent
Downtown Trails Extension.
Bentonville, AR 72712

RE: Bid #14-09 Downtown Trails Extension
Contract Award Recommendation

Ms. Bertschy,

Bids were received and opened on March 26, 2014 at 3:15 pm. The recommended bidder on the project is General Solutions Group. After review, the bid of \$99,076.80 was found to be the lowest complete bid, and General Solutions Group is recommended to be accepted by the City of Bentonville and awarded the construction contract of the above referenced project.

Please find the enclosed bid tabulations with corrected items for all bidders and call me if you have any questions.

Sincerely,

Timothy R. Sorey P.E.
President

1610 NW 12th Street

Bentonville, AR 72712

Phone: (479) 464-9282

Fax: (479) 464-9284



CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
X Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF: August 12, 2014

Submitted by: Travis Matlock

Department: Electric

Phone: 271-3135

ACTION REQUIRED:

An ordinance authorizing the Mayor and City Council to enter into a settlement agreement with SWEPCO concerning the changes to the Integrated Market Place dealing with purchasing power.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount ☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: [Signature] Date: 8/4/14

Purchasing Agent: [Signature] Date: [Signature]

Finance Director: [Signature] Date: 8/11/14

Staff Attorney: [Signature] Date: [Signature]

Mayor: [Signature] Date: 8/07/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: August 4, 2014

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

RE: Settlement Agreement with SWEPCO

On March 1, 2014 the market construct of how power is bought and sold on the open market changed. At that time, the Southwest Power Pool (SPP) began operating and administering Energy and Operating Reserves Markets and Transmission Congestion Rights Market. This means that SPP is in charge of making sure that transmission power is bought/sold at the best daily rate available. This settlement agreement is between SEPCO and 8 different whole sale electric providers in Arkansas, Texas, and Louisiana. Per the agreement, SWEPCO will also act as the City Of Bentonville's agent in dealing with and negotiating with SPP on a daily basis. Bentonville will assign its load to SWEPCO for the purpose of submitting bids and offers to the SPP Integrated Marketplace and managing Auction Revenue Rights/Transmission Congestion Rights. Any charges or credits will be applied equally to the 8 different Customers that are located within the SPP territory. The charges/credits will appear on the City Of Bentonville's monthly statement from SWEPCO.

Privileged and Confidential
For Settlement Purposes Only

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Southwestern Electric Power Company

Docket Nos. ER14-1183-000
ER14-1184-000
ER14-1185-000
ER14-1186-000
ER14-1187-000
ER14-1248-000
ER14-1249-000
ER14-1250-000
ER14-1307-000
ER14-1402-000
(consolidated)

SETTLEMENT AGREEMENT

August __, 2014

This Settlement Agreement, entered into pursuant to Rule 602 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”),¹ is between Southwestern Electric Power Company (“SWEPCO”) and the following eight separate counterparties: Tex-La Electric Cooperative of Texas, Inc. (“TEX-LA”); East Texas Electric Cooperative (“ETEC”); Northeast Texas Electric Cooperative (“NTEC”); Hope Water and Light Commission (“Hope”); City of Bentonville, Arkansas (“Bentonville”); City of Prescott, Arkansas (“Prescott”); City of Minden, Louisiana (“Minden”); and Rayburn Country Electric Cooperative, Inc. (“Rayburn”). SWEPCO, TEX-LA, ETEC, NTEC, Hope, Bentonville, Prescott, Minden, and Rayburn collectively may be referred to herein as “Parties” and individually as a “Party.” TEX-LA, ETEC, NTEC, Hope, Bentonville, Prescott, Minden, and Rayburn collectively may be referred to herein as “Customers” and individually as a “Customer.” When approved by the

¹ 18 C.F.R. § 385.602 (2014).

Commission in full accordance with the terms herein, this Settlement Agreement will resolve the matters at issue in this proceeding.

ARTICLE I BACKGROUND

1. This Settlement Agreement resolves the issues set for hearing in *Southwestern Electric Power Co.*, 146 FERC ¶ 61,230 (2014) (“March 28 Order”) regarding amendments to ten SWEPCO power supply agreements (“PSA”) pending before the Commission in the following consolidated dockets:

- A. Amended and Restated Power Supply Agreement between SWEPCO and TEX-LA (Docket No. ER14-1183-000);
- B. Amended and Restated Power Supply Agreement between SWEPCO and ETEC (Docket No. ER14-1184-000);
- C. Amended and Restated Power Supply Agreement between SWEPCO and NTEC (Docket No. ER14-1185-000);
- D. Amended and Restated ERCOT Power Supply Agreement between SWEPCO and TEX-LA (Docket No. ER14-1186-000);
- E. Amended and Restated Power Supply Agreement between SWEPCO, ETEC, and NTEC (Docket No. ER14-1187-000);
- F. Power Supply Agreement between SWEPCO and Hope (Docket No. ER14-1248-000);
- G. Power Supply Agreement between SWEPCO and Bentonville (Docket No. ER14-1249-000);
- H. Revised and Restated Power Supply Agreement By and Between SWEPCO and Prescott (Docket No. ER14-1250-000);

I. Revised and Restated Power Supply Agreement between
SWEPCO and Minden (Docket No. ER14-1307-000); and

J. Restated and Amended Power Supply Agreement between
SWEPCO and Rayburn (Docket No. ER14-1402-000).

2. The PSAs provide for SWEPCO to supply “Requirements Service” to enable the Customers to serve their retail loads (including associated transmission and distribution losses).

3. SWEPCO filed at the Commission proposed revisions to each of the PSAs to implement the new market construct under Southwest Power Pool, Inc.’s (“SPP”) Integrated Marketplace, which commenced operations on March 1, 2014. Included among the revisions to most of the PSAs were provisions stating that the Customer shall assign its load to SWEPCO for the purposes of submitting bids and offers in the Integrated Marketplace; the Customer shall assign its rights to all Auction Revenue Rights (“ARRs”) and Transmission Congestion Rights (“TCRs”) associated with certain resources that are providing power and energy; and Integrated Marketplace settlement charges shall be booked to either a purchased power account or a sales-for-resale account and included in the energy charge calculation in the PSAs’ cost of service formulas. For PSAs involving Customer resources, the revisions also specified a load-related settlement charge (“LRSC”), which would allow the pass through of certain SPP Integrated Marketplace settlement charges and credits to the Customer for energy supplied by such Customer resources.

4. TEX-LA filed motions to intervene and comments in support in Docket Nos. ER14-1183-000 and ER14-1186-000. ETEC filed a motion to intervene and

comments in support in Docket No. ER14-1184-000. NTEC filed a motion to intervene and comments in support in Docket No. ER14-1185-000. ETEC and NTEC filed a timely motion to intervene and comments in support collectively in Docket No. ER14-1187-000. Hope, Bentonville, and Prescott each filed, in Docket Nos. ER14-1248-000, ER14-1249-000, and ER14-1250-000, motions to intervene, protests, and motions to consolidate Docket Nos. ER14-1248-000, ER14-1249-000, ER14-1250-000, and ER14-1307-000. Minden filed, in Docket No. ER14-1307-000, a motion to intervene and motion to consolidate Docket Nos. ER14-1248-000, ER14-1249-000, ER14-1250-000, and ER14-1307-000.

5. On March 28, 2014, the Commission issued an order consolidating the dockets in which the PSAs were filed, accepting the PSAs for filing and suspending them subject to refund, and establishing hearing and settlement judge procedures. The March 28 Order stated that among the material issues raised by the amended PSAs was that certain of the PSAs provided only limited information regarding the proposal for how SPP Integrated Marketplace settlement charges will be reflected in the FERC accounts and the PSA rates, while other PSAs provide no information regarding how the SPP Integrated Marketplace settlement charges will be reflected in the FERC accounts and the PSA rates. The Commission concluded that it could not determine whether the accounting included in the PSAs is consistent with the Commission's Uniform System of Accounts. The Commission also identified the rights and obligations of the parties regarding ARR and TCRs as among the issues to be addressed in the settlement and hearing procedures.

6. On April 2, 2014, Rayburn filed an out-of-time motion to intervene in

Docket Nos. ER14-1183-000, ER14-1184-000, ER14-1185-000, ER14-1186-000, ER14-1187-000, ER14-1248-000, ER14-1249-000, ER14-1250-000, ER14-1307-000, and ER14-1402-000. On May 2, 2014, Chief Administrative Law Judge Curtis L. Wagner, Jr. granted Rayburn's motion.

7. On May 1, 2014, representatives of the Parties and the Commission's Trial Staff participated in an initial settlement conference before Settlement Judge Carmen A. Cintron. Thereafter, the Parties and Trial Staff continued negotiations with the intention of reaching an agreement that would resolve the issues that were set for hearing by the Commission. This Settlement Agreement reflects the results of those negotiations.

ARTICLE II SCOPE OF SETTLEMENT

This Settlement Agreement represents a complete and final settlement of all issues set for hearing in this proceeding.

ARTICLE III TERMS OF SETTLEMENT

1. The PSAs, as applicable, shall be revised to provide greater clarity regarding the Customers' assignment of load to SWEPCO for the purposes of submitting bids and offers in the SPP Integrated Marketplace and managing ARR/TCR rights, accounting treatment of the SPP Integrated Marketplace settlement charges, and additional details regarding the determination of the LRSC, which is applicable to PSAs that contain provisions regarding Customer Responsible Resources (as defined in the applicable PSAs). The agreed upon revisions are reflected in blacklined pages to each of the PSAs, which are attached hereto as Exhibit A through Exhibit J. Within twenty (20) days of the Settlement Effective Date, as defined pursuant to Article IV of this Settlement

Agreement, SWEPCO shall file with the Commission, in an XML filing that conforms to the Commission's eTariff instructions, revised PSAs that include the terms identified in Exhibit A through Exhibit J.

2. With respect to ARR/TCR rights, as described in Exhibits A-J, SWEPCO shall be responsible for managing such ARR/TCR rights for the benefit of all of its customers and shall be responsible for all Integrated Marketplace settlements related to such ARR/TCR rights. Through this approach, each of the Customers under the PSAs will not be responsible for specific congestion costs related to its load but will share in the system average cost of all SWEPCO customers. More specifically, each Customer will receive a system average share of all of the ARR/TCR rights of SWEPCO (i.e., each Customer will be assessed a system average cost of congestion-related charges and will receive a system average credit of any congestion-related credits) based on that Customer's load percentage in relation to all of SWEPCO's customers.

3. With respect to accounting treatment of the SPP Integrated Marketplace settlement charges, as established in the revisions depicted in Exhibits A-J, all Integrated Marketplace settlement charges (or credits) incurred by SWEPCO shall be recorded to either a purchased power account (FERC Account 555) or a sales-for-resale account (FERC Account 447) in compliance with Commission Order No. 668 and the Commission's Uniform System of Accounts. The Integrated Marketplace settlement charges (or credits) will be allocated to the energy provided to each Customer pursuant to the cost of service formula under the Customer's PSA. Each PSA will include an appendix that summarizes, for illustrative purposes, the accounting classification of the

various SPP Integrated Marketplace settlement charges (or credits) for calendar year 2014.

4. With respect to the determination of the LRSC, which is applicable to those PSAs involving Customer Responsible Resources (as defined in the applicable PSAs), as established in the revisions depicted in Exhibits A-J, at the time that the LRSC is periodically redetermined, SWEPCO shall provide the Customer with documentation of the actual Load Charges (as defined in the applicable PSAs) and the determination of the LRSC for each month during the period.

5. No later than May 31, for the years 2015, 2016, and 2017, SWEPCO shall submit to the Commission an informational filing that summarizes the accounting classification of the various SPP Integrated Marketplace settlement charges (or credits) for the prior calendar year (calendar years 2014, 2015, and 2016 respectively). The summary will be provided substantially in the form of Exhibit K to this Settlement Agreement. Exhibit K also will be included as an illustrative appendix to each PSA, as described in Article III, Paragraph 3 of this Settlement Agreement. SWEPCO shall provide copies of each informational filing to the Customers. SWEPCO shall provide similar documentation to the Customers upon request in subsequent years.

6. The Parties agree that this Settlement Agreement shall resolve all issues set for hearing in the March 28 Order, and shall also terminate all of the above-captioned dockets.

ARTICLE IV SETTLEMENT EFFECTIVE DATE

This Settlement Agreement shall be effective on the date (i) on which a Commission Order approving this Settlement Agreement becomes final and non-

appealable, or (ii) such alternative date that is agreed to by the Parties pursuant to Article 7, Paragraph 7, in the event that this Settlement Agreement is not approved by the Commission without material modification or condition ("Settlement Effective Date"). The Settlement Agreement shall bind the Parties as of the Settlement Effective Date. The Settling Parties agree that upon the Settlement Effective Date, the revisions to the PSAs described in Article III of this Settlement Agreement shall become effective as of March 1, 2014.

ARTICLE V NO PRECEDENTIAL EFFECT

It is specifically understood and agreed that the Settlement Agreement represents a negotiated agreement for the purpose of the settlement of the captioned dockets and that no Party shall be deemed to have approved, accepted, agreed, or consented to any fact, concept, theory, principle, or method related to the justness or reasonableness of any matter, premise, or issue in this proceeding. The Commission's approval of this Settlement Agreement shall not constitute precedent nor be used to prejudice any otherwise available rights or arguments of any Party in a future proceeding, other than to enforce the terms of this Settlement Agreement, and shall not be used as evidence that a particular method is a "long-standing practice" as that term is used in *Columbia Gas Transmission Corp. v. FERC*, 628 F.2d 578 (D.C. Cir. 1975), or a "settled practice" as that term is used in *Public Service Commission of New York v. FERC*, 642 F.2d 1335 (D.C. Cir. 1980).

ARTICLE VI STANDARD OF REVIEW FOR SETTLEMENT MODIFICATION

The public interest standard of review set forth in *United Gas Pipe Line v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956), *Federal Power Commission v. Sierra Pacific*

Power Co., 350 U.S. 348 (1956), and *Morgan Stanley Capital Group, Inc. v. Public Utility District No. 1 of Snohomish County*, 554 U.S. 527 (2008) (the “Mobile-Sierra doctrine”) shall apply to challenges or proposed changes by the Parties to the Settlement Agreement. The “ordinary” just and reasonable standard of review, as discussed in *Morgan Stanley*, 554 U.S. at 535, shall govern any modifications proposed by non-settling parties or the Commission acting *sua sponte*. Notwithstanding the foregoing, and subject to the provisions of the PSAs, nothing herein is intended to restrict the Parties’ rights, subsequent to the Settlement Effective Date, to seek Commission acceptance or approval of changes to the PSAs proposed in accordance with the terms of the PSAs or to oppose changes to the PSAs.

ARTICLE VII MISCELLANEOUS

1. **Final Resolution.** This Settlement Agreement shall be a final and complete resolution of all issues in this proceeding.
2. **Binding.** This Settlement Agreement is binding upon and for the benefit of the Parties and their successors and assigns.
3. **Entire Agreement.** This Settlement Agreement constitutes the entire agreement between the Parties with reference to the subject matter hereto, and supersedes all prior or contemporaneous understandings or agreements, oral or written, between the Parties with respect to the subject matter of this Settlement Agreement.
4. **Interpretation.** All Parties participated in the drafting of this Settlement Agreement. No Party shall be deemed the drafter of this Settlement Agreement, and this Settlement Agreement shall not be construed against any party as the drafter.
5. **Conflict.** In the event of a conflict between terms contained in this

Settlement Agreement and those of the attached Explanatory Statement, the terms of this Settlement Agreement shall control. In the event of a conflict between the terms of Article III of this Settlement Agreement (Terms of Settlement) and those of the Exhibits A-J attached hereto, the terms of Exhibits A-J shall control, except as provided for in Article III, Section 5 of this Settlement Agreement.

6. **Admissibility of Settlement.** This Settlement Agreement is submitted pursuant to Rule 602(e) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.602(e). Unless and until the Settlement Agreement becomes effective pursuant to its terms, the Settlement Agreement shall be of no effect and shall not be admissible in evidence or in any way described or discussed in any proceeding before any court or regulatory body (except in comments on the Settlement Agreement in this proceeding). In addition, the discussions that produced this Settlement Agreement have been conducted with the understanding, pursuant to Rule 602(e), that all offers of settlement, and any discussions relating thereto, are and shall be privileged, shall be without prejudice to the position of any Party, and are not to be used in any manner in connection with this or any other proceeding.

7. **Contingent on Commission Approval.** The terms and conditions of this Settlement Agreement are expressly contingent upon approval by the Commission of this Settlement Agreement without material modification or condition. If the Commission by order conditions its approval of this Settlement Agreement or requires its material modification, the Settlement Agreement shall be deemed withdrawn, shall not be considered to be part of the record in this proceeding, shall not become effective and shall be null and void, unless all of the Parties, within ten business days of the issuance of the

Commission order, subject to extension by agreement of all the Parties, either (i) accept the Commission's modifications and/or conditions or (ii) modify the Settlement Agreement to address or obviate the Commission's concerns.

8. **Titles and Headings.** The titles and headings of the Settlement Agreement are for reference and convenience purposes only. They are not to be construed or taken into account in interpreting the Settlement Agreement and do not qualify, modify, or explain the effects of the Settlement Agreement.

9. **Enforceability and Waiver.** Any failure of any Party (i) to enforce any of the provisions of this Settlement Agreement or (ii) to require compliance with any of its terms at any time during the term of this Settlement Agreement shall in no way affect the validity of this Settlement Agreement, or any part hereof, and shall not be deemed a waiver of the right of such Party thereafter to enforce any and each such provision.

10. **Counterparts.** This Settlement Agreement may be executed in counterparts, each of which when so executed shall be deemed an original, and each of which together shall constitute one agreement binding on the Parties hereto, notwithstanding that each of the Parties shall not have signed the same counterpart.

[The next page is the signature page]

The Parties have caused their duly authorized representatives to execute this
Settlement Agreement on their behalves as of the date first above written.

Southwestern Electric Power Company

By: _____

Name: _____

Tex-La Electric Cooperative of Texas, Inc.

By: _____

Name: _____

East Texas Electric Cooperative

By: _____

Name: _____

Northeast Texas Electric Cooperative

By: _____

Name: _____

Hope Water and Light Commission

By: _____

Name: _____

City of Bentonville, Arkansas

By: _____

Name: _____

City of Prescott, Arkansas

By: _____

Name: _____

City of Minden, Louisiana

By: _____

Name: _____

Rayburn Country Electric Cooperative, Inc.

By: _____

Name: _____

EXHIBIT C SPP Integrated Marketplace Implementation

1. Purpose The SPP Integrated Marketplace (the "IM") is scheduled to be implemented on March 1, 2014. At that time, SPP will begin operating and administering Energy and Operating Reserves Markets and Transmission Congestion Rights Market. Customer and Company agree that effective on the IM Implementation Date, the obligations and responsibilities of the Parties under this Agreement shall be modified as described herein to permit the implementation of the IM consistent with the Parties other obligations and responsibilities under this Agreement.
2. Terms
 - 2.1. ARR ARR means Auction Revenue Right as defined in the SPP Related Documents
 - 2.2. Company Total Load Company Total Load is the total retail and wholesale load of Company in the IM for a given period.
 - 2.3. Customer Responsible Resource Customer Responsible Resource is the SWPA Hydro Peaking Power as listed in Appendix 1.
 - 2.4. IM IM means the SPP Integrated Marketplace.
 - 2.5. IM Implementation Date IM Implementation Date is March 1, 2014, or such later date that SPP implements the Integrated Marketplace.
 - 2.6. Load Charges Load Charges means the sum of the net charges and credits for the SPP IM charge types that are listed in Appendix 2, related to the Company Total Load for a given period in the IM.
 - 2.7. LRSC LRSC means the net load related IM settlement charges or credits, determined pursuant to Section 9, and invoiced to the Customer. The LRSC represents the IM settlement charges that are related to Customer's load being supplied by the Customer resources.
 - 2.8. TCR TCR means Transmission Congestion Right as defined in the SPP Related Documents
 - 2.9. Other capitalized terms used in this Agreement and not defined herein shall have the meaning described in the SPP Related Documents.

3. Load at the Points of Receipt Customer shall assign its load at the Points of Receipt to the Company for the purposes of submitting Bids and Offers in the IM related to such load and performing settlements with SPP in the IM. Company shall accept the assignment of such load and shall be the Market Participant representing such load in the IM. Company shall be responsible for all IM settlement charges, including charges related to congestion, related to the Customer's load.
4. ARR/TCR Assignment Customer shall assign to Company all ARRs and TCRs associated with the Company resources that are providing Requirements Service. Company shall be responsible for managing such ARR/TCR rights for the benefit of its customers and shall be responsible for all IM settlements related to such ARR/TCR rights.
5. Customer Responsible Resource Company shall be Customer's agent for the Customer Responsible Resource. Company shall manage all TCRs and ARRs associated with its transmission service from such resource and shall be responsible for Bids, Offers, settlements and all other activity related to these resources in the IM.
6. Schedules and Energy Credits Notwithstanding the implementation of the IM, Company shall retain its rights under this Agreement to schedule and dispatch the Customer Responsible Resource. Schedules for Energy from the Customer Responsible Resource shall be implemented through Bilateral Settlement Schedules (BSS) in the IM. A Company request for energy shall be made with a BSS initiated by Company and reviewed and confirmed by Customer or its agent for each resource. The BSS will specify the Company as the buyer, Customer as the seller, the Company load as the Settlement Location, and the quantity of Energy scheduled for each hour. The BSS confirmed by the Parties shall be treated as delivered energy from the Customer Responsible Resource under this agreement. Customer shall retain responsibility for all TCRs and ARRs associated with the Customer Responsible Resource and shall be responsible for the performance of all financial and other obligations with SPP for such resources and the associated BSS.
7. IM Settlement Charges All IM settlement charges (or credits) incurred by Company shall, consistent with the Company's ongoing accounting practice, be recorded in compliance with FERC Order No. 668 and comply with the FERC Uniform System of Accounts. The IM settlements will be booked/recorded to either a purchased power account (FERC Account 555) or a sales-for-resale account (FERC Account 447). The IM settlement charges (or credits) will be

allocated to the Energy provided to the Customer under this Agreement pursuant to the cost of service formulas in Exhibit B. Appendix 3 to this Exhibit is a populated template that summarizes, for illustrative purposes, the accounting classification of the various SPP IM Settlement Charges for calendar year 2014, as shown in Appendix 2 and such charges shall be included in the Energy charge calculation in the Cost of Service formulas herein.

8. Load Related Settlement Charges In addition to the existing charges under this Agreement, a Load Related Settlement Charge (the "LRSC"), shall be invoiced to Customer each month for all energy supplied by Customer resources and credited to the Customer's invoice. Appendix 2 to this Exhibit identifies the IM Settlement Charges that are Load Charges in the LRSC. The LRSC for each billing period shall be determined as follows:

$$\text{LRSC} = [(\text{Sum Load Charges for the period}) / (\text{Sum of Company Total Load for the period})] \times (\text{Energy credit from SWPA Hydro Peaking Power for the period})$$

If the actual data to determine the LRSC is unavailable, the Company will provide a reasonable estimate each month of the data using Good Utility Practice and invoice the Customer based on such estimates. The LRSC shall be redetermined periodically based on the availability of the necessary data, but no less than annually, in the same manner as the described in Section 5.10 (Annual Adjustment) and any difference between the sums due Company and the sums paid by Customer shall be billed to customer or credited to customer, as appropriate, with carrying charges in the same way described in Section 5.10 for the demand and energy charges under this Agreement. At the time of such redetermination, Company shall provide Customer with documentation of the actual Load Charges and the determination of the LRSC for each month during the period.

9. Expenses and Credits Except as otherwise specified herein related to the IM, Customer shall continue to be solely responsible for all operation, maintenance, and other expenses related to the Customer resources. Customer shall continue to receive capacity and energy credits for the Customer resources as set forth in this Agreement.
10. New SPP Charges The Parties agree that should SPP adopt new charges (or credits) related to the IM, then this Agreement shall be amended, if necessary, to include such new charges (or credits) in the cost of service formulas and the LRSC in a way similar to the provisions of this Exhibit.

11. Cooperation The Parties agree to cooperate with SPP to implement the terms and conditions herein effective with the IM Implementation Date and to cease the implementation of the terms and conditions at the termination of this Agreement, taking into account, if necessary, any partial year assignments of rights and obligations as necessary.

Appendix 1: Customer Resources

	Resource	Estimated Capacity MW	Estimated Annual Energy GWH	Customer Controlled Resource
1)	SWPA Hydro Peaking Power	18	50	X

Appendix 2: Load Related SPP IM Settlement Charges

Ln.	Charge Type	Allocation Basis	Charge/Credit	Frequency	FERC Account	Load Charges in LRSC
1	Day Ahead Asset Energy Amount	Load/Gen	Credit or Charge	Hourly	-555/447	
2	Day Ahead Non Asset Energy Amount	Imports/Exports	Credit or Charge	Hourly	-555/447	
3	Day Ahead Virtual Energy Amount	Virtual	Credit or Charge	Hourly	-555/447	
4	Day Ahead Regulation Up Amount	Gen	Credit	Hourly	555	
5	Day Ahead Regulation Down Amount	Gen	Credit	Hourly	555	
6	Day Ahead Spinning Reserve Amount	Gen	Credit	Hourly	555	
7	Day Ahead Supplemental Reserve Amount	Gen	Credit	Hourly	555	
8	Day Ahead Regulation Up Distribution Amount	Load/Exports	Charge	Hourly	555	y
9	Day Ahead Regulation Down Distribution Amount	Load/Exports	Charge	Hourly	555	y
10	Day Ahead Spinning Reserve Distribution Amount	Load/Exports	Charge	Hourly	555	y
11	Day Ahead Supplemental Reserve Distribution Amount	Load/Exports	Charge	Hourly	555	y
12	Day Ahead Make Whole Payment Amount	Gen	Credit	Daily	447 or 555	
13	Day Ahead Make Whole Payment Distribution Amount	Load/Exports/Virtual	Charge	Hourly	447 or 555	y
14	Day Ahead Over Collected Losses Distribution Amount	Load/Exports/Loss Pool	Credit	Hourly	447 or 555	y
15	Day Ahead Virtual Energy Transaction Fee Amount	Virtual	Charge	Daily	-555/447	
16	Real Time Asset Energy Amount	Load/Gen	Credit or Charge	Interval	555/447	
17	Real Time Non Asset Energy Amount	Load	Credit or Charge	Interval	555/447	y
18	Real Time Virtual Energy Amount	Virtual	Credit or Charge	Interval	555/447	
19	Real Time Regulation Up Amount	Gen	Credit or Charge	Interval	555	
20	Real Time Regulation Down Amount	Gen	Credit or Charge	Interval	555	
21	Real Time Spinning Reserve Amount	Gen	Credit or Charge	Interval	555	
22	Real Time Supplemental Reserve Amount	Gen	Credit or Charge	Interval	555	
23	RUC Make Whole Payment Amount	Gen	Credit	Interval	447	
24	Real Time Out of Merit Amount	Gen	Credit	Interval	447	
25	RUC Make Whole Payment Distribution Amount	All	Charge	Hourly	447	y
26	Real Time Regulation Up Distribution Amount	Load/Exports	Credit or Charge	Hourly	555	y

Appendix 2 Continued: Load Related SPP IM Settlement Charges

Ln.	Charge Type	Allocation Basis	Charge/Credit	Frequency	FERC Account	Load Charges in LRSC
27	Real Time Regulation Down Distribution Amount	Load/Exports	Credit or Charge	Hourly	555	y
28	Real Time Spinning Reserve Distribution Amount	Load/Exports	Credit or Charge	Hourly	555	y
29	Real Time Supplemental Reserve Distribution Amount	Load/Exports	Credit or Charge	Hourly	555	y
30	Real Time Regulation Non Performance Amount	Gen	Charge	Interval	555	
31	Real Time Regulation Non Performance Distribution Amount	Load/Exports	Credit	Hourly	555	y
32	Real Time Contingency Reserve Deployment Failure Amount	Gen	Credit or Charge	Hourly	555	
33	Real Time Contingency Reserve Deployment Failure Distribution Amount	Load	Credit or Charge	Hourly	555	y
34	Real Time Regulation Deployment Adjustment Amount	Gen	Credit or Charge	Hourly	555	
35	Real Time Over Collected Losses Distribution Amount	Load	Credit or Charge	Hourly	555/447	y
36	Real Time Joint Operating Agreement Amount	Load	Credit or Charge	Hourly	555/447	y
37	Real Time Reserve Sharing Group Amount	Load	Credit or Charge	Hourly	555/447	y
38	Real Time Reserve Sharing Group Distribution Amount	Gen	Credit	Hourly	447	
39	Revenue Neutrality Uplift Distribution Amount	All	Credit or Charge	Hourly	555/447	y
40	Transmission Congestion Rights Funding Amount	TCR	Credit or Charge	Hourly	447	
41	Transmission Congestion Rights Daily Uplift Amount	TCR	Charge	Daily	447	
42	Transmission Congestions Rights Monthly Payback Amount	TCR	Credit	Daily	447	
43	Transmission Congestion Rights Annual Payback Amount	TCR	Credit	Annual	447	
44	Transmission Congestion Rights Annual Closeout Amount	ARR	Credit	Annual	447	
45	Transmission Congestion Rights Auction Transaction Amount	TCR	Credit or Charge	Daily	447	
46	Auction Revenue Rights Funding Amount	ARR	Credit	Daily	447	
47	Auction Revenue Rights Uplift Amount	ARR	Charge	Daily	447	
48	Auction Revenue Rights Monthly Payback Amount	ARR	Credit	Daily	447	
49	Auction Revenue Rights Annual Payback Amount	ARR	Credit	Daily	447	
50	Auction Revenue Rights Annual Closeout Amount	ARR	Credit	Daily	447	
51	Miscellaneous Amount	All	Credit or Charge	Daily	555/447	y

Appendix 3: Populated Template for Illustrative Purposes

(See next page.)

SOUTHWESTERN ELECTRIC POWER COMPANY
For the Year Ending December 31, 2014
Populated Template for Illustrative Purposes

	Jan-2014	Feb-2014	Mar-2014	Apr-2014	May-2014	Jun-2014	Jul-2014	Aug-2014	Sep-2014	Oct-2014	Nov-2014	Dec-2014	Total
SPP Integrated Marketplace:													
AUCTION REVENUE RIGHTS FUNDING	555,439		686,450										1,241,889
DAY-AHEAD ASSET ENERGY	(6,470)		2,205,511										2,199,042
DAY-AHEAD MAKE-WHOLE-PAYMENT	3,559,004		4,540,009										8,099,013
DAY-AHEAD MAKE-WHOLE-PAYMENT DIST	42,216		1,046										43,262
DAY-AHEAD MAKE-WHOLE-PAYMENT RESERVE	(49,361)		(239,946)										(770,391)
DAY-AHEAD REGULATION-UP	1,426,364		985,946										2,412,310
DAY-AHEAD REGULATION-DOWN	653		39,476										40,130
DAY-AHEAD REGULATION-DOWN DIST			(39,992)										(39,992)
DAY-AHEAD REGULATION-UP DIST	207		91,331										91,538
DAY-AHEAD SPINNING RESERVE DIST	13,743		1,057,877										1,071,620
DAY-AHEAD SUPPLEMENTAL RESERVE DIST			(757,868)										(757,868)
DAY-AHEAD SUPPLEMENTAL RESERVE	134		3,241										3,374
DAY-AHEAD VIRTUAL ENERGY	(187)		0										(187)
GFA CARVE OUT DISTRIBUTION			(152,573)										(152,573)
REAL-TIME ASSET ENERGY	2,298,533		1,253,660										3,552,193
REAL-TIME ASSET ENERGY DIST	89,104		273,640										362,744
REAL-TIME CONTINGENCY RESERVE	(2,773)		5,935										3,162
REAL-TIME OUT-OF-MERIT	419,600		(419,600)										-
REAL-TIME OVER-COLLECTED LOSSES	54,351		(184,083)										(129,732)
REAL-TIME REGULATION DEPLOYMENT	(108)		35,817										35,709
REAL-TIME REGULATION NON-PERFORMANCE	5,818		1,822										7,640
REAL-TIME REGULATION-DOWN	1,025		122,665										123,690
REAL-TIME REGULATION-DOWN DIST			(122,665)										(122,665)
REAL-TIME REGULATION-UP	16,775		16,775										33,550
REAL-TIME REGULATION-UP DIST	(3,350)		(26,735)										(30,085)
REAL-TIME REVENUE NEUTRALITY	(2,640)		53,358										50,718
REAL-TIME SPINNING RESERVE			8,230										8,230
REAL-TIME SPINNING RESERVE DIST			(8,230)										(8,230)
REAL-TIME SUPPLEMENTAL RESERVE	3		76,340										76,343
REAL-TIME VIRTUAL ENERGY	(3,780)		3										(3,776)
RUC MAKE-WHOLE-PAYMENT	147,016		37,677										184,693
RUC MAKE-WHOLE-PAYMENT DIST	(609,391)		(135,468)										(744,859)
TRANSMISSION CONGESTION RIGHTS	2,066,715		(255,492)										1,811,223
TOTAL SPP Sales for Resale (Account 447) (a)	9,573,184		10,402,987										19,976,171

	Jan-2014	Feb-2014	Mar-2014	Apr-2014	May-2014	Jun-2014	Jul-2014	Aug-2014	Sep-2014	Oct-2014	Nov-2014	Dec-2014	Total
SPP Integrated Marketplace:													
DAY-AHEAD ASSET ENERGY	5,996,059		2,745,182										8,741,241
DAY-AHEAD NON-ASSET ENERGY	(2,061,578)		(1,161,353)										(3,222,931)
DAY-AHEAD REGULATION-UP	(16,570)		(1,054)										(17,624)
DAY-AHEAD REGULATION-DOWN DIST	241,230		95,980										337,209
DAY-AHEAD REGULATION-UP	(210,167)		(206,811)										(416,978)
DAY-AHEAD REGULATION-DOWN	441,735		283,705										725,439
DAY-AHEAD SPINNING RESERVE	(838,897)		806,966										(3,151)
DAY-AHEAD SUPPLEMENTAL RESERVE DIST	455,750		(413,410)										(42,660)
DAY-AHEAD SUPPLEMENTAL RESERVE	135,601		54,252										189,853
DAY-AHEAD VIRTUAL ENERGY	(4,871)		4										(4,867)
GFA CARVE OUT DISTRIBUTION	43,098		(45,098)										-
REAL-TIME ASSET ENERGY	6,176,062		3,161,873										9,337,935
REAL-TIME NON-ASSET ENERGY	16,017		54,675										70,692
REAL-TIME CONTINGENCY RESERVE	105,946		(225,902)										(119,956)
REAL-TIME REGULATION DEPLOYMENT	866		1,046										1,912
REAL-TIME REGULATION NON-PERFORMANCE	(6,958)		(6,736)										(13,694)
REAL-TIME REGULATION-DOWN	(115,317)		147,285										31,968
REAL-TIME REGULATION-DOWN DIST	(2,734)		1,523										(1,211)
REAL-TIME REGULATION-UP	10,399		96,300										106,699
REAL-TIME REGULATION-UP DIST	(16,774)		3,946										(12,828)
REAL-TIME RESERVE SHARING GROUP	(2,535)		(2,449)										(4,984)
REAL-TIME REVENUE NEUTRALITY	252,681		(70,546)										174,135
REAL-TIME SPINNING RESERVE	382,071		3,271										385,342
REAL-TIME SPINNING RESERVE DIST	(21,362)		(2,212)										(23,573)
REAL-TIME SUPPLEMENTAL RESERVE	(52,500)		84,247										31,746
TOTAL SPP Purchased Power (Account 555) (b)	10,730,028		5,405,793										16,135,810

Footnotes:

- a. SPP Integrated Marketplace Settlement Charges (or credits) classified to account 447 and reflected in parentheses represent a debit amount.
b. SPP Integrated Marketplace Settlement Charges (or credits) classified to account 555 and reflected in parentheses represent a credit amount.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A SETTLEMENT AGREEMENT WITH SOUTHWESTERN ELECTRIC POWER COMPANY (SWEPCO) THAT SWEPCO WILL SUBMIT TO FERC SEEKING APPROVAL IN FERC DOCKET NO. ER14-1249 RELATING TO REVISIONS TO BENTONVILLE'S POWER SUPPLY AGREEMENT WITH SWEPCO--SUCH REVISIONS IMPLEMENTING THE NEW MARKET CONSTRUCT UNDER SOUTHWEST POWER POOL, INC'S INTEGRATED MARKETPLACE; AND FOR OTHER PURPOSES

WHEREAS, the City of Bentonville has a Power Supply Agreement with Southwestern Electric Power Company (SWEPCO) under which SWEPCO provides capacity and energy to meet the City of Bentonville's partial electric requirements;

WHEREAS, in performing its services under the Power Supply Agreement, SWEPCO utilizes transmission and other services from Southwest Power Pool, Inc. (SPP) (a regional transmission organization); and

WHEREAS, SPP has developed a comprehensive market design for the SPP Region which is known as the SPP Integrated Marketplace which commenced operations on March 1, 2014;

WHEREAS, SWEPCO has determined that the Power Supply Agreement must be revised for the implementation of the new SPP Integrated Marketplace construct; and

WHEREAS, SWEPCO has also determined that the Power Supply Agreement must be updated to address responsibilities associated with NERC (the North American Electric Reliability Corporation) requirements and to reflect certain updates to the City of Bentonville's points of receipt; and

WHEREAS, SWEPCO has filed an unexecuted Revised Power Supply Agreement for Bentonville, reflecting these revisions, in FERC Docket No. ER14-1249 seeking the FERC's approval;

WHEREAS, SWEPCO also filed unexecuted revised Power Supply Agreements for 9 other customers similarly situated as the City of Bentonville regarding these changes to their Power Supply Agreements in 9 other FERC dockets which have all been consolidated at the FERC, Docket ER14-1183 (the "Docket"); and

WHEREAS, numerous parties, including the City of Bentonville, intervened in the Docket with various protests and comments; and

WHEREAS, the FERC has set the Docket for settlement judge procedures and the parties to the Docket have been working with SWEPCO, the FERC staff, and the

Settlement Judge toward a settlement and resolution of the Docket without the necessity, expense, and uncertainty of a trial; and

WHEREAS, SWEPCO, the FERC Staff, and the intervening parties have reached a settlement, the terms of which are incorporated in the Settlement Agreement which is now before the City of Bentonville's City Council for review and consideration; and

WHEREAS, SWEPCO has requested the governing bodies of all of its customers with these Power Supply Agreements that are to be revised to execute the Settlement Agreement so that SWEPCO can file it in the Docket and seek approval of the parties' settlement from FERC;

WHEREAS, the Settlement Agreement has SWEPCO's proposed revisions to Bentonville's Power Supply Agreement attached to it by exhibit; and

WHEREAS, in order to move forward in the process of consummating a settlement of the Docket and effectuating the revisions to the City of Bentonville's Power Supply Agreement, it is necessary for the City of Bentonville to execute the Settlement Agreement and return it to SWEPCO for filing in the Docket with the FERC;

WHEREAS, in the event that a final Settlement Agreement, together with a Revised Power Supply Agreement for Bentonville is approved by the FERC, the final Revised Power Supply Agreement will be submitted to the City Council for review, consideration, and approval; and

WHEREAS, it has been recommended by Utility Consultants and Counsel that the City Council authorize the Settlement Agreement; and

WHEREAS, the City Council finds that it is in the best interests of the City of Bentonville to authorize the Settlement Agreement and proceed as outlined herein.

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

SECTION 1. That the Mayor and City Clerk are hereby authorized to enter into and execute the Settlement Agreement with SWEPCO and to return it to SWEPCO for filing in the Docket with the FERC, together with SWEPCO's proposed modifications to the City of Bentonville's Power Supply Agreement, and for all of which SWEPCO will seek the FERC's approval. The Mayor and the City of Bentonville are hereby authorized to make any modifications, amendments, changes or regulatory filings that may be necessary for any reason. The Settlement Agreement is hereby approved and is attached hereto as Exhibit A.

SECTION 2. That this Ordinance is passed in full accordance and compliance with Title 14 Chapter 203 of the Arkansas Code, codified at Ark. Code Ann. §14-203-101 *et seq.*, and accordingly is to be published one (1) time in a newspaper of general circulation in the municipality. By law, any contest of the ordinance shall be barred at

the end of thirty (30) days after the ordinance is published, in accordance with Ark. Code Ann. §14-203-115(b).

SECTION 3. EMERGENCY CLAUSE: That it is found and determined by the City Council that time is of the essence due to the requirements of the Federal Energy Regulatory Commission and a Settlement Judge in FERC Docket ER14-1183 to finalize this Settlement Agreement hereby approved in the body of this Ordinance and that an emergency is declared to exist and this Ordinance being immediately necessary for the preservation of the public peace, health and safety of the population and therefore this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

DATE

APPROVED

Mayor

ATTEST:

City Clerk



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
X	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Travis Matlock

Department: Electric

Phone: 271-3135

ACTION REQUIRED:

An ordinance authorizing the Mayor and City Council to enter into an agreement with SWEPCO amending the Power Supply Agreement between Bentonville and SWEPCO in order to address the changes to the Integrated Market Place dealing with purchasing power.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: *TMM* Date: 8/14/14

Purchasing Agent: Date:

Finance Director: *M* Date: 8/14/14

Staff Attorney: Date:

Mayor: *POM* Date: 8/27/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: August 4, 2014

TO: **City Council, Mayor McCaslin**

FROM: Travis Matlock, Engineering Director

RE: **Amendment to the PSA with SWEPCO**

This amendment to the Power Supply Agreement with SWEPCO will add Exhibit C, which deals with the new market construct, and the SPP (Southwest Power Pool) Integrated Marketplace. The amendment establishes the different charges/credits that will be applied to Bentonville's monthly statement from SWEPCO.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A REVISED POWER SUPPLY AGREEMENT WITH SOUTHWESTERN ELECTRIC POWER COMPANY (SWEPCO)--SUCH REVISIONS IMPLEMENTING THE NEW MARKET CONSTRUCT UNDER SOUTHWEST POWER POOL, INC'S INTEGRATED MARKETPLACE; AND FOR OTHER PURPOSES

WHEREAS, the City of Bentonville has a Power Supply Agreement with Southwestern Electric Power Company (SWEPCO) under which SWEPCO provides capacity and energy to meet the City's partial electric requirements; and

WHEREAS, in performing its services under the Power Supply Agreement, SWEPCO utilizes transmission and other services from Southwest Power Pool, Inc. (SPP) (a regional transmission organization); and

WHEREAS, SPP has developed a comprehensive market design for the SPP Region which is known as the SPP Integrated Marketplace and which commenced operations on March 1, 2014; and

WHEREAS, SWEPCO has determined that the Power Supply Agreement must be revised for the implementation of the new SPP Integrated Marketplace construct; and

WHEREAS, SWEPCO has also determined that the Power Supply Agreement must be updated to address responsibilities associated with NERC (the North American Electric Reliability Corporation) requirements and to reflect certain updates to the City of Bentonville's points of receipt; and

WHEREAS, pursuant to prior Ordinance, the City of Bentonville is entering into a Settlement Agreement with SWEPCO concerning the revisions proposed to the Power Supply Agreement and if and when FERC approves the Settlement Agreement and the Revised Power Supply Agreement; and

WHEREAS, in order to complete this transaction it is necessary for the City of Bentonville, Arkansas and SWEPCO to enter into and execute the Revised Power Supply Agreement to be effective as if and when accepted for filing by FERC; and

WHEREAS, the City Council finds that it is in the best interests of the City of Bentonville, Arkansas to authorize the Revised Power Supply Agreement with SWEPCO; and

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

SECTION 1. That the Mayor and City Clerk are hereby authorized to enter into and execute a Revised Power Supply Agreement with SWEPCO, and the Mayor and the

City of Bentonville are hereby authorized to make any modifications, amendments, changes or regulatory filings that may be necessary for any reason. Said Revised Power Supply Agreement is hereby approved and is attached hereto as Exhibit A.

SECTION 2. That this Ordinance is passed in full accordance and compliance with Title 14 Chapter 203 of the Arkansas Code, codified at Ark. Code Ann. §14-203-101 *et seq.*, and accordingly is to be published one (1) time in a newspaper of general circulation in the municipality. By law, any contest of the ordinance shall be barred at the end of thirty (30) days after the ordinance is published, in accordance with Ark. Code Ann. §14-203-115(b).

SECTION 3. EMERGENCY CLAUSE: That it is found and determined by the City Council that time is of the essence due to requirements of the Federal Energy Regulatory Commission and a Settlement Judge in FERC Docket ER14-1183 to finalize this Revised Power Supply Agreement hereby approved in the body of this Ordinance and that an emergency is declared to exist and this Ordinance being immediately necessary for the preservation of the public peace, health and safety of the population and therefore this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

DATE

APPROVED

Mayor

ATTEST:

City Clerk



CHECK ALL THAT APPLY		
	Bid Award	Bid #
X	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Travis Matlock

Department: Engineering

Phone: 271-3168

ACTION REQUIRED:

Council approval of a budget adjustment recognizing \$42,551.84 received from FEMA for damage that occurred during a storm that occurred on August 8th, 2013.

COST TO CITY:

Cost of this Request: \$42,552

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: *TM* Date: 8/11/14

Purchasing Agent: *DL* Date: *8-7-14*

Finance Director: *DL* Date: *8-7-14*

Staff Attorney: *POM* Date: *8/07/14*

Mayor: *POM* Date: *8/07/14*

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE





CHECK ALL THAT APPLY			
X	Bid Award	Bid #	14-37
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 12, 2014

Submitted by: Travis Matlock

Department: Engineering

Phone: 271-3168

ACTION REQUIRED:

Recommend the Mayor and City Council award bid for the reconstruction of the Stonehenge Fire Access Road to Dean Crowder Construction in the amount of \$94,335.00 plus a 10% contingency for a total amount of \$103,768.50.

COST TO CITY:

Cost of this Request: \$103,769

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

Date

Purchasing Agent

Date

Finance Director

Date

Staff Attorney

Date

Mayor

Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: August 4, 2014

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

RE: Bid Award for Fire Service Access Road - Stonehenge

During a storm in August of 2013, the fire service access road that extends from Stonehenge Dr. to Copperfield was damaged from excessive rainfall. The storm was declared a disaster by FEMA (DR 4143), which allowed the City Of Bentonville to submit the damage to FEMA for possible payment and reimbursement from the State of Arkansas. FEMA agreed, and this spring the City Of Bentonville received \$42,551.84 from FEMA, and will receive \$7,091.97 (as a reimbursement) from the State for the reconstruction of the access road. The remainder will be paid by the City and will come out of the stormwater improvement account.

The City Of Bentonville recommends awarding the bid for reconstruction to Dean Crowder Construction in the amount of \$94,335.00 plus a 10% contingency for a total amount of \$103,768.50. Once the project is finalized, the paperwork will be completed in order to receive the reimbursement from the State.

Stonehenge Fire Access Road Reconstruction										Dean Crowder		DECCO		Diamond C		GCS	
Item #	Item	Unit	QTY	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
111.1	Construction Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 4,400.00	\$ 4,400.00	\$ 1,355.31	\$ 1,355.31	\$ 650.00	\$ 650.00						
112.1	Trench and Excavation Safety Eyster	LS	1	\$ 4,100.00	\$ 4,100.00	\$ 1,400.00	\$ 1,400.00	\$ 100.00	\$ 100.00	\$ 3,315.00	\$ 3,315.00						
201.1	Clearing and Grubbing	LS	1	\$ 7,200.00	\$ 7,200.00	\$ 15,000.00	\$ 15,000.00	\$ 6,474.87	\$ 6,474.87	\$11,564.00	\$ 11,564.00						
202.2	Rock Excavation	CY	10	\$ 220.00	\$ 2,200.00	\$ 400.00	\$ 4,000.00	\$ 300.00	\$ 3,000.00	\$ 247.00	\$ 2,470.00						
202.3	Excavation (Plan Quantity)	CY	270	\$ 12.00	\$ 3,240.00	\$ 33.00	\$ 8,910.00	\$ 70.49	\$ 19,032.30	\$ 27.69	\$ 7,476.30						
202.4	Embankment (Plan Quantity)	CY	340	\$ 15.00	\$ 5,100.00	\$ 35.00	\$ 11,900.00	\$ 80.11	\$ 27,237.40	\$ 35.09	\$ 11,930.60						
204.1	4" Topsoil Placement	SY	310	\$ 10.00	\$ 3,100.00	\$ 12.00	\$ 3,720.00	\$ 13.91	\$ 4,312.10	\$ 12.53	\$ 3,884.30						
301.1	36" RCP	LF	105	\$ 115.00	\$ 12,075.00	\$ 182.00	\$ 19,110.00	\$ 192.38	\$ 20,199.90	\$ 172.91	\$ 18,155.55						
302.4	9' x 4' Area Inlet (Special)	EA	1	\$17,000.00	\$ 17,000.00	\$ 16,000.00	\$ 16,000.00	\$ 7,416.30	\$ 7,416.30	\$10,637.00	\$ 10,637.00						
306.1	Grouted Rip Rap Pad	SY	22	\$ 100.00	\$ 2,200.00	\$ 80.00	\$ 1,760.00	\$ 104.55	\$ 2,300.10	\$ 152.74	\$ 3,360.28						
401.1	4" Aggregate Base Course	SY	120	\$ 20.00	\$ 2,400.00	\$ 36.00	\$ 4,320.00	\$ 9.68	\$ 1,161.60	\$ 23.40	\$ 2,808.00						
407.1	6" Rigs Pavement	SY	120	\$ 56.00	\$ 6,720.00	\$ 75.00	\$ 9,000.00	\$ 29.33	\$ 3,519.60	\$ 45.61	\$ 5,473.20						
504.1	Headwalls and Wingwalls	EA	1	\$12,500.00	\$ 12,500.00	\$ 9,500.00	\$ 9,500.00	\$ 5,175.00	\$ 5,175.00	\$ 5,065.13	\$ 5,065.13						
505.1	Sodding	SY	280	\$ 10.00	\$ 2,800.00	\$ 15.00	\$ 4,200.00	\$ 12.30	\$ 3,444.00	\$ 5.85	\$ 1,638.00						
509.1	Erosion Control	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 6,900.00	\$ 6,900.00	\$ 2,711.61	\$ 2,711.61	\$ 1,329.78	\$ 1,329.78						
510.1	Traffic Control	LS	1	\$ 3,200.00	\$ 3,200.00	\$ 4,000.00	\$ 4,000.00	\$ 632.50	\$ 632.50	\$ 661.86	\$ 661.86						
511.1	Mobilization (5% MAX)	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 5,500.00	\$ 5,500.00	\$ 5400	\$ 5,400.00	\$ 4225	\$ 4,225.00						
Totals				\$	\$ 94,335.00		\$ 129,620.00		\$ 113,472.59		\$ 94,644.00						
Mobilization Check					\$ 5%	\$ 4,591.75	\$ 5%	\$ 6,206.00	\$ 5%	\$ 5,403.63	\$ 5%	\$ 4,520.95					