Committee of the Whole
and
City Council
Meeting Agenda
November 13, 2023
November 14, 2023
6:00 PM
Bentonville City Hall

Note – The public, members of the City Council, and City staff, may have the option to attend this meeting by remote means. For public health reasons, those who attend in person should keep in mind hygiene, the use of facial coverings, and social distancing.

Public comments can be submitted by email submitted to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting. Those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make "live" public comments orally in the event they cannot attend the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to cc.comments@bentonvillear.com by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

*If you would like to attend the Committee of the Whole Meeting virtually, please register at the following link by 4:00 p.m. on November 13, 2023:
https://us02web.zoom.us/webinar/register/WN_5h2oPOOSTxKUfAttUed3qA

*If you would like to attend the City Council Meeting virtually, please register at the following link by 4:00 p.m. on November 14, 2023:
https://us02web.zoom.us/webinar/register/WN_LE-Hr23GRGahsKCIhNKSBw

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: October 24, 2023

I. Committee of the Whole - Monday Night Only Items

1. **Impact Fee Discussion** **Informational**

2. **Affordable Housing Discussion** **Informational**

3. **Business Registry Proposal Presentation** **Informational**

   A presentation of a proposed program to establish a Business Registry.

4. **Short-term Rental Registry Presentation** **Informational**

   A presentation of a proposed program to establish a Short-term Rental Registry.

II. New Business

1. **October Commercial Landscape Award - 350 SW A Street** **Informational**

   Recognition by City Council of the landscaping on commercial property located at 350 SW A Street home of Skylight Cinema. The property was selected by the Tree & Landscape Advisory Committee and is the October 2023 Commercial Landscaping of the Month award winner.

2. **October Residential Landscape Award - 1808 SE Lawrence Street** **Informational**

   Recognition by City Council of the landscaping of residential property at 1808 SE Lawrence Street. The property was selected by the Tree & Landscape Advisory Committee and is the October 2023 Residential Landscaping of the Month award winner.

3. **Public Art Advisory Committee Reappointment of Clint Schaff** **Board Appointment**

   Recommending reappointment of Clint Schaff to a second term in Position 6 on the Public Art Advisory Committee. His first full three-year term begins January 1, 2024 and expires Dec. 31, 2026.

4. **Public Art Advisory Committee Reappointment of Tom Hoehn** **Board Appointment**

   Recommending reappointment of Tom Hoehn to a second term in Position 7 on the Public Art Advisory Committee. His second three-year term begins January 1, 2024 and expires Dec. 31, 2026.

5. **Public Art Advisory Committee Appointment of Anne Jackson** **Board Appointment**

   Appointment of Anne Jackson to a first term in Position 5 on the Public Art Advisory Committee. The term for this position expires Dec. 31, 2023 and was vacated by Brittany Vernon in July 2023 when she moved outside of Bentonville. Anne's first three-year term begins January 1, 2024 and expires Dec. 31, 2026.

6. **Tree & Landscape Advisory Committee Reappointment of Gulizar Baggson** **Board Appointment**

   Recommending reappointment of Gulizar Baggson for a second term in Position 2 on the Tree & Landscape Advisory Committee. Her second three-year term begins January 1, 2024 and expires Dec. 31, 2026.

7. **Tree & Landscape Advisory Committee Reappointment of Jessie Wagner** **Board Appointment**

Recommending reappointment of Jessie Wagner for a second term in Position 1 on the Tree & Landscape Advisory Committee. Her second three-year term begins January 1, 2024 and expires Dec. 31, 2026.

8. **Tree & Landscape Advisory Committee Reappointment of Nathan Lembke** — **Board Appointment**

Recommending reappointment of Nathan Lembke for a third term in Position 4 on the Tree & Landscape Advisory Committee. His third three-year term begins January 1, 2024 and expires Dec. 31, 2026.

9. **Tree & Landscape Advisory Committee Appointment of Jeannie McIntire** — **Board Appointment**

Recommending appointment of Jeannie McIntire to fulfill an unexpired term for Position 6 on the Tree & Landscape Advisory Committee. Mark Bray, currently in the position, resigned in October 2023. This position's term expires Dec. 31, 2024.

10. **Reappointment of Jeff McClelland to the Northwest Arkansas Conservation Authority Board** — **Board Appointment**

Mayor Stephanie Orman is recommending Jeff McClelland for reappointment to the Northwest Arkansas Conservation Authority (NACA) Board. This will be Mr. McClelland's second term that will expire on December 31, 2026.

11. **Reappointment of Library Advisory Board Member Cynthia Cochran** — **Board Appointment**

Approve reappointment of Cynthia Cochran to the Library Advisory Board. This is Mrs. Cochran's second term that will expire December 31, 2028.

12. **Adopting 2024 New Positions and Pay Plan Changes** — **Ordinance***

Ordinance adopting new positions that are being requested for 2024 along with some position upgrades, all have been included in the 2024 budget.

13. **2024 Pay Plan Change - Fire Department Personnel** — **Ordinance***

Ordinance amending the 2024 Bentonville Fire Department Pay Plan - These changes are being requested to maintain competitive salaries. The attached pay plan will move the starting wage for a Firefighter from $13.00 to $15.08 per hour.

14. **Hein Thu Tran Annexation** — **Ordinance***

Ordinance accepting the annexation of certain territory of the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (Hein Thu Tran Annexation).

15. **Issue of 2023 Bonds** — **Ordinance***

Approve an Ordinance authorizing the issuance of sales and use tax bonds for the purpose of financing the cost of capital improvements. No budget adjustment is needed.

16. **Adopt 2024 Budget** — **Resolution**

Approve a Resolution adopting the 2024 Budget.

17. **Impact Fees (Police)** — **Ordinance***

Requesting City Council approval of an ordinance to amend Police Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.

18. **Impact Fees (Fire/EMS)** — **Ordinance***

Requesting City Council approval of an ordinance to amend Fire/EMS Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.

19. **Impact Fees (Library)** **Ordinance***

Requesting City Council approval of an ordinance to amend Library Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.

20. **Impact Fees (Parks)** **Ordinance***

Requesting City Council approval of an ordinance to amend Parks Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.

21. **Award Bid IFB-23-57 Re-bid of a Portable Restroom Trailer for the Police Department Training Facility** **Resolution**

Resolution to award bid (IFB-23-57 Re-bid) to 8540527 Canada Inc / NIU TOILET for the purchase of a portable restroom trailer. This was the lowest and most responsive bid received. No budget adjustment is needed.

22. **Waiver of Bid to Enter into an Agreement with All American PDR, LLC** **Ordinance***

Ordinance waiving the requirement for competitive bidding and declaring an emergency for All American PDR, LLC to complete hail damage repairs on police vehicles in the amount of $124,599.92. No budget adjustment is needed.

23. **Reconciliation Change Order for Fire Training Tower** **Resolution**

Resolution for a reconciliation Change Order to close the Clinard Construction Contract for the Fire Training Facility, and a Budget Adjustment to appropriate the remaining funds of $177,683.49 for the purchase of additional capital items related to the Fire Training Facility and process the final payment for civil engineering services. The final payment to Clinard Construction has been processed, with the construction coming in $177,683.49 under the contract amount. A Budget Adjustement is needed.

24. **Amend Halff and Associates Contract for Fire Training Tower** **Resolution**

Resolution to amend the civil engineering contract for services related to construction observation for the fire training facility in the amount of $7,967.71 to process payment for final invoices.

25. **Wavier of Bid to Purchase an Additional Gas Prop for the Fire Training Tower** **Ordinance***

Ordinance with an emergency clause to waive bid to purchase an additional gas prop for the training facility from Symtech (sole source due to the system being proprietary) in the amount of $127,567.50. An emergency clause is needed in order to execute the Purchase Order prior to year-end of 2023.

26. **Setting Public Hearing for Utility Easement Vacation (VAC23-0019)** **Resolution**

Resolution to set public hearing for November 28, 2023 for a Utility Easement Vacation located at Lot 32 of College Place Subdivision Phase 8 (VAC23-0019).

27. **Setting Public Hearing for Right of Way Vacation (VAC23-0020)** **Resolution**

Resolution to set public hearing for November 28, 2023 for Right of Way Vacation located at Lot 2 of Groundhog Addition(VAC23-0020).

28. **CEI Contract Amendment #2 - NW 9th & D Street Drainage Improvement Project** — **Resolution**

Staff requests approval of a Resolution allowing the Mayor and City Clerk to authorize Contract Amendment #2 with CEI, Inc. for the NW 9th & D Street Drainage Improvement Project. This amendment is required to cover extended construction observation costs.

29. **Amending Professional Services Agreement with Hight Jackson - Cemetery Columbarium Project** — **Resolution**

Resolution authorizing the Mayor and City Clerk to amend the Professional Services Agreement with Hight Jackson and Associates for an increased amount of $19,250.00, for a total contract amount of $76,500.00. This request is due to a change in scope of work for Hight Jackson to add construction phase services. A Budget Adjustment is needed for this request.

30. **Award Bid IFB 23-53 to C.R. Crawford for the City Cemetery Columbarium/Committal Shelter Project** — **Resolution**

Resolution approving bid award IFB-23-53 in the amount of $689,199.00 to C.R. Crawford Construction. This amount includes the subtraction of Alternate Deduct #1, and a portion of a 3% contingency ($15,000.00). C.R. Crawford was the lowest responsible bidder. A Budget Adjustment is needed for this project to cover landscape and irrigation materials/supplies, material testing, and contingency.

31. **Resolution and Budget Adjustment - Donation for Gilmore Park Improvements** — **Resolution**

Council approval of a resolution and budget adjustment in the amount of $257,795.00, accepting a donation from Steuart and Kelly Walton, for park improvements at Gilmore Park. A budget adjustment is needed to accept funds.

32. **Land Donation for Gilmore Park from 8th & Melissa LLC** — **Resolution**

Resolution authorizing the Mayor and City Clerk to enter into an agreement with 8th and Melissa, LLC, accepting a land donation that will become part of Gilmore Park. No budget adjustment is needed.

33. **Accept Grant for E-Bike Rebate Program** — **Resolution**

Resolution authorizing the Mayor and City Clerk to accept a grant in the amount of $1,450,000.00 over a three (3) year period. No budget adjustment is needed.

III. Utility Board

1. **Agreement with AECI for the Purchase of Transformers in 2024** — **Ordinance***

Ordinance waiving the requirement of competitive bidding to enter into an agreement with AECI which offers a Volume Commitment Agreement that will guarantee transformers through out the 2024 year. The costs will be reviewed every quarter and relayed to Bentonville. Approved by Utility Board 4-0.

2. **Budget Adjustment for Water Utilities Contracted Services** — **Resolution**

Resolution to approve a budget adjustment in the amount of $273,018.90 which includes $130,305.10 for directional boring services through the annual IFB 22-68 boring contract and $142,713.80 for contracted water system repairs through the annual IFB-23-38 IDIQ

Water and Sewer Maintenance contract. This item was approved by Utility Board 4-0. A Budget Adjustment is needed.

3. **Waiver of Bid and Budget Adjustment for Property Damage at 1101 Spriggs Court** **Ordinance***

Approval of a Budget Adjustment appropriating $86,378.66 for expenses related to property damage at 1101 Spriggs Court due to a sewer backup, and an Ordinance waiving competitive bidding with an Emergency Clause to NWA Restore-It, in the amount of $67,219.59 for the mitigation and repair expenses. This amount includes $17,358.07 in hotel fees, and $1,801.00 for replacement of personal items. Due to the emergency, it was neither practical or feasible to solicit competitive bids.

IV. Planning

1. **Unlicensed Vehicles** **Ordinance***

The Planning Commission voted 7-0 recommending approval.
An Ordinance amending Appendix A, Zoning Code, to delete Section 501.12 Parking and Storage of Certain Vehicles.

2. **CDBG Annual Action Plan Amendment** **Resolution**

The Planning Commission voted 7-0 recommending approval.
A Resolution amending the adopted 2023-2027 Consolidated Plan for compliance with participation in the HUD Community Development Block Grant (CDBG) Program.

3. **Extra Territorial Jurisdiction** **Ordinance***

The Planning Commission voted 7-0 recommending approval.
An Ordinance amending Bentonville Municipal Code Appendix B, Land Development Code, Section 700 and 1100 to identify regulations applicable in the City's planning area.

4. **Lot 15 of Pickens Subdivision** **Ordinance***

(LS23-0040) - John DeShields Boulevard and Northeast Legacy Parkway

The Planning Commission voted 7-0 recommending approval.
An Ordinance accepting a lot split of Lot 8 of Pickens Subdivision, creating new Lot 15 of Pickens Subdivision to the City of Bentonville, Arkansas.

5. **Lot 16 of Pickens Subdivision** **Ordinance***

(LS23-0041) -Northeast John Deshields Boulevard

The Planning Commission voted 7-0 recommending approval.
An Ordinance accepting a lot split of existing Lot 13 of Pickens Subdivision, creating new Lot 16 of Pickens Subdivision to the City of Bentonville, Arkansas.

6. **Lots 5 and 6 of Harbin Pointe Addition** **Ordinance***

(LS23-0049) -Southwest Regional Airport Boulevard

The Planning Commission voted 7-0 recommending approval.
An Ordinance accepting a lot split of Lot 3 of Harbin Pointe Addition creating new Lots 5 & 6 of Harbin Pointe Addition to the City of Bentonville, Arkansas.

7. **Lots 1 and 2 of Pinnacle Villas LLC Subdivision** **Ordinance***

(LS23-0051) -208 Northwest G Street

The Planning Commission voted 7-0 recommending approval.
An Ordinance accepting a lot split of unplanted section land creating new Lots 1 & 2 of Pinnacle Villas LLC Subdivision to the City of Bentonville, Arkansas.

8. **Yellow Brick Road, LLC** **Resolution**

(RZ23-0075) -503 Southeast A Street

The Planning Commission voted 7-0 recommending approval.

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from High Density Residential to Downtown Commercial.

9. **Yellow Brick Road, LLC** **Ordinance***

(RZ23-0075) -503 Southeast A Street

The Planning Commission voted 7-0 recommending approval.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium-High Density Multifamily Residential to DE, Downtown Edge.

10. **REO Plateau Properties** **Resolution**

(RZ23-0076) -Northwest Deer Run Avenue

The Planning Commission voted 7-0 recommending approval.

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from previously unassigned land to Residential Estate.

11. **REO Plateau Properties** **Ordinance***

(RZ23-0076) -Northwest Deer Run Avenue

The Planning Commission voted 7-0 recommending approval.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to R-E, Residential Estate.

12. **City of Bentonville** **Resolution**

(RZ23-0077) -Southwest 8th Street

The Planning Commission voted 7-0 recommending approval.

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate and Office to Agriculture.

13. **City of Bentonville** **Ordinance***

(RZ23-0077) -Southwest 8th Street

The Planning Commission voted 7-0 recommending approval.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium High Density Multifamily Residential and PUD, Planned Unit Development to A-1, Agriculture.

14. **Sanders Properties LLLP** **Ordinance***

(RZ23-0078) -205 Northwest 4th Street

The Planning Commission voted 6-0 recommending approval, with commissioner Sanders recusing himself from the vote.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium High Density Multifamily Residential to DN-4, Downtown Mixed Use Residential.

15. **Esterer Investments, LLC** **Ordinance***

(RZ23-0079) -337 Northwest A Street

The Planning Commission voted 7-0 recommending approval.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium High Density Multifamily Residential to DN-4, Downtown Mixed Use Residential.

16. **Doaba Investment, LLC** **Resolution**

(RZ23-0073) -Southwest Regional Airport Boulevard

The Planning Commission voted 7-0 recommending approval.

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to High Density Residential.

17. **Doaba Investment, LLC** **Ordinance***

(RZ23-0073) **-Southwest Regional Airport Boulevard**

The Planning Commission voted 7-0 recommending approval.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PUD, Planned Unit Development to R-3, Medium High Density Multifamily Residential.

Public Comments on Tonight's Agenda Items (Limited Public Forum)

City of Bentonville
Impact Fee Results

November 13, 2023

TischlerBise
FISCAL | ECONOMIC | PLANNING

Impact Fee Ground Rules

- One-time payment for growth-related infrastructure, usually collected at the time buildings permits are issued
- Not a tax, similar to a contractual arrangement to build infrastructure with fee revenue, with three requirements
  - Need (system improvements, not project-level improvements)
  - Benefit
    - Short range expenditures (7 years)
    - Geographic service areas and/or benefit districts
  - Proportionate

Bentonville Impact Fee Study

- Residential Projection
- 15,600 new residents, 7,600 new homes, 27% increase

City of Bentonville	Base Year 2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total Increase
Population	58,890	60,304	61,758	63,253	64,791	66,371	67,996	69,668	71,237	72,846	74,496	**15,606**
Percent Increase		*2.4%*	*2.4%*	*2.4%*	*2.4%*	*2.4%*	*2.4%*	*2.5%*	*2.3%*	*2.3%*	*2.3%*	*26.5%*
Housing Units												
Single Family	16,929	17,205	17,489	17,781	18,081	18,389	18,706	19,032	19,338	19,652	19,974	**3,045**
Multifamily	7,406	7,820	8,245	8,682	9,132	9,595	10,071	10,561	11,020	11,491	11,974	**4,568**
Total Housing Units	24,335	25,025	25,734	26,463	27,213	27,984	28,777	29,593	30,358	31,143	31,948	**7,613**

Source: Population and housing development projections are based on annual growth rates calculated from estimates in Bentonville *Community Plan* and PPHU factors by type of housing unit.

Bentonville Impact Fee Study

- Nonresidential Projection
- 16,000 new jobs, 6.1M new square feet, 27% increase

Industry	Base Year 2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total Increase
Jobs [1]												
Retail	14,661	15,109	15,558	16,007	16,456	16,905	17,354	17,803	18,252	18,701	19,150	**4,489**
Office	31,759	31,983	33,874	35,765	37,656	37,880	38,104	38,328	38,552	38,776	39,001	**7,241**
Industrial	5,904	6,069	6,234	6,399	6,565	6,730	6,895	7,060	7,226	7,391	7,556	**1,652**
Institutional	7,778	8,038	8,297	8,557	8,817	9,077	9,337	9,597	9,857	10,117	10,377	**2,600**
Total	60,101	61,199	63,964	66,729	69,494	70,592	71,690	72,789	73,887	74,985	76,083	**15,983**
Nonresidential Floor Area (1,000 sq. ft.) [2]												
Retail	6,905	7,117	7,328	7,539	7,751	7,962	8,174	8,385	8,597	8,808	9,020	**2,114**
Office	9,750	9,819	10,399	10,980	11,560	11,629	11,698	11,767	11,836	11,904	11,973	**2,223**
Industrial	3,117	3,204	3,292	3,379	3,466	3,553	3,641	3,728	3,815	3,902	3,990	**872**
Institutional	2,722	2,813	2,904	2,995	3,086	3,177	3,268	3,359	3,450	3,541	3,632	**910**
Total	22,494	22,953	23,923	24,893	25,863	26,322	26,780	27,239	27,697	28,156	28,614	**6,120**

[1] Source: Northwest Arkansas Regional Planning Commission Travel Demand Model; TischlerBise analysis

[2] Source: Institute of Transportation Engineers, *Trip Generation* , 10th Edition (2017)

[3] The Walmart HQ expansion project is estimated to have 15,000 total office jobs. Currently, there is an estimated 10,000 office jobs at the existing HQ. The 5,000 additional jobs are assumed over three years beginning in 2025.

Bentonville Impact Fee Study

- Parks & Recreation
- Library
- Police
- Fire
- Summary

Parks & Recreation

- Analysis components:
  - Park land (neighborhood parks), park land development, park improvements, recreation centers, concrete trails
- Incremental expansion
  - Current level of service based on facilities and population
- Fee is attributed to residential development
- Civic/mini parks and regional attractors have been excluded from the analysis

- Revision since 8/7 presentation:
  - Added a fourth credit to account for external funding for recreation centers (75%)

Parks & Recreation

- Summary of 7-Year Needs @ Current LOS
  - 7-year update cycle
- Credit for existing fund balance

	7-Year Need to Accommodate Growth					
Park Type	**Park Acres**	**Land Dev (Acres)**	**Park Impr.**	**Square Feet**	**Miles**	**Total Cost**
Neighborhood Parks	12.5	12.5	5.0	-	-	$3,697,500
Community Parks	-	35.2	5.2	-	-	$5,174,400
Indoor Rec Center Facilities	-	-	-	29,533	-	$4,754,749
Concrete Trails	-	-	-	-	5.6	$6,557,600
Total	**12.5**	**47.7**	**10.2**	**29,533**	**5.6**	**$20,184,249**

Existing Impact Fee Fund Balance	**$1,443,025**	**7%**
Future Funding Needs	**$18,741,224**	**93%**

Parks & Recreation

- Parks & Recreation Capital Improvement Plan

Parks & Recreation Capital Improvement Plan		
Location	**Facility Type**	**Improvement**
Bogle Park	Neighborhood Park	Park improvements
Future Park #1	Neighborhood Park	10-15 acre land purchase & improve
Future Park #2	Neighborhood Park	10-15 acre land purchase & improve
Bella Vista Lake	Community Park	Restrooms
Creekside Park	Community Park	Splashpark, playground, dog park, 8 pickleball courts, cricket field, restroom
Downtown Activity Center	Indoor Recreation Center	Expansion and improvements
Citywide Loop Trail	Tier 1 Projects from Bike/Ped Master Plan	9 miles of concrete trails

Parks & Recreation

- Maximum Supportable Impact Fee

Fee Component	Land Cost per Person	Land Dev Cost per Person	Improvement Cost per Person
Neighborhood Parks	$75	$137	$130
Community Parks	-	$352	$127
Indoor Recreation Centers	-	-	$441
Concrete Trails	-	-	$609

Gross Total per Person	**$1,871**
Credit for Debt Payments	**($49)**
Credit for Existing Fund Balance (7%)	**($134)**
Credit for External Funding For Trails (75%)	**($457)**
Credit for External Funding For Rec Centers (75%)	**($331)**
Net Total per Person	**$901**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$2,521**	$2,192	$329
Single Family Attached	2.24	**$2,017**	-	-
Multifamily	1.55	**$1,396**	$1,381	$15

[1] External funding includes State and Federal grants and community donations

Bentonville Impact Fee Study

- Parks & Recreation
- Library
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- Fire
- Summary

Library

- Revised approach since 8/7 presentation
- Analysis components:
  - Library branch improvements and collection
    - Library branch improvements is a new component, improving existing branch not expanding floor print
- Plan-based approach
  - 7-year CIP compared to 7-year growth
  - Impact fee eligible CIP, kept separate of other revenues and projects
- Fee is attributed to residential

Library

- Library CIP & Cost Analysis
  - Impact fee eligible CIP, fee revenue will go fund these projects

Library 7-Year Capital Improvement Plan			
Project	**Type**	**Total Cost**	**Growth's Share**
Materials Return System (3 to 9 bays)	Branch Improvement	$165,000	$110,000
Self-check terminals and materials security gates	Branch Improvement	$130,000	$130,000
Integrated technology for collaboration rooms	Branch Improvement	$6,440	$6,440
Shelving for collection expansion	Branch Improvement	$5,000	$5,000
Expansion of Existing Pickup Lockers at BCC	Branch Improvement	$16,500	$16,500
7-Year Library Collection Expansion	Collections	$1,575,000	$1,575,000
	Total	**$1,897,940**	**$1,842,940**

Collections Cost	$1,575,000
7-Year Increase in Population	10,778
Capital Cost per Person	**$146**

Branch Improvements Cost	$267,940
7-Year Increase in Population	10,778
Capital Cost per Person	**$25**

Library

- Maximum Supportable Impact Fee

Fee Component	Cost per Person
Library Branch Improvements	$25
Library Collections	$146
Gross Total	**$171**
Credit for Debt Payments	**($7)**
Credit for Collection Funding (4.4%)	**($6)**
Net Total	**$158**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$442**	$178	$264
Single Family Attached	2.24	**$354**	-	-
Multifamily	1.55	**$245**	$112	$133

Bentonville Impact Fee Study

- Parks & Recreation
- Library
- Police
- Fire
- Summary

Police

- Incremental Expansion
  - Police facility space, vehicles, and 911 communication infrastructure
    - 911 communication infrastructure is a new component
- Fee is attributed to residential and nonresidential development

- Revision since 8/7 presentation:
  - Updated impact fee fund balance, increasing credit

Police

- Summary of 7-Year Needs @ Current LOS
- Credit for existing fund balance

	7-Year Need to Accommodate Growth		
Infrastructure	Square Feet	Units	Total Cost
Police Facilities	9,293	-	$3,568,512
Police Vehicles	-	20.6	$1,339,000
Police Communication	-	1.8	$1,080,000
Total	**9,293.0**	**22.4**	**$5,987,512**

Existing Impact Fee Fund Balance	**$3,248,158**	**54%**
Future Funding Needs	**$2,739,354**	**46%**

Police

- Police CIP

Police Capital Improvement Plan	
Project	**Improvement**
Training Facility	Phase 2, similar to Fayetteville facility, ~$8 million
Substation	Expansion for future staff and evidence storage
Vehicles	21 units for future patrol and CID hires
Comms Improvements	Expanded network that may include radio tower #6 (structure and land), new 911 consoles and lines

Police

- Maximum Supportable Impact Fee

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trips
Police Station	$180	$45
Police Vehicles	$67	$17
Communication Infrast.	$53	$13
Gross Total	$300	$75
Credit for Debt Payments	($12)	($3)
Credit for Existing Fund Balance (54%)	($163)	($41)
Net Total	**$125**	**$31**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$350**	$546	($196)
Single Family Attached	2.24	**$280**	-	-
Multifamily	1.55	**$194**	$344	($150)

Nonresidential

Development Type	Vehicle Trips	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Noresidential (per 1,000 Square Feet)				
Retail	14.06	**$436**	$615	($179)
Office	5.42	**$168**	$233	($65)
Industrial	2.38	**$74**	$81	($7)
Institutional	5.39	**$167**	-	-

Bentonville Impact Fee Study

- Parks & Recreation
- Library
- Police
- Fire
- Summary

Fire

- Plan-Based Approach
  - 7-year growth-related expansion compared to projected growth
    - Station space would be a new element to the fee
- Fee is attributed to residential and nonresidential development

- Revision since 8/7 presentation:
  - Updated impact fee fund balance, decreasing credit

Fire

- Fire CIP

Fire Capital Improvement Plan			
Project	**Need**	**Units**	**Total Cost**
Fire Station #8	10,000	square feet	$4,500,000
Fire Truck	1	units	$960,000
Battalion Truck	1	units	$120,000
Training and Admin Truck	2	units	$120,000
		Total	**$5,700,000**

Fire

- Summary of 7-Year Plan vs. Existing Fund Balance
- Credit for existing fund balance

	7-Year Need to Accommodate Growth		
Infrastructure	**Square Feet**	**Units**	**Total Cost**
Fire Station	10,000	-	$4,500,000
Fire Vehicles	-	4.0	$1,200,000
Total	**10,000**	**4.0**	**$5,700,000**

Existing Impact Fee Fund Balance	**$1,695,872**	**30%**
Future Funding Needs	**$4,004,128**	**70%**

Fire

- Maximum Supportable Impact Fee

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trips
Fire Station	$220	$58
Fire Vehicles	$59	$16
Gross Total	$279	$74
Credit for Debt Payments	($6)	($1)
Credit for Fund Balance (30%)	($83)	($22)
Net Total	**$190**	**$51**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$532**	$318	$214
Single Family Attached	2.24	**$426**	-	-
Multifamily	1.55	**$295**	$200	$95

Nonresidential

Development Type	Vehicle Trips	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Noresidential (per 1,000 Square Feet)				
Retail	14.06	**$717**	$357	$360
Office	5.42	**$276**	$135	$141
Industrial	2.38	**$121**	$47	$74
Institutional	5.39	**$275**	-	-

Bentonville Impact Fee Study

- Parks & Recreation
- Library
- Police
- Fire
- Summary

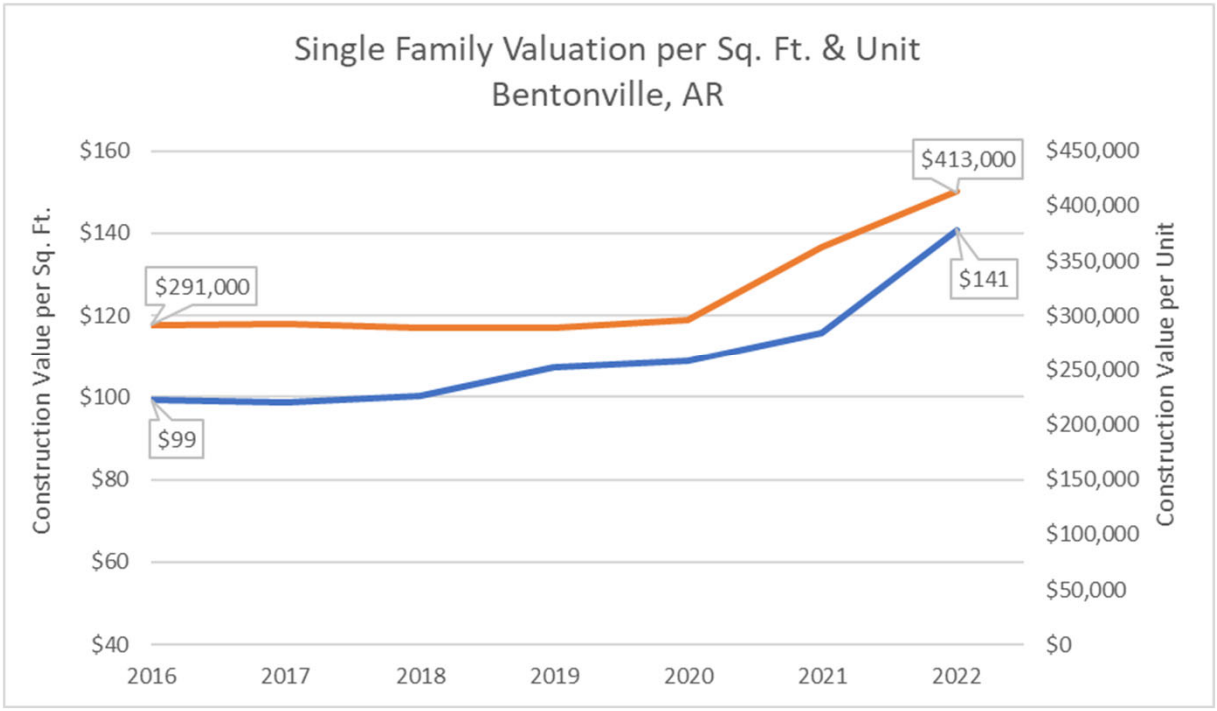
Bentonville Impact Fee Study

- Maximum Supportable Impact Fees

Development Type	Parks & Recreation	Library	Police	Fire	Maximum Supportable Fee	Current Fee (2016)	Increase/ (Decrease)	% Increase/ (Decrease)
Residential (per housing unit)								
Single Family Detached	$2,521	$442	$350	$532	**$3,845**	$3,234	$611	19%
Single Family Attached	$2,017	$354	$280	$426	**$3,077**	-	-	-
Multifamily	$1,396	$245	$194	$295	**$2,130**	$2,037	$93	5%
Nonresidential (per 1,000 square feet)								
Retail	$0	$0	$436	$717	**$1,153**	$972	$181	19%
Office	$0	$0	$168	$276	**$444**	$368	$76	21%
Industrial	$0	$0	$74	$121	**$195**	$128	$67	52%
Institutional	$0	$0	$167	$275	**$442**	-	-	-

Bentonville Impact Fee Study

- Single family valuations (ICC) since 2016
  - Over 40% increase



SFD maximum increase represents 9 sq. ft. of construction compared to average size of 3,000 sq. ft.

Bentonville Impact Fee Study

- Considerations:
  - Council may adopt less than maximum or phase in max
    - Adopting lower than maximum would either result in lowering levels of service or require other revenues to backfill funding gap
  - TB recommends an annual inflationary factor
  - Affordable housing policy

Discussion

DEVELOPMENT IMPACT FEE STUDY

Prepared for:

Bentonville, Arkansas

September 19, 2023

TischlerBise
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TABLE OF CONTENTS

EXECUTIVE SUMMARY 7
IMPACT FEE METHODOLOGIES 7
SUMMARY OF CURRENT AND PROPOSED IMPACT FEES 9
GENERAL IMPACT FEE REQUIREMENTS 11
LEGAL FRAMEWORK 11
REQUIRED FINDINGS 11
IMPLEMENTATION AND ADMINISTRATION 13
AFFORDABLE HOUSING EXEMPTION 13
ANNUAL INFLATION ADJUSTMENT 13
ADOPTION OPTIONS 14
CREDITS AND REIMBURSEMENTS 14
SERVICE AREA 14
PARKS & RECREATION 15
LEVEL OF SERVICE AND INFRASTRUCTURE STANDARDS FOR PARKS & RECREATION 15
Neighborhood Parks 15
Community Parks 16
Indoor Recreation Centers 17
Concrete Trails 18
PROJECTED NEED FOR PARKS & RECREATION FACILITIES 19
Neighborhood Parks 19
Community Parks 19
Indoor Recreation Centers 20
Concrete Trails 21
PARKS & RECREATION CAPITAL IMPROVEMENT PLANS 21
DEBT SERVICE CREDIT EVALUATION 22
CREDIT FOR OTHER REVENUES 23
PARKS & RECREATION IMPACT FEE SUMMARY 24
CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE 25
LIBRARY 26
LIBRARY CAPITAL IMPROVEMENT PLAN (CIP) & COST ANALYSIS 26
DEBT SERVICE CREDIT EVALUATION 27
CREDIT FOR ADDITIONAL REVENUE SOURCES 28
LIBRARY IMPACT FEE SUMMARY 29

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE 30

POLICE 31

PROPORTIONATE SHARE ANALYSIS 31

LEVELS OF SERVICE STANDARDS AND COST FACTORS FOR POLICE 32

Police Facilities 32

Police Vehicles 33

Police Communication infrastructure 34

PROJECTED NEED FOR POLICE FACILITIES 35

Police Facilities 35

Police Vehicles 35

Police Communication Infrastructure 36

POLICE CAPITAL IMPROVEMENT PLANS 37

DEBT SERVICE CREDIT EVALUATION 37

EXISTING IMPACT FEE FUND BALANCE CREDIT EVALUATION 39

POLICE IMPACT FEE SUMMARY 40

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE 41

FIRE 42

PROPORTIONATE SHARE ANALYSIS 43

FIRE CAPITAL IMPROVEMENT PLANS 43

LEVELS OF SERVICE STANDARDS AND COST FACTORS FOR FIRE 44

Fire Stations 44

Fire Apparatus 44

DEBT SERVICE CREDIT EVALUATION 45

EXISTING IMPACT FEE FUND BALANCE CREDIT EVALUATION 47

FIRE IMPACT FEE SUMMARY 48

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE 49

APPENDIX A: LAND USE DEFINITIONS 50

RESIDENTIAL DEVELOPMENT 50

NONRESIDENTIAL DEVELOPMENT 51

APPENDIX B: DEMOGRAPHIC DATA 52

POPULATION AND HOUSING CHARACTERISTICS 53

BASE YEAR POPULATION AND HOUSING UNITS 53

RESIDENTIAL CONSTRUCTION TREND 54

HOUSING UNIT AND POPULATION PROJECTIONS 55

CURRENT EMPLOYMENT AND NONRESIDENTIAL FLOOR AREA 56
EMPLOYMENT AND NONRESIDENTIAL FLOOR AREA PROJECTIONS 57
FUNCTIONAL POPULATION 58
VEHICLE TRIP GENERATION 59
Residential Vehicle Trips by Housing Type 59
Residential Vehicle Trips Adjustment Factors 60
Nonresidential Vehicle Trips 60
VEHICLE TRIP PROJECTIONS 62

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Executive Summary

The City of Bentonville, Arkansas, has retained TischlerBise to determine growth-related infrastructure needs and calculate impact fees for the following infrastructure categories:

- Parks
- Library
- Police
- Fire

Impact fees are one-time payments used to construct system improvements needed to accommodate development. Impact fees for Bentonville are proportionate and reasonably related to the capital facility service demands of new development. Impact fees are necessary to achieve an equitable allocation of capital costs, in comparison to past and future benefits. Bentonville has complied with all requirements of Arkansas's impact fee enabling statute, which requires that collected impact fees and accrued interest are spent within seven years from the date the fees were collected.

After discussions with City staff, TischlerBise determined demand indicators for each type of public facility and calculated residential and nonresidential proportionate share factors. These factors are used to allocate costs by type of development. The formulas used to calculate the impact fees for the City of Bentonville are diagrammed in a flow chart for each type of public facility in the respective chapter of this report. Also contained in this report are summary tables indicating the specific Level-of-Service (LOS) or infrastructure standards used to derive the impact fees. Demographic and land use assumptions used to prepare this analysis are included in the appendix.

IMPACT FEE METHODOLOGIES

There are three basic methods used to calculate the impact fees. The **incremental expansion** method documents the current LOS for each type of public facility in both quantitative and qualitative measures. This method is best suited for public facilities that will be expanded incrementally in the future, with LOS standards based on current conditions in the community. The **plan-based** method is best suited for public facilities that have adopted plans or commonly accepted engineering standards to identify the need for capital projects. A **cost recovery** method may be used for facilities that have been oversized to accommodate future development, at least for the next seven years. The rationale for the cost recovery approach is that new development is paying for its share of the useful life or remaining capacity of the existing facility. To the extent that new growth and development is served by the previously constructed improvements, the City can be reimbursed for the previously incurred public facility costs.

Another general requirement that is common to impact fee methodologies is the evaluation of credits. Past and future revenue credits have been evaluated to avoid potential double payment situations arising from the payment of a one-time impact or fee and then subsequent payments of other revenues that may

also fund growth-related capital improvements. General Fund revenues, such as sales taxes, and private donations that are being used for improvements have been accounted for via credits.

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Results are discussed in the report using one-and two-digit places (in most cases), which represent round or rounded figures. However, in some instances the analysis itself uses figures carried to their ultimate decimal places (e.g., for LOS standards); therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown).

SUMMARY OF CURRENT AND PROPOSED IMPACT FEES

Figure 1 shows the method used to derive each type of proposed fee in Bentonville, plus each component that contributes to the impact fee.

Figure 1. Methods and Cost Components

Fee Category	Service Area	Cost Recovery	Incremental Expansion	Plan-Based	Cost Allocation
Parks and Recreation	Citywide	n/a	Neighborhood Parks, Community Parks, Indoor Rec Centers, Concrete Trails	n/a	Population
Library	Citywide	n/a	n/a	Branch Improvements & Collections	Population
Police	Citywide	n/a	Facilities, Vehicles, Communication Infrastructure	n/a	Population, Nonres Vehicle Trips
Fire	Citywide	n/a	n/a	Facilities & Apparatus	Population, Nonres Vehicle Trips

Figure 2 provides a summary schedule of the maximum supportable impact produced by this study. Fees for residential development are per housing unit and fees for nonresidential development are per 1,000 square feet of floor area.

Figure 2. Maximum Supportable Impact Fees

Development Type	Parks & Recreation	Library	Police	Fire	Maximum Supportable Fee	Current Fee (2016)	Increase/ (Decrease)	% Increase/ (Decrease)
Residential (per housing unit)								
Single Family Detached	$2,521	$442	$350	$532	**$3,845**	$3,234	$611	19%
Single Family Attached	$2,017	$354	$280	$426	**$3,077**	-	-	-
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Nonresidential (per 1,000 square feet)								
Retail	$0	$0	$436	$717	**$1,153**	$972	$181	19%
Office	$0	$0	$168	$276	**$444**	$368	$76	21%
Industrial	$0	$0	$74	$121	**$195**	$128	$67	52%
Institutional	$0	$0	$167	$275	**$442**	-	-	-

Along with the maximum supportable fee being an increase from the current fee, there have been several other changes from the 2016 study:

- **Neighborhood park land.** During the previous study, the City did not have the need to purchase additional park land. However, recent annexations that have expanded the southern boundary of the city has resulted in further residential development and demand for neighborhood parks. The City does not currently have park land in that area, thus, a neighborhood park land component has been included in the analysis.
- **Fire stations.** At the time of the previous study, there were no plans to expand or add new fire stations. At this point, there are plans to provide further station space to serve future demand. In this case, TischlerBise recommends including fire stations to the fire impact fee program.
- **Library branch improvements.** At the time of the previous study, there were no plans to expand or add new library branches. At this point, there is an expansion occurring at the main branch which will not be funded with impact fees. However, future branch improvements are needed to accommodate growth. TischlerBise recommends including a branch improvement component to the library impact fee program.
- **Single family attached.** As housing development has evolved since 2016, the Planning Department recommended adjusting the fee schedule to bifurcate single family development into single family detached and single family attached. With local US Census data, TischlerBise found that the housing types have different person per housing unit factors, resulting in differentiate demand on City facilities. The adjustment to two single family housing types has been included in this update.
- **Utility and transportation impact fees.** TischlerBise explored the option of adding water, sewer, and transportation impact fees to the program. However, similar to the 2016 study, a vast majority of the capital expansion needs for each category is being funded by other revenues: utility rates for water and sewer, sales tax referendum for transportation. Lower priority capital projects could be explored, however, there is a concern that further impact fees would be a burden on future development. In this case, TischlerBise has recommended not include these additional infrastructure types in the impact fee program.
    - **Note:** At the time this report was nearing final review by City Council, TischlerBise was contacted by Bentonville water and sewer staff that the underway master planning efforts were uncovering infrastructure needs that were not anticipated to be needed within the seven-year planning horizon of the impact fee study during the initial impact fee meetings. TischlerBise recommended moving forward with this report and when the master planning is complete review the identified needs and impact fee eligible expenditures.

General Impact Fee Requirements

Impact fees are one-time payments used to fund capital improvements necessitated by new growth. Impact fees have been utilized by local governments in various forms for at least 50 years. Impact fees do have limitations and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current LOS in a community. Any community considering impact and/or fees should note the following limitations:

- Impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- Impact fees cannot be deposited in the local government's General Fund: the funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

LEGAL FRAMEWORK

U.S. Constitution. Like all land use regulations, development exactions—including impact fees—are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an "essential nexus" between the exaction and the interest being protected (see *Nollan v. California Coastal Commission,* 1987). In a more recent case (*Dolan v. City of Tigard, OR,* 1994), the Court ruled that an exaction also must be "roughly proportional" to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

REQUIRED FINDINGS

There are three reasonable relationship requirements for impact fees that are closely related to "rational nexus" or "reasonable relationship" requirements enunciated by a number of state courts. Although the

term "dual rational nexus" is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: "impact or need," "benefit," and "proportionality." The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case. The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. Individual elements of the nexus standard are discussed further in the following paragraphs.

Demonstrating an Impact. All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable LOS standards.

Demonstrating a Benefit. A sufficient benefit relationship requires that fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

Demonstrating Proportionality. The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development. For example, the need for school improvements is measured by the number of public school-age children generated by development.

Implementation and Administration

The following section details options regarding the adoption and implementation of the Bentonville development impact fee program update.

AFFORDABLE HOUSING EXEMPTION

The City of Bentonville has the option of establishing an affordable housing exemption policy. Such policy could reduce or completely exempt the impact fees on eligible residential development. However, the first step a city must complete is defining "affordable housing." This definition should be tailored to the conditions in the community and community goals. A joint effort with the Affordable Housing Workgroup has identified an affordable housing definition for the City of Bentonville (*Bentonville Housing Affordability Workgroup Report*, 2023). Additionally, a city must consider the burden of managing and enforcing such program to ensure exempted developments operate within the set parameters. Lastly, the development impact fee program needs to continue being fully funded. Thus, other revenues must be transferred to the impact fee funds to offset any exemption policy.

With that said, more communities throughout the country are exploring affordable housing exemption policies to lessen the cost burden on housing. The City of Bentonville has a variety of local resources available, including the Housing Affordability Workgroup, that could be leveraged to promote a comprehensive and holistic policy that expands beyond solely an impact fee exemption. For example, a policy could include incentives to promote development in certain areas of the city. Additionally, the Arkansas Low-Income Housing Tax Credit (LIHTC) may be a useful resource for both implementation and enforcement of an affordable housing program. Lastly, there are a variety of programs across the country that Bentonville could use to help guide its own policy. For example:

- Georgetown County, SC annually allocates $100,000 from its General Fund to support impact fee exemptions. Addressing budget exposure to the policy.
- Big Sky, MT leverages sales tax revenue to incentive homeowners to transition a short-term rental to a rental property for long-term residents. Addressing the large percentage of housing in the community used by visitors.
- Berthoud, CO adopted a small home program which reduces fees for smaller dwelling units. Addressing the "missing middle" in the housing market.

Importantly, Bentonville City Council can move forward with the results of the *2023 Development Impact Fee Study* before implementing any affordable housing policy.

ANNUAL INFLATION ADJUSTMENT

Development impact fees should be periodically evaluated and updated to reflect recent data. TischlerBise recommends that Bentonville annually adjust its development impact fees to account for inflation in construction costs. The construction cost indices of Engineering News Record and RSMeans

are standards used across the country. If cost estimates change significantly, the City should consider a comprehensive update to its impact fee study.

ADOPTION OPTIONS

The fee amounts in this report represent the maximum supportable fees to be adopted and City Council has the ability to adopt at lower levels. For example, Council may adopt a flat percentage of the maximum supportable or implement a phasing approach over several years. Importantly, reductions to the impact fee amounts must be made to all land uses. TischlerBise recommends not adopting reductions for only a select number of land uses. Additionally, the City should evaluate the program during its annual reviews to ensure planned capital project capacity is sufficiently funded during the years of any "phase in."

CREDITS AND REIMBURSEMENTS

A general requirement that is common to development impact fee methodologies is the evaluation of credits. A revenue credit may be necessary to avoid potential double payment situations arising from one-time development impact fees plus on-going payment of other revenues that may also fund growth-related capital improvements. The determination of revenue credits is dependent upon the development impact fee methodology used in the cost analysis and local government policies.

Policies and procedures related to site-specific credits should be addressed in the resolution or ordinance that establishes the development impact fees. Project-level improvements, required as part of the development approval process, are not eligible for credits against development impact fees. If a developer constructs a system improvement included in the fee calculations, it will be necessary to either reimburse the developer or provide a credit against the fees due from that particular development. The latter option is more difficult to administer because it creates unique fees for specific geographic areas.

SERVICE AREA

A development impact fee service area is a region in which a defined set of improvements provide benefit to an identifiable amount of new development. Within a service area, all new development of a type (single family, commercial, etc.) is assessed at the same development impact fee rate. Land use assumptions and development impact fees are each defined in terms of this geography, so that capital facility demand, projects needed to meet that demand, and capital facility cost are all quantified in the same terms. Development impact fee revenue collected within a service area is required to be spent within that service area.

Implementation of a large number of small service areas is problematic. Administration is complicated and, because funds collected within the service area must be spent within that area multiple service areas may make it impossible to accumulate sufficient revenue to fund any projects within the time allowed.

As part of our analysis and the type of facilities and improvements included in the development impact fee calculation, TischlerBise has determined that a single service area for the infrastructure categories included in the study.

Parks & Recreation

The parks impact fee is derived using the incremental expansion methodology. The analysis includes several components:

- Neighborhood Park: land, land development, park improvement
- Community Park: land development, park improvement
- Indoor Recreation Center: facility square footage
- Concrete Trails: network expansion (miles)

As indicated above, the City anticipates purchasing additional acreage for neighborhood parks to accommodate future growth. However, there is enough available acreage for the other components.

It is important to note that the parks impact fee methodology excludes mini parks, civic parks, and parks that are considered to be regional attractors. Mini and civic parks are considered to have a small benefit zone while regional attractors are providing benefit to those outside of Bentonville making it difficult to quantify the level of service that is being provide to residents. Additionally, all cost components are allocated 100 percent to residential development. Please note that the City's definition of a neighborhood park differs from that of many other communities. The City's neighborhood parks can be quite large and have a wide variety of amenities. As such, they draw residents from throughout the city and are included in this citywide impact fee analysis.

LEVEL OF SERVICE AND INFRASTRUCTURE STANDARDS FOR PARKS & RECREATION

Neighborhood Parks

Figure 3 lists the current inventory of neighborhood parks and level of service (LOS) standards. Bentonville currently has 68.2 acres of neighborhood parks. Using the 2023 population of 58,890 people, this inventory equates to a current LOS of 1.16 acres per 1,000 persons (68.2 acres / 58,890 = 1.16 acres per 1,000 persons). To find the capital cost per person, the park land LOS is combined with the anticipated costs to purchase new neighborhood park acres ($65,000 per acre) and to develop (i.e., environmental mitigation, site prep, irrigation, parking, etc.) the raw land ($118,000 per acre). For example, the capital cost per person for park land is $75 (1.16 park acres per 1,000 persons x $65,000 per acre = $75 per person, rounded).

Additionally, there are 27 park improvements at the existing parks with a replacement cost of $7.6 million. As result, the current park improvement LOS is 0.46 improvements per 1,000 residents. The average cost per improvement is $282,000, resulting in a capital cost per person of $130 (0.46 improvement per 1,000 residents x $282,000 per improvement = $130 per person, rounded).

Figure 3. Current Level of Service and Cost Factors for Neighborhood Parks

Neighborhood Parks	Acres	Park Improvement	Improvement Cost
Bogle Park	1.0	1	$100,000
Durham Place Park	0.4	1	$300,000
Gilmore Park	1.0	1	$300,000
Lake Bentonville	20.0	4	$500,000
Merchants Baseball Park	7.9	6	$2,500,000
Old Tiger Track	6.0	3	$1,525,000
Orchards Park	16.5	4	$1,000,000
Park Springs Park	13.9	3	$600,000
Wildwood Park	1.5	4	$800,000
Total	68.2	27	$7,625,000

Level-of-Service Standards	Land Purchase	Land Dev	Improvements
Residential Share	100%	100%	100%
Share of Acreage and Improvements	68.2	68.2	27
2023 Population	58,890	58,890	58,890
Acres/Improvements per 1,000 Persons	**1.16**	**1.16**	**0.46**

Cost Analysis	Land Purchase	Land Dev	Improvements
Acres/Improvements per 1,000 Persons	1.16	1.16	0.46
Average Cost per Acre/Improvement [1]	$65,000	$118,000	$282,000
Capital Cost per Person	**$75**	**$137**	**$130**

[1] Anticipated cost for new park land, park development, and current replacement cost of park improvements

Community Parks

Figure 4 lists the current inventory of community parks and LOS standards. In consultation with City staff, TischlerBise excluded Memorial Park (73 acres) and Harlon Phillips Park (40 acres) from the current LOS inventory because these parks serve a large number of visitors for tournaments and other events.

With these exclusions, Bentonville currently has 191.9 acres of community parks. Using 2023 population of 58,890 people, this inventory equates to a current LOS of 3.26 acres per 1,000 persons (191.9 acres / 58,890 people = 3.92 acres per 1,000 persons). Please note that Bentonville does not have any current plans to purchase additional park land at this time. Rather, it plans to develop recreational amenities on the undeveloped portions of these properties. Therefore, a cost component for land acquisition is not included in this fee. However, the City will continue to use impact fees to improve existing community parks. The capital cost per person is found by combining the land development LOS with the current cost per acre of $108,000, resulting in $352 per person.

Additionally, there are 28 park improvements at the existing parks with a replacement cost of $7.4 million. As result, the current park improvement LOS is 0.48 improvements per 1,000 residents. The average cost per improvement is $264,000, resulting in a capital cost per person of $127 (0.48 improvement per 1,000 residents x $264,000 per improvement = $127 per person, rounded).

Figure 4. Current Level of Service and Cost Factors for Community Parks

Community Parks	Acres	Park Improvements	Improvement Cost
Bella Vista Lake	132.0	1	$200,000
Citizens Park	34.9	15	$5,400,000
Creekside Park	25.0	12	$1,800,000
Total	191.9	28	$7,400,000

Level-of-Service Standards	Land Dev	Improvements
Residential Share	100%	100%
Share of Acreage and Improvements	191.9	28
2023 Population	58,890	58,890
Acres/Improvements per 1,000 Persons	**3.26**	**0.48**

Cost Analysis	Land Dev	Improvements
Acres/Improvements per 1,000 Persons	3.26	0.48
Average Cost per Acre/Improvement [1]	$108,000	$264,000
Capital Cost per Person	**$352**	**$127**

[1] Anticipated cost for park development and current replacement cost of park improvements

Indoor Recreation Centers

Figure 5 lists the current inventory of indoor recreation centers and level of service (LOS) standards. There are currently 161,378 square feet at three locations with an insurance valuation of $26 million ($161 per square foot). As a result, the current LOS is 2,740 square feet per 1,000 persons. The capital cost per person is found by multiplying the current LOS with the average cost per square foot, resulting in $441 per person (2,740 square feet per 1,000 persons x $161 per square foot = $441 per person, rounded).

Figure 5. Current Level of Service and Cost Factors for Indoor Recreation Centers

Indoor Recreation Centers	Park	Square Feet	Replacement Cost [1]
Melvin Ford Aquatic Center	Memorial Park	75,000	$5,040,750
Bentonville Community Center	Citizen Park	78,000	$18,880,005
Downtown Activity Center	-	8,378	$2,054,850
		161,378	$25,975,605

Level-of-Service Standards	Square Feet
Residential Share	100%
Share of Square Feet	161,378
2023 Population	58,890
Square Feet per 1,000 Persons	**2,740**

Cost Analysis	Square Feet
Square Feet per 1,000 Persons	2,740
Average Cost per Square Feet	$161
Capital Cost per Person	**$441**

[1] Insurance Valuation Report

Concrete Trails

Figure 6 provides Bentonville's current inventory of concrete trails (excluding the Memorial Park Fitness Trail and Soccer Trail at Memorial Park). Natural surface trails are not included in the parks fee because City staff do not anticipate building any non-hard surface trails in the near future. In total there are 30.6 miles of concrete trails, providing a LOS of 0.520 miles per 1,000 persons (30.6 miles / 58,890 persons = 0.520 miles per 1,000 persons). Based on three recent and current construction projects the average cost per mile is $1,171,000. The concrete trail cost per person is derived by multiplying the current LOS and the current construction costs, resulting in $609 per person (0.520 miles per 1,000 residents x $1,171,000 per mile = $609 per person, rounded).

Figure 6. Current Level of Service and Cost Factors for Concrete Trails

Concrete Trails	Miles	Concrete Trails	Miles
All-American Trail	0.5	Lake Bella Vista Trail	1.8
Applegate Trail	2.5	Lincoln Loop	0.4
Arkansas Missouri Trail	0.8	Members Place Trail	0.4
Citizens Park Trail	0.9	Moberly Lane Trail	2.0
Crystal Bridges Trail	1.0	North Bentonville Trail	2.3
Downtown Trail	0.4	North Walton Blvd Trail	2.9
Enfield Park Trail	0.2	Park Springs/Burns Trail	0.8
Heritage Trail @ Central Ave	1.3	South Bentonville Trail	2.6
Heritage Trail @ SW I St.	2.1	Tiger Trail	1.5
J Street Trail	1.2	Town Branch Trail	0.8
Jefferson Trail	0.4	Trail of Two Cities	1.5
John Deshields Trail	1.0	Wishing Spring Trail	1.6
		Total	30.6

Level-of-Service Standards	Trails
Residential Share	100%
Share of Trail Miles	30.6
2023 Population	58,890
Miles per 1,000 Persons	**0.520**

Cost Analysis	Trails
Miles per 1,000 Persons	0.520
Average Cost per Mile [1]	$1,171,000
Capital Cost per Person	**$609**

[1] Based on three current trail projects

PROJECTED NEED FOR PARKS & RECREATION FACILITIES

The City of Bentonville updates its impact fee studies on a seven-year cycle. The following figures illustrate the demand from new development over that time based on the study's growth projections.

Neighborhood Parks

Figure 7 depicts projected demand for neighborhood parks over the next seven years. Demand from population growth will require the addition of 12.5 new park acres, 12.5 park acres developed, and 5 park improvements with a total cost of $3.7 million over the next seven years to maintain existing LOS.

Figure 7. Neighborhood Park Needs Analysis

Infrastructure	Level of Service			Cost/Unit
Neighborhood Parks	1.16	Park Land (acres)	per 1,000 persons	$65,000
	1.16	Land Dev (acres)		$118,000
	0.46	Improvements		$282,000

Growth-Related Need for Neighborhood Parks					
Year		Population	Park Acres Purchased	Park Acres Developed	Park Improvements
Base	2023	58,890	68.3	68.3	27.0
Year 1	2024	60,304	69.9	69.9	27.7
Year 2	2025	61,758	71.6	71.6	28.4
Year 3	2026	63,253	73.3	73.3	29.0
Year 4	2027	64,791	75.1	75.1	29.8
Year 5	2028	66,371	76.9	76.9	30.5
Year 6	2029	67,996	78.8	78.8	31.2
Year 7	2030	69,668	80.8	80.8	32.0
7-Year Increase		10,778	**12.5**	**12.5**	**5.0**
		Projected Expenditure	**$812,500**	**$1,475,000**	**$1,410,000**

Growth-Related Expenditures for Neighborhood Parks	$3,697,500

Community Parks

Figure 8 depicts projected demand for community parks over the next seven years. Demand from population growth will require the 35.2 park acres developed and 5.2 park improvements with a total cost of $5.2 million over the next seven years to maintain existing LOS.

Figure 8. Community Park Needs Analysis

Infrastructure	Level of Service			Cost/Unit
Community Parks	3.26	Land Dev (acres)	per 1,000 persons	$108,000
	0.48	Improvements		$264,000

Growth-Related Need for Community Parks				
Year		Population	Park Acres Developed	Park Improvements
Base	2023	58,890	191.9	28.2
Year 1	2024	60,304	196.5	28.9
Year 2	2025	61,758	201.3	29.6
Year 3	2026	63,253	206.2	30.3
Year 4	2027	64,791	211.2	31.0
Year 5	2028	66,371	216.3	31.8
Year 6	2029	67,996	221.6	32.6
Year 7	2030	69,668	227.1	33.4
7-Year Increase		10,778	**35.2**	**5.2**
		Projected Expenditure	**$3,801,600**	**$1,372,800**

Growth-Related Expenditures for Community Parks	$5,174,400

Indoor Recreation Centers

Figure 9 depicts projected demand for indoor recreation centers over the next seven years. Demand from population growth will require 29,533 new square feet of rec centers with a total cost of $4.8 million over the next seven years to maintain existing LOS.

Figure 9. Indoor Recreation Center Needs Analysis

Infrastructure	Level of Service			Cost/Unit
Indoor Rec Center Facilities	2,740	Square Feet	per 1,000 persons	$161

Growth-Related Need for Indoor Rec Center Facilities			
Year		Population	Square Feet
Base	2023	58,890	161,359
Year 1	2024	60,304	165,234
Year 2	2025	61,758	169,217
Year 3	2026	63,253	173,313
Year 4	2027	64,791	177,526
Year 5	2028	66,371	181,856
Year 6	2029	67,996	186,309
Year 7	2030	69,668	190,891
7-Year Increase		10,778	**29,533**
		Projected Expenditure	**$4,754,749**

Growth-Related Expenditures for Indoor Rec Center Facilities	$4,754,749

Concrete Trails

Figure 10 depicts projected demand for concrete trails over the next seven years. Demand from population growth will require 5.6 new miles with a total cost of $6.6 million over the next seven years to maintain existing LOS.

Figure 10. Concrete Trail Needs Analysis

Infrastructure	Level of Service			Cost/Unit
Concrete Trails	0.520	Miles	per 1,000 persons	$1,171,000

Growth-Related Need for Concrete Trails			
Year		Population	Miles
Base	2023	58,890	30.6
Year 1	2024	60,304	31.3
Year 2	2025	61,758	32.1
Year 3	2026	63,253	32.8
Year 4	2027	64,791	33.6
Year 5	2028	66,371	34.5
Year 6	2029	67,996	35.3
Year 7	2030	69,668	36.2
7-Year Increase		10,778	**5.6**
		Projected Expenditure	**$6,557,600**

Growth-Related Expenditures for Concrete Trails	$6,557,600

PARKS & RECREATION CAPITAL IMPROVEMENT PLANS

The Parks & Recreation Capital Improvement Plan (CIP) is listed in Figure 11. As indicated, there are plans to expanded and improve the four components included in the impact fee analysis. The plans satisfy the estimated growth-related needs to keep providing the current LOS.

Figure 11. Parks & Recreation Capital Improvement Plans

Parks & Recreation Capital Improvement Plan		
Location	Facility Type	Improvement
Bogle Park	Neighborhood Park	Park improvements
Future Park #1	Neighborhood Park	10-15 acre land purchase & improve
Future Park #2	Neighborhood Park	10-15 acre land purchase & improve
Bella Vista Lake	Community Park	Restrooms
Creekside Park	Community Park	Splashpark, playgound, dog park, 8 pickpall courts, cricket field, restroom
Downtown Activity Center	Indoor Recreation Center	Expansion and improvements
Citywide Loop Trail	Tier 1 Projects from Bike/Ped Master Plan	9 miles of concrete trails

DEBT SERVICE CREDIT EVALUATION

In 2021, Bentonville voters approved a referendum to finance a variety of projects through sales tax bonds that included expansion of parks, recreation centers, and trails. To avoid potential double payment for the improvements, a credit is necessary because new development that will pay the impact fee will also contribute to future payments on this remaining debt through sales tax revenue. Future payments are planned through 2046, 23 years from this study. Conservatively, the next 20 years of payments are included in the credit.

As shown in Figure 12, future payments are distributed based on proportionate share for residential and nonresidential uses. To account for the time value of money, annual payments per person are discounted using a net present value formula based on an average current interest rate of the bond, 3.00 percent. The total net present value of future payments per person is $49 per person. This amount is subtracted from the gross capital cost per person to derive a net capital cost.

Figure 12. Credit for Future Debt Payments

Fiscal Year	Payment	Residential 58%	Nonresidential 42%
2023	$211,506	$122,673	$88,833
2024	$211,506	$122,673	$88,833
2025	$468,118	$271,508	$196,610
2026	$546,212	$316,803	$229,409
2027	$545,674	$316,491	$229,183
2028	$546,313	$316,862	$229,451
2029	$546,010	$316,686	$229,324
2030	$545,397	$316,330	$229,067
2031	$547,135	$317,338	$229,797
2032	$546,428	$316,928	$229,500
2033	$546,031	$316,698	$229,333
2034	$545,923	$316,635	$229,288
2035	$546,084	$316,729	$229,355
2036	$545,822	$316,577	$229,245
2037	$545,808	$316,569	$229,239
2038	$26,442	$15,336	$11,106
2039	$26,442	$15,336	$11,106
2040	$26,442	$15,336	$11,106
2041	$26,442	$15,336	$11,106
2042	$26,442	$15,336	$11,106
2043	$26,442	$15,336	$11,106
Total	**$7,602,619**	**$4,409,516**	**$3,193,103**

Residential

Fiscal Year	Payment	Projected Population	Payment/ Capita
2023	$122,673	58,890	$2.08
2024	$122,673	60,304	$2.03
2025	$271,508	61,758	$4.40
2026	$316,803	63,253	$5.01
2027	$316,491	64,791	$4.88
2028	$316,862	66,371	$4.77
2029	$316,686	67,996	$4.66
2030	$316,330	69,668	$4.54
2031	$317,338	71,237	$4.45
2032	$316,928	72,846	$4.35
2033	$316,698	74,496	$4.25
2034	$316,635	76,423	$4.14
2035	$316,729	78,399	$4.04
2036	$316,577	80,426	$3.94
2037	$316,569	82,506	$3.84
2038	$15,336	84,639	$0.18
2039	$15,336	86,828	$0.18
2040	$15,336	89,073	$0.17
2041	$15,336	91,377	$0.17
2042	$15,336	93,740	$0.16
2043	$15,336	96,164	$0.16
Total	**$4,409,516**		**$62.40**
		Discount Rate	3.00%
		Credit per Person	**$49**

CREDIT FOR OTHER REVENUES

To ensure that the impact fee is calibrated to growth's burden on the City of Bentonville a credit is included for the existing balance of collected parks & recreation impact fees that will be used to fund future capital expansions. Listed in Figure 13 there is an estimated $20.2 million in growth-related costs for the next seven years and an existing balance of $1.4 million (7 percent of the capital costs). As a result, there is an 7 percent credit included in the final parks & recreation impact fee calculation.

Figure 13. Existing Impact Fee Fund Balance

	7-Year Need to Accommodate Growth					
Park Type	**Park Acres**	**Land Dev (Acres)**	**Park Impr.**	**Square Feet**	**Miles**	**Total Cost**
Neighborhood Parks	12.5	12.5	5.0	-	-	$3,697,500
Community Parks	-	35.2	5.2	-	-	$5,174,400
Indoor Rec Center Facilities	-	-	-	29,533	-	$4,754,749
Concrete Trails	-	-	-	-	5.6	$6,557,600
Total	**12.5**	**47.7**	**10.2**	**29,533**	**5.6**	**$20,184,249**

Existing Impact Fee Fund Balance	**$1,443,025**	**7%**
Future Funding Needs	**$18,741,224**	**93%**

Furthermore, historically the City of Bentonville has received private and grant funding for trail expansion. The City anticipates this to continue for the next seven years as well. It is estimated that **75 percent of future trail expansion projects will be funded from non-City monies**. **As a result, there is a 75 percent credit included in the trail fee calculation.**

Lastly, the City anticipates funding **75 percent of the Downtown Activity Center (as known as the Adult Wellness Center) from grants**. **As a result, there is a 75 percent credit included in the indoor recreation center fee calculation.**

PARKS & RECREATION IMPACT FEE SUMMARY

The maximum supportable parks & recreation impact fees are shown in Figure 14. The gross total per person is reduced by the four credits included in the impact fee calculation to ensure the impact fees represent growth's burden to the City of Bentonville. The fee is only assessed to residential development and based on persons per housing unit. For example, the single family detached impact fee is $2,521 (2.80 persons per housing unit x $901 net cost per person = $2,521 (rounded)). The current impact fee is included in the figure illustrating an increase of $329 for single family detached development.

The City may adopt fees that are less than the amounts shown. However, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 14. Parks & Recreation Maximum Supportable Impact Fees

Fee Component	Land Cost per Person	Land Dev Cost per Person	Improvement Cost per Person
Neighborhood Parks	$75	$137	$130
Community Parks	-	$352	$127
Indoor Recreation Centers	-	-	$441
Concrete Trails	-	-	$609

Gross Total per Person	**$1,871**
Credit for Debt Payments	**($49)**
Credit for Existing Fund Balance (7%)	**($134)**
Credit for External Funding For Trails (75%)	**($457)**
Credit for External Funding For Rec Centers (75%)	**($331)**
Net Total per Person	**$901**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$2,521**	$2,192	$329
Single Family Attached	2.24	**$2,017**	-	-
Multifamily	1.55	**$1,396**	$1,381	$15

[1] External funding includes State and Federal grants and community donations

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE

This section summarizes the potential cash flow to the City if the development impact fees are implemented at the maximum supportable amounts. The cash flow projections are based on the assumptions detailed in this chapter and the development projections discussed in Appendix B: Demographic Data.

The summary provides an indication of the impact fee revenue generated by new development. Shown at the bottom of the figure, the maximum supportable parks & recreation impact fee is estimated to generate $9.7 million in revenue while there is a growth-related cost of $20.2 million. The revenue is able to mitigate 48 percent of growth-related costs. The remaining funding gap is the result of the credits for the other revenue sources available to fund capital expansion projects.

Figure 15. Cash Flow Summary for Maximum Supportable Impact Fees

Infrastructure Costs for Park Facilities

	Total Cost	Growth Cost
Neighborhood Parks	$3,697,500	$3,697,500
Community Parks	$5,174,400	$5,174,400
Indoor Recreation Centers	$4,754,749	$4,754,749
Concrete Trails	$6,557,600	$6,557,600
Total Expenditures	**$20,184,249**	**$20,184,249**

Projected Development Impact Fee Revenue

		Single Family $2,521 per unit	Multifamily $1,396 per unit
Year		Housing Units	Housing Units
Base	2023	16,929	7,406
Year 1	2024	17,205	7,820
Year 2	2025	17,489	8,245
Year 3	2026	17,781	8,682
Year 4	2027	18,081	9,132
Year 5	2028	18,389	9,595
Year 6	2029	18,706	10,071
Year 7	2030	19,032	10,561
7-Year Increase		2,103	3,155
Projected Revenue		$5,301,058	$4,404,715
		Projected Revenue =>	**$9,706,000**
		Total Expenditures =>	**$20,184,000**
		Non-Impact Fee Funding =>	**$10,478,000**

Library

The library impact fee is derived using the plan-based methodology. The fee includes library branch improvements and library collections. The plan-based approach attributes the growth-related costs identified in the library Capital Improvement Plan (CIP) to projected growth in Bentonville. The cost is attributed to residential development only.

LIBRARY CAPITAL IMPROVEMENT PLAN (CIP) & COST ANALYSIS

Figure 16 lists the capital improvement projects that are planned to be funded by impact fees. There are other current capital expansion plans (i.e., the main branch expansion) that have already secured funding and are not included in the impact fee eligible CIP. In total, the plan is $1,897,940 over the next seven years. The materials return system improvement project expands the number of return bays from three to nine, thus only two-thirds of the project is growth-related. While all the other projects are considered to be 100 percent growth-related. As a result, growth's share is $1,842,940.

The 7-year growth's share of collections and branch improvements are compared to the projected 7-year increase in population to find the capital cost per person. For example, the collections CIP is $1,575,000 and the projected growth in population is 10,788, resulting in a capital cost per person of $146 ($1,575,000 / 10,788 persons = $146 per person).

Figure 16. Library CIP and Cost Analysis

Library 7-Year Capital Improvement Plan			
Project	**Type**	**Total Cost**	**Growth's Share**
Materials Return System (3 to 9 bays)	Branch Improvement	$165,000	$110,000
Self-check terminals and materials security gates	Branch Improvement	$130,000	$130,000
Integrated technology for collaboration rooms	Branch Improvement	$6,440	$6,440
Shelving for collection expansion	Branch Improvement	$5,000	$5,000
Expansion of Existing Pickup Lockers at BCC	Branch Improvement	$16,500	$16,500
7-Year Library Collection Expansion	Collections	$1,575,000	$1,575,000
	Total	**$1,897,940**	**$1,842,940**

Collections Cost	$1,575,000
7-Year Increase in Population	10,778
Capital Cost per Person	**$146**

Branch Improvements Cost	$267,940
7-Year Increase in Population	10,778
Capital Cost per Person	**$25**

DEBT SERVICE CREDIT EVALUATION

In 2021, Bentonville voters approved a referendum to finance a variety of projects through sales tax bonds that included expansion of the main library branch. To avoid potential double payment for the improvements, a credit is necessary because new development that will pay the impact fee will also contribute to future payments on this remaining debt through sales tax revenue. Future payments are planned through 2046, 23 years from this study. Conservatively, the next 20 years of payments are included in the credit.

As shown in Figure 17, future payments are distributed based on proportionate share for residential and nonresidential uses. To account for the time value of money, annual payments per person are discounted using a net present value formula based on an average current interest rate of the bond, 3.00 percent. The total net present value of future payments per person is $7 per person. This amount is subtracted from the gross capital cost per person to derive a net capital cost.

Figure 17. Credit for Future Debt Payments

Fiscal Year	Payment	Residential 58%	Nonresidential 42%
2023	$32,129	$18,635	$13,494
2024	$32,129	$18,635	$13,494
2025	$71,111	$41,244	$29,867
2026	$82,974	$48,125	$34,849
2027	$82,892	$48,077	$34,815
2028	$82,990	$48,134	$34,856
2029	$82,944	$48,108	$34,836
2030	$82,850	$48,053	$34,797
2031	$83,114	$48,206	$34,908
2032	$83,007	$48,144	$34,863
2033	$82,947	$48,109	$34,838
2034	$82,930	$48,099	$34,831
2035	$82,955	$48,114	$34,841
2036	$82,915	$48,091	$34,824
2037	$82,913	$48,090	$34,823
2038	$4,017	$2,330	$1,687
2039	$4,017	$2,330	$1,687
2040	$4,017	$2,330	$1,687
2041	$4,017	$2,330	$1,687
2042	$4,017	$2,330	$1,687
2043	$4,017	$2,330	$1,687
Total	**$1,154,902**	**$669,844**	**$485,058**

Residential

Fiscal Year	Payment	Projected Population	Payment/ Capita
2023	$18,635	58,890	$0.32
2024	$18,635	60,304	$0.31
2025	$41,244	61,758	$0.67
2026	$48,125	63,253	$0.76
2027	$48,077	64,791	$0.74
2028	$48,134	66,371	$0.73
2029	$48,108	67,996	$0.71
2030	$48,053	69,668	$0.69
2031	$48,206	71,237	$0.68
2032	$48,144	72,846	$0.66
2033	$48,109	74,496	$0.65
2034	$48,099	76,423	$0.63
2035	$48,114	78,399	$0.61
2036	$48,091	80,426	$0.60
2037	$48,090	82,506	$0.58
2038	$2,330	84,639	$0.03
2039	$2,330	86,828	$0.03
2040	$2,330	89,073	$0.03
2041	$2,330	91,377	$0.03
2042	$2,330	93,740	$0.02
2043	$2,330	96,164	$0.02
Total	**$669,844**		**$9.50**
		Discount Rate	3.00%
		Total Credit	**$7**

CREDIT FOR ADDITIONAL REVENUE SOURCES

There are several sources that are anticipated to fund library capital improvements including the existing impact fee fund balance and revenue from fund raising campaigns to support the main branch expansion project. The existing fund balance will be spent over the next two years to address demand on library collections from past growth, thus, a credit is not needed. Also, the library branch expansion is not receiving funding from impact fees, thus a credit is not needed for the funds donated for that project.

With that said, the Library Department historically receives donations for collection expansion. This is anticipated to continue at an average of $10,000 annually. As a result, the donations will offset 4.4 percent of the collection CIP. A credit is included in the final library impact fee calculation to account for the additional revenue.

Figure 18. Credit for Library Collection Donations

Bentonville Library	Collection Funding
7-Year Anticipated Donations	$70,000
7-Year Collection CIP	$1,575,000
Donations Share of Funding	**4.4%**

LIBRARY IMPACT FEE SUMMARY

The maximum supportable library impact fees are shown in Figure 19. The gross cost per person is reduced by the credits for other revenues to find the net total cost per person. The fee is only assessed to residential development and based on persons per housing unit. For example, the single family detached impact fee is $442 (2.80 persons per housing unit x $158 net cost per person = $442 (rounded)). The current library impact fee is included in the figure illustrating an increase of $264 for single family detached development.

The City may adopt fees that are less than the amounts shown. However, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 19. Maximum Supportable Library Impact Fees

Fee Component	Cost per Person
Library Branch Improvements	$25
Library Collections	$146
Gross Total	**$171**
Credit for Debt Payments	**($7)**
Credit for Collection Funding (4.4%)	**($6)**
Net Total	**$158**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$442**	$178	$264
Single Family Attached	2.24	**$354**	-	-
Multifamily	1.55	**$245**	$112	$133

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE

This section summarizes the potential cash flow to the City if the development impact fees are implemented at the maximum supportable amounts. The cash flow projections are based on the assumptions detailed in this chapter and the development projections discussed in Appendix B: Demographic Data.

The summary provides an indication of the impact fee revenue generated by new development. Shown at the bottom of the figure, the maximum supportable library impact fee is estimated to generate $1.7 million in revenue while there is a growth-related cost of $1.8 million. The revenue is able to mitigate 92 percent of growth-related costs. The remaining funding gap is the result of the credits included in the fee calculation to ensure there is no double collecting.

Figure 20. Cash Flow Summary for Maximum Supportable Impact Fees

Infrastructure Costs for Library Facilities

	Total Cost	Growth Cost
Library Branch Improvements	$267,940	$267,940
Library Collections	$1,575,000	$1,575,000
Total Expenditures	**$1,842,940**	**$1,842,940**

Projected Development Impact Fee Revenue

		Single Family $442 per unit	Multifamily $245 per unit
Year		Housing Units	Housing Units
Base	2023	16,929	7,406
Year 1	2024	17,205	7,820
Year 2	2025	17,489	8,245
Year 3	2026	17,781	8,682
Year 4	2027	18,081	9,132
Year 5	2028	18,389	9,595
Year 6	2029	18,706	10,071
Year 7	2030	19,032	10,561
Seven-Year Increase		2,103	3,155
Projected Revenue		$929,420	$773,034
		Projected Revenue =>	**$1,702,000**
		Total Expenditures =>	**$1,843,000**
		Non-Impact Fee Funding =>	**$141,000**

Police

The police impact fee for Bentonville utilizes an incremental expansion approach, with infrastructure costs allocated to both residential and nonresidential development based on a functional population analysis. The fee includes police facilities, police vehicles, police communication infrastructure.

For residential development, police impact fees are a function of population growth. For nonresidential impact fees, TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for public safety. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/warehouse development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for police services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, police impact fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, police impact fees would be too high for industrial development. Further details on vehicle trip rates can be found in the appendix.

PROPORTIONATE SHARE ANALYSIS

Both residential and nonresidential developments increase the demand on police services and facilities. To calculate the proportional share between residential and nonresidential demand on service and facilities, a functional population approach is used. The functional population approach allocates the cost of the facilities to residential and nonresidential development based on the activity of residents and workers in the city through the 24 hours in a day.

Residents that do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages). Residents that work in City of Bentonville are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside the city are assigned 14 hours to residential development, the remaining hours in the day are assumed to be spent outside of the city working. Inflow commuters are assigned 10 hours to nonresidential development. Based on the most recent functional population data (2018), residential development accounts for 58 percent of the functional population, while nonresidential development accounts for 42 percent.

Figure 21. Bentonville Functional Population

Bentonville, AR (2018)				
Residential			*Demand*	*Person*
Population*	46,112		*Hours/Day*	*Hours*
Residents Not Working		24,984	20	499,680
Employed Residents		21,128		
Employed in Bentonville		9,351	14	130,914
Employed outside Bentonville		11,777	14	164,878
			Residential Subtotal	795,472
			Residential Share =>	**58%**
Nonresidential				
Non-working Residents		24,984	4	99,936
Jobs Located in Bentonville		48,378		
Residents Employed in Bentonville		9,351	10	93,510
Non-Resident Workers (inflow commuters)		39,027	10	390,270
			Nonresidential Subtotal	583,716
			Nonresidential Share =>	**42%**
			TOTAL	1,379,188

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.
* Source: U.S. Census Bureau, American Community Survey, 2018

LEVELS OF SERVICE STANDARDS AND COST FACTORS FOR POLICE

Police Facilities

Bentonville currently has three police facilities totaling 47,522 square feet. Based on current insurance valuations, the facilities total $18.2 million in value. Figure 22 indicates residential and nonresidential proportionate share factors, current LOS standards, and cost per demand unit calculations. For example, the current residential LOS is derived by multiplying the total square footage by the proportionate share of functional population and dividing by the total population (47,522 square feet x 58 percent proportionate share / 58,890 residents), resulting in a LOS of 468 square feet per 1,000 persons.

The cost per demand unit is derived using the average cost per square foot ($384) and existing LOS discussed above. For example, the cost per person is $180 (384 square feet per 1,000 persons x $384 per square foot = $180 per person).

Figure 22. Current Level of Service and Cost Factors for Police Facilities

Facility	Square Feet	Replacement Cost [1]
Headquarters	18,885	$6,096,416
Storage	6,500	$1,838,550
CID/Communications/EOQ	22,137	$10,300,500
Total	**47,522**	**$18,235,466**

Level-of-Service Standards	Residential	Nonresidential
Proportionate Share	58%	42%
Share of Floor Area (sq. ft.)	27,563	19,959
2023 Population/Nonres Vehicle Trips	58,890	172,022
Square Feet per 1,000 Persons/Nonres Trips	**468**	**116**

Cost Analysis	Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres Trips	468	116
Average Cost per Square Foot	$384	$384
Capital Cost per Person/Nonres Vehicle Trip	**$180**	**$45**

[1] Insurance valuation report

Police Vehicles

Bentonville currently has 105 units in its police fleet. Figure 23 below indicates the type of vehicle, the number owned, and the current cost of replacement. In total, the fleet's value is $6.8 million with an average cost per unit of $65,000. Figure 23 also indicates residential and nonresidential proportionate share factors, current LOS standards, and cost per demand unit calculations. For example, the current residential LOS is derived by multiplying the total number of vehicles by the proportionate share of functional population and dividing by the total population (105 vehicles x 58 percent proportionate share / 58,890 residents), resulting in a LOS of 1.034 vehicles per 1,000 persons.

The cost per demand unit is derived using the average cost per vehicles ($65,000) and existing LOS discussed above. For example, the cost per person is $67 (1.034 vehicles per 1,000 persons x $65,000 per vehicle = $67 per person).

Figure 23. Current Level of Service and Cost Factors for Police Vehicles

Vehicle Type	Total Units	Cost per Unit	Replacement Cost
Patrol	75	$65,000	$4,875,000
CID/Admin	30	$65,000	$1,950,000
Total	**105**		**$6,825,000**

Level-of-Service Standards	Residential	Nonresidential
Proportionate Share	58%	42%
Share of Fleet	60.9	44.1
2023 Population/Nonres Vehicle Trips	58,890	172,022
Units per 1,000 Persons/Nonres Trips	**1.034**	**0.256**

Cost Analysis	Residential	Nonresidential
Units per 1,000 Persons/Nonres Trips	1.034	0.256
Average Cost per Unit	$65,000	$65,000
Capital Cost per Person/Nonres Vehicle Trip	**$67**	**$17**

Police Communication infrastructure

The police communication infrastructure includes the 911 radio towers and 911 communication dispatch consoles. There are a total of nine units with a total replacement cost of $5.4 million. Figure 24 also indicates residential and nonresidential proportionate share factors, current LOS standards, and cost per demand unit calculations.

The cost per demand unit is derived using the average cost per unit ($600,000) and existing LOS. For example, the cost per person is $53 (0.089 units per 1,000 persons x $600,000 per unit = $53 per person).

Figure 24. Current Level of Service and Cost Factors for Police Communication Infrastructure

Communication Equipment	Total Units	Cost per Unit	Replacement Cost
911 Radio Towers	5	$1,000,000	$5,000,000
911 Comms Consoles	4	$100,000	$400,000
Total	**9**		**$5,400,000**

Level-of-Service Standards	Residential	Nonresidential
Proportionate Share	58%	42%
Share of Fleet	5.2	3.8
2023 Population/Nonres Vehicle Trips	58,890	172,022
Units per 1,000 Persons/Nonres Trips	**0.089**	**0.022**

Cost Analysis	Residential	Nonresidential
Units per 1,000 Persons/Nonres Trips	0.089	0.022
Average Cost per Unit	$600,000	$600,000
Capital Cost per Person/Nonres Vehicle Trip	**$53**	**$13**

PROJECTED NEED FOR POLICE FACILITIES

The City of Bentonville updates its impact fee studies on a seven-year cycle. The following figures illustrate the demand from new development over that time based on the study's growth projections.

Police Facilities

Figure 25 depicts projected demand for police facility space over the next seven years. Demand from population and nonresidential growth will require the addition of 9,293 square feet for a total cost of approximately $3.6 million over the next seven years to maintain existing LOS.

Figure 25. Police Facilities Needs Analysis

Infrastructure	Level of Service			Demand Unit	Cost/Sq Ft
Police Facilities	Residential	468	Square Feet	per 1,000 persons	$384
	Nonresidential	116		per 1,000 trips	

Growth-Related Need for Police Facilities						
Year		Population	Nonres. Vehicle Trips	Residential Square Feet	Nonresidential Square Feet	Total Square Feet
Base	2023	58,890	172,022	27,560	19,954	47,514
Year 1	2024	60,304	176,066	28,222	20,423	48,645
Year 2	2025	61,758	182,883	28,902	21,214	50,116
Year 3	2026	63,253	189,700	29,602	22,005	51,607
Year 4	2027	64,791	196,517	30,322	22,796	53,118
Year 5	2028	66,371	200,561	31,061	23,265	54,326
Year 6	2029	67,996	204,605	31,822	23,734	55,556
Year 7	2030	69,668	208,649	32,604	24,203	56,807
Seven-Year Increase		10,778	36,627	**5,044**	**4,249**	**9,293**
		Projected Expenditure		**$1,936,896**	**$1,631,616**	**$3,568,512**

Growth-Related Expenditures for Police Facilities	$3,568,512

Police Vehicles

Figure 26 depicts projected demand for police vehicles over the next seven years. Demand from population and nonresidential growth will require the addition of 20.6 units for a total cost of approximately $1.3 million over the next seven years to maintain existing LOS.

Figure 26. Police Vehicles Needs Analysis

Infrastructure	Level of Service			Demand Unit	Cost/Unit
Police Vehicles	Residential	1.034	Units	per 1,000 persons	$65,000
	Nonresidential	0.256		per 1,000 trips	

Growth-Related Need for Police Vehicles						
Year		Population	Nonres. Vehicle Trips	Residential Units	Nonresidential Units	Total Units
Base	2023	58,890	172,022	60.8	44.0	104.8
Year 1	2024	60,304	176,066	62.3	45.0	107.3
Year 2	2025	61,758	182,883	63.8	46.8	110.6
Year 3	2026	63,253	189,700	65.4	48.5	113.9
Year 4	2027	64,791	196,517	66.9	50.3	117.2
Year 5	2028	66,371	200,561	68.6	51.3	119.9
Year 6	2029	67,996	204,605	70.3	52.3	122.6
Year 7	2030	69,668	208,649	72.0	53.4	125.4
Seven-Year Increase		10,778	36,627	**11.2**	**9.4**	**20.6**
			Projected Expenditure	**$728,000**	**$611,000**	**$1,339,000**

Growth-Related Expenditures for Police Vehicles	$1,339,000

Police Communication Infrastructure

Figure 27 depicts projected demand for police communication infrastructure over the next seven years. Demand from population and nonresidential growth will require the addition of 1.8 units for a total cost of approximately $1,080,000 over the next seven years to maintain existing LOS.

Figure 27. Police Communication Infrastructure Needs Analysis

Infrastructure	Level of Service			Demand Unit	Cost/Unit
Police Communication	Residential	0.089	Units	per 1,000 persons	$600,000
	Nonresidential	0.022		per 1,000 trips	

Growth-Related Need for Police						
Year		Population	Nonres. Vehicle Trips	Residential Units	Nonresidential Units	Total Units
Base	2023	58,890	172,022	5.2	3.7	8.9
Year 1	2024	60,304	176,066	5.3	3.8	9.1
Year 2	2025	61,758	182,883	5.4	4.0	9.4
Year 3	2026	63,253	189,700	5.6	4.1	9.7
Year 4	2027	64,791	196,517	5.7	4.3	10.0
Year 5	2028	66,371	200,561	5.9	4.4	10.3
Year 6	2029	67,996	204,605	6.0	4.5	10.5
Year 7	2030	69,668	208,649	6.2	4.5	10.7
Seven-Year Increase		10,778	36,627	**1.0**	**0.8**	**1.8**
			Projected Expenditure	**$600,000**	**$480,000**	**$1,080,000**

Growth-Related Expenditures for Police Communication	$1,080,000

POLICE CAPITAL IMPROVEMENT PLANS

The Police Capital Improvement Plan (CIP) is listed in Figure 28. As indicated, there are plans to expanded and improve the three components included in the impact fee analysis. The plans satisfy the estimated growth-related needs to keep providing the current LOS.

Figure 28. Police Capital Improvement Plans

Police Capital Improvement Plan	
Project	**Improvement**
Training Facility	Phase 2, similar to Fayetteville facility, ~$8 million
Substation	Expansion for future staff and evidence storage
Vehicles	21 units for future patrol and CID hires
Comms Improvements	Expanded network that may include radio tower #6 (structure and land), new 911 consoles and lines

DEBT SERVICE CREDIT EVALUATION

In 2021, Bentonville voters approved a referendum to finance a variety of projects through sales tax bonds that included improvements to the City's public safety radio communication system. To avoid potential double payment for police improvements, a credit is necessary because new development that will pay the impact fee will also contribute to future payments on this remaining debt through sales tax revenue. Future payments are planned through 2046, 23 years from this study. Conservatively, the next 20 years of payments are included in the credit.

As shown in Figure 29, future payments are distributed based on proportionate share for residential and nonresidential uses. To account for the time value of money, annual payments per person and nonresidential vehicle trip are discounted using a net present value formula based on an average current interest rate of the bond, 3.00 percent. The total net present value of future payments per person is $12 per person and $3 per nonresidential vehicle trip. This amount is subtracted from the gross capital cost per demand unit for residential and nonresidential development to derive a net capital cost for police facilities.

Figure 29. Police Future Debt Payment Credit

Fiscal Year	Payment	Residential 58%	Nonresidential 42%
2023	$53,280	$30,902	$22,378
2024	$53,280	$30,902	$22,378
2025	$117,923	$68,395	$49,528
2026	$137,595	$79,805	$57,790
2027	$137,460	$79,727	$57,733
2028	$137,621	$79,820	$57,801
2029	$137,545	$79,776	$57,769
2030	$137,390	$79,686	$57,704
2031	$137,828	$79,940	$57,888
2032	$137,650	$79,837	$57,813
2033	$137,550	$79,779	$57,771
2034	$137,523	$79,763	$57,760
2035	$137,563	$79,787	$57,776
2036	$137,497	$79,748	$57,749
2037	$137,494	$79,747	$57,747
2038	$6,661	$3,863	$2,798
2039	$6,661	$3,863	$2,798
2040	$6,661	$3,863	$2,798
2041	$6,661	$3,863	$2,798
2042	$6,661	$3,863	$2,798
2043	$6,661	$3,863	$2,798
Total	**$1,915,165**	**$1,110,792**	**$804,373**

Residential

Fiscal Year	Payment	Projected Population	Payment/ Capita
2023	$30,902	58,890	$0.52
2024	$30,902	60,304	$0.51
2025	$68,395	61,758	$1.11
2026	$79,805	63,253	$1.26
2027	$79,727	64,791	$1.23
2028	$79,820	66,371	$1.20
2029	$79,776	67,996	$1.17
2030	$79,686	69,668	$1.14
2031	$79,940	71,237	$1.12
2032	$79,837	72,846	$1.10
2033	$79,779	74,496	$1.07
2034	$79,763	76,423	$1.04
2035	$79,787	78,399	$1.02
2036	$79,748	80,426	$0.99
2037	$79,747	82,506	$0.97
2038	$3,863	84,639	$0.05
2039	$3,863	86,828	$0.04
2040	$3,863	89,073	$0.04
2041	$3,863	91,377	$0.04
2042	$3,863	93,740	$0.04
2043	$3,863	96,164	$0.04
Total	**$1,110,792**		**$15.70**
		Discount Rate	3.00%
		Total Credit	**$12**

Nonresidential

Fiscal Year	Payment	Projected Nonres. Vehicle Trips	Payment/ Trip
2023	$22,378	172,022	$0.13
2024	$22,378	176,066	$0.13
2025	$49,528	182,883	$0.27
2026	$57,790	189,700	$0.30
2027	$57,733	196,517	$0.29
2028	$57,801	200,561	$0.29
2029	$57,769	204,605	$0.28
2030	$57,704	208,649	$0.28
2031	$57,888	212,693	$0.27
2032	$57,813	216,737	$0.27
2033	$57,771	220,781	$0.26
2034	$57,760	224,825	$0.26
2035	$57,776	220,549	$0.26
2036	$57,749	229,064	$0.25
2037	$57,747	237,579	$0.24
2038	$2,798	246,093	$0.01
2039	$2,798	254,608	$0.01
2040	$2,798	263,123	$0.01
2041	$2,798	271,638	$0.01
2042	$2,798	280,153	$0.01
2043	$2,798	288,668	$0.01
Total	**$804,373**		**$3.84**
		Discount Rate	3.00%
		Total Credit	**$3**

EXISTING IMPACT FEE FUND BALANCE CREDIT EVALUATION

To ensure that the impact fee is calibrated to growth's burden on the City of Bentonville a credit is included for the existing balance of collected police impact fees that will be used to fund future capital expansions. Listed in Figure 30 there is an estimated $6 million in growth-related costs for the next seven years and an existing balance of $3.3 million (54 percent of the capital costs). As a result, there is a 54 percent credit included in the final police impact fee calculation.

Figure 30. Credit for Police Impact Fee Fund Balance

	7-Year Need to Accommodate Growth		
Infrastructure	Square Feet	Units	Total Cost
Police Facilities	9,293	-	$3,568,512
Police Vehicles	-	20.6	$1,339,000
Police Communication	-	1.8	$1,080,000
Total	**9,293.0**	**22.4**	**$5,987,512**

Existing Impact Fee Fund Balance	**$3,248,158**	**54%**
Future Funding Needs	**$2,739,354**	**46%**

POLICE IMPACT FEE SUMMARY

The maximum supportable police impact fees are shown in Figure 31. For residential development, police impact fees are based on persons per housing unit. For example, the single family detached impact fee is $350 (2.80 persons per housing unit x $125 net cost per person = $350 (rounded)). The nonresidential fees are the product of vehicle trips per 1,000 square feet multiplied by the net capital cost per nonresidential vehicle trip. The current police impact fee is included in the figure illustrating a decrease of $196 for single family detached development.

The City may adopt fees that are less than the amounts shown. However, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 31. Maximum Supportable Police Impact Fees

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trips
Police Station	$180	$45
Police Vehicles	$67	$17
Communication Infrast.	$53	$13
Gross Total	$300	$75
Credit for Debt Payments	($12)	($3)
Credit for Existing Fund Balance (54%)	($163)	($41)
Net Total	**$125**	**$31**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$350**	$546	($196)
Single Family Attached	2.24	**$280**	-	-
Multifamily	1.55	**$194**	$344	($150)

Nonresidential

Development Type	Vehicle Trips	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Noresidential (per 1,000 Square Feet)				
Retail	14.06	**$436**	$615	($179)
Office	5.42	**$168**	$233	($65)
Industrial	2.38	**$74**	$81	($7)
Institutional	5.39	**$167**	-	-

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE

This section summarizes the potential cash flow to the City if the development impact fees are implemented at the maximum supportable amounts. The cash flow projections are based on the assumptions detailed in this chapter and the development projections discussed in Appendix B: Demographic Data.

The summary provides an indication of the impact fee revenue generated by new development. Shown at the bottom of the figure, the maximum supportable police impact fee is estimated to generate $2.5 million in revenue while there is a growth-related cost of $6 million. The revenue is able to mitigate 42 percent of growth-related costs. The remaining funding gap is the result of the credit for future debt payments and the existing impact fee fund balance.

Figure 32. Cash Flow Summary for Maximum Supportable Impact Fees

Infrastructure Costs for Police Facilities

	Total Cost	Growth Cost
Police Station	$3,568,512	$3,568,512
Police Vehicles	$1,339,000	$1,339,000
Communication Infrast.	$1,080,000	$1,080,000
Total Expenditures	**$5,987,512**	**$5,987,512**

Projected Development Impact Fee Revenue

Year		Single Family $350 per unit	Multifamily $194 per unit	Retail $436 per KSF	Office $168 per KSF	Industrial $74 per KSF	Institutional $167 per KSF
		Housing Units	Housing Units	KSF	KSF	KSF	KSF
Base	2023	16,929	7,406	6,905	9,750	3,117	2,722
Year 1	2024	17,205	7,820	7,117	9,819	3,204	2,813
Year 2	2025	17,489	8,245	7,328	10,399	3,292	2,904
Year 3	2026	17,781	8,682	7,539	10,980	3,379	2,995
Year 4	2027	18,081	9,132	7,751	11,560	3,466	3,086
Year 5	2028	18,389	9,595	7,962	11,629	3,553	3,177
Year 6	2029	18,706	10,071	8,174	11,698	3,641	3,268
Year 7	2030	19,032	10,561	8,385	11,767	3,728	3,359
7-Year Increase		2,103	3,155	1,480	2,017	611	637
Projected Revenue		$735,966	$612,117	$645,322	$338,800	$45,191	$106,364

Projected Revenue => $2,484,000
Total Expenditures => $5,988,000
Non-Impact Fee Funding => $3,504,000

Fire

The fire impact fee for Bentonville utilizes a plan-based approach that compares the capital expansion plans and infrastructure costs to future development allocated to both residential and nonresidential growth based on an analysis of calls for service data. The fee includes a fire station and fire apparatus component that provide a citywide benefit. The previous impact fee study did not include fire stations because at that time there were no plans to construct new stations.

For residential development, fire impact fees are a function of population growth. For nonresidential impact fees, TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for fire and emergency medical apparatus. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/warehouse development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for fire and emergency medical services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, fire impact fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, fire impact fees would be too high for industrial development. Further details on vehicle trip rates can be found in the appendix.

PROPORTIONATE SHARE ANALYSIS

The fire impact fee uses an annual report of calls for service to attribute demand on fire station and fire apparatus from residential and nonresidential development. Of the total, 46 percent of calls were to residential locations, 40 percent to nonresidential locations, and 14 percent were to traffic incidents. The traffic incidents are split to residential and nonresidential locations based on the current vehicle trip generation estimates. As a result, 53 percent of calls are considered to be based on residential demand and 47 percent of calls are considered to be on nonresidential demand.

Figure 33. Fire Department Calls for Service

Location	Calls for Service	Percent of Total
Residential	3,242	46%
Nonresidential	2,777	40%
Traffic	978	14%
Total	**6,997**	**100%**

Location	Vehicle Trips	Percent of Total
Residential	142,606	45%
Nonresidential	172,022	55%
Total	**314,628**	**100%**

Location	Adj. Vehicle Trips	Percent of Total
Residential	3,685	**53%**
Nonresidential	3,312	**47%**
Total	**6,997**	**100%**

FIRE CAPITAL IMPROVEMENT PLANS

The Fire Capital Improvement Plan (CIP) is listed in Figure 34. As indicated, there are plans to construct Fire Station #8 with an estimated cost of $4.5 million. Along with the need to provide a new fire truck at Station #8 there are new administrative and training vehicles needed to support the department's growth.

Figure 34. Fire Capital Improvement Plans

Fire Capital Improvement Plan			
Project	**Need**	**Units**	**Total Cost**
Fire Station #8	10,000	square feet	$4,500,000
Fire Truck	1	units	$960,000
Battalion Truck	1	units	$120,000
Training and Admin Truck	2	units	$120,000
		Total	**$5,700,000**

LEVELS OF SERVICE STANDARDS AND COST FACTORS FOR FIRE

Fire Stations

Bentonville Fire Department plans to construction Fire Station #8 in the next seven years to accommodate citywide growth. The station is anticipated to be 10,000 square feet and cost $4.5 million. The capital expansion is compared to the 7-year growth projection to calculate capital cost factors. Figure 35 indicates residential and nonresidential proportionate share factors, LOS standards, and cost per demand unit calculations. For example, the residential LOS is derived by multiplying the total square footage by the proportionate share and dividing by the 7-year increase in population (10,000 square feet x 53 percent proportionate share / 10,778 residents), resulting in a LOS of 489 square feet per 1,000 persons.

The cost per demand unit is derived using the average cost per square foot ($450) and LOS discussed above. For example, the cost per person is $220 (489 square feet per 1,000 persons x $450 per square foot = $220 per person).

Figure 35. Level of Service and Cost Factors for Fire Station

Facility	Square Feet	Replacement Cost
Fire Station #8	10,000	$4,500,000
Total	**10,000**	**$4,500,000**

Level-of-Service Standards	Residential	Nonresidential
Proportionate Share	53%	47%
Share of Floor Area (sq. ft.)	5,267	4,733
7-Year Increase in Population and Nonres Trips	10,778	36,627
Square Feet per 1,000 Persons/Nonres Trips	**489**	**129**

Cost Analysis	Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres Trips	489	129
Average Cost per Square Foot	$450	$450
Capital Cost per Person/Nonres Vehicle Trip	**$220**	**$58**

Source: Bentonville Fire Department

Fire Apparatus

Bentonville Fire Department plans to expand its vehicle fleet by four units over the next seven years to accommodate citywide growth. This includes a new fire truck for Station #8 and three administrative vehicles. The capital expansion plan is compared to the 7-year growth projection to calculate capital cost factors. Figure 36 also indicates residential and nonresidential proportionate share factors, LOS standards, and cost per demand unit calculations. For example, the residential LOS is derived by multiplying the number of apparatus by the proportionate share and dividing by the total population (4 apparatus x 53 percent proportionate share / 10,778 residents), resulting in a LOS of 0.195 apparatus per 1,000 persons.

The cost per demand unit is derived using the average cost per apparatus ($300,000) and LOS discussed above. For example, the cost per person is $59 (0.195 apparatus per 1,000 persons x $300,000 per apparatus = $59 per person).

Figure 36. Level of Service and Cost Factors for Fire Apparatus

Vehicle Type	Total Units	Cost per Unit	Replacement Cost
Fire Truck	1	$960,000	$960,000
Battalion Truck	1	$120,000	$120,000
Training and Admin Truck	2	$60,000	$120,000
Total	**4**		**$1,200,000**

Level-of-Service Standards	Residential	Nonresidential
Proportionate Share	53%	47%
Share of Fleet	2.1	1.9
7-Year Increase in Population and Nonres Trips	10,778	36,627
Units per 1,000 Persons/Nonres Trips	**0.195**	**0.052**

Cost Analysis	Residential	Nonresidential
Units per 1,000 Persons/Nonres Trips	0.195	0.052
Average Cost per Unit	$300,000	$300,000
Capital Cost per Person/Nonres Vehicle Trip	**$59**	**$16**

Source: Bentonville Fire Department

DEBT SERVICE CREDIT EVALUATION

In 2021, Bentonville voters approved a referendum to finance a variety of projects through sales tax bonds that included a fire training facility. To avoid potential double payment for fire improvements, a credit is necessary because new development that will pay the impact fee will also contribute to future payments on this remaining debt through sales tax revenue. Future payments are planned through 2046, 23 years from this study. Conservatively, the next 20 years of payments are included in the credit.

As shown in Figure 37, future payments are distributed based on proportionate share for residential and nonresidential uses. To account for the time value of money, annual payments per person and nonresidential vehicle trip are discounted using a net present value formula based on an average current interest rate of the bond, 3.00 percent. The total net present value of future payments per person is $6 per person and $1 per nonresidential vehicle trip. This amount is subtracted from the gross capital cost per demand unit for residential and nonresidential development to derive a net capital cost for fire facilities.

Figure 37. Fire Future Debt Payment Credit

Fiscal Year	Payment	Residential 58%	Nonresidential 42%
2023	$25,187	$14,608	$10,579
2024	$25,187	$14,608	$10,579
2025	$55,745	$32,332	$23,413
2026	$65,045	$37,726	$27,319
2027	$64,981	$37,689	$27,292
2028	$65,057	$37,733	$27,324
2029	$65,021	$37,712	$27,309
2030	$64,948	$37,670	$27,278
2031	$65,155	$37,790	$27,365
2032	$65,071	$37,741	$27,330
2033	$65,023	$37,713	$27,310
2034	$65,011	$37,706	$27,305
2035	$65,030	$37,717	$27,313
2036	$64,999	$37,699	$27,300
2037	$64,997	$37,698	$27,299
2038	$3,149	$1,826	$1,323
2039	$3,149	$1,826	$1,323
2040	$3,149	$1,826	$1,323
2041	$3,149	$1,826	$1,323
2042	$3,149	$1,826	$1,323
2043	$3,149	$1,826	$1,323
Total	**$905,351**	**$525,098**	**$380,253**

Residential

Fiscal Year	Payment	Projected Population	Payment/ Capita
2023	$14,608	58,890	$0.25
2024	$14,608	60,304	$0.24
2025	$32,332	61,758	$0.52
2026	$37,726	63,253	$0.60
2027	$37,689	64,791	$0.58
2028	$37,733	66,371	$0.57
2029	$37,712	67,996	$0.55
2030	$37,670	69,668	$0.54
2031	$37,790	71,237	$0.53
2032	$37,741	72,846	$0.52
2033	$37,713	74,496	$0.51
2034	$37,706	76,423	$0.49
2035	$37,717	78,399	$0.48
2036	$37,699	80,426	$0.47
2037	$37,698	82,506	$0.46
2038	$1,826	84,639	$0.02
2039	$1,826	86,828	$0.02
2040	$1,826	89,073	$0.02
2041	$1,826	91,377	$0.02
2042	$1,826	93,740	$0.02
2043	$1,826	96,164	$0.02
Total	**$525,098**		**$7.43**
		Discount Rate	3.00%
		Total Credit	**$6**

Nonresidential

Fiscal Year	Payment	Projected Nonres. Vehicle Trips	Payment/ Trip
2023	$10,579	172,022	$0.06
2024	$10,579	176,066	$0.06
2025	$23,413	182,883	$0.13
2026	$27,319	189,700	$0.14
2027	$27,292	196,517	$0.14
2028	$27,324	200,561	$0.14
2029	$27,309	204,605	$0.13
2030	$27,278	208,649	$0.13
2031	$27,365	212,693	$0.13
2032	$27,330	216,737	$0.13
2033	$27,310	220,781	$0.12
2034	$27,305	224,825	$0.12
2035	$27,313	220,549	$0.12
2036	$27,300	229,064	$0.12
2037	$27,299	237,579	$0.11
2038	$1,323	246,093	$0.01
2039	$1,323	254,608	$0.01
2040	$1,323	263,123	$0.01
2041	$1,323	271,638	$0.00
2042	$1,323	280,153	$0.00
2043	$1,323	288,668	$0.00
Total	**$380,253**		**$1.81**
		Discount Rate	3.00%
		Total Credit	**$1**

EXISTING IMPACT FEE FUND BALANCE CREDIT EVALUATION

To ensure that the impact fee is calibrated to growth's burden on the City of Bentonville a credit is included for the existing balance of collected fire impact fees that will be used to fund future capital expansions. Listed in Figure 38 the growth-related capital expansion plan for fire infrastructure is $5.7 million and there is an existing fire impact fee balance of $1.7 million ($995,000 has been reduced from the fund balance to account for an additional engine being purchase this year). As a result, there is a 30 percent credit included in the final fire impact fee calculation.

Figure 38. Credit for Fire Impact Fee Fund Balance

	7-Year Need to Accommodate Growth		
Infrastructure	Square Feet	Units	Total Cost
Fire Station	10,000	-	$4,500,000
Fire Vehicles	-	4.0	$1,200,000
Total	**10,000**	**4.0**	**$5,700,000**

Existing Impact Fee Fund Balance	**$1,695,872**	**30%**
Future Funding Needs	**$4,004,128**	**70%**

FIRE IMPACT FEE SUMMARY

The maximum supportable fire impact fees are shown in Figure 39. For residential development, fire impact fees are based on persons per housing unit. For example, the single family detached impact fee is $532 (2.80 persons per housing unit x $190 net cost per person = $532 (rounded)). The nonresidential fees are the product of vehicle trips per 1,000 square feet multiplied by the net capital cost per nonresidential vehicle trip. The current fire impact fee is included in the figure illustrating an increase of $214 for single family detached development. Importantly, the increase reflects the addition of fire stations in the impact fee program.

The City may adopt fees that are less than the amounts shown. However, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 39. Maximum Supportable Fire Impact Fees

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trips
Fire Station	$220	$58
Fire Vehicles	$59	$16
Gross Total	$279	$74
Credit for Debt Payments	($6)	($1)
Credit for Fund Balance (30%)	($83)	($22)
Net Total	**$190**	**$51**

Residential

Development Type	Persons per Housing Unit	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Residential (per housing unit)				
Single Family Detached	2.80	**$532**	$318	$214
Single Family Attached	2.24	**$426**	-	-
Multifamily	1.55	**$295**	$200	$95

Nonresidential

Development Type	Vehicle Trips	Maximum Supportable Fee	Current Fee	Increase/ (Decrease)
Noresidential (per 1,000 Square Feet)				
Retail	14.06	**$717**	$357	$360
Office	5.42	**$276**	$135	$141
Industrial	2.38	**$121**	$47	$74
Institutional	5.39	**$275**	-	-

CASH FLOW PROJECTIONS FOR MAXIMUM SUPPORTABLE IMPACT FEE

This section summarizes the potential cash flow to the City if the development impact fees are implemented at the maximum supportable amounts. The cash flow projections are based on the assumptions detailed in this chapter and the development projections discussed in Appendix B: Demographic Data.

The summary provides an indication of the impact fee revenue generated by new development. Shown at the bottom of the figure, the maximum supportable fire impact fee is estimated to generate $3.9 million in revenue while there is a growth-related cost of $5.7 million. The revenue is able to mitigate 68 percent of growth-related costs. The remaining funding gap is the result of the credit for future debt payments and the existing impact fee fund balance.

Figure 40. Cash Flow Summary for Maximum Supportable Impact Fees

Infrastructure Costs for Fire Facilities

	Total Cost	Growth Cost
Fire Station	$4,500,000	$4,500,000
Fire Vehicles	$1,200,000	$1,200,000
Total Expenditures	**$5,700,000**	**$5,700,000**

Projected Development Impact Fee Revenue

Year		Single Family $532 per unit	Multifamily $295 per unit	Retail $717 per KSF	Office $276 per KSF	Industrial $121 per KSF	Institutional $275 per KSF
		Housing Units	Housing Units	KSF	KSF	KSF	KSF
Base	2023	16,929	7,406	6,905	9,750	3,117	2,722
Year 1	2024	17,205	7,820	7,117	9,819	3,204	2,813
Year 2	2025	17,489	8,245	7,328	10,399	3,292	2,904
Year 3	2026	17,781	8,682	7,539	10,980	3,379	2,995
Year 4	2027	18,081	9,132	7,751	11,560	3,466	3,086
Year 5	2028	18,389	9,595	7,962	11,629	3,553	3,177
Year 6	2029	18,706	10,071	8,174	11,698	3,641	3,268
Year 7	2030	19,032	10,561	8,385	11,767	3,728	3,359
Seven-Year Increase		2,103	3,155	1,480	2,017	611	637
Projected Revenue		$1,118,668	$930,796	$1,061,228	$556,601	$73,894	$175,151

Projected Revenue => $3,916,000
Total Expenditures => $5,700,000
Non-Impact Fee Funding => $1,784,000

Appendix A: Land Use Definitions

RESIDENTIAL DEVELOPMENT

As discussed below, residential development categories are based on data from the U.S. Census Bureau, American Community Survey. Importantly, the occupancy (owner or renter) of the housing unit does not influence the housing type determination.

Single Family Detached:

- Single family detached is a one-unit structure detached from any other house, that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides.
- Mobile home includes both occupied and vacant mobile homes, to which no permanent rooms have been added, are counted in this category. Mobile homes used only for business purposes or for extra sleeping space and mobile homes for sale on a dealer's lot, at the factory, or in storage are not counted in the housing inventory.

Single Family Attached:

- Single family attached (townhouse) is a one-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.

Multifamily:

- 2+ units (duplexes and apartments) are units in structures containing two or more housing units, further categorized as units in structures with “2, 3 or 4, 5 to 9, 10 to 19, 20 to 49, and 50 or more apartments.”
- Boat, RV, Van, etc. includes any living quarters occupied as a housing unit that does not fit the other categories (e.g., houseboats, railroad cars, campers, and vans). Recreational vehicles, boats, vans, railroad cars, and the like are included only if they are occupied as a current place of residence.

NONRESIDENTIAL DEVELOPMENT

The proposed general nonresidential development categories (defined below) can be used for all new construction within Bentonville. Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and employment densities (i.e., jobs per thousand square feet of floor area).

Retail: Establishments primarily selling merchandise, eating/drinking places, and entertainment uses. By way of example, *Retail* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, and movie theaters, hotels, and motels.

- Examples of respective land use codes in the Institute of Transportation Engineers Trip Generation Manual, 2021: 820, 815, 823, 850, 875, 880

Office: Establishments providing management, administrative, professional, or business services; By way of example, *Office* includes business offices, headquarter buildings, business parks, and research and development centers.

- Examples of respective land use codes in the Institute of Transportation Engineers Trip Generation Manual, 2021: 710, 712, 714, 750, 770

Industrial: Establishments primarily engaged in the production, transportation, or storage of goods. By way of example, *Industrial* includes manufacturing plants, distribution warehouses, trucking companies, utility substations, power generation facilities, and telecommunications buildings.

- Examples of respective land use codes in the Institute of Transportation Engineers Trip Generation Manual, 2021: 110, 130, 150, 154, 160, 170

Institutional: Establishments providing management, administrative, professional, or business services; By way of example, *Institutional* includes assisted living facilities, nursing homes, hospitals, medical offices, veterinarian clinics, schools, universities, churches, daycare facilities, government buildings, and prisons.

- Examples of respective land use codes in the Institute of Transportation Engineers Trip Generation Manual, 2021: 520, 560, 565, 575, 580, 590

Appendix B: Demographic Data

As part of our Work Scope, TischlerBise has prepared documentation on demographic data and development projections that will be used in the City of Bentonville Impact Fee Study. The data estimates and projections are used in the study's calculations and to illustrate the possible future pace of service demands on the City's infrastructure. Furthermore, the memo demonstrates the history of development and base year development levels in Bentonville. The demographic assumptions are used in the impact fee calculations to determine current and future levels of service.

The factors provide assumptions for the final impact fee model, and once finalized, this memo will become part of the final report and/or model documentation.

This memo includes discussion and findings on:

- Household/housing unit size
- Current population and housing unit estimates
- Residential projections
- Current employment and nonresidential floor area estimates
- Nonresidential projections
- Functional population
- Vehicle trip generation and projections

Note: calculations throughout this technical memo are based on an analysis conducted using Excel software. Results are discussed in the memo using one-and two-digit places (in most cases), which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

POPULATION AND HOUSING CHARACTERISTICS

Impact fees often use per capita standards and persons per housing unit or persons per household to derive proportionate share fee amounts. Housing types have varying household sizes and, consequently, a varying demand on City infrastructure and services. Thus, it is important to differentiate between housing types and size.

When persons per housing unit (PPHU) is used in the development impact fee calculations, infrastructure standards are derived using year-round population. In contrast, when persons per household (PPHH) is used in the development impact fee calculations, the fee methodology assumes all housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. In this case, TischlerBise recommends that fees for residential development in Bentonville be imposed according to persons per housing unit.

Based on housing characteristics, TischlerBise recommends using two housing unit categories for the impact fee study: (1) Single Family and (2) Multifamily. Each housing type has different characteristics which results in a different demand on City facilities and services. Figure 41 shows the US Census American Community Survey 2021 5-Year Estimates data for the City of Bentonville. Single family units have a household size of 2.80 persons and multifamily units have a household size of 1.55 persons. Additionally, there is a housing mix of 70 percent single family and 30 percent multifamily.

The estimates in Figure 41 are for household size calculations. Base year population and housing units are estimated with another, more recent data source.

Figure 41. Persons per Housing Unit

Housing Type	Persons	Housing Units	Persons per Housing Unit	Households	Persons per Household	Housing Unit Mix
Single Family [1]	41,678	14,877	**2.80**	14,128	2.95	70%
Multifamily [2]	10,078	6,508	**1.55**	5,445	1.85	30%
Total	51,756	21,385	**2.42**	19,573	2.64	

[1] Includes attached and detached single family homes and mobile homes
[2] Includes structures with 2+ units
Source: U.S. Census Bureau, 2021 American Community Survey 5-Year Estimates

BASE YEAR POPULATION AND HOUSING UNITS

The City releases its annual *Development Report* to provide the public with a profile of growth and development in the city. Based on the report, Bentonville population in December 31, 2022 was 58,890. The year-end population is used in the impact fee analysis to capsulate the level of service at the start of the 2023 calendar year.

Furthermore, based on the average PPHU listed in Figure 41 (2.42 persons per housing unit) there is an estimated 24,335 housing units in Bentonville. Additionally, based on the 70/30 housing mix, there is an estimated 16,929 single family units and 7,406 multifamily units.

Figure 42. Base Year Housing Units

City of Bentonville	Base Year 2023
Population [1]	58,890
Housing Units [2]	
Single Family	16,929
Multifamily	7,406
Total Housing Units	24,335

[1] Source: Bentonville Development Report 2022; Population estimate for December 31, 2022 is used for the beginning of 2023.
Source: U.S. Census Bureau, 2021 American Community Survey 5-Year Estimates

RESIDENTIAL CONSTRUCTION TREND

There has been a consistent and significant amount of residential growth in Bentonville. Since 2018, despite the recessionary fears during covid-19, there has been an annual total of 655 to 1,671 housing units constructed. On average, 409 single family and 599 multifamily units have been constructed annually. Varying from the current housing stock in the city, the development trend has been more multifamily construction than single family construction. This is anticipated to continue and the 40/60 housing mixture is incorporated in the housing growth projections.

With that said, the 5-year annual average of 1,008 units is considered to be slightly skewed too high because of the spike in multifamily growth in 2019. Removing 2019, the city has been averaging about 840 units per year.

Figure 43. 5-Year New Housing Unit Totals

Housing Type	2018	2019	2020	2021	2022	Total	Average	% of Total
Single Family	494	461	405	277	410	2,047	**409**	40%
Multifamily	404	1,210	524	378	478	2,994	**599**	60%
Total	898	1,671	929	655	888	5,041	**1,008**	100%

Source: Bentonville Development Report 2022

HOUSING UNIT AND POPULATION PROJECTIONS

In the Bentonville *Community Plan* are future population estimates. The estimates were calculated in 2018, before the recent acceleration in development. Consequently, the estimates are slightly lower than the present population. However, the annual growth rates are still considered appropriate. Over the next ten years, the Bentonville population is estimated to grow to nearly 74,500 residents, a 26.5 percent increase from the base year. Following the population growth, 7,613 new housing units are projected (40 percent single family/60 percent multifamily).

Annually, the housing projections average 760 new homes, less than the recent construction activity. However, the conservative estimate allows for market adjustments over the next ten years and possible land capacity limits within the current city boundaries.

Figure 44. Residential Development Projections

City of Bentonville	Base Year 2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total Increase
Population	58,890	60,304	61,758	63,253	64,791	66,371	67,996	69,668	71,237	72,846	74,496	**15,606**
Percent Increase		*2.4%*	*2.4%*	*2.4%*	*2.4%*	*2.4%*	*2.4%*	*2.5%*	*2.3%*	*2.3%*	*2.3%*	*26.5%*
Housing Units												
Single Family	16,929	17,205	17,489	17,781	18,081	18,389	18,706	19,032	19,338	19,652	19,974	**3,045**
Multifamily	7,406	7,820	8,245	8,682	9,132	9,595	10,071	10,561	11,020	11,491	11,974	**4,568**
Total Housing Units	24,335	25,025	25,734	26,463	27,213	27,984	28,777	29,593	30,358	31,143	31,948	**7,613**

Source: Population and housing development projections are based on annual growth rates calculated from estimates in Bentonville *Community Plan* and PPHU factors by type of housing unit.

CURRENT EMPLOYMENT AND NONRESIDENTIAL FLOOR AREA

Base year employment estimates are produced with data from the Northwest Arkansas Regional Planning Commission (NWARPC) Travel Demand Model. The GIS-based database provides employment estimates for years 2018, 2025, 2035, and 2045 at the traffic analysis zone (TAZ) level. The City of Bentonville TAZs are summed and the 2023 estimates are found with a straight-line calculation from 2018 to 2025. Shown in Figure 45, there is a total of 60,101 jobs in Bentonville, over half in office industries.

The employment estimates are combined with density factors to calculate base year nonresidential floor area. The density factors are from the Institute of Transportation Engineers' *Trip Generation* Manual (2021) and the applied factors are found in Figure 46. For example, retail employment is combined with the density factor for the Shopping Center land use (471 square feet per employee) to find the total retail square footage in Bentonville (14,661 retail employees x 471 square feet per job = 6,905,097 square feet).

Figure 45. Base Year Employment and Nonresidential Floor Area

Employment Industries	Base Year Jobs [1]	Percent of Total	Sq. Ft. per Job [2]	Base Year Floor Area (sq. ft.)	Percent of Total
Retail	14,661	24%	471	6,905,097	31%
Office	31,759	53%	307	9,750,064	43%
Industrial	5,904	10%	528	3,117,170	14%
Institutional	7,778	13%	350	2,722,149	12%
Total	**60,101**	**100%**		**22,494,479**	**100%**

[1] Source: Northwest Arkansas Regional Planning Commission Travel Demand Model; TischlerBise analysis

[2] Source: Institute of Transportation Engineers, *Trip Generation*, 10th Edition (2017)

Figure 46. Institute of Transportation Engineers (ITE) Employment Density Factors

Employment Industry	ITE Code	Land Use	Demand Unit	Emp Per Dmd Unit	Sq Ft Per Emp
Retail	820	Shopping Center	1,000 Sq Ft	2.12	471
Office	710	General Office	1,000 Sq Ft	3.26	307
Industrial	140	Manufacturing	1,000 Sq Ft	1.89	528
Institutional	610	Hospital	1,000 Sq Ft	2.86	350

Source: *Trip Generation*, Institute of Transportation Engineers, 11th Edition (2021)

EMPLOYMENT AND NONRESIDENTIAL FLOOR AREA PROJECTIONS

Following the NWARPC Travel Demand Model, employment and floor area projections are provided in Figure 47. Additionally, Walmart is constructing a new headquarters which is estimated to house 15,000 office employees. Currently, there is an estimated 10,000 employees at the existing headquarters in Bentonville, thus the expansion will be a net positive of 5,000 new office employees. This specific expansion was not included in the Travel Demand Model, so the net new jobs are included in the projections over three years starting in 2025.

Overall, there is a projected increase of 16,000 jobs in Bentonville over the next ten years, an increase of 27 percent from the base year. The employment projections have been combined with the employee density factors to estimate the new nonresidential floor area. As a result, 6.1 million square feet are estimated over the next ten years, including over 2 million square feet in both office and retail development.

Figure 47. Employment and Nonresidential Floor Area Projections

Industry	Base Year 2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total Increase
Jobs [1]												
Retail	14,661	15,109	15,558	16,007	16,456	16,905	17,354	17,803	18,252	18,701	19,150	**4,489**
Office	31,759	31,983	33,874	35,765	37,656	37,880	38,104	38,328	38,552	38,776	39,001	**7,241**
Industrial	5,904	6,069	6,234	6,399	6,565	6,730	6,895	7,060	7,226	7,391	7,556	**1,652**
Institutional	7,778	8,038	8,297	8,557	8,817	9,077	9,337	9,597	9,857	10,117	10,377	**2,600**
Total	60,101	61,199	63,964	66,729	69,494	70,592	71,690	72,789	73,887	74,985	76,083	**15,983**
Nonresidential Floor Area (1,000 sq. ft.) [2]												
Retail	6,905	7,117	7,328	7,539	7,751	7,962	8,174	8,385	8,597	8,808	9,020	**2,114**
Office	9,750	9,819	10,399	10,980	11,560	11,629	11,698	11,767	11,836	11,904	11,973	**2,223**
Industrial	3,117	3,204	3,292	3,379	3,466	3,553	3,641	3,728	3,815	3,902	3,990	**872**
Institutional	2,722	2,813	2,904	2,995	3,086	3,177	3,268	3,359	3,450	3,541	3,632	**910**
Total	22,494	22,953	23,923	24,893	25,863	26,322	26,780	27,239	27,697	28,156	28,614	**6,120**

[1] Source: Northwest Arkansas Regional Planning Commission Travel Demand Model; TischlerBise analysis

[2] Source: Institute of Transportation Engineers, *Trip Generation*, 10th Edition (2017)

[3] The Walmart HQ expansion project is estimated to have 15,000 total office jobs. Currently, there is an estimated 10,000 office jobs at the existing HQ. The 5,000 additional jobs are assumed over three years beginning in 2025.

FUNCTIONAL POPULATION

Both residential and nonresidential developments increase the demand on City services and facilities. To calculate the proportional share between residential and nonresidential demand on service and facilities, a functional population approach is used. The functional population approach allocates the cost of the facilities to residential and nonresidential development based on the activity of residents and workers in the city through the 24 hours in a day.

Residents that do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages). Residents that work in City of Bentonville are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside the city are assigned 14 hours to residential development, the remaining hours in the day are assumed to be spent outside of the city working. Inflow commuters are assigned 10 hours to nonresidential development. Based on the most recent functional population data (2018), residential development accounts for 58 percent of the functional population, while nonresidential development accounts for 42 percent.

Figure 48. City of Bentonville Functional Population

Bentonville, AR (2018)				
Residential			*Demand*	*Person*
Population*	46,112		*Hours/Day*	*Hours*
Residents Not Working		24,984	20	499,680
Employed Residents		21,128		
Employed in Bentonville		9,351	14	130,914
Employed outside Bentonville		11,777	14	164,878
			Residential Subtotal	795,472
			Residential Share =>	**58%**
Nonresidential				
Non-working Residents		24,984	4	99,936
Jobs Located in Bentonville		48,378		
Residents Employed in Bentonville		9,351	10	93,510
Non-Resident Workers (inflow commuters)		39,027	10	390,270
			Nonresidential Subtotal	583,716
			Nonresidential Share =>	**42%**
			TOTAL	1,379,188

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.
* Source: U.S. Census Bureau, American Community Survey, 2018

VEHICLE TRIP GENERATION

Residential Vehicle Trips by Housing Type

A customized trip rate is calculated for the single family and multifamily units in Bentonville. In Figure 49, the most recent data from the US Census American Community Survey is inputted into equations provided by the ITE to calculate the trip ends per housing unit factor. A single family unit is estimated to generate 12.30 trip ends and a multifamily unit is estimated to generate 4.50 trip ends on an average weekday.

Figure 49. Customized Residential Trip End Rates by Housing Type

		Households (2)			
Tenure	Vehicles Available (1)	Single Family*	Multifamily Units	Total HHs	Vehicles per HH by Tenure
Owner-occupied	20,872	9,929	39	9,968	2.09
Renter-occupied	13,316	4,199	5,406	9,605	1.39
Total	**34,188**	**14,128**	**5,445**	**19,573**	**1.75**
Housing Units (6) =>		14,877	6,508	21,385	
Persons per Housing Unit =>		2.80	1.55	2.42	

Housing Type	Persons (3)	Trip Ends (4)	Vehicles by Type of Housing	Trip Ends (5)	Average Trip Ends	Trip Ends per Housing Unit	ITE Trip Ends Per Unit
Single Family*	41,678	116,134	26,612	248,693	182,414	**12.30**	9.44
Multifamily	10,078	22,998	7,576	36,093	29,545	**4.50**	5.44
Total	**51,756**	**139,132**	**34,188**	**284,786**	**211,959**	**10.80**	

** Includes Single Family Detached, Attached, and Manufactured Homes*

(1) Vehicles available by tenure from Table B25046, 2017-2021 American Community Survey 5-Year Estimates.
(2) Households by tenure and units in structure from Table B25032, American Community Survey, 2017-2021.
(3) Persons by units in structure from Table B25033, American Community Survey, 2017-2021.
(4) Vehicle trips ends based on persons using formulas from Trip Generation (ITE 2021). For single family housing (ITE 210), the fitted curve equation is EXP(0.96*LN(persons)+1.43). To approximate the average population of the ITE studies, persons were divided by 221 and the equation result multiplied by 221. For multifamily housing (ITE 221), the fitted curve equation is (2.29*persons)-81.02.
(5) Vehicle trip ends based on vehicles available using formulas from Trip Generation (ITE 2021). For single family housing (ITE 210), the fitted curve equation is EXP(0.99*LN(vehicles)+1.93). To approximate the average number of vehicles in the ITE studies, vehicles available were divided by 191 and the equation result multiplied by 191. For multifamily housing (ITE 220), the fitted curve equation is (3.94*vehicles)+293.58 (ITE 2012).
(6) Housing units from Table B25024, American Community Survey, 2017-2021.

Residential Vehicle Trips Adjustment Factors

A vehicle trip end is the out-bound or in-bound leg of a vehicle trip. As a result, so to not double count trips, a standard 50 percent adjustment is applied to trip ends to calculate a vehicle trip. For example, the out-bound trip from a person's home to work is attributed to the housing unit and the trip from work back home is attributed to the employer.

However, an additional adjustment is necessary to capture city residents' work bound trips that are outside of the city. The trip adjustment factor includes two components. According to the National Household Travel Survey, home-based work trips are typically 31 percent of out-bound trips (which are 50 percent of all trip ends). Also, utilizing the most recent data from the Census Bureau's web application "OnTheMap", 56 percent of Bentonville workers travel outside the city for work. In combination, these factors account for 9 percent of additional production trips (0.31 x 0.50 x 0.56 = 0.09). Shown in Figure 50, the total adjustment factor for residential housing units includes attraction trips (50 percent of trip ends) plus the journey-to-work commuting adjustment (9 percent of production trips) for a total of 59 percent.

Figure 50. Residential Trip Adjustment Factor for Commuters

Employed Bentonville Residents (2018)	21,128
Residents Working in the City (2018)	9,351
Residents Commuting Outside of the City for Work	11,777
Percent Commuting Out of the City	56%
Additional Production Trips	**9%**

Standard Trip Adjustment Factor	**50%**
Residential Trip Adjustment Factor	**59%**

Source: U.S. Census, OnTheMap Application, 2018

Nonresidential Vehicle Trips

Vehicle trip generation for nonresidential land uses are calculated by using ITE's average daily trip end rates and adjustment factors found in their recently published 11th edition of Trip Generation. To estimate the trip generation in Bentonville, the weekday trip end per 1,000 square feet factors listed in Figure 51 are used.

Figure 51. Institute of Transportation Engineers Nonresidential Factors

Employment Industry	ITE Code	Land Use	Demand Unit	Wkdy Trip Ends Per Dmd Unit	Wkdy Trip Ends Per Employee
Retail	820	Shopping Center	1,000 Sq Ft	37.01	17.42
Office	710	General Office	1,000 Sq Ft	10.84	3.33
Industrial	140	Manufacturing	1,000 Sq Ft	4.75	2.51
Institutional	610	Hospital	1,000 Sq Ft	10.77	3.77

Source: *Trip Generation* , Institute of Transportation Engineers, 11th Edition (2021)

For nonresidential land uses, the standard 50 percent adjustment is applied to office, industrial, and institutional. A lower vehicle trip adjustment factor is used for retail land uses because this type of development attracts vehicles as they pass-by on arterial and collector roads. For example, when

someone stops at a convenience store on their way home from work, the convenience store is not their primary destination.

In Figure 52, the ITE land use code, daily vehicle trip end rate, trip adjustment factor, and the daily vehicle trip rate is listed for each land use.

Figure 52. Daily Vehicle Trip Factors

Land Use	ITE Codes	Daily Vehicle Trip Ends	Trip Adj. Factor	Daily Vehicle Trips
Residential (per housing unit)				
Single Family	210	12.30	59%	7.26
Multifamily	220	4.50	59%	2.66
Nonresidential (per 1,000 square feet)				
Retail	820	37.01	38%	14.06
Office	710	10.84	50%	5.42
Industrial	140	4.75	50%	2.38
Institutional	610	10.77	50%	5.39

Source: Institute of Transportation Engineers, *Trip Generation*, 11th Edition (2021); National Household Travel Survey, 2009

VEHICLE TRIP PROJECTIONS

The base year vehicle trip totals and vehicle trip projections are calculated by combining the vehicle trip end factors, the trip adjustment factors, and the residential and nonresidential assumptions for housing stock and floor area. Citywide, residential land uses account for 142,606 vehicle trips and nonresidential land uses account for 172,022 vehicle trips in the base year (Figure 53).

Through 2033, it is projected that daily vehicle trips will increase by 83,016 trips with the majority of the growth being generated by retail (36 percent) and single family (27 percent) development.

Figure 53. Vehicle Trip Projections

Development Type	Base Year 2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total Increase
Residential Trips												
Single Family	122,906	124,908	126,970	129,090	131,268	133,504	135,806	138,172	140,394	142,674	145,011	**22,105**
Multifamily	19,699	20,801	21,932	23,094	24,291	25,523	26,789	28,092	29,313	30,566	31,851	**12,152**
Subtotal	142,606	145,710	148,902	152,184	155,559	159,027	162,594	166,265	169,707	173,240	176,862	**34,257**
Nonresidential Trips												
Retail	97,086	100,059	103,031	106,004	108,977	111,950	114,923	117,896	120,869	123,842	126,814	**29,729**
Office	52,845	53,218	56,364	59,511	62,657	63,030	63,403	63,776	64,149	64,522	64,895	**12,049**
Industrial	7,419	7,626	7,834	8,042	8,249	8,457	8,665	8,872	9,080	9,288	9,495	**2,076**
Institutional	14,672	15,163	15,653	16,144	16,634	17,124	17,615	18,105	18,596	19,086	19,577	**4,904**
Subtotal	172,022	176,066	182,883	189,700	196,517	200,561	204,605	208,649	212,693	216,737	220,781	**48,759**
Vehicle Trips												
Grand Total	314,628	321,776	331,785	341,885	352,077	359,588	367,200	374,914	382,400	389,976	397,643	**83,016**

Source: Institute of Transportation Engineers, *Trip Generation*, 11th Edition (2021)

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Stephanie Orman, Mayor
Phone:	(479) 271-5966	**For Department(s):**	Administration
Email:	sorman@bentonvillear.com		

Item Type (Check all that apply)

☑ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☐ Resolution ☑ Informational

Title, Recommendation & Justification

Title:	Affordable Housing Discussion
Action Recommendation & Justification:	Committee of the Whole - Affordable Housing Discussion.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

Bonnie Bridges

From: Stephanie Orman
Sent: Friday, November 3, 2023 10:17 AM
To: Bonnie Bridges
Subject: FW: FOIA-1-2023

From: Carolyn Horine
Sent: Friday, November 3, 2023 9:01 AM
To: Stephanie Orman
Subject: FOIA-1-2023

Good morning,

I am an Arkansas resident at [redacted] Bentonville, AR 72713.

I am making this request pursuant to the Arkansas Freedom of Information Act ("FOIA"). I am requesting the following documents to be produced in electronic form by return email if possible. If this is not possible and the copying costs will exceed $100, please notify me in advance.

As used throughout this document, I have used various terms for simplicity's sake, and I identify the meaning of these terms to leave no doubt what is meant. The term FERPA refers to the Family Educational Rights and Privacy Act (20 USC § 1232g) and any regulations adopted pursuant to such act. The term "BPSD" refers to the Bentonville Public School District. The term "city council" refers to each of the current members of city council in Bentonville, AR.

I am requesting the following documents or items that exist for, or were created within the time period from January 1, 2022 to November 2, 2023. To include all emails, text messages, faxes, faxing, internal notes or other forms of communication, redacting those portions that are prohibited from disclosure by FERPA.

1. Communication between Superintendent Dr. Debbie Jones of BPSD and any employee of the city of Bentonville with the terms "teacher housing", "affordability" "land donation" "land trust" "excellerate" "Jeff Webster" "Endeavor" "low income housing" "Excellerate" or "LIHTC".

2. Communication of Mayor Orman with the following terms "teacher housing", "affordability" "land donation" "land trust" "excellerate" "Jeff Webster" "Endeavor" "low income housing" "Excellerate" "Mercy Housing" "Groundwork" "Doug McClarty" or "LIHTC".

3. Communications of the city planning department between BPSD or the superintendent Dr. Debbie Jones, Janet Schwanhauser or BPSD school board members with the following terms "teacher housing", "affordability" "land donation" "land trust" "excellerate" "Jeff Webster" "Endeavor" "low income housing" "Excellerate" "Mercy Housing" "Groundwork" "Doug McClarty" or "LIHTC".

4. Communications of the city planning department between Walton Family Foundation with the following terms "teacher housing", "affordability" "land donation" "land trust" "excellerate" "Jeff Webster" "Endeavor" "low income housing" "Excellerate" "Mercy Housing" "Groundwork" "Doug McClarty" or "LIHTC".

5. Any communications, documents, files, texts or notes that Mayor Orman or the Bentonville city planning department has with the following terms "teacher housing", "affordability" "land donation" "land trust" "excellerate" "Jeff Webster" "Endeavor" "low income housing" "Excellerate" "Mercy Housing" "Groundwork" "Doug McClarty" "Bentonville Housing Partners or any form of this whether it is I II or III" or "LIHTC".

6. Any communications, documents, files, texts or notes that Mayor Orman or the Bentonville city planning department has between them and Jeff Webster or Excellerate or Endeavor or Groundwork with the following terms "impact fees", "density bonus" "HOV" and "waiving fees".

Thank you,

Carolyn Horine

Carolyn Horine

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-6822	**For Department(s):**	Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Business Registry Proposal Presentation
Action Recommendation & Justification:	A presentation of a proposed program to establish a Business Registry.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

MEMO

TO: **City Council**
FROM: **Bentonville Planning**
CC DATE: **October 24, 2023**
RE: **Business Registry Proposal**

This is an informational item only. No action is being requested at this time.

A. HISTORY

Dec. 14, 2021: Staff presented to City Council a draft ordinance to establish a business license. The item was tabled to January 25, 2022.

Jan. 25, 2022: Staff presented the proposed ordinance again with one change to exempt Home Occupations – Type A from requiring a business license. No action was taken at that meeting. Comments received from City Council at that meeting included:

- Consider fees as related to business size;
- Avoid adding more requirements for local businesses;
- Limit costs related to implementation and administration;
- Determine applicability for home-based businesses; and
- Determine applicability for those with multiple LLCs.

During the summer of 2023, staff began working on a proposal to establish a business *registry* instead of a *license*. The difference being that the city is not granting permission to operate a business in Bentonville, but rather is gather business-related information for planning and economic development purposes.

This memo describes the proposed Business Registry Program, the proposed ordinance, the registration process, applicability for registration, administration and enforcement. The proposal is being presented for informational purposes for further discussion.

SUPPORT

There is widespread support for establishing a business registry in Bentonville, internally and externally. Individual departments (Planning, Fire, Police, Building Inspections, Water and Sewer) benefit from having a central location of up-to-date business information. Current business and employment data will provide much needed data to assist in planning for Bentonville's future and proactively guiding economic development.

Other civic organizations (Bentonville Area Chamber of Commerce, Visit Bentonville and Downtown Bentonville, Inc.) have also expressed their support and its benefit to them and the community.

B. FEEDBACK

On October 9, 2023, staff presented the proposed Business Registry Program to several business owners. The presentation included a review of the draft ordinance, an overview of the draft registration page, a walk-through of the proposed interactive business map and draft webpage. The group generally supported the business registry approach and primarily had questions about the interactive map and how best to communicate if a business registry is adopted. The notes from that presentation are provided as an attachment to this memo.

D. PURPOSE

The primary reason for implementing a business registry is to create a central repository of accurate and up-to-date details about businesses located in Bentonville, including contact information, business type and employment numbers. The data provided by a business registry benefits the City of Bentonville, the Bentonville Area Chamber of Commerce, the Bentonville Advertising and Promotions Commission (A&P), and Downtown Bentonville, Inc. (DBI) as they address economic development and planning for the future. Other benefits include the following:

- **Updated contact information.** A central location to document and quickly and easily access contact information in cases of emergency or enforcement.
- **Group notifications.** A system that allows the city to collectively notify all local businesses of changes to codes, new regulations, emergencies, or public meetings.
- **Start-up support:** Provides business owners with the information they need and a point of contact to facilitate a more efficient process to opening a business in Bentonville. This would include guiding businesses to other permits that may be needed, such as a sign permit.
- **Business promotion:** The program proposes an interactive business map designed to promote businesses that would like to participate. GIS has prepared a map that will show locations, details, and limited analytical data on businesses in Bentonville. This serves as another option for business promotion and marketing.
- **Inspection scheduling.** The Fire Department already inspects commercial properties. The current method of creating a database is by driving around. With a central location of business information, the Fire Department would have more current business information and save time in building their database.
- **Supports the Community Plan**: Chapter 6 Commerce and Industry of the 2018 Community Plan recommends implementing a business registration or licensing system to better track and quantify growth and shifts in different commercial and industrial sectors. Implementing a business registry is in support of Bentonville's adopted Community Plan.

E. PROPOSED BUSINESS REGISTRY PROGRAM

1. Applicability

The intent is for all businesses with a location in Bentonville to register. The following conditions would require a business registration:

- Existing businesses
- New businesses
- Each location in Bentonville (except auxiliary/support locations)
- Relocation of business
- Change in ownership
- Non-profits (fee waived)
- Home-based businesses - Type B only
- Mobile vendors
- Temporary or seasonal business

2. Exemptions

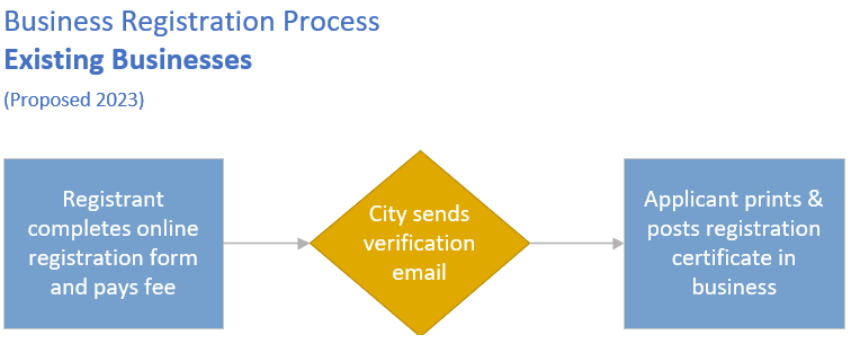
The following establishments are exempt from registering a business.

- Persons under age 18.
- Persons engaged in fundraising drives.
- Temporary business associated with festival and events for the duration of the festival or event.
- Religious entities.
- Home-based businesses - Type A.
- Entities conducting business in Bentonville but do not have a physical location in Bentonville.

3. Fees

- Initial registration fee for all businesses: $25.00
- Annual renewal fee for all businesses: $15.00
- Prorated fee of $12.50 after July 1, starting in 2025.
- Non-profits are exempt from the registration and renewal fees. On the registration form, when “nonprofit” is selected, the fee is automatically removed from the registration form.
- The intent of requiring a fee to register a business is to establish a value to the registry and contribute to the cost of administration.

4. Registration Process



- **Online.** Bentonville GIS created an online registration form that is simple, short and straightforward for ease of use, guiding the applicant through the process step-by-step. GIS creating the registration in software the city already uses. No additional software is needed for the program.
- **Limited questions.** The registration form asks for general information including: business name, description of business, physical address, mailing / billing address, business phone, type of business (NAICS code), type of ownership (corporation, sole proprietorship, limited liability, partnership, non-profit), number of employees (ft and pt), description of business, new or existing, and whether the business would like to be displayed on the GIS map.
- **Payment Options.** Once all information is completed, the registrant selects the "submit" button and it will take them to the payment page. There are a variety of online payment options including debit cards, credit cards and PayPal.
- **Email verification.** Once the form and payment are complete, an email will be sent to confirm registration and will include the registration certificate to be displayed at the business location. It will include a reminder to renew at the end of the year.

  The verification email will also include a link to other permits that may be required, depending on specific conditions or business types. Example provide below:

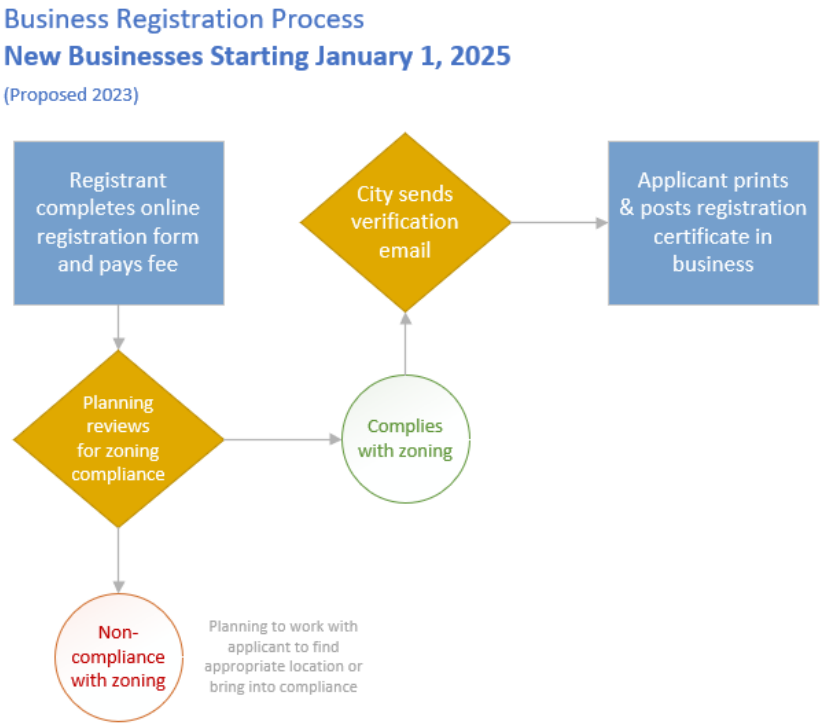
Code Compliance Form	Sign Permit	Engineering Permits
☐ Construction of a new building	☐ New Permanent Sign	☐ Vacation of an alley or easement
☐ Addition to an existing building	☐ Replacement of Sign Face	☐ Development within a floodplain
☐ Parking improvements	☐ Temporary Sign	☐ Site grading
☐ The business is a restaurant.		☐ Retaining Wall
☐ Installation of a permanent sign		☐ Work in city right-of-way

5. Annual Renewal

- Annual online renewal required. Renew between Nov. 1 – Dec. 31.
- Receive notification via email of renewal.

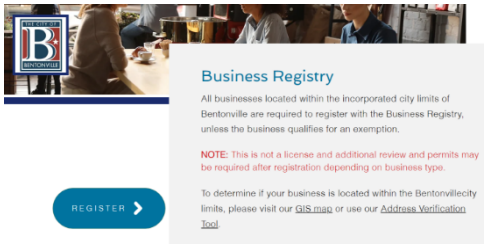
F. NOTES ABOUT THE PROPOSED PROGRAM

1. **Not a license.** The proposed program is not a license giving permission to operate a business in Bentonville. It is only providing the city with information about the business.
2. **No review for existing businesses to register.** Since the proposed program is not a license, the process is streamlined to ensure all businesses are able to easily register without going through a lengthy review process.
3. **No inspection to register.** An inspection is not required as part of the registration process or to complete registration. The Fire Department will continue to conduct business inspections as currently required, but the business registry will allow the Fire Department to better maintain up-to-date contact information and manage inspection schedules.
4. **New business/new owner.** New businesses have 60 days to register from the time they commence business activities in Bentonville. The registration is non-transferrable; new owners also have 60 days to register with the new ownership information.
5. **Multiple businesses at one location**. If multiple businesses are located in a single location in Bentonville with the same owner, only one registration and one fee is required.
6. **Multiple locations.** If an owner owns a business with multiple locations in Bentonville, a separate registration and fee is required for each location. This does not include auxiliary locations used in connection with the activities of the principal business location.
7. **Zoning verification.** Starting in January 2025, new businesses would undergo a zoning verification to ensure the business is located in the correct zoning district. If the business is consistent with zoning, the registration is complete. If the review finds issues, Planning staff will work with the business to bring them into compliance. The zoning review should take between 1 to 3 days. Businesses registration renewals will be exempt from this process.



G. PROGRAM RESOURCES

Webpage

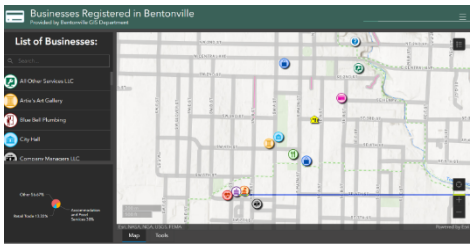


A dedicated webpage has been created to provide information about the registry program, FAQ's, applicability information and how to register and when to renew.

Online Registration

The registration process is online with a simple application form and online payment options. The registration form provides direction and examples on how to fill out and submit the form. Completing the form should take less than five minutes.

Interactive Business Map



At the time of registration, businesses can choose to opt-in to display their business on the interactive business map created and managed by the city GIS department. The information displayed will include the business name, location, and phone number. The map will list businesses by type, offer search functions, calculate distance and direction, and business type distribution charts. This map will be web-based and open to the public. No app is proposed at this time.

Dedicated Staff

Community & Economic Development Planner

479-271-3122

planning@bentonvillear.com

Bentonville Planning will provide dedicated staff to manage the program but also serve as a liaison between the business and the city. The liaison can direct businesses to the right department to answer questions or apply for specific permits. These responsibilities will be added to the job duties of an exiting position in the planning department. The proposed program does not require additional staff since most of the processing is completed automatically by the person registering.

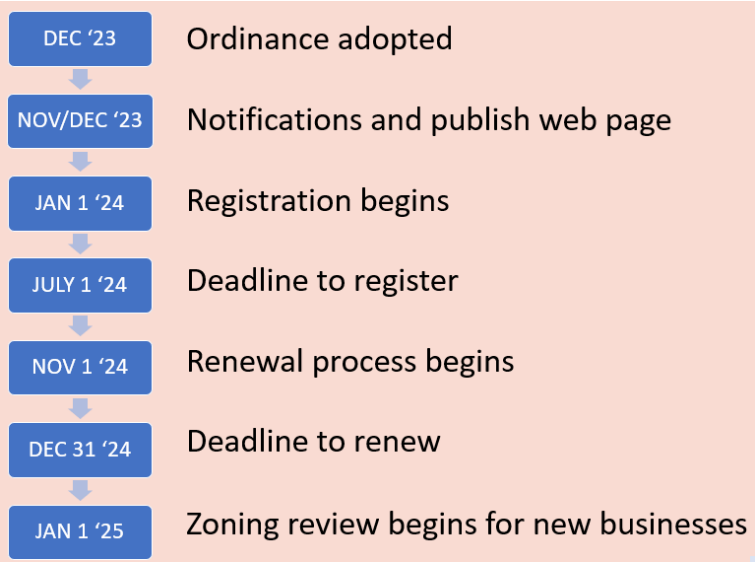
H. ADMINISTRATION

The program would be administered by Bentonville Planning, with the following responsibilities:

- Administration and management of business registry program.
- Start-up support for new businesses needing guidance with city codes and processes.
- Gather and manage data on businesses in Bentonville.
- Serve as a liaison to the business community.
- Provide support for business-related permits, such as outdoor vendor and parklets.

I. PHASED IMPLEMENTATION

Upon adoption of an ordinance, Bentonville Planning will set up a detailed schedule for implementation, following the general schedule below. This will include a robust communication strategy to notify businesses and the community of the new registry and online map.



Attachment

Business Registry Stakeholder Meeting, Oct. 9 @ 10 am

Attendance: Ashley Wardlow, Mark Bray, Ace Rouse, Sapna Ramachandran, Dana Schlagenhaft
Staff: Shelli Kerr, Tyler Couch, Tyler Overstreet

Shelli and Tyler Couch presented the proposed program, including a review of the ordinance, registration page, interactive map and webpage.

Comments:

Dana –

Is the map navigation available to the public? Yes, it is available to the public and is available on your phone or tablet, anything with GPS.

Is it a browser or an app? It is a browser. We could look into an app at a later date.

DBI is working on this now, particularly maps and would be open to collaborating. Since communication will be important, they are happy to include in their promotions. Think about how you'll let people know about this specific map compared and encourage its use instead of google maps, which people are already used to.

Support: Yes, DBI supports the registry. DBI also has an intern working solely to identify businesses and collect contact information, so a city-operated business registry would be a significant benefit to DBI.

Mark –

How will a new owner know they have to register? The City will have a landing page on the website related to new businesses and have a primary contact person regarding new businesses.

A strong communication program is essential. Integrate into existing permitting process to help communicate the new regulations.

What would be the timing on review for zoning compliance? One to three working days. Zoning reviews are relatively quick and straightforward. The zoning compliance will not be applicable to existing businesses but will apply to new businesses starting January 1, 2025.

Support: Yes, Mark supports the registry and the need for the information. However, he does not see the direct benefit to individual businesses or how he would use it.

Ashley –

Why was a registry vs a license selected? When a proposed business licenses ordinance was presented to Council nearly two years ago, council wanted something that did not add significant regulation or burden on businesses. It was determined that a registry would allow the city to gather the data in a simple, straightforward manner with little review and approval needed.

Sapna –

Reinforced the importance of communicating any new requirements for business. Needs to be clear and reach as many as possible. She said she would assist in spreading the word.

Consider a video to promote the registry as well as show businesses the simply process of registering and the benefit of the map.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE BENTONVILLE MUNICIPAL CODE BY ENACTING A CHAPTER TO CREATE A BUSINESS REGISTRY AND TO REQUIRE ALL BUSINESSES AND NON-PROFITS WITH LOCATIONS IN BENTONVILLE CITY LIMITS TO BE REGISTERED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville has determined that collecting accurate business data to track business growth, employment and development has significant value for planning and economic development purposes;

WHEREAS, accurate reporting of new businesses entering Bentonville and current contact information will assist Central Dispatch with maintaining up-to-date 911 information and the Fire Department in managing required inspections.

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

Section 1: That *Chapter 18-IV Business Registry* of the Bentonville Municipal Code is hereby adopted with the following *Attachment A: Business Registry*, one electronic and one paper copy of which is on file with the City Clerk and is hereby referred to, adopted and made part hereof as though it were copied herein fully;

Section 2: That the initial fee to register a business shall be $25.00. The annual renewal fee shall be $15.00. Starting July 1, 2025, the registration fee may be prorated to $12.50 for any registrations after July 1 for the calendar year. Non-profits with proof of non-profit status shall be exempt from the initial registration fee and annual renewal fees;

Section 3: Effective date: That at this ordinance shall go into effect on January 1, 2024 to begin the process of business registration with the requirement that all applicable existing entities shall have registered their business by July 1, 2024.

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

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ARTICLE 18-IV
BUSINESS REGISTRY

Sec 18-401 Business registry established

The City of Bentonville Business Registry is hereby established. The Business Registry will contain contact and general information about businesses with a physical location in Bentonville. The purpose of this Article is to establish a system to track the business inventory in the City of Bentonville, provide a means of contact for the owner or designated agent of the business, and support efforts to retain, expand and diversify the city's economy and future planning purposes.

Sec. 18-402 Business registration required

(a) It shall be unlawful for an establishment that meets the applicability requirements of Sec. 18-403, unless specifically exempted in Sec. 18-404, to operate and conduct business without first registering with the City of Bentonville Business Registry and renewing annually as long as the establishment continues to operate.

(b) *New businesses.* New businesses, businesses locating to Bentonville or entities to which these provisions become applicable in the future shall register within sixty (60) days of their move into Bentonville or commencement of activities in Bentonville.

Sec 18-403 Applicability

The provisions of this Article shall apply to the following entities with a physical location in Bentonville:

(a) businesses, institutions, corporations, LLCs, LLPs, partnerships, sole proprietorships;

(b) non-profit associations or corporations;

(c) individuals;

(d) short-term rentals;

(a) home-based occupations classified as a Type A in the Zoning Code;

(e) non-governmental entities in any trade, service or occupation that operates out of a physical address within the Bentonville city limits.

Sec. 18-404 Exemptions from business registry

The following persons, entities or establishments are exempt from the business registry requirement:

(b) Persons under eighteen years of age;

(c) Persons engaged in fundraising drives or enterprises for the public benefit such as schools or city government;

(d) Temporary businesses associated with festivals and special events for the time period of the festival or event;

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(e) Religious entities that do not perform other business-related functions, such as childcare or education;

(f) Home-based occupations classified as a Type A in the Zoning Code;

(g) Entities conducting business in Bentonville but do not have a physical Bentonville location.

Sec. 18-405 Renewal required annually.

Registration is effective for a calendar year of January 1 to December 31. Every applicable business or other entity identified in Sec. 18-402 shall renew their registration annually and pay the renewal fee as adopted by City Council. Annual renewals for existing businesses on the registry shall be completed between November 1 and December 31 each year. If business does not renew by December 31 each year, a new registration is required along with payment of the full registration fee.

Sec. 18-406 Business registration process.

(a) *Registration submittal.* Owners of businesses that meet the applicability requirements in Sec. 18-402 and that do not meet any exemption criteria established in Sec. 18-403, shall submit a complete online registration consistent with the policies and procedures established by the city.

(1) *Multiple businesses at one location.* If multiple businesses are located in a single location in Bentonville with the same owner, only one registration is required. The primary business must be listed on the registration.

(2) *Multiple locations.* If an owner owns a business with multiple locations in Bentonville, a separate registration is required for each location. Any auxiliary locations used in connection with the activities of the principal business location shall not require a separate business registration.

(b) *Registration information.* The registration should include, but not be limited to the following:

(1) *Contact information.*

a. Business Name
b. Physical Address
c. Mailing Address
d. Business Phone
e. Primary Contact name, mobile phone number, and email address
f. Emergency Contact name, mobile phone number, and e-mail address

(2) Business information.

a. Business classification using the North American Industry Classification System (NAICS)
b. Description of Business
c. Type of ownership

d. Number of employees, both full-time and party-time
b. Indicate if the business can be listed on the city's GIS mapping website.

(c) *Payment of fee.* The fee for registering a business in the amount as adopted by City Council shall be paid at the time of registration.

(1) *Multiple businesses at one location.* If multiple businesses are located in a single location in Bentonville with the same owner, only one registration fee is required.

(2) *Multiple locations.* If an owner owns a business with multiple locations in Bentonville, a separate registration fee is required for each location. Any auxiliary locations used in connection with the activities of the principal business location shall not require a separate registration fee.

(d) *Zoning Compliance.* Starting Jan. 1, 2025, once registration has been submitted and the fee is paid, the Planning Department will have seven business days to conduct a zoning review. This will not apply to renewals.

(e) *Registration confirmation.* Once the Planning Department has conducted the zoning review, the registration shall be complete. The primary contact shall be notified digitally that registration is complete and provide additional information as necessary. The applicant will be able to self-print the official registration or may pick up the registration at City Hall.

Sec. 18-407 Display of registration.

Every business and other entity registered shall prominently display the business registration near any licenses required for the business and issued by a government entity. The business registration shall be displayed where customers or visitors entering the establishment will be able to view the business registration.

Sec. 18-408 Business registry nontransferable or assignable

The business registration is not transferable, nor assignable. Upon the sale, merger or transfer of business ownership, the new owner must submit a new business registration within sixty (60) days of the date of transfer or reopening of the establishment.

Sec. 18-409 Administration

(a) *Planning department.* The Planning Department shall create and maintain the short-term rental registry, receive and process registrations, and enforce the requirements of this Article in a timely and efficient manner.

(b) *Contact.* The Planning Director shall designate a contact person for business registry.

(c) *Enforcement.* Enforcement will follow the city's policies and procedures established for property maintenance code enforcement.

Sec. 18-410 Penalty

Any person doing business in the city without first registering and paying the registration fee, willfully and knowingly making any false statement in the registration, or renewing and paying

the renewal fee provided for in this Article, shall, upon conviction, be deemed guilty of a violation of the Bentonville Municipal Code (BMC) and subject to the penalty provisions contained in BMC Sec. 1-8.

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City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-6822	**For Department(s):**	Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**

☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**

☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Short-term Rental Registry Presentation
Action Recommendation & Justification:	A presentation of a proposed program to establish a Short-term Rental Registry.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

MEMO

TO: **City Council**
FROM: **Bentonville Planning**
CC DATE: **October 24, 2023**
RE: **Short-term Rental Work Group Report and Proposed Short-term Rental Registry Program**

This is an informational item only. No action is being requested at this time.

A. HISTORY

Since 2020, staff has received questions and comments about short-term rentals (STRs) impact to local neighborhoods in Bentonville from local residents.

October 27, 2020: City Council approved Resolution No. 10-27-20B requesting a staff study of short-term rentals in Bentonville.

March 9, 2021: Results of the staff study were presented to City Council. No action taken.

February 13, 202: An updated report was presented leading City Council to request the formation of a Short-term Rental Workgroup, which was established with Resolution No. 2-28-23B.

This memo shares the work of the Short-term Rental Work Group and describes the proposed Short Term Rental Registry Program, the proposed ordinance, the registration process, applicability for registration, administration and enforcement. The proposal is being presented at this time to gather feedback to bring the proposal to City Council for a vote in November 2023.

B. SHORT TERM RENTAL WORK GROUP

Resolution No. 2-28-23B established the role of the work group to conduct an analysis of the short-term rental environment in Bentonville by:

a) collecting feedback on the impacts of STRs in the community and local neighborhoods;
b) studying solutions to address negative impacts; and
c) preparing recommendations for managing short-term rentals in Bentonville.

The Short-term rental work group met six times, once per month between May and September. These are the primary efforts and activities of the work group:

- Gathered data regarding number of short-term rentals in Bentonville and specifically downtown: 71 STRs within 0.5 miles of downtown, over 300 within 2 miles; 4% of housing stock are STRs.
- Gathered data regarding occupancy rates.
- Identified the issues and concerns with STRs: noise from STRs being used for parties and events, on-street parking, lack of property maintenance, not knowing the people coming in and out of STRs, and a lack of sense of community, breakdown of neighborhood structure and unity, children's safety, over-occupancy, the rights of STR owners over the rights of neighbors to STRs.
- Determined that in most cases the platform (such as AirBnB) is paying the lodging tax on behalf of the STR operator.
- Considered a community survey and decided not to proceed.
- Studied other cities and state efforts to regulate or manage short-term rentals.
- Established a definition of short-term rentals and differentiated between types as well as bed and breakfast.
- Requested data from Police Department on calls to short-term rentals, however, without knowing they are used for short-term rentals, there is no way to gather that data.
- Pros and cons of regulations, licenses and registration.
- By a vote of 6:4, the Short-term Rental Work Group recommended forwarding the proposed ordinance described in this memo to establish a Short-term Rental Registry to City Council.

All minutes of the Short-term Rental Work Group are available for review online at https://www.bentonvillear.com/592/Agendas-Minutes by selecting "Short-term Rental Work Group" as the event type.

C. PURPOSE

The purpose of the Short-term Rental Registry is to:

- establish a system to track the short-term rental inventory in the City of Bentonville,
- provide a means of contact for the owner or designated agent of the short-term rental, and
- allow private property owners the right to fully and efficiently utilize their property without undue regulation or interference.

D. PROPOSED SHORT TERM RENTAL REGISTRY PROGRAM

1. Short-term rental lodging defined

Short-term rental lodging is a permanent residential dwelling unit, portion of a dwelling unit, accessory dwelling unit or a single room within a residential dwelling unit leased and/or rented to a single guest or single guest group for short-term lodging for a period not to exceed thirty (30) consecutive days. A guest group is defined as all guests staying in the short-term rental under the same registration or lease agreement. There are two types of short-term rentals as follows.

(1) *Short-term rental, Type 1.* A short-term rental where the principal use of the property remains as a full-time residence and the short-term rental is an accessory use. This does not include a bed and breakfast, which is separately defined and regulated in the Zoning Code.

(2) *Short-term rental, Type 2.* A short-term rental where the principal use of the property, or unit in the case of multifamily, is for a short-term rental and no portion of the property, or unit in the case of multifamily, is occupied by a permanent resident.

2. Applicability

Those establishments that meet the definition of short-term rental lodging described above would be required to register.

Exemptions:

(a) Bed and breakfast which is defined and regulated separately in the Zoning Code.

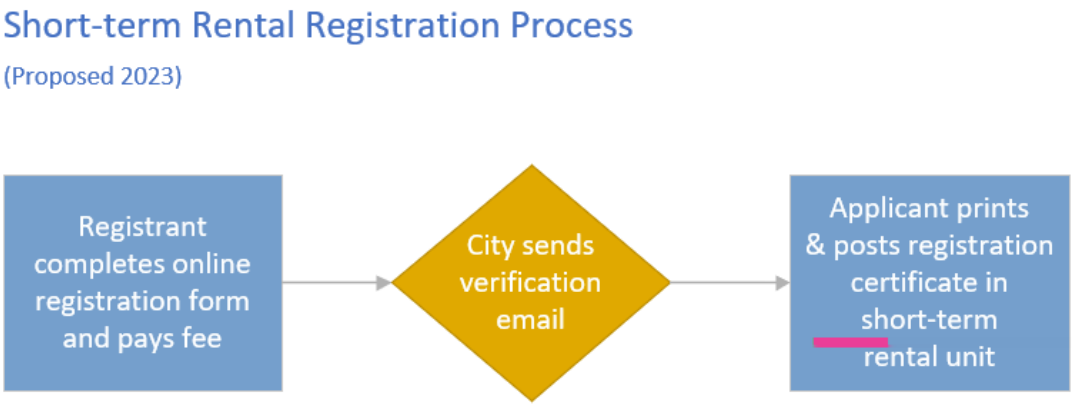
(b) *Long-term residential lease.* A permanent residential dwelling unit, portion of a dwelling unit, accessory dwelling unit or single room within a residential dwelling unit leased and/or rented to a single guest or single guest group, for long-term residential purposes for a period longer than thirty (30) consecutive days.

(c) *Limited short-term lease*. A permanent residential dwelling unit, portion of a dwelling unit, accessory dwelling unit or single room within a residential dwelling unit leased and/or rented to a single guest or single guest group, for less than (30) days in any calendar year.

3. Fees

- Initial registration fee for all short-term rentals: $25.00
- Annual renewal fee for all short-term rentals: $15.00
- Prorated fee of $12.50 after July 1, starting in 2025.
- The intent of requiring a fee to register for a short-term rental is to establish a value to the registration and contribute to the cost of administration.

4. Registration Process



- **Online.** Bentonville GIS created an online registration form that is simple, short and straightforward for ease of use, guiding the applicant through the process step-by-step. GIS created the form with existing software. No additional software is required for the registry.
- **Limited questions.** The registration form asks for general information including: property owner contact information, operator contact information, location, number of units; designated agent, and indication of a Type 1 or Type 2 STR.
- **Payment Options.** Once all information is completed, the registrant selects the "submit" button and it will take them to the payment page. There are a variety of online payment options including debit cards, credit cards and PayPal.
- **Email verification.** Once the form and payment are complete, an email will be sent to confirm registration and will include the registration certificate to be displayed in the short-term rental unit. It will also include a reminder to renew at the end of the year.

5. Annual Renewal

- Annual online renewal required. Renew between Nov. 1 – Dec. 31.
- Receive notification via email of renewal.

E. NOTES ABOUT THE PROPOSED PROGRAM

1. **Applicant.** The person responsible for registering the short-term rental is the person or entity operating the short-term rental, whether it is the owner of the property or a long-term lessee.
2. **Not a license.** The proposed program is not a license giving permission to operate a short-term rental in Bentonville. It is only providing the city with information about the establishment.
3. **No review required.** Since the proposed program is not a license, the process is streamlined to ensure all short-term rentals can easily register without a lengthy review process.
4. **No inspection required.** A Fire Department inspection is not required as part of the registration process or to complete the registration.
5. **New short-term rental/new owner.** New short-term rentals have 60 days to register from the time they commence activities in Bentonville. The registration is non-transferrable; new owners also have 60 days to register with the new ownership information.
6. **Multiple rentals at one location**. If multiple short-term rentals are located in a single location with the same owner, only one registration and one fee is required.
7. **Multiple locations.** If a short-term rental operator has several short-term rentals with multiple locations in Bentonville, a separate registration and fee is required for each location.
8. **Zoning districts allowed.** Short-term rental lodging is allowed in zoning districts that allow residential or lodging uses.
9. **Structure type allowed.** Short-term rental units are allowed in any structure established as a permanent residential dwelling including single family, two-family, multi-family and accessory dwelling units.
10. **Prohibited.** In accordance with Sec.76-302, no recreational vehicle, trailer, other vehicle or shipping container or other structure not classified, constructed, designed or approved as a permanent residential dwelling may be used as a short-term rental.

F. PROGRAM RESOURCES

Webpage A dedicated webpage has been created to provide information about the registry program, FAQ's, applicability information and how to register and when to renew.

Online Registration The registration process is online with a simple application form and online payment options. The registration form provides direction and examples on how to fill out and submit the form. Completing the form should take less than five minutes.

Dedicated Staff Bentonville Planning will provide dedicated staff to manage the program but also serve as a liaison between the business and the city. The liaison can direct businesses to the right department to answer questions or apply for specific permits.

G. ADMINISTRATION

The program would be administered by Bentonville Planning, with the following responsibilities:

- Administration and management of the short-term rental registry program.
- Start-up support for new short-term rentals with guidance for city codes and processes, if applicable.
- Gather and manage data on short-term rentals in Bentonville.

H. PHASED IMPLEMENTATION

Upon adoption of an ordinance, Bentonville Planning will set up a detailed schedule for implementation, following the general schedule below. This will include a robust communication strategy to notify short-term rental operators of the new registry.

ORDINANCE NO. _____
CITY OF BENTONVILLE, ARKANSAS

AN ORDINANCE TO AMEND THE BENTONVILLE MUNICIPAL CODE BY ENACTING A CHAPTER TO CREATE A SHORT-TERM RENTAL REGISTRY AND TO REQUIRE ALL SHORT-TERM RENTALS LOCATED IN BENTONVILLE CITY LIMITS TO BE REGISTERED; AND FOR OTHER PURPOSES

WHEREAS, the City of Bentonville has determined that collecting accurate short-term rental data to track their growth has significant value to the City of Bentonville, Bentonville Area Chamber of Commerce and the Bentonville Convention & Visitors Bureau.

WHEREAS, accurate reporting of short-term rentals in Bentonville and current contact information will assist Central Dispatch with maintaining up-to-date 911 and providing efficient response times;

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

Section 1: That *Chapter 18-V Short Term Residential Lodging* of the Bentonville Municipal Code is hereby adopted with the following *Attachment A: Short Term Residential Lodging Registry*, one electronic copy and one paper copy of which is on file with the City Clerk, is hereby referred to, adopted and made a part hereof as though it were copied herein fully;

Section 2: That the fee to register a short-term rental shall be $25.00. The annual renewal fee shall be $15.00. Except for the first calendar year of the program, 2024, the fee may be prorated to $12.50 for any registrations after July 1;

Section 3: That this ordinance shall go into effect on January 1, 2024 to begin the process of short term residential lodging registration with the requirement that all affected entities shall have registered their short term rental lodging by July 1, 2024;

Section 4: That Bentonville Municipal Code, Article 86-III Tax on Gross Receipts of Hotels, Motels and Restaurants should be and the same is hereby amended with the following:

Sec 86-46 Levied

(1) Hotel and motel. A tax of two percent is hereby levied on the portion of the gross receipts or gross proceeds received from the renting, leasing or otherwise furnishing of hotel, motel, or short-term ~~condominium~~ rental accommodations for sleeping, meeting, or party room facilities for profit in the city, but such accommodations shall not include the rental or lease of such accommodations for periods of 30 days or more.;

Section 5: That Bentonville Municipal Code, Appendix A Zoning Code, Sec. 601.05 Bed and Breakfast should be and the same is hereby amended with the following *Attachment B: Amendment to Bed and Breakfast Regulations*, one electronic copy and one paper copy of which is on file with the City Clerk, is hereby referred to, adopted and made a part hereof as though it were copied herein fully.

Section 6 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 7 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

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Attachment A
ARTICLE 18-V SHORT-TERM RESIDENTIAL LODGING

Sec. 18-501 Short-term residential lodging registry established

The City of Bentonville Short-term Residential Lodging Registry, also known as Short-term Rental Registry, is hereby established. The Short-term Rental Registry will contain contact and general information about short-term rentals with a physical location in Bentonville.

Sec. 18-502 Purpose

The purpose of this Article is to:

(a) establish a system to track the short-term rental inventory in the City of Bentonville,

(b) provide a means of contact for the owner or designated agent of the short-term rental, and

(c) allow private property owners the right to fully and efficiently utilize their property without undue regulation or interference.

Sec. 18-503. Short-term rental registration required

(a) *Registration required.* It shall be unlawful for a person or establishment that meets the applicability requirements of Sec. 18-503, unless specifically exempted in Sec. 18-403, to operate and conduct business as a short-term rental without first registering with the City of Bentonville Short-term Rental Registry and renewing annually as long as the establishment continues to operate.

(b) *New short-term rentals.* New short-term rentals to which these provisions become applicable in the future shall register within two months of the commencement of operations in Bentonville.

Sec. 18-504 Applicability

The provisions of this Article shall apply to the following:

(a) *Short-term rental lodging.* A permanent residential dwelling unit, portion of a dwelling unit, accessory dwelling unit or a single room within a residential dwelling unit leased and/or rented to a single guest or single guest group for short-term lodging for a period not to exceed thirty (30) consecutive days. A guest group is defined as all guests staying in the short-term rental under the same registration or lease agreement. There are two types of short-term rentals as follows.

(1) *Short-term rental, Type 1.* A short-term rental where the principal use of the property remains as a full-time residence and the short-term rental is an accessory use. This does not include a bed and breakfast, which is separately defined and regulated in the Zoning Code.

(2) *Short-term rental, Type 2.* A short-term rental where the principal use of the property, or unit in the case of multifamily, is for a short-term rental and no portion of the property, or unit in the case of multifamily, is occupied by a permanent resident.

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Sec. 18-505 Exemptions from short-term rental registry

The following persons, entities or establishments are exempt from the short-term rental registry requirement:

(a) *Bed and Breakfast.* Bed and breakfast which is defined and regulated separately in the Zoning Code.

(b) *Long-term residential lease.* A permanent residential dwelling unit, portion of a dwelling unit, accessory dwelling unit or single room within a residential dwelling unit leased and/or rented to a single guest or single guest group, for long-term residential purposes for a period longer than thirty (30) consecutive days.

(c) *Limited short-term lease*. A permanent residential dwelling unit, portion of a dwelling unit, accessory dwelling unit or single room within a residential dwelling unit leased and/or rented to a single guest or single guest group, for less than (30) days in any calendar year.

Sec. 18-506 Short-term rental registration process

(a) *Registration submittal.* Property owners or long-term lessees operating a short-term rentals that meet the applicability requirements in Sec. 18-504 and do not meet the exemption criteria established in Sec. 18-505, shall submit a complete online registration in accordance with the policies and procedures established by the City. If an owner or property manager has multiple short-term rental locations in Bentonville, only one registration is required however each short-term rental must be listed on the registration.

(b) *Registration information.* The information required for a short-term rental registration shall include at minimum the following information.

(1) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.

(2) The person operating the short-term rental if not the property owner.

(3) Information for the dwelling unit including the physical street address assigned by the City.

(4) The type and total number of dwelling units located on the lot of record.

(5) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, mobile contact phone number and immediate contact e-mail address. The designated agent is a person or agency designated by the owner of a property that is accessible 24-hours a day. The owner may serve as their own agent.

(6) Identification as a Type 1 or Type 2 short-term rental per Sec. 18-504.

(c) *Payment of fee*. The fee for registering a short-term rental in the amount as adopted by City Council shall be paid at the time of registration.

(d) *Registration confirmation.* Once the city has determined that all required information has been provided, the registration shall be complete. The primary contact shall be notified digitally that registration is complete and provide additional information as necessary. The applicant will be able to self-print the official registration or may pick up the registration at City Hall.

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Sec. 18-507 Display of registration

Every short-term rental registered shall prominently display the registration where guests can view the registration.

Sec. 18-508 Short-term registry nontransferable or assignable

The short-term rental registration is not transferable, nor assignable. Upon the sale, merger or transfer of ownership of the property, the new owner must submit a new short-term rental registration in accordance with the regulations for a new short-term rental in Sec. 18-503(b).

Sec. 18-509 Renewal required annually

Registration is effective for a calendar year of January 1 to December 31. Every applicable short-term rental identified in Sec. 18-504 shall annually renew and pay the renewal fee as adopted by City Council. Annual renewals for existing short-term rentals on the registry shall be completed between November 1 and December 31 each year.

Sec. 18-510 Administration

(a) *Planning department.* The Planning Department shall receive and process registrations, create and maintain the short-term rental registry, and enforce the requirements of this Article in a timely and efficient manner.

(b) *Contact.* The Planning Director shall designate a contact person for the short-term rental registry.

(c) *Enforcement.* Enforcement will follow the city's policies and procedures established for property maintenance code enforcement.

Sec. 18-511 Regulations

(a) *Zoning districts allowed.* Short-term rental lodging is allowed in zoning districts that allow residential or lodging uses.

(b) *Structure type allowed.* Short-term rental units are allowed in any structure established as a permanent residential dwelling including single family, two-family, multi-family and accessory dwelling units.

(c) *Prohibited.* In accordance with Sec.76-302, no recreational vehicle, trailer, other vehicle or shipping container or other structure not classified, constructed, designed or approved as a permanent residential dwelling may be used as a short-term rental.

Sec. 18-512 Penalty

Any person required to submit an application in accordance with Sec. 18-506 operating a short-term rental in the city without first registering and paying the registration fee or renewing and paying the renewal fee provided for in this article or willfully and knowingly making any false statement in the registration shall, upon conviction, be deemed guilty of a violation of the Bentonville Municipal Code and subject to the penalty provisions contained in Sec. 1-8 of the Bentonville Municipal Code.

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ATTACHMENT B

AMENDMENTS TO BED AND BREAKFAST REGULATIONS

Underline text to be added, ~~strikethrough~~ text to be deleted.

Sec. 201.02 Definitions of terms and uses

Lodging, Bed and Breakfast: An owner-occupied single-family dwelling unit that contains no more than five (5) guest rooms where the principal use is to provide ~~short-term~~ lodging ~~is provided~~ for compensation to multiple guest groups at a time~~.~~ and breakfast service may be provided to overnight guests only. This term does not include short-term residential lodging which is separately defined and regulated in Chapter 18-V.

Sec 601.05 Bed And Breakfast

All applications for a conditional use permit for bed and breakfasts shall comply with the following requirements.

1. A bed and breakfast shall be considered to be a single-family residential structure and shall not be treated as a hotel. ~~A bed and breakfast shall not operate as a restaurant.~~
2. A bed and breakfast shall be owner-occupied, with owner living on site, either in primary or secondary dwelling. Two (2) ~~outside~~ non-resident employees are ~~permitted~~ allowed to operate the business.
3. A bed and breakfast shall conform to all federal, state, and local laws and regulations concerning health, safety, licensing, nondiscrimination, or any other applicable law or regulations.
4. A bed and breakfast shall have a working smoke detector in every sleeping room and a fire extinguisher in proper working order on every floor. No significant or substantial landscaping or structures shall be removed to provide the required parking. Prior to occupancy as a Bed and Breakfast, inspections shall be made by a Building Inspector and the Fire Inspector.
5. A site plan of the property and a building floor plan shall be submitted with the application for special use permit showing entryways, guest rooms location, exits, location of smoke detectors, fire extinguishers, etc.
6. One (1) nonilluminated sign, no larger than eight (8) square feet per side, and four (4) feet in height is permitted for each bed and breakfast facility.
7. A maximum of five bedrooms may be available for rental for a maximum of five consecutive nights to any one guest.
8. Breakfast may only be served to registered guests. A bed and breakfast shall not operate as a restaurant. ~~The price of breakfast shall be part of the rental fee.~~
9. There shall be no individual cooking facilities in guest rooms.
10. Off-street parking requirements shall be two (2) spaces per dwelling plus one for each guest room available for rental.
11. The facilities shall not be rented for receptions, parties, weddings or similar activities unless potential negative impacts, including, but not limited to, traffic, parking and noise, have been

addressed and the activity is specifically permitted in the use permit. Prior to any functions located at the Bed and Breakfast, the Planning Department shall be contacted. At this time the proposed activity will be evaluated, and if allowed, a temporary permit will be issued for that particular event with a set time period (not to exceed 2 days). A maximum of 4 temporary permits will be issued per year.

12. Bed and breakfast facilities shall also be subject to any other conditions set by the Planning Department and/or Planning Commission.
13. The Planning Commission may revoke any ~~special~~ conditional use permit granted under this section for violation of any condition of the permit or if the facility shall become a nuisance to the community in which it is located.

DRAFT

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	October Commercial Landscape Award - 350 SW A Street
Action Recommendation & Justification:	Recognition by City Council of the landscaping on commercial property located at 350 SW A Street home of Skylight Cinema. The property was selected by the Tree & Landscape Advisory Committee and is the October 2023 Commercial Landscaping of the Month award winner.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

Tree & Landscape Committee

Skyline Cinema
350 SW A Street

October 2023

Commercial Landscape of the Month Award

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-6822	**For Department(s):**	Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	October Residential Landscape Award - 1808 SE Lawrence Street
Action Recommendation & Justification:	Recognition by City Council of the landscaping of residential property at 1808 SE Lawrence Street. The property was selected by the Tree & Landscape Advisory Committee and is the October 2023 Residential Landscaping of the Month award winner.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

Tree & Landscape Committee

Countess Hodges
1808 SE Lawrence Street

October 2023

Residential Landscape of the Month Award

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Public Art Advisory Committee Reappointment of Clint Schaff
Action Recommendation & Justification:	Recommending reappointment of Clint Schaff to a second term in Position 6 on the Public Art Advisory Committee. His first full three-year term begins January 1, 2024 and expires Dec. 31, 2026.
Additional Comments for Consideration (Optional):	Mr. Schaff was first appointed in January 2023 to fill an unexpired term. The term for this position expires Dec. 31, 2023. Public Art Advisory Committee has a two term limit. Since this will be his first full three-year term he will be eligible for reappointment. Memo and request for reappointment attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment ***(to be completed by Finance when applicable)***

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Clint Schaff to the City of Bentonville's Public Art Advisory Committee

---

I recommend Clint Schaff for reappointment to the City of Bentonville's Public Art Advisory Committee. Mr. Schaff's term will expire December 31, 2026.

SO

Stephanie Orman

From: Clint Schaff
To: Shelli Kerr
Subject: Re: FW: PAAC Term Expiration
Date: Thursday, October 12, 2023 2:43:20 PM
Attachments: image002.png

YES, I do want to request reappointment. We are just getting started.

I'm sorry to have missed this. Was in Portugal Sept 20-Oct 11 and just digging out of email now.

Clint Schaff • 424-209-5602 • LinkedIn • Facebook • Twitter

On Thu, Oct 12, 2023 at 10:10 AM Shelli Kerr wrote:

> Hi Clint,
>
> Following up to see if you want to request reappointment to PAAC. Just reply to this email one way or other by next Wednesday. Oct. 18.
>
> Thanks!
>
> Shelli
>
> ---
>
> **From:** Shelli Kerr
> **Sent:** Tuesday, October 3, 2023 9:59 AM
> **To:** Clint Schaff
> **Subject:** PAAC Term Expiration
>
> Hi Clint,
>
> Your term on the Public Art Advisory Committee ends Dec. 31 this year. You are eligible to request reappointment.
>
> Please let me know by next Tuesday, Oct. 10 if you would like to be reappointed.

Thanks!

Shelli

Shelli Kerr, AICP | Comprehensive Planning Manager | Neighborhoods Team

City of Bentonville, Arkansas

315 SW A Street, Bentonville, AR 72712 | 479.271.6822

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Public Art Advisory Committee Reappointment of Tom Hoehn
Action Recommendation & Justification:	Recommending reappointment of Tom Hoehn to a second term in Position 7 on the Public Art Advisory Committee. His second three-year term begins January 1, 2024 and expires Dec. 31, 2026.
Additional Comments for Consideration (Optional):	Mr. Hoehn's first term expires Dec. 31, 2023. The Public Art Advisory Committee has a two term limit. Since this will be his second term he will be ineligible for reappointment after this term. Memo and request for reappointment attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Tom Hoehn to the City of Bentonville's Public Art Advisory Committee

---

I recommend Tom Hoehn for reappointment to the City of Bentonville's Public Art Advisory Committee. Mr. Hoehn's term will expire December 31, 2026.

Stephanie Orman

From: tom hoehn
To: Shelli Kerr
Subject: Re: PAAC Term Expiration
Date: Tuesday, October 3, 2023 10:02:48 AM
Attachments: image002.png
image002.png

Shelli,
Yes please, I would like to formally request reappointment to the PAAC.
Thank you,
tom

On Tue, Oct 3, 2023 at 9:59 AM Shelli Kerr wrote:

> Hi Tom,
>
> Your term on the Public Art Advisory Committee ends Dec. 31 this year. You are eligible to request reappointment.
>
> Please let me know by next Tuesday, Oct. 10 if you would like to be reappointed.
>
> Thanks!
>
> Shelli
>
> **Shelli Kerr, AICP** | Comprehensive Planning Manager | Neighborhoods Team
>
> City of Bentonville, Arkansas
>
> 315 SW A Street, Bentonville, AR 72712 | 479.271.6822

--
Tom at > LinkedIn - Instagram - Facebook

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Public Art Advisory Committee Appointment of Anne Jackson
Action Recommendation & Justification:	Appointment of Anne Jackson to a first term in Position 5 on the Public Art Advisory Committee. The term for this position expires Dec. 31, 2023 and was vacated by Brittany Vernon in July 2023 when she moved outside of Bentonville. Anne's first three-year term begins January 1, 2024 and expires Dec. 31, 2026.
Additional Comments for Consideration (Optional):	The Public Art Advisory Committee has a two term limit. Since this is her first term, she will be eligible for reappointment after this term. Memo and committee application attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Appointment of Anne Jackson to the City of Bentonville's Public Art Advisory Committee

---

I recommend Anne Jackson for reappointment to the City of Bentonville's Public Art Advisory Committee. Ms. Jackson's term will begin January 1, 2024 and expire December 31, 2026.

SO

Stephanie Orman

RECEIVED
09/09/23

Boards and Commissions Application Form

Applicant Information

First Name	Anne
Last Name	Jackson
Address	[redacted]
City	Bentonville
State	AR
Zip Code	72712
Home / Cell Phone	[redacted]
Email Address	[redacted]
Length of Bentonville Residency	10 years
Employer	Arts One Presents
Occupation	Executive Director
Business Phone	[redacted]

(Section Break)

References

Please provide 2 references

Name	Elizabeth Miller
Email Address	[redacted]
Address	[redacted]
City	Bentonville
State	AR
Zip Code	72712
Phone Number	[redacted]

Name	Kalene Griffith
Email Address	[redacted]
Address	[redacted]
City	Bentonville
State	AR
Zip Code	72712
Phone Number	[redacted]
Fax Number	*Field not completed.*

(Section Break)

Board Selection and Qualifications

Select all commissions and boards for which you would like to be considered:	Public Art Advisory Committee
1. What are your qualifications for serving on this commission or board, including education and subject matter expertise?	I worked in Advancement at Crystal Bridges from 2012-2018. I am now the Executive Director of Arts One Presents, a regional nonprofit arts organization that empowers artists, enriches business, and engages community through visual and performing arts experiences. I have experience in commissioning artwork, working with artists, and developing community programming around public art. At Crystal Bridges, I developed a donor travel program and participated in domestic and international trips to art fairs and private collections. I learned about art from Alice Walton, Don Bacigalupi and Chad Alligood, and I like to say my time at Crystal Bridges was like getting a masters degree in the art world. Now, I use worldly art experience in our local community, collaborating with artists, businesses, cities, and facilities to engage in the arts.
2. Why would you like to be considered for appointment to this commission or board?	I've seen Bentonville evolve greatly in the last 11 years, living and working here. I would be honored to serve on this committee to advocate for local artists and encourage broad perspectives through art beyond what we experience. I have seen how art can transform space and define the culture of a

	place. Having a voice in what represents the diversity of our region, our town, and our neighbors is important to me.
3. What do you hope to be able to contribute?	I am not an art historian, but I do know art, primarily contemporary art. I hope to be a connector and source for research from other cities and organization efforts in the public art space. For instance, I closely follow an organizations in Charlotte, NC and Chicago that develop art programs, exhibitions and competitions that enhance their art ecosystems and become major pieces of their cultural EQ. I would like to bring my passion for art and understanding of the business of art to this committee for the benefit of our community and all those who live, work, and play here.

(Section Break)

Qualifications for Serving

Please read the Qualifications for Serving provided below. These are the general qualifications to serve on any board or commission of the City of Bentonville.

I have read the above qualifications to serve on a city commission or board.	Yes

(Section Break)

Restrictions on Appointees

Please read the Restrictions on Appointees provided below. Then type in your name and date to confirm that you are aware of and, if appointed, agree to the following rules.

Agreement to Abide by Restrictions on Appointees	Anne Jackson
Date	9/9/2023

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Tree & Landscape Advisory Committee Reappointment of Gulizar Baggson
Action Recommendation & Justification:	Recommending reappointment of Gulizar Baggson for a second term in Position 2 on the Tree & Landscape Advisory Committee. Her second three-year term begins January 1, 2024 and expires Dec. 31, 2026.
Additional Comments for Consideration (Optional):	Ms. Baggson's current term expires Dec. 31, 2023. Tree & Landscape Advisory Committee does not have term limits. Memo and request for reappointment attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Guilzar Baggson to the City of Bentonville's Tree & Landscape Advisory Committee

---

I recommend Guilzar Baggson for reappointment to the City of Bentonville's Tree & Landscape Advisory Committee. Ms. Baggson's term will expire December 31, 2026.

Stephanie Orman

From: Gulizar Baggson
To: Shelli Kerr
Subject: Re: T & L Committee Term Expiration
Date: Tuesday, October 3, 2023 4:53:20 PM
Attachments: image002.png

Hello Shelli,
Thank you for reminding me. I was to email you before but there was always something else become a priority.

Yes, I would like to continue to serve. I just can't keep myself away from trees. Whether or not I reappointed I will continue to be steward of trees and our natural world.

Gulizar

On Tue, Oct 3, 2023 at 9:56 AM Shelli Kerr wrote:

> Hi Gulizar,
>
> Your term on the Tree & Landscape Advisory Committee ends Dec. 31 this year. You are eligible to request reappointment.
>
> Please let me know by next Tuesday, Oct. 10 if you would like to be reappointed.
>
> Thanks!
>
> Shelli
>
> **Shelli Kerr, AICP** | Comprehensive Planning Manager | Neighborhoods Team
>
> City of Bentonville, Arkansas
>
> 315 SW A Street, Bentonville, AR 72712 | 479.271.6822

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Tree & Landscape Advisory Committee Reappointment of Jessie Wagner
Action Recommendation & Justification:	Recommending reappointment of Jessie Wagner for a second term in Position 1 on the Tree & Landscape Advisory Committee. Her second three-year term begins January 1, 2024 and expires Dec. 31, 2026.
Additional Comments for Consideration (Optional):	Her current term expires Dec. 31, 2023. Tree & Landscape Advisory Committee does not have term limits. Memo and request for reappointment attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Jessie Wagner to the City of Bentonville's Tree & Landscape Advisory Committee

---

I recommend Jessie Wagner for reappointment to the City of Bentonville's Tree & Landscape Advisory Committee. Ms. Wagner's term will expire December 31, 2026.

Stephanie Orman

From: Jessie Wagner
To: Shelli Kerr
Subject: Re: FW: September Landscape Nominations
Date: Tuesday, September 26, 2023 10:07:06 AM

Oh and I would like to renew my term if there is an opportunity to keep serving!

On Mon, Sep 25, 2023 at 3:52 PM Shelli Kerr wrote:

> Thank you!
>
> ---
>
> **From:** Jessie Wagner
> **Sent:** Monday, September 25, 2023 3:44 PM
> **To:** Shelli Kerr
> **Subject:** Re: FW: September Landscape Nominations
>
> 1808 Lawrence & Skylight get my vote - thank you!
>
> -Jessie
>
> On Fri, Sep 22, 2023 at 4:29 PM Shelli Kerr <skerr@bentonvillear.com> wrote:
>
> > Just a reminder to get your votes in on Monday by end of business.
> >
> > Have a great weekend!
> >
> > ---
> >
> > **From:** Shelli Kerr
> > **Sent:** Thursday, September 21, 2023 10:53 AM
> > **To:** 'Ashley Harris' ; Baylea Birchfield
> > ; Gulizar Baggson <; Jessie Wagner ; Mark Bray ; Mark Lankford ; Nathan Lembke; Ralph Weber
> > **Subject:** September Landscape Nominations
> >
> > Photos and addresses for both Residential and Commercial Landscape Awards are attached.

Please reply to me only and provide the address of the one you vote for in each category below by Monday (9/25):

Residential:

Commercial:

Shelli Kerr, AICP | Comprehensive Planning Manager | Neighborhoods Team

City of Bentonville, Arkansas

315 SW A Street, Bentonville, AR 72712 | 479.271.6822

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Tree & Landscape Advisory Committee Reappointment of Nathan Lembke
Action Recommendation & Justification:	Recommending reappointment of Nathan Lembke for a third term in Position 4 on the Tree & Landscape Advisory Committee. His third three-year term begins January 1, 2024 and expires Dec. 31, 2026.
Additional Comments for Consideration (Optional):	Mr. Lembke's current term expires Dec. 31, 2023. Tree & Landscape Advisory Committee does not have term limits. Memo and request for reappointment attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Nathan Lembke to the City of Bentonville's Tree & Landscape Advisory Committee

---

I recommend Nathan Lembke for reappointment to the City of Bentonville's Tree & Landscape Advisory Committee. Mr. Lembke's term will expire December 31, 2026.

Stephanie Orman

From: Nathan Lembke
To: Shelli Kerr
Subject: RE: T&L Term Expiration
Date: Tuesday, October 3, 2023 9:58:34 AM
Attachments: image001.png
image002.png
image003.png

Yes, I would like to request reappointment.

Thank you,

Nathan

From: Shelli Kerr
Sent: Tuesday, October 3, 2023 9:57 AM
To: Nathan Lembke <nathan.lembke@petiq.com>
Subject: T&L Term Expiration

WARNING: This email originated outside of PETIQ
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Nathan,

Your term on the Tree & Landscape Advisory Committee ends Dec. 31 this year. You are eligible to request reappointment.

Please let me know by next Tuesday, Oct. 10 if you would like to be reappointed.

Thanks!
Shelli

Shelli Kerr, AICP | Comprehensive Planning Manager | Neighborhoods Team
City of Bentonville, Arkansas
315 SW A Street, Bentonville, AR 72712 | 479.271.6822

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Shelli Kerr
Phone:	479-271-3122	**For Department(s):**	Comprehensive Planning
Email:	skerr@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Tree & Landscape Advisory Committee Appointment of Jeannie McIntire
Action Recommendation & Justification:	Recommending appointment of Jeannie McIntire to fulfill an unexpired term for Position 6 on the Tree & Landscape Advisory Committee. Mark Bray, currently in the position, resigned in October 2023. This position's term expires Dec. 31, 2024.
Additional Comments for Consideration (Optional):	The Public Art Advisory Committee does not have term limits and Ms. McIntire will be eligible for reappointment after this term. Memo and committee application attached.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Appointment of Jeannie McIntire to the City of Bentonville's Tree & Landscape Advisory Committee

---

I recommend Jeannie McIntire for appointment to the City of Bentonville's Tree & Landscape Advisory Committee. Ms. McIntire will fill an unexpired term which will expire December 31, 2024.

So

Stephanie Orman

09/29/23

Boards and Commissions Application Form

Applicant Information

First Name	Jeannie
Last Name	McIntire (Nicoli)
Address	[redacted]
City	Bentonville
State	AR
Zip Code	72712-6
Home / Cell Phone	[redacted]
Email Address	[redacted]
Length of Bentonville Residency	Bentonville
Employer	Self
Occupation	Consultant
Business Phone	[redacted]

(Section Break)

References

Please provide 2 references

Name	Jessie Wagner
Email Address	[redacted]
Address	[redacted]
City	Bentonville
State	AR
Zip Code	72712
Phone Number	[redacted]

Name	Nancy Hutchinson
Email Address	[redacted]
Address	[redacted]
City	Rogers
State	AR
Zip Code	72712
Phone Number	[redacted]
Fax Number	*Field not completed.*

(Section Break)

Board Selection and Qualifications

Select all commissions and boards for which you would like to be considered:	Tree & Landscape Advisory Committee
1. What are your qualifications for serving on this commission or board, including education and subject matter expertise?	Master Gardner (member of Benton County Master Gardeners and an avid home gardener I am a student of tree and plant life native to NWA I have worked on master plans for several large public gardens - medicinal, native, exhibition, and large-scale water, prairie, and air gardens.
2. Why would you like to be considered for appointment to this commission or board?	I would love to actively support the tree and landscape advisory committee for the city which I have called home since 1998.
3. What do you hope to be able to contribute?	I would be able to contribute daily to day-to-day matters as well as our city's long-term vision and strategic planning as it continues to grow and evolve rapidly. I have a variety of specialized IT and communication skills and I am available and willing to serve in whatever way I may be useful to the committee.

(Section Break)

Qualifications for Serving

Please read the Qualifications for Serving provided below. These are the general qualifications to serve on any board or commission of the City of Bentonville.

I have read the above qualifications to serve on a city commission or board.	Yes

(Section Break)

Restrictions on Appointees

Please read the Restrictions on Appointees provided below. Then type in your name and date to confirm that you are aware of and, if appointed, agree to the following rules.

Agreement to Abide by Restrictions on Appointees	Jeannie McIntire (Nicoli)
Date	9/29/2023

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Mayor Stephanie Orman
Phone:	(479) 271-5966	**For Department(s):**	
Email:	sorman@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**

☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**

☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Reappointment of Jeff McClelland to the Northwest Arkansas Conservation Authority Board
Action Recommendation & Justification:	Mayor Stephanie Orman is recommending Jeff McClelland for reappointment to the Northwest Arkansas Conservation Authority (NACA) Board. This will be Mr. McClelland's second term that will expire on December 31, 2026.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

October 24, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Jeff McClelland to the Northwest Arkansas Conservation Authority Board

---

I recommend Jeff McClelland for reappointment to the Northwest Arkansas Conservation Authority Board. Mr. McClelland's term will expire December 31, 2026.

SO
Stephanie Orman

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Hadi Dudley
Phone:	479-271-3194	**For Department(s):**	Library
Email:	hdudley@bentonvillear.com		

Item Type (Check all that apply)

☑ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☐ **Resolution** ☑ **Informational**

Title, Recommendation & Justification

Title:	Reappointment of Library Advisory Board Member Cynthia Cochran
Action Recommendation & Justification:	Approve reappointment of Cynthia Cochran to the Library Advisory Board. This is Mrs. Cochran's second term that will expire December 31, 2028.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

October 26, 2023

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Cynthia Cochran to the Bentonville Public Library Advisory Board.

I recommend Cynthia Cochran for reappointment to the Bentonville Public Library's Advisory Board.

Mrs. Cochran's second term is January 1, 2024 - December 31, 2028.

SO
Stephanie Orman
Mayor of Bentonville

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Machele Bowen
Phone:	479-271-3117	**For Department(s):**	
Email:	mbowen@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☑ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Adopting 2024 New Positions and Pay Plan Changes
Action Recommendation & Justification:	Ordinance adopting new positions that are being requested for 2024 along with some position upgrades, all have been included in the 2024 budget.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☑ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2024 PAY PLAN FOR THE CITY OF BENTONVILLE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the next years pay plan is presented to City Council annually in November of each year;

WHEREAS, the 2024 pay plan is a compilation of changes in the following pay and personnel items:

1. New Positions that were approved as part of the 2024 budget;
2. Additions and modification so "Job Families" that are in the current pay plan;
3. Position upgrades; and
4. Changes in department/cost center assignments.

WHEREAS, an amendment to the pay plan reflecting the 2024 budget will enable these changes to take effect; and

WHEREAS, the pay ranges in the current pay plan remain unchanged for the 2024 year.

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

Section 1: The 2024 Pay Plan for the City of Bentonville should be and the same is hereby amended to include the following as attached in Exhibit "A";

Section 2 - Emergency Clause: The need to make this change is immediate, so as not to affect the implementation of the 2024 budget or position amendments, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

_____
STEPHANIE ORMAN, Mayor

ATTEST:

_____
KIRBY ROMINES, City Clerk

Exhibit A

STATUS	DEPARTMENT	POSITION TITLE	QTY	GRADE	FUND
Add	Finance	Accountant	1	33	General
Add	Fire	Captain	1	55B	General
Add	Fire	Division Chief	1	56B	General
Add	Library	Librarian	1	21	General
Add	Library	Library Specialist II	1	17	General
Add	Library	Part Time Library Clerk IV	2	87	General
Add	Parks & Rec	Maintenance Foreman	1	21	General
Add	Parks & Rec	Parks Maintenance Worker I	2	14	General
Add	Parks & Rec	Parks Maintenance Worker II	2	15	General
Add	Planning	Planning Technician	1	20	General
Add	Police	Police Clerk II	1	17	General
Add	Police	Police Officer II (CID)	1	41	General
Add	Police	Police Office II (Patrol)	2	41	General
Add	Public Works	Custodian II	1	15	General
Add	Public Works	Facilities Maintenance Tech III	1	22	General
Add	Street	Heavy Equipment Operator II	4	18	Street
New	Parks & Rec	Recreation Facilities Manager	1	34	General
New	Police	Telecommunicator Assistant Manager	1	44	General
New	Street	Asphalt Supervisor	1	25	Street
New	Street	Construction Supervisor	1	25	Street
New	Sewer	Operations/Maintenance Assistant Manager	1	205	Utility
New	Water	Technical Services Assistant Manager Capital Construction	1	205	Utility
Upgrade	Court	Part Time Court Clerk to Deputy Court Clerk	1	84-15	General
Upgrade	Human Resources	Human Resources Manager to Human Resources Director	1	36-37	General
Upgrade	Planning	Administrative Assistant II to Planning Projects Coordinator	1	17-20	General
Upgrade	Electric	Administrative Assistant II to Apprentice Engineering Tech	1	17-91	Utility
Upgrade	Electric	Administrative Assistant II to Field Operations Coordinator	1	17-91	Utility
Upgrade	Sewer	Technical Services Supervisor to Technical Services Assistant Manager Land Development	1	110-205	Utility
Upgrade	Library	Librarian to Librarian II	1	21-23	General

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/12/2023	**Submitted By:**	Machele Bowen
Phone:	479-271-3117	**For Department(s):**	Fire Department
Email:	mbowen@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☑ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	2024 Pay Plan Change - Fire Department Personnel
Action Recommendation & Justification:	Ordinance amending the 2024 Bentonville Fire Department Pay Plan - These changes are being requested to maintain competitive salaries. The attached pay plan will move the starting wage for a Firefighter from $13.00 to $15.08 per hour.
Additional Comments for Consideration (Optional):	Associated costs have been included in the 2024 budget.
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☑ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2024 PAY PLAN FOR THE CITY OF BENTONVILLE FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the next years pay plan is presented to City Council annually in November of each year;

WHEREAS, the City of Bentonville Fire Department 2024 pay plan amends the starting salary of a Fire Fighter to maintain competitive wages;

WHEREAS, an amendment to the pay plan reflecting the 2024 budget will enable these changes to take effect; and

WHEREAS, the pay ranges in the current pay plan remain unchanged for the 2024 year.

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

Section 1: The 2024 Pay Plan for the City of Bentonville Fire Department should be and the same is hereby amended to include the following as attached in Exhibit "A";

Section 2 - Emergency Clause: The need to make this change is immediate, so as not to affect the implementation of the 2024 budget or position amendments, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

_____
STEPHANIE ORMAN, Mayor

ATTEST:

_____
KIRBY ROMINES, City Clerk

Exhibit "A"

City of Bentonville
2024 Fire Department Pay Plan

GRADE	FLSA	JOB TITLE		Min	Mid	Max
52	N	FIREFIGHTER I (2990)	HOURLY	15.08	17.76	20.43
			ANNUAL	45,089	53,102	61,086
52A	N	FIREFIGHTER I - PARAMEDIC (2990)	HOURLY	19.08	21.59	24.04
			ANNUAL	57,049	64,554	71,880
53	N	FIREFIGHTER II (2990)	HOURLY	16.10	19.23	22.37
			ANNUAL	48,139	57,498	66,886
53A	N	FIREFIGHTER II - PARAMEDIC (2990)	HOURLY	20.07	23.02	25.48
			ANNUAL	60,009	68,830	76,185
54	N	FIREFIGHTER/ENGR (2990)	HOURLY	17.13	20.40	23.65
			ANNUAL	51,219	60,996	70,714
54A	N	FIREFIGHTER/ENGR - PARAMEDIC (2990)	HOURLY	21.23	24.26	27.26
			ANNUAL	63,478	72,537	81,507
54B	N	FIRE INSPECTOR (2080)	HOURLY	24.36	29.16	33.99
			ANNUAL	50,669	60,653	70,699
54C	N	FIRE INSPECTOR - PARAMEDIC (2080)	HOURLY	29.46	34.59	39.17
			ANNUAL	61,277	71,947	81,474
55	N	FIRE CAPTAIN (2990)	HOURLY	21.85	25.59	29.32
			ANNUAL	65,332	76,514	87,667
55A	N	FIRE CAPTAIN - PARAMEDIC (2990	HOURLY	26.03	29.49	32.95
			ANNUAL	77,830	88,175	98,521
55B	N	FIRE CAPTAIN (2080)	HOURLY	29.97	36.07	42.16
			ANNUAL	62,338	75,026	87,693
55C	N	FIRE CAPTAIN PARAMEDIC (2080)	HOURLY	35.72	41.54	47.37
			ANNUAL	74,298	86,403	98,530
56	N	BATTALION CHIEF (2990)	HOURLY	27.15	31.58	36.02
			ANNUAL	81,179	94,424	107,700
56A	N	BATTALION CHIEF - PARAMEDIC (2990)	HOURLY	32.09	35.86	39.64
			ANNUAL	95,949	107,221	118,524
56B	N	DIVISION CHIEF (2080)	HOURLY	37.78	44.28	50.79
			ANNUAL	78,582	92,102	105,643
56C	N	DIVISION CHIEF- PARAMEDIC (2080)	HOURLY	43.18	49.90	55.99
			ANNUAL	89,814	103,792	116,459
57	N	DEPUTY FIRE CHIEF - PARAMEDIC (2080)	HOURLY	40.85	50.74	60.63
			ANNUAL	84,968	105,539	126,110
58	E	FIRE CHIEF - PARAMEDIC (2080)	HOURLY	46.86	58.45	70.04
			ANNUAL	97,469	121,576	145,683

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Camille Thompson
Phone:	(479)271-5956	**For Department(s):**	Legal Department
Email:	cthompson@bentonvillear.com		

Item Type (Check all that apply)

☐ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☑ **Ordinance** ☐ **Resolution** ☐ **Informational**

Title, Recommendation & Justification

Title:	Hein Thu Tran Annexation
Action Recommendation & Justification:	Ordinance accepting the annexation of certain territory of the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (Hein Thu Tran Annexation).
Additional Comments for Consideration (Optional):	
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ **YES** ☐ **NO** ☑ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO._____

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF BENTONVILLE, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF BENTONVILLE, AND ASSIGNING SAME TO WARDS; AND FOR OTHER PURPOSES.

WHEREAS, petition was filed with the County Clerk of Benton County, Arkansas by all of the owners of the hereinafter described territory, said owners being listed in Exhibit "A" to this ordinance, praying that said territory be annexed to, and made a part of the City of Bentonville, Arkansas; and

WHEREAS, on the 16th day of October, 2023, the County Court of Benton County, Arkansas, entered an order authorizing annexation pursuant to § 14-40-609 of the Arkansas Code, finding that the petition met the requirements for annexation under that provision and directed the Clerk to forward the order to the Mayor of the City of Bentonville; and

WHEREAS, the order entered by the County Judge provides that in order to accept the annexation proposed by the petitioners, the City of Bentonville is also required to accept as part of the territory to be annexed certain dedicated public roads and rights of way abutting or traversing the property proposed to be annexed, the legal descriptions for which are included as an attachment to the County Court's order.

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

Section 1: That the land described on the attached Exhibit "B," which includes both the territory sought to be annexed by the petitioners and the dedicated public roads and rights of way abutting or traversing the property proposed to be annexed, is territory contiguous to and adjoining the City of Bentonville, Arkansas, and the petition to annex that property is hereby granted and the property described in Exhibit "B" is hereby accepted as part of and annexed to and made a part of the City of Bentonville;

Section 2: That the above described territory shall be annexed to and made a part of Ward 3 of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward;

Section 3: That the above described territory shall be zoned A-1 to be used in accordance with City zoning laws and the laws of the State of Arkansas;

Section 4 – Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 – Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this ordinance are repealed to the extent of such conflict; and

Section 6: That this Ordinance shall become effective 30 days from its passage and approval.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

APPROVED: _____
HON. STEPHANIE ORMAN, Mayor

ATTEST: _____
HON. KIRBY ROMINES, City Clerk

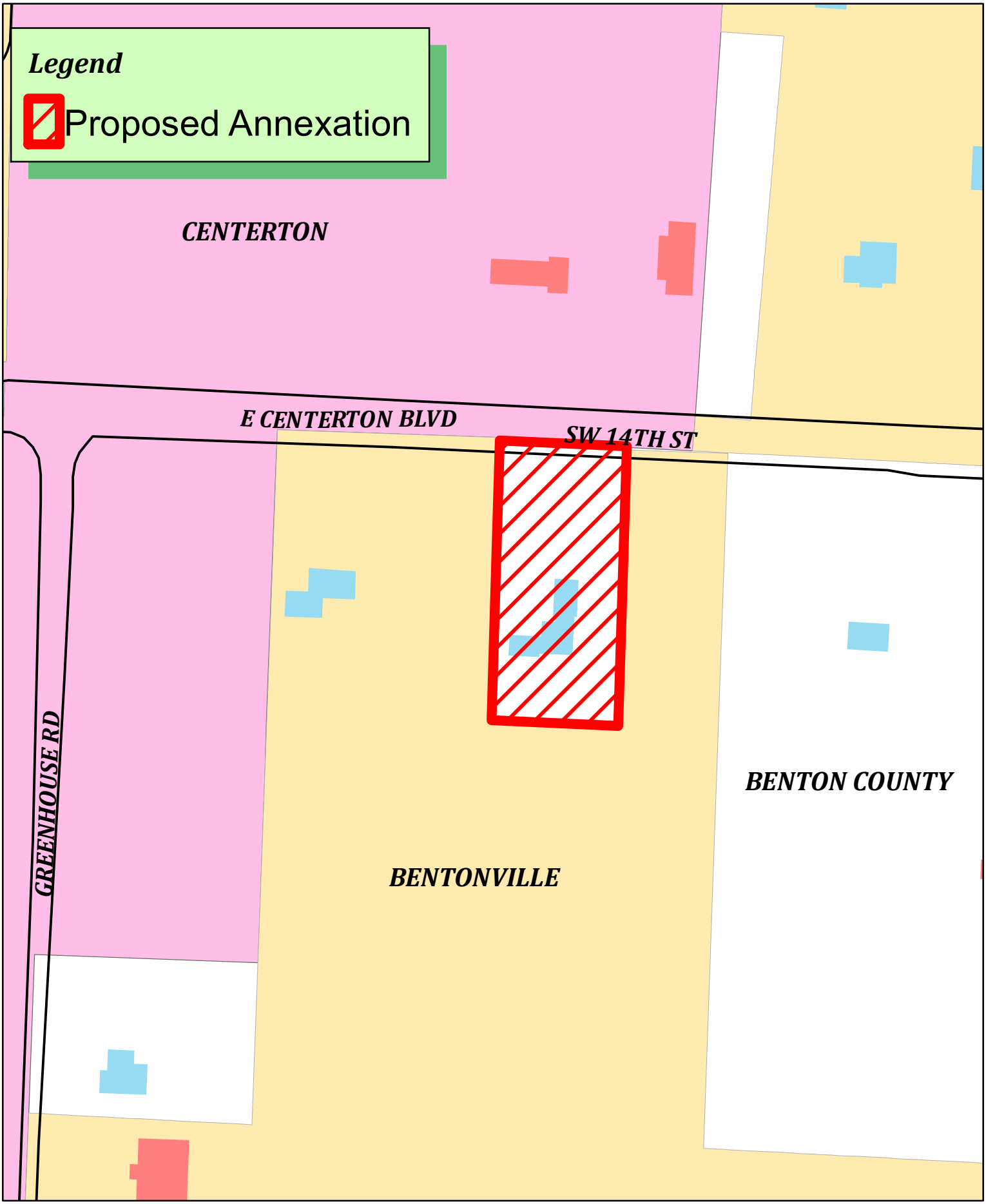
EXHIBIT "A"
HIEN THU TRAN ANNEXATION

LTN INVESTMENTS LLC. **18-08665-00**

EXHIBIT "B"
HIEN THU TRAN ANNEXATION

Part of the NE ¼ of the NW ¼ of Section 2, Township 19N, Range 31W, Benton County, Arkansas and being more particularly described as follows:

Commencing at the NW Corner of the said NE ¼ of the NW ¼ of Section 2;
Thence S 87° 14'27" E, 525.20' to the Point of Beginning.
Thence S 87° 14'27" E, 150.25';
Thence S 01° 47'31"W, 330';
Thence N 87° 21'19"W, 146.96';
Thence N 01° 44'33"E, 330.30' to the Point of Beginning containing 1.14 acres more or less.



N
W E
S

Proposed Annexation Hien Thu Tran
3311 SW 14TH ST

HEIN THIS TRAN ANNEXATION

FILED

2023 SEP 19 PM 2:40

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF BENTONVILLE, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY

NO. CC 2023-18

PETITION FOR ANNEXATION – 100 % OF OWNERS PETITIONING

DATE: 8/28/2023

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. §14-40-609, the City Council of Bentonville, Arkansas, to annex the following lands to the City of Bentonville, Arkansas.

Refer to Exhibit "A"

2. We further state that this petition is signed by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

3. That said property description herein is contiguous to and adjoining the present City of Bentonville city limits, as shown on the map attached hereto as Exhibit "B".

4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Bentonville.

5. That the following schedule of services shall be extended to the area by the City of Bentonville within three (3) years after the date the annexation becomes final:

All properties annexed into the City of Bentonville are provided with Police, Fire and EMS services.

Additional services such as water and sewer may be provided if readily available. Such services are provided in accordance with existing ordinances and terms of service, including but not limited to the payment of required fees, the necessary permits, inspections and approvals.

FILED
2023 SEP 19 PM 2:40
BETSY HARRELL
CIRCUIT CLERK
BENTON COUNTY, AR

6. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties is attached hereto as Exhibit "C" and is made part of this petition as if set out word for word herein.

7. That a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the City of Bentonville and that no enclaves will be created if the property or properties are accepted by the City of Bentonville is attached hereto as Exhibit "D" and is made part of this petition as if set out word for word herein.

8 That each of the undersigned persons executing this petition has confirmed by their signature a desire that their property, which is included in the property described above, be annexed into the City of Bentonville.

FILED
2023 SEP 19 PM 2:40
CO & PROBATE CLERK
BENTON COUNTY, AR

I confirm my desire that property owned by me, which is to be included in a petition to annex property, be annexed into the City of Bentonville.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust, or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity I attest either that I have the authority to sign this confirmation on behalf of the entity, or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

[redacted] Attorney in Fact

Signature of Property Owner or Legal Representative of Property Owner, Petitioner

Title, if applicable (i.e. Trustee, (Managing Member, President, Secretary)

Benton County Parcel No. 18-08665-000
Parcel number of property to be annexed

ACKNOWLEDGMENT

State of Arkansas)
) ss.
County of ~~Benton~~ Washington)

On this the 28 day of August, 2023, before me, the undersigned officer, personally appeared Hien Thu Tran, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

[redacted]
NOTARY PUBLIC

My Commission Expires:

12/16/2032

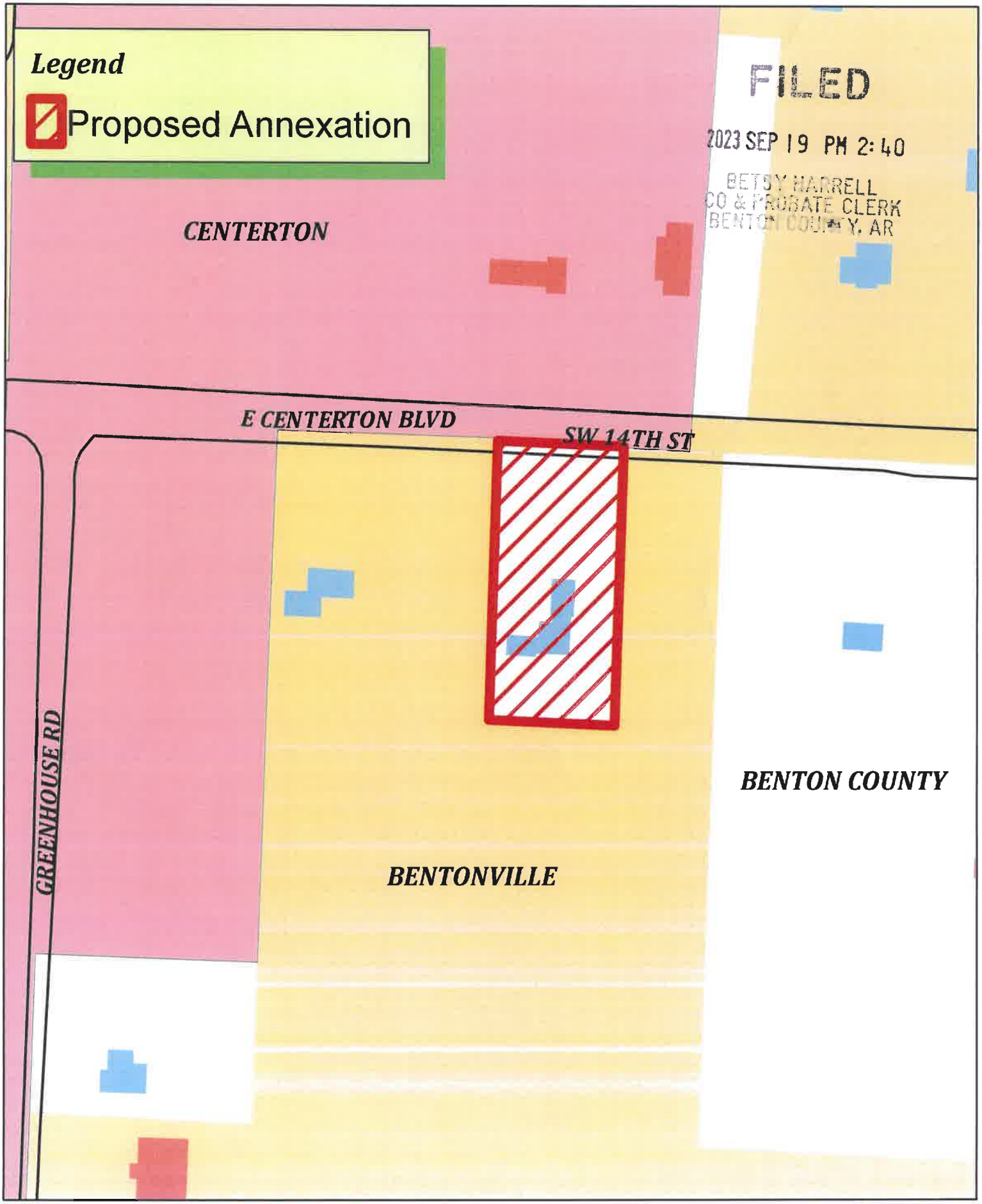
LEAH SREBALUS
Notary Public - Arkansas
Benton County
Commission # 12721248
My Commission Expires Dec 16, 2032

FILED
2023 SEP 19 PM 2:40
BETSY HARRELL
CIRCUIT CLERK
BENTON COUNTY, AR

Hien Thu Tran Annexation
EXHIBIT 'A'

Part of the NE ¼ of the NW ¼ of Section 2, Township 19N, Range 31W, Benton County, Arkansas and being more particularly described as follows:

Commencing at the NW Corner of the said NE ¼ of the NW ¼ of Section 2;
Thence S 87°14'27" E, 525.20' to the Point of Beginning.
Thence S 87°14'27" E, 150.25';
Thence S 01°47'31"W, 330';
Thence N 87°21'19"W, 149.96';
Thence N 01°44'33"E, 330.30' to the Point of Beginning containing 1.14 acres more or less.



N
W E
S

EXHIBIT B
Proposed Annexation Hien Thu Tran
3311 SW 14TH ST

Benton
216 W Sevier Street
Benton, AR 72015

Bentonville
300 SW 28th Street
Bentonville, AR 72712

Eureka Springs
70 S. Main Street, Suite 2
Eureka Springs, AR 72632

Fayetteville
1420 Augustine Lane, Suite 1
Fayetteville, AR 72703

Sheridan
206 N Rose Street
Sheridan, AR 72150

EXHIBIT "C"

First National Title Company

Faulkner County Title Company
A Division of
First National Title Company
Conway
711 Locust Street
Conway, AR 72034

Little Rock Title Company
A Division of
First National Title Company
Little Rock
1001 W. Markham Street #100
Little Rock, AR 72201

Greenbrier
8 Wilson Farm Road, Suite 4
Greenbrier, AR 72058

Headquarters
First National Title Company
Little Rock
415 N McKinley Street Suite 1200
Little Rock, AR 72205

FILED
2023 SEP 19 PM 2:40
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

September 6, 2023

Greetings,

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Bentonville. Based on our review, we verify that the persons listed in Exhibit C-1 to this letter are all the owners of record of the real property described in Exhibit C-2 to this letter.

Sincerely,

[redacted]

Steve Pangle

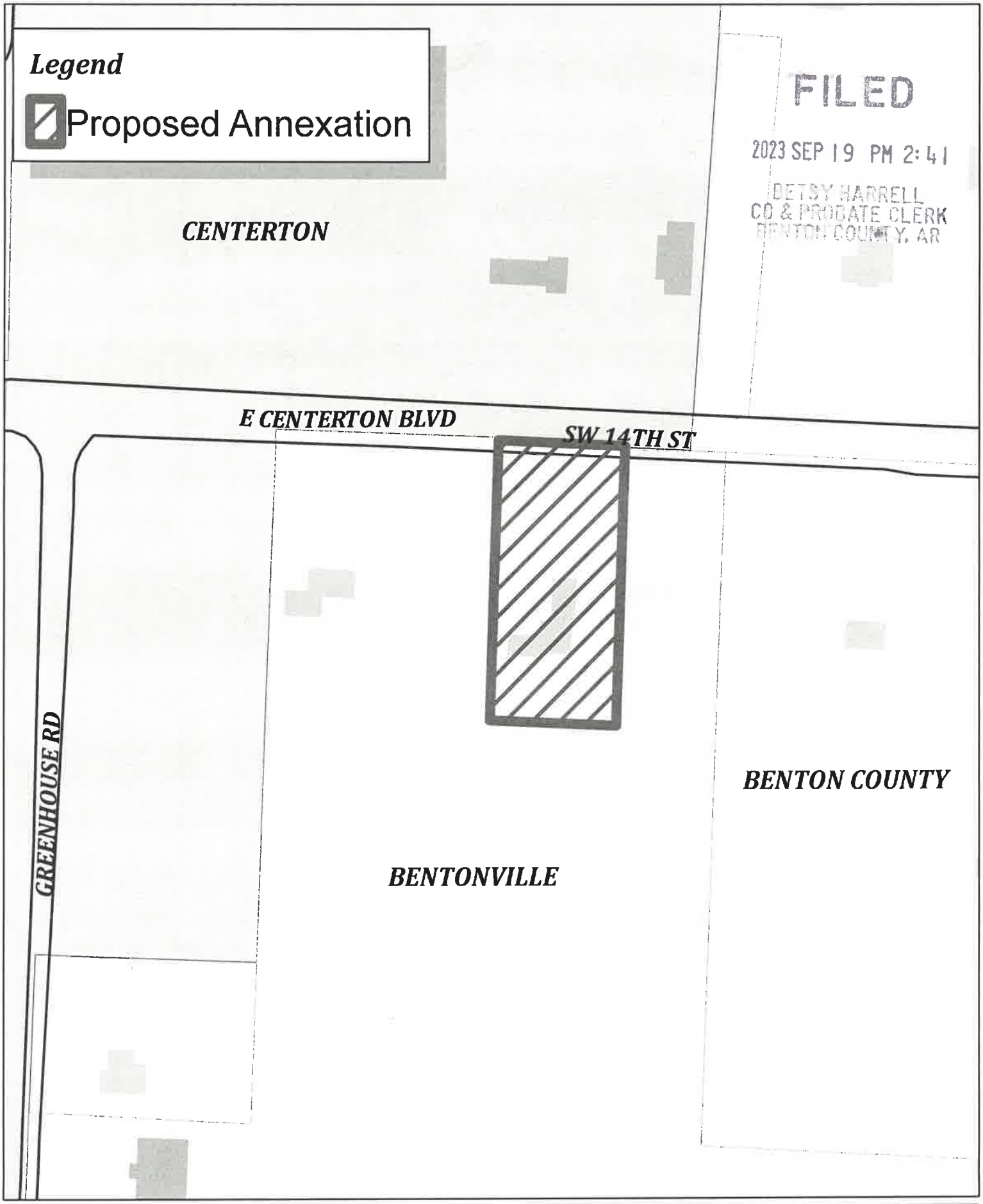
Benton County Manager

First National Title

FILED
2023 SEP 19 PM 2:41
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

'EXHIBIT C-1'
Hien Thu Tran Annexation

LTN INVESTMENTS LLC_____ 18-08665-000



FILED
2023 SEP 19 PM 2:41
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

N
W E
S

EXHIBIT C-2
Proposed Annexation Hien Thu Tran
3311 SW 14TH ST

FILED

2023 SEP 19 PM 2:41

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Hien Thu Tran Annexation
Exhibit 'C-2'

Part of the NE ¼ of the NW ¼ of Section 2, Township 19N, Range 31W, Benton County, Arkansas and being more particularly described as follows:

Commencing at the NW Corner of the said NE ¼ of the NW ¼ of Section 2;
Thence S 87°14'27" E, 525.20' to the Point of Beginning.
Thence S 87°14'27" E, 150.25';
Thence S 01°47'31"W, 330';
Thence N 87°21'19"W, 149.96';
Thence N 01°44'33"E, 330.30' to the Point of Beginning containing 1.14 acres more or less.

FILED
2023 SEP 19 PM 2:41
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Greetings:

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property (Hien Thu Tran annexation) into the City of Bentonville. I am a licensed Professional Engineer in the State of Arkansas. Based on my review, I verify that the real property described in Exhibit D-1 to this letter is contiguous with the City of Bentonville and that no enclaves will be created if the described property is accepted by the City of Bentonville.

Sincerely,

Travis Matlock, P.E. 9-18-23

FILED
2023 SEP 19 PM 2:41
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Hien Thu Tran Annexation
Exhibit 'D-1'

Part of the NE ¼ of the NW ¼ of Section 2, Township 19N, Range 31W, Benton County, Arkansas and being more particularly described as follows:

Commencing at the NW Corner of the said NE ¼ of the NW ¼ of Section 2;
Thence S 87°14'27" E, 525.20' to the Point of Beginning.
Thence S 87°14'27" E, 150.25';
Thence S 01°47'31"W, 330';
Thence N 87°21'19"W, 149.96';
Thence N 01°44'33"E, 330.30' to the Point of Beginning containing 1.14 acres more or less.

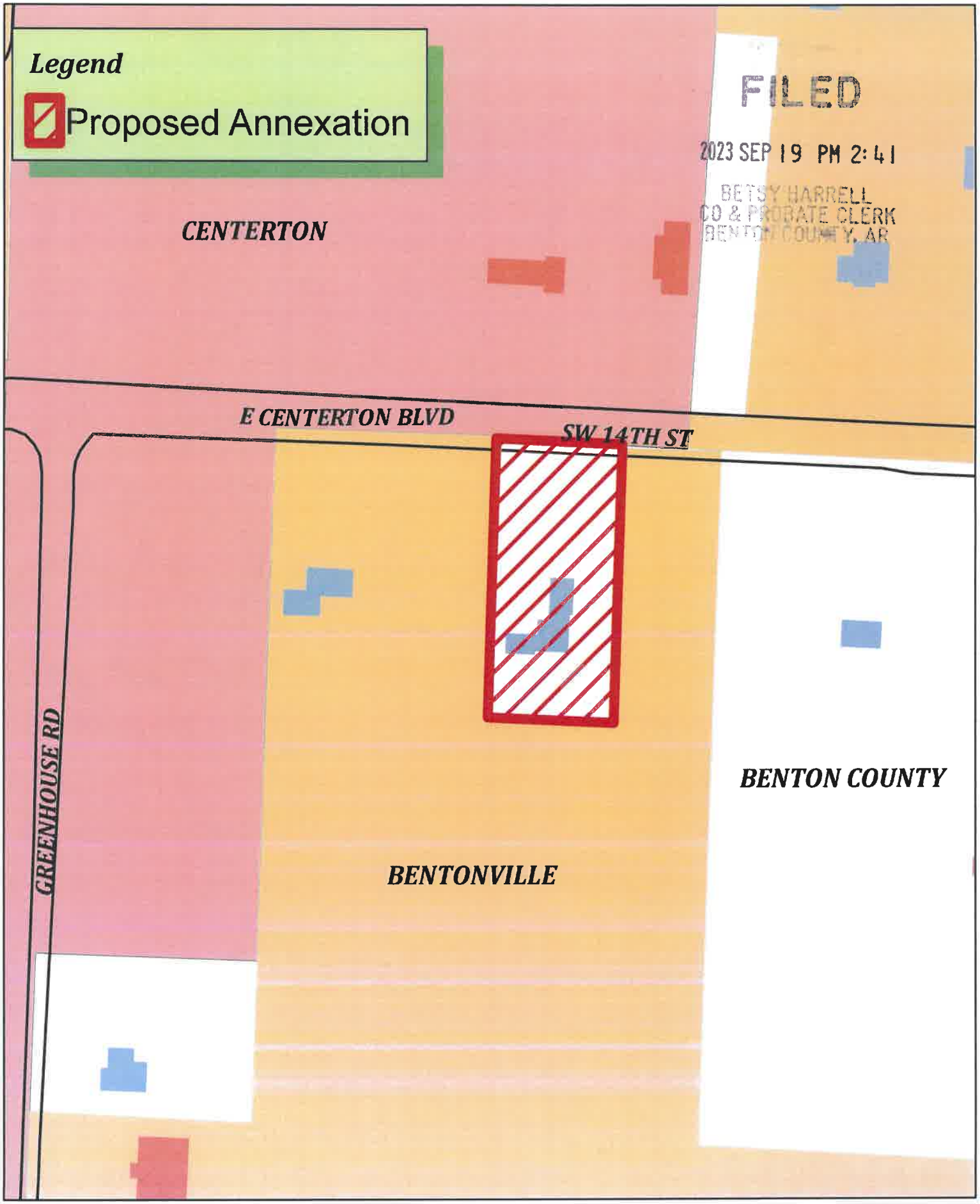


EXHIBIT D-1
Proposed Annexation Hien Thu Tran
3311 SW 14TH ST

FILED
2023 SEP 19 PM 2:41
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Department of Transformation and Shared Services
Governor Sarah Huckabee Sanders
Secretary Joseph Wood
Director Shelby Johnson

September 1, 2023

Mr. Jim Wheeless
GIS Coordinator – City of Bentonville
305 SW A Street
Bentonville, AR 72712

RE: City of Bentonville Annexation Coordination Requirement

Mr. Wheeless,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR described as the "Hien Thu Tran" annex and located in Section 2, Township 19 North, Range 31 West. This letter represents confirmation that you have coordinated with our office (Arkansas GIS Office) as specified in *§ 14-40-101* (Act 914 of 2015) of the 90th General Assembly.

Our office will wait for the completion of additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after the appropriate filing by your County Clerk.

Sincerely,

[redacted]

Jennifer Wheeler, Sr. GIS Analyst

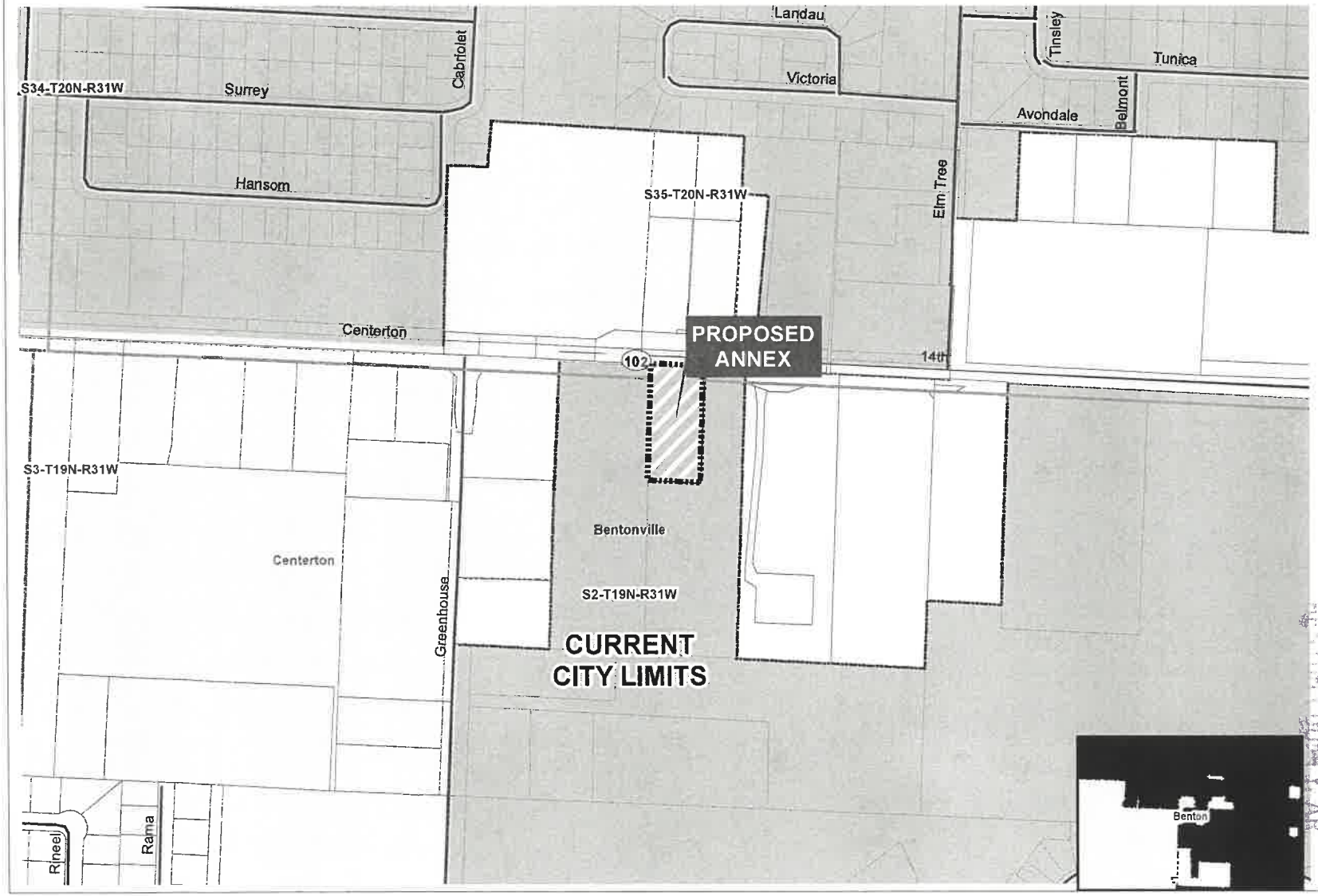
Attachments:
GIS Office Map of Proposed Annexation
Legal Description
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Bentonville\20230901\Doc\20230901_Bentonville_Annexation_Coordination_Letter.docx

Arkansas Geographic Information Systems
501 Woodlane Street, Suite G-04 * Little Rock, AR 72201 * 501.682.2767

Proposed "Hien Thu Tran" Annex: City of Bentonville
September 2023

City: Bentonville
Mayor: Stephanie Orman



Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015

Proposed Annex
Sections
Parcels
Minor Road
Existing City
Neighboring City

0 0.015 0.03 0.06
Miles

ARKANSAS GIS OFFICE

H:\City_Annexations\Cities\Bentonville\20230901\

FILED
2023 SEP 19 PM 2:
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

FILED
2023 SEP 19 PM 2:41
BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Hien Thu Tran Annexation
EXHIBIT 'A'

Part of the NE ¼ of the NW ¼ of Section 2, Township 19N, Range 31W, Benton County, Arkansas and being more particularly described as follows:

Commencing at the NW Corner of the said NE ¼ of the NW ¼ of Section 2;
Thence S 87°14'27" E, 525.20' to the Point of Beginning.
Thence S 87°14'27" E, 150.25';
Thence S 01°47'31"W, 330';
Thence N 87°21'19"W, 149.96';
Thence N 01°44'33"E, 330.30' to the Point of Beginning containing 1.14 acres more or less.

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Patrick Johndrow
Phone:	479-271-6781	**For Department(s):**	Finance
Email:	pjohndrow@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Issue of 2023 Bonds
Action Recommendation & Justification:	Approve an Ordinance authorizing the issuance of sales and use tax bonds for the purpose of financing the cost of capital improvements. No budget adjustment is needed.
Additional Comments for Consideration (Optional):	The final ordinance will fill in the blanks from the results of the bond sale which includes things like final par amount, interest rates, maturity structure, etc. It will be passed out at the City Council meeting.
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF SALES AND USE TAX BONDS FOR THE PURPOSE OF FINANCING THE COST OF CAPITAL IMPROVEMENTS; PLEDGING A 1% SALES AND USE TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, there was submitted to the qualified electors of the City of Bentonville, Arkansas (the "City") the questions of issuing, under Amendment No. 62 to the Constitution of the State of Arkansas (the "State") and under Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"), capital improvement bonds in the maximum aggregate principal amount of $23,000,000 for the purpose of refunding the City's outstanding Sales and Use Tax Bonds, Series 2009, Series 2010 and Series 2017 (collectively, the "Bonds Refunded"); capital improvement bonds in the maximum aggregate principal amount of $173,500,000 for the purpose of financing all or a portion of the costs of new, and improvements to existing, streets, roads and bridges including any curb, gutter, drainage, flood control and related improvements, equipment and land acquisition to accomplish such improvements, and street lighting, utility adjustments, sidepaths and traffic signals related thereto (the "Street Improvements"); capital improvement bonds in the maximum aggregate principal amount $32,750,000 for the purpose of financing all or a portion of the costs of new, and improvements to existing, park and recreational facilities and improvements and any necessary land acquisition, equipment and parking, drainage, flood control, road, trail, lighting and utility improvements therefor (the "Park and Recreational Improvements"); capital improvement bonds in the maximum aggregate principal amount $3,900,000 for the purpose of financing all or a portion of the costs of equipment, apparatus and new, or improvements to existing, facilities for the fire department, including particularly, without limitation, fire safety training facilities, including any necessary land acquisition, parking and utilities therefor (the "Fire Department Improvements"); capital improvement bonds in the maximum aggregate principal amount of $1,650,000 for the purpose of financing all or a portion of the costs of equipment, apparatus and new, or improvements to existing, facilities for the police department, including particularly, without limitation, police safety training facilities, and any necessary land acquisition, parking and utilities therefor (the "Police Department Improvements"); capital improvement bonds in the maximum aggregate principal amount of $6,600,000 for the purpose of financing all or a portion of the costs of radio communication equipment, facilities and apparatus (the "Radio Communication Improvements"); capital improvement bonds in the maximum aggregate principal amount of $19,750,000 for the purpose of financing all or a portion of the costs facilities for drainage and flood control and any necessary land and easement acquisition therefor (the "Drainage Improvements"); and capital improvement bonds in the maximum aggregate principal amount of $4,975,000 for the purpose of financing all or a portion of the costs the expansion of and improvements to the Bentonville Public

Library, including any necessary land acquisition, equipment, utility adjustments and parking improvements therefor (the "Library Improvements"); and

WHEREAS, at the special election held April 13, 2021, a majority of the electors voting on the questions approved the issuance of such bonds; and

WHEREAS, pursuant to Ordinance No. 2021-139 of the City duly adopted on June 22, 2021 ("Ordinance No. 2021-139"), the City has issued its Sales and Use Tax Refunding and Improvement Bonds, Taxable Series 2021A (the "Series 2021A Bonds") to refund the Bonds Refunded designated "Series 2017" and to finance a portion of the Street Improvements, and its Sales and Use Tax Refunding and Improvement Bonds, Series 2021B (the "Series 2021B Bonds") to finance all or a portion of the Radio Communication Improvements, the Drainage Improvements, the Fire Department Improvements, the Police Department Improvements, the Street Improvements, the Park and Recreational Improvements and the Library Improvements and the refunding of the Bonds Refunded designated "Series 2009" and "Series 2010"; and

WHEREAS, of the authority granted for the issuance of bonds at the April 13, 2021 special election, all of the bonds for the Police Department Improvements, the Fire Department Improvements, the Radio Communication Improvements and the refunding of the Bonds Refunded have been issued and there remains unissued $132,269,012.02 in principal amount of bonds approved for the Street Improvements, $26,545,800.25 in principal amount of bonds approved for the Park and Recreational Improvements, $3,875,650.40 in principal amount of bonds approved for the Library Improvements and $3,698,082.65 in principal amount of bonds approved for Drainage Improvements; and

WHEREAS, the City Council is prepared to proceed with the issuance of another series of bonds in the aggregate principal amount of $_____ designated as "City of Bentonville, Arkansas Sales and Use Tax Bonds, Series 2023" (the "Series 2023 Bonds"); and

WHEREAS, the Series 2023 Bonds are being issued pursuant to Ordinance No. 2021-139 as "Additional Parity Bonds" thereunder; and

WHEREAS, the principal amount of the Series 2023 Bonds is allocated in Section 13 of this Ordinance to the Street Improvements, the Park and Recreational Improvements, the Library Improvements and the Drainage Improvements (collectively, the "2023 Improvements"); and

WHEREAS, through the assistance of Stephens Inc., as financial advisor for the City, the City has made arrangements for the sale of the Series 2023 Bonds to Crews & Associates, Inc. and Raymond James & Associates, Inc. (collectively, the "Purchaser") at a price of $_____ (principal amount less underwriters' discount of $_____) (the "Purchase Price"), pursuant to a Bond Purchase Agreement between the Purchaser and the City (the "Purchase Agreement"), which has been presented to and is before this meeting; and

WHEREAS, the Preliminary Official Statement, dated November 7, 2023, offering the Series 2023 Bonds for sale (the "Preliminary Official Statement"), has been presented to and is before this meeting; and

WHEREAS, the Continuing Disclosure Agreement between the City and Simmons Bank, Pine Bluff, Arkansas (the "Disclosure Agreement"), providing for the disclosure obligations of the City with respect to the Series 2023 Bonds, has been presented to and is before this meeting; and

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

Section 1. The offer of the Purchaser for the purchase of the Series 2023 Bonds from the City at the 2023 Purchase Price, subject to the terms and provisions hereafter in this Ordinance set forth in detail is hereby accepted and the Purchase Agreement, in substantially the form submitted to this meeting, is approved and the Series 2023 Bonds are hereby sold to the Purchaser. The Mayor is hereby authorized and directed to execute and deliver the Purchase Agreement on behalf of the City and to take all action required on the part of the City to fulfill its obligations under the Purchase Agreement.

Section 2. The Preliminary Official Statement is hereby approved and the previous use of the Preliminary Official Statement by the Purchaser in connection with the sale of the Series 2023 Bonds is hereby in all respects approved and confirmed, and the Mayor is hereby authorized and directed, for and on behalf of the City, to execute the Preliminary Official Statement and the final Official Statement in the name of the City for use in connection with the sale of the Series 2023 Bonds as set forth in the Purchase Agreement.

Section 3. Under the authority of the Constitution and laws of the State, including particularly Amendment No. 62 to the Constitution of the State and the Authorizing Legislation, the Series 2023 Bonds are hereby authorized and ordered issued in the total principal amount of $_____ for the purpose of financing all or a portion of the costs of accomplishing the 2023 Improvements, paying expenses of issuing the Series 2023 Bonds and funding a portion of a debt service reserve.

The Series 2023 Bonds shall bear interest at the rates and shall mature on November 1 in the amounts and in the years as follows:

SERIES 2023 BONDS

Year (November 1)	Amount	Interest Rate

The Series 2023 Bonds shall be issuable only as fully registered bonds without coupons in the denomination of $5,000 or any integral multiple thereof. Unless the City shall otherwise direct, the Series 2023 Bonds shall be numbered from 1 upward in order of issuance. Each Series 2023

Bond shall have a CUSIP number but the failure of a CUSIP number to appear on any Series 2023 Bond shall not affect its validity.

The Series 2023 Bonds shall be registered initially in the name of Cede & Co., as nominee for the Depository Trust Company ("DTC"), which shall be considered to be the registered owner of the Series 2023 Bonds for all purposes under this Ordinance, including, without limitation, payment by the City of principal of, redemption price, premium, if any, and interest on the Series 2023 Bonds, and receipt of notices and exercise of rights of registered owners. There shall be one certificated, typewritten Series 2023 Bond for each stated maturity date and interest rate, which shall be immobilized in the custody of or on behalf of DTC with the beneficial owners having no right to receive the Series 2023 Bonds in the form of physical securities or certificates. DTC and its participants shall be responsible for maintenance of records of the ownership of beneficial interests in the Series 2023 Bonds by book-entry on the system maintained and operated by DTC and its participants, and transfers of ownership of beneficial interests shall be made only by DTC and its participants, by book-entry, the City having no responsibility therefor. DTC is expected to maintain records of the positions of participants in the Series 2023 Bonds, and the participants and persons acting through participants are expected to maintain records of the purchasers of beneficial interests in the Series 2023 Bonds. The Series 2023 Bonds as such shall not be transferable or exchangeable, except for transfer to another securities depository or to another nominee of a securities depository, without further action by the City.

If any securities depository determines not to continue to act as a securities depository for the Series 2023 Bonds for use in a book-entry system, the City may establish a securities depository/book-entry system relationship with another securities depository. If the City does not or is unable to do so, or upon request of the beneficial owners of all outstanding Series 2023 Bonds, the City and the Trustee (hereinafter identified), after the Trustee has made provision for notification of the beneficial owners by the then securities depository, shall permit withdrawal of the Series 2023 Bonds from the securities depository, and authenticate and deliver Series 2023 Bond certificates in fully registered form (in denominations of $5,000 or integral multiples thereof) to the assigns of the securities depository or its nominee, all at the cost and expense (including costs of printing definitive Series 2023 Bonds) of the City, if the City fails to maintain a securities depository/book-entry system, or of the beneficial owners, if they request termination of the system.

Prior to issuance of the Series 2023 Bonds, the City shall have executed and delivered to DTC a written agreement (the "Representation Letter") setting forth (or incorporating therein by reference) certain undertakings and responsibilities of the City with respect to the Series 2023 Bonds so long as the Series 2023 Bonds or a portion thereof are registered in the name of Cede & Co. (or a substitute nominee) and held by DTC. Notwithstanding such execution and delivery of the Representation Letter, the terms thereof shall not in any way limit the provisions of this Section or in any other way impose upon the City any obligation whatsoever with respect to persons having interests in the Series 2023 Bonds other than the registered owners, as shown on the registration books kept by the Trustee. The Trustee shall take all action necessary for all representations of the City in the Representation Letter with respect to the Trustee to at all times be complied with.

The authorized officers of the Trustee and the City shall do or perform such acts and execute all such certificates, documents and other instruments as they or any of them deem necessary or advisable to facilitate the efficient use of a securities depository for all or any portion of the Series 2023 Bonds; provided that neither the Trustee nor the City may assume any obligations to such securities depository or beneficial owners of Series 2023 Bonds that are inconsistent with their obligations to any registered owner under this Ordinance.

Each Series 2023 Bond shall be dated as of its date of delivery to the Purchaser. Interest on the Series 2023 Bonds shall be payable on May 1, 2024, and semiannually thereafter on May 1 and November 1 of each year. Payment of each installment of interest shall be made to the person in whose name the bond is registered on the registration books of the City maintained by Simmons Bank, Pine Bluff, Arkansas, as Trustee and Paying Agent (the "Trustee"), at the close of business on the fifteenth day of the month (whether or not a business day) next preceding each interest payment date (the "Record Date"), irrespective of any transfer or exchange of any such Series 2023 Bond subsequent to such Record Date and prior to such interest payment date, by check or draft mailed by the Trustee to such owner at his address on such registration books. Principal of the Series 2023 Bonds shall be payable at the corporate trust office of the Trustee.

Each Series 2023 Bond shall bear interest from the payment date next preceding the date on which it is authenticated unless it is authenticated on an interest payment date, in which event it shall bear interest from such date, or unless it is authenticated prior to the first interest payment date, in which event it shall bear interest from its dated date, or unless it is authenticated during the period from the Record Date to the next interest payment date, in which case it shall bear interest from such interest payment date, or unless at the time of authentication thereof interest is in default thereon, in which event it shall bear interest from the date to which interest has been paid.

Only such Series 2023 Bonds as shall have endorsed thereon a Certificate of Authentication substantially in the forms set forth in Section 4 hereof (the "Certificate") duly executed by the Trustee shall be entitled to any right or benefit under this Ordinance. No Series 2023 Bond shall be valid and obligatory for any purpose unless and until the Certificate shall have been duly executed by the Trustee, and the Certificate of the Trustee upon any such Series 2023 Bond shall be conclusive evidence that such Series 2023 Bond has been authenticated and delivered under this Ordinance. The Certificate on any Series 2023 Bond shall be deemed to have been executed if signed by an authorized officer of the Trustee, but it shall not be necessary that the same officer sign the Certificate on all of the Series 2023 Bonds.

Section 4. The Series 2023 Bonds and the Certificate shall be in substantially the following forms and the Mayor and City Clerk are hereby expressly authorized and directed to make all recitals contained therein:

(Form of Series 2023 Bond)

REGISTERED REGISTERED

No.____ $_____

UNITED STATES OF AMERICA
STATE OF ARKANSAS
COUNTY OF BENTON
CITY OF BENTONVILLE
SALES AND USE TAX BOND
SERIES 2023

Interest Rate: _____% Maturity Date: November 1, ____
Dated Date: _____, 2023
Registered Owner: Cede & Co.
Principal Amount: _____ Dollars
CUSIP No.: _____

KNOW ALL MEN BY THESE PRESENTS:

That the City of Bentonville, County of Benton, State of Arkansas (the "City"), for value received, hereby promises to pay to the Registered Owner shown above upon the presentation and surrender hereof at the principal corporate trust office of Simmons Bank, Pine Bluff, Arkansas, or its successor or successors, as Trustee and Paying Agent (the "Trustee"), on the Maturity Date shown above, the Principal Amount shown above, in such coin or currency of the United States of America as at the time of payment shall be legal tender for the payment of public and private debts and to pay by check or draft to the Registered Owner shown above interest thereon, in like coin or currency from the interest commencement date described below at the Interest Rate per annum shown above, payable on May 1, 2024 and on each May 1 and November 1 thereafter, until payment of such Principal Amount or, if this bond or a portion hereof shall be duly called for redemption, until the date fixed for redemption, and to pay interest on overdue principal and interest (to the extent legally enforceable) at the rate borne by this bond. Payment of each installment of interest shall be made to the person in whose name this bond is registered on the registration books of the City maintained by the Trustee at the close of business on the fifteenth day of the month (whether or not a business day) next preceding each interest payment date (the "Record Date"), irrespective of any transfer or exchange of this bond subsequent to such Record Date and prior to such interest payment date.

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Trustee for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is required by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO

ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

This bond shall bear interest from the payment date next preceding the date on which it is authenticated unless it is authenticated on an interest payment date, in which event it shall bear interest from such date, or unless it is authenticated during the period from the Record Date to the next interest payment date, in which case it shall bear interest from such interest payment date, or unless it is authenticated prior to the first interest payment date, in which event it shall bear interest from the Dated Date shown above, or unless at the time of authentication hereof interest is in default hereon, in which event it shall bear interest from the date to which interest has been paid.

This bond is one of an issue of City of Bentonville, Arkansas Sales and Use Tax Bonds, Series 2023, aggregating _____ Thousand Dollars ($_____) in aggregate principal amount (the "bonds"), and is issued for the purpose of financing a portion of the costs of various capital improvements, paying expenses related thereto and of authorizing and issuing the bonds, and funding a portion of a debt service reserve.

The bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Arkansas (the "State"), particularly Amendment No. 62 to the Constitution of the State and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"), and pursuant to Ordinance No. 2021-139 of the City duly adopted on June 22, 2021, as supplemented by Ordinance No. 2023-___ of the City duly adopted on November 14, 2023 (collectively, the "Authorizing Ordinance"), and an election duly held at which the majority of the legal voters of the City voting on the questions approved the issuance of the bonds. Reference is hereby made to the Authorizing Ordinance for the details of the nature and extent of the security and of the rights and obligations of the City, the Trustee and the registered owners of the bonds. The bonds are special obligations of the City, payable from the proceeds derived by the City from a 1% sales and use tax (the "Tax") levied by the City under Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated and Ordinance No. 2003-108 of the City duly adopted on June 24, 2003, as amended by Ordinance No. 2021-47 of the City duly adopted on February 9, 2021, and the City hereby pledges its collections of the Tax (the "Pledged Revenues") for the payment of this bond on a parity of security with the City's Sales and Use Tax Refunding and Improvement Bonds, Taxable Series 2021A (the "Series 2021A Bonds") and Sales and Use Tax Refunding and Improvement Bonds, Series 2021B (the "Series 2021B Bonds"). The City has reserved the right in the Authorizing Ordinance to issue additional bonds under the Authorizing Ordinance on a parity of security with the bonds, the Series 2021A Bonds and the Series 2021B Bonds (the "Additional Parity Bonds").

The Series 2023 Bonds are subject to extraordinary, optional and mandatory sinking fund redemption prior to maturity as follows:

(1) The bonds shall be redeemed by the City from proceeds of the bonds not needed for the purposes intended and Surplus Pledged Revenues (defined below), in whole at any time or in part on any interest payment date, at a redemption price equal to the principal amount being redeemed plus accrued interest to the redemption date, in inverse order of maturity (and by lot within a maturity in such manner as the Trustee shall determine).

The City has covenanted in the Authorizing Ordinance that Surplus Pledged Revenues, being 80% of the Pledged Revenues less the amount necessary to (1) insure the prompt payment of the principal of, interest on and Trustee's fees and expenses and administrative charges in connection with the bonds, the Series 2021A Bonds, the Series 2021B Bonds and the Additional Parity Bonds as the same become due, (2) maintain the debt service reserve in the required amount, and (3) pay any arbitrage rebate due under Section 148(f) of the Internal Revenue Code of 1986, as amended, must be used from time to time, at least annually, as and to the extent available to redeem outstanding bonds prior to maturity in the order of priority set forth below.

Surplus Pledged Revenues shall be applied to the redemption of the bonds, the Series 2021B Bonds and the Additional Parity Bonds ratably (based on relative outstanding principal amounts).

In the case of any defeasance of the bonds, redemption of defeased bonds shall be scheduled on the basis of the mandatory redemption requirements set forth above and assuming collections of the Tax in an amount equal to receipts for the most recent twelve-month period prior to the defeasance being authorized by the City.

(2) The bonds are subject to redemption at the option of the City from funds from any source, on and after _____ 1, 20___, in whole or in part at any time, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the redemption date.

If fewer than all of the bonds shall be called for redemption, the particular maturities and interest rates of the bonds to be redeemed shall be selected by the City in its discretion. If fewer than all of the bonds of any one maturity and interest rate shall be called for redemption, the particular bonds or portion thereof to be redeemed from such maturity and interest rate shall be selected by lot by the Trustee.

(3) To the extent not previously redeemed, the bonds maturing on November 1, 20___ are subject to mandatory sinking fund redemption by lot in such manner as the Trustee shall determine, on November 1 in the years and in the amounts set forth below, at a redemption price equal to the principal amount being redeemed plus accrued interest to the date of redemption:

Bonds Maturing November 1, 20___

Year (November 1)	Principal Amount

In case any outstanding bond is in a denomination greater than $5,000, each $5,000 of face value of such bond shall be treated as a separate bond of the denomination of $5,000.

Notice of redemption identifying the bonds or portions thereof (which shall be $5,000 or a multiple thereof) to be redeemed and the date they shall be presented for payment shall be given by the Trustee, not less than 30 nor more than 60 days prior to the date fixed for redemption, by sending a copy of the redemption notice by first class mail, postage prepaid, or other acceptable standard means of delivery, including facsimile or electronic communication, to all registered owners of bonds to be redeemed. Failure to send an appropriate notice or any such notice to one or more registered owners of bonds to be redeemed shall not affect the validity of the proceedings for redemption of other bonds as to which notice of redemption is duly given in proper and timely fashion. All such bonds or portions thereof thus called for redemption and for the retirement of which funds are duly provided in accordance with the Authorizing Ordinance prior to the date fixed for redemption will cease to bear interest on such redemption date.

This bond is transferable by the Registered Owner shown above in person or by his attorney-in-fact duly authorized in writing at the principal corporate trust office of the Trustee, but only in the manner, subject to the limitations and upon payment of the charges provided in the Authorizing Ordinance, and upon surrender and cancellation of this bond. Upon such transfer a new fully registered bond or bonds of the same maturity and interest rate, of authorized denomination or denominations, for the same aggregate principal amount, will be issued to the transferee in exchange therefor. This bond is issued with the intent that the laws of the State shall govern its construction.

The City and the Trustee may deem and treat the Registered Owner shown above as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the City nor the Trustee shall be affected by any notice to the contrary.

The bonds are issuable only as fully registered bonds in the denomination of $5,000, and any integral multiple thereof. Subject to the limitations and upon payment of the charges provided

in the Authorizing Ordinance, fully registered bonds may be exchanged for a like aggregate principal amount of fully registered bonds of the same maturity and interest rate of other authorized denominations.

This bond shall not be valid until it shall have been authenticated by the Certificate hereon duly signed by the Trustee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed, under the Constitution and laws of the State, particularly Amendment No. 62 to the Constitution of the State and the Authorizing Legislation, precedent to and in the issuance of this bond have existed, have happened and have been performed in due time, form and manner as required by law; that the indebtedness represented by this bond and the issue of which it forms a part does not exceed any constitutional or statutory limitation; and that a tax sufficient to pay the bonds and interest thereon has been duly pledged in accordance with the Authorizing Legislation and made payable until all of the bonds and interest thereon have been fully paid and discharged.

IN WITNESS WHEREOF, the City of Bentonville, Arkansas has caused this bond to be executed by its Mayor and City Clerk and its corporate seal to be impressed or imprinted on this bond, all as of the Dated Date shown above.

ATTEST: CITY OF BENTONVILLE, ARKANSAS

_____ _____

City Clerk Mayor

(SEAL)

(Form of Trustee's Certificate)

TRUSTEE'S CERTIFICATE OF AUTHENTICATION

This bond is one of the Series 2023 Bonds issued under the provisions of the within mentioned Authorizing Ordinance.

Date of Authentication: _____.

SIMMONS BANK
Pine Bluff, Arkansas
TRUSTEE

By _____
Authorized Signature

(A form of assignment shall be attached to each Series 2023 Bond.)

Section 5. The City hereby expressly pledges and appropriates all of the revenues from the City's 1% sales and use tax levied by Ordinance No. 2003-108 adopted June 24, 2003, as amended by Ordinance No. 2021-47 adopted February 9, 2021 (the "Tax") (the "Pledged Revenues"), to the payment of the principal of and interest on the Serie 2023 Bonds when due at maturity or at redemption prior to maturity on a parity with the Series 2021A Bonds and the Series 2021B Bonds. The Series 2023 Bonds are being issued as Additional Parity Bonds under Ordinance No. 2021-139 and shall be a part of "the bonds" within the meaning of such ordinance. In this regard, all provisions of Ordinance No. 2021-139 pertaining to "the bonds" shall inure and appertain to the Series 2023 Bonds to the same extent and with like force and effect as if herein set out in full. The effect of the above provisions shall be to continue the applicable provisions of Ordinance No. 2021-139 in full force and effect after the Series 2021A Bonds and Series 2021B Bonds are paid or provision is made therefor.

Section 6. The Series 2023 Bonds shall be callable for payment prior to maturity in accordance with the terms set out in the bond form set forth in Section 4 of this Ordinance (the "Bond Form"). The City hereby covenants to use Series 2023 Bond proceeds not necessary for the purposes intended to redeem Series 2023 Bonds on the first available interest payment date.

Section 7. When the Series 2023 Bonds have been executed and sealed as herein provided, they shall be delivered to the Trustee, which shall authenticate them and deliver them to or at the direction of the Purchaser upon payment of the Purchase Price. The amount from the Purchase Price necessary to fund the Debt Service Reserve Account at the required level, as set forth in the delivery instructions to the Trustee signed by the Mayor and City Clerk (the "Delivery Instructions"), shall be deposited into the Debt Service Reserve Account. The expenses of issuing the Series 2023 Bonds as set forth in the Delivery Instructions shall be paid from the Purchase Price.

The balance of the Purchase Price shall be deposited in seven special funds of the City in the Trustee hereby created and designated "2023 Street Construction Fund," "2023 Park and Recreational Construction Fund," "2023 Library Construction Fund" and "2023 Drainage Construction Fund" (each a "2023 Construction Fund" and collectively, the "2023 Construction Funds"). The proceeds of the Series 2023 Bonds to be deposited into the 2023 Construction Funds shall be allocated among the 2023 Improvements in proportion to the principal amount of Series 2023 Bonds allocated for each purpose. The moneys in each 2023 Construction Fund shall be used for accomplishing the 2023 Improvements for which the fund was created, paying expenses incidental thereto and paying the expenses of issuing the Series 2023 Bonds. Issuance costs and other expenses not specific to one purpose shall be joint obligations to be paid from each 2023 Construction Fund in proportion to the initial moneys credited thereto. Disbursements shall be made from the each 2023 Construction Fund on the basis of requisitions which shall specify: the name of the person, firm or corporation to whom payment is to be made; the amount of the payment; the purpose of the payment; the account from which the payment is to be made; and that the payment is a proper charge on the respective 2023 Construction Fund. Each requisition must

be signed manually or electronically by the Finance Director and the Assistant Finance Director. The Trustee shall issue its check to the person, firm or corporation designated in the requisition. The Trustee shall keep records as to all payments made from each 2023 Construction Fund based upon requisitions.

When the 2023 Improvements of a particular type (e.g., Library Improvements) have been completed and all required expenses have been paid and expenditures made from the 2023 Construction Fund established to accomplish such 2023 Improvements and the financing thereof, this fact shall, if moneys remain in such 2023 Construction Fund, be evidenced by a certificate signed by the Mayor, which certificate shall state, among other things, the date of the completion and that all obligations payable from such 2023 Construction Fund have been discharged. A copy of the certificate shall be filed with the Trustee, and upon receipt thereof the Trustee shall transfer the remaining balance into the Special Redemption Account in the Bond Fund established by Ordinance No. 2021-39 (the "Bond Fund"). Proceeds of the Series 2023 Bonds not needed for the purposes intended shall only be used to redeem Series 2023 Bonds.

Section 8. (a) Moneys held for the credit of the 2023 Construction Funds may be invested and reinvested in Permitted Investments (as defined in Ordinance No. 2021-139) or other investments permitted by Arkansas law which shall mature, or which shall be subject to redemption by the holder thereof, at the option of such holder, not later than the date or dates when such money will be required for the purposes intended.

(b) Obligations purchased as an investment of any 2023 Construction Fund shall be deemed at all times a part of such 2023 Construction Fund. Any profit or loss realized on investments of moneys in any 2023 Construction Fund shall be charged to said Fund.

(c) The Trustee shall so invest and reinvest pursuant to the direction of the City and in the Trustee's discretion in the absence of any direct instructions from the City.

Section 9. (a) The City covenants that it shall not take any action or suffer or permit any action to be taken or condition to exist which causes or may cause the interest payable on the Series 2023 Bonds to be included in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City covenants that the proceeds of the sale of the Series 2023 Bonds and the Pledged Revenues will not be used directly or indirectly in such manner as to cause the Series 2023 Bonds to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").

(b) The City represents that it has not used or permitted the use of, and covenants that it will not use or permit the use of the 2023 Improvements or the proceeds of the Series 2023 Bonds, in such manner as to cause the Series 2023 Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. In this regard, the City covenants that (i) it will not use (directly or indirectly) the proceeds of the Series 2023 Bonds to make or finance loans to any person, and (ii) that while the Series 2023 Bonds are outstanding the 2023 Improvements and will only be used by state or local governmental entities or persons on a basis as members of the general public.

(c) The City shall pay any arbitrage rebate due the United States Treasury under Section 148 of the Code from moneys in the Bond Fund. The costs of calculating the arbitrage rebate due and the arbitrage rebate amount shall be considered to be administrative costs payable from moneys in the Bond Fund.

(d) The City covenants that it will not reimburse itself from proceeds of the Series 2023 Bonds for any costs paid prior to the date the Series 2023 Bonds are issued except in compliance with United States Treasury Regulation § 1.150-2 (the "Regulation"). This Ordinance shall be considered an "official intent" for purposes of the Regulation.

(e) The City will retain all documents and records pertaining to the Series 2023 Bonds and the 2023 Improvements for the life of the Series 2023 Bonds plus an additional three years.

Section 10. The City covenants that it will take no action which would cause the Series 2023 Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code. The City further covenants that it will submit to the Secretary of the Treasury of the United States, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Series 2023 Bonds are issued, a statement concerning the Series 2023 Bonds which contains the information required by Section 149(e) of the Code.

Section 11. The Disclosure Agreement, in substantially the form submitted to this meeting, is approved, and the Mayor is hereby authorized and directed to execute and deliver the Disclosure Agreement for and on behalf of the City. The Mayor is authorized and directed to take all action required on the part of the City to fulfill the City's obligations under the Disclosure Agreement. Any legal fees and other administrative costs incurred by the City in connection with making the annual report pursuant to the Disclosure Agreement (except audit fees) shall be considered administrative charges that may be payable from moneys in the Bond Fund.

Section 12. The Mayor, and other officers of the City in accordance with their offices, are authorized to execute such writings and take such action as may be appropriate to cause the Series 2023 Bonds to be issued.

Section 13. The principal amount of the Series 2023 Bonds plus any net original issue premium are allocated as follows: (1) $_____ for the Street Improvements; (2) $_____ for the Library Improvements; (3) $_____ for the Park and Recreational Improvements; and (4) $_____ for the Drainage Improvements.

Section 14. Notice of the adoption of this Ordinance shall be posted at Bentonville Public Library, Bentonville City Hall, Bentonville Community Center, Bentonville Municipal Works Facility and Bentonville Police Department, being five of the most public places in the City.

Section 15. The provisions of this Ordinance are separable and in the event that any section or part hereof shall be held to be invalid, such invalidity shall not affect the remainder of this Ordinance.

Section 16. All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 17. It is hereby ascertained and declared that the 2023 Improvements are immediately needed for the preservation of the public peace, health and safety and to remove existing hazards thereto. The 2023 Improvements cannot be accomplished without the issuance of the Series 2023 Bonds, which cannot be sold at the interest rates specified herein unless this Ordinance is immediately effective. Therefore, it is declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in force and take effect immediately upon and after its passage.

PASSED: _____, 2023.

APPROVED:

ATTEST:

_____
Mayor

_____
City Clerk

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Bentonville, Arkansas (the "City"), hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. 2023-___, passed at a regular session of the City Council of the City, held at the regular meeting place of the City Council at 6:00 p.m. on the ____ day of _____, 2023, and that the Ordinance is of record in Ordinance Record Book No. _____ at Page _____, now in my possession.

GIVEN under my hand and seal this _____ day of _____, 2023.

_____
City Clerk

(SEAL)

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Patrick Johndrow
Phone:	479-271-6781	**For Department(s):**	Finance
Email:	pjohndrow@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Adopt 2024 Budget
Action Recommendation & Justification:	Approve a Resolution adopting the 2024 Budget.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

November 14, 2023

Dear City Council Members,

The attached FY2024 budget continues a focused effort to provide the personnel, equipment, services, and infrastructure needed to serve our growing City and maintain a high quality of life. The guiding principles of public safety, fiscal sustainability, pragmatic planning, quality of life and economic vitality continue to drive budget recommendations.

The City remains financially resilient and pragmatic in our mission to serve our citizens as we carry on a reputation of being a good steward of our community's tax dollars. Sales tax revenues continue to be strong for the City of Bentonville and we are optimistically cautious as we move into the FY2024.

For FY2024, we have provided for important investments that were meticulously thought through to improve the everyday experience in our City. This includes funding to: address utility and road infrastructure needs, expand connectivity and mobility options, provide for growing personnel requests, encourage safety initiatives and a low crime environment, and improve our commitment to a robust parks and recreation system and expanded library facility that is accessible to all and supports a healthy, vibrant lifestyle.

The development of this budget has been a collaborative effort with detailed input from every department and City of Bentonville Leadership. A full day public budget review with every department participating was conducted and valuable feedback was given by City Council.

I want to thank city staff for the hard work, meetings and planning that have gone into the preparation of this proposed annual budget. In addition, I would like to thank City Council in advance for their consideration of the FY2024 budget. Finally, I want to say thank you to our citizens, other elected officials, and board/commission members for their time and effort to make Bentonville a great place to live, work and play.

Sincerely,

[redacted]

Stephanie Orman
Bentonville Mayor

CITY HALL - 305 SW A STREET - BENTONVILLE, AR 72712 - (479) 271-3112
www.bentonvillear.com

CITY OF BENTONVILLE
2024 BUDGET
Proposed 11/14/2023

Key Notes

ALL FUNDS: 3% MERIT INCREASE

GENERAL FUND:
Administration Department split into Administration, Legal, Human Resources and Information Technology

City of Bentonville
Table of Contents

	Page
All Funds	**1**
General Fund - All Departments	**2**
Administration	**3**
Legal	**4**
HR	**5**
Accounting	**6**
Information Technology	**7**
District Court	**8**
Planning	**9**
Engineering	**10**
Airport	**11**
Police	**12**
Fire	**13**
Public Works Maintenance	**14**
Parks and Recreation	**15**
Library	**16**
Animal Services	**17**
General Fund Personnal Additions & Upgrades	**18**
General Fund Professional Services >$20k	**19-20**
General Fund Capital Purchases	**21-24**
General Fund - Use of Impact Fees and Reserves	**25**
Transportation and Street	**26**
Street Fund Personnal Additions & Upgrades	**27**
Street Fund Professional Services >$20k	**28**
Street Fund Capital Purchases	**29**
Street Fund - Use of Impact Fees and Reserves	**30**
Utility Fund - All Departments	**31**
Electric	**32**
Water	**33**
Wastewater	**34**
Sewer Rehab	**35**
Sanitation	**36**
Inventory	**37**
Billing and Collections	**38**
Utility Fund Fund Personnal Additions & Upgrades	**39**
Utility Fund Fund Professional Services >$20k	**40**
Utility Fund Fund Capital Purchases	**41-42**
Utility Fund Fund - Use of Impact Fees and Reserves	**43**
Impact and Capacity Fees - All Departments	**44**
Police Impact Fees	**45**
Fire Impact Fees	**46**
Parks and Recreation Impact Fees	**47**
Library Impact Fees	**48**
Debt Service Fund	**49**

City of Bentonville
2024 Budget
All Funds

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 85,214,350	$ 80,781,868	$ 80,781,868	$ 92,627,993	$ 11,846,125	14.7%
Licenses & Permits	$ 2,356,101	$ 2,297,565	$ 2,297,565	1,884,338	(413,227)	-18.0%
Intergovernmental Revenue	$ 1,767,843	$ 553,435	$ 10,337,748	822,824	269,389	48.7%
Charge for Services	$ 144,435,887	$ 114,729,830	$ 118,572,500	135,254,221	20,524,391	17.9%
Special Assesments/Fines	$ 5,031,913	$ 2,293,199	$ 14,759,682	3,194,102	900,903	39.3%
Interest/Rent	$ 478,012	$ 595,884	$ 595,884	4,893,829	4,297,945	721.3%
Other Income	$ 6,572,052	$ 664,064	$ 16,076,420	$ 668,817	$ 4,753	0.7%
Total Revenues	**245,856,157**	**201,915,845**	**243,421,667**	**239,346,124**	**37,430,280**	**18.5%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 39,638,071	$ 44,734,057	$ 45,870,227	49,499,685	4,765,628	10.7%
Benefits	$ 16,101,418	$ 17,636,885	$ 17,742,500	20,434,591	2,797,706	15.9%
Supplies & Materials	$ 4,963,818	$ 5,825,482	$ 5,976,930	6,841,832	1,016,350	17.4%
Technology Maintenance/Minor Equipment	$ 2,644,377	$ 3,910,501	$ 3,884,732	4,297,345	386,844	9.9%
Professional Services	$ 5,160,564	$ 6,081,270	$ 6,606,237	6,981,723	900,453	14.8%
Property Services	$ 5,273,039	$ 6,127,140	$ 6,568,456	7,209,254	1,082,113	17.7%
Other Services	$ 1,846,118	$ 2,669,242	$ 2,677,442	2,796,374	127,132	4.8%
Utility Cost of Goods	$ 89,236,137	$ 73,702,827	$ 73,702,827	90,525,587	16,822,760	22.8%
Total Operations and Maintenance	**164,863,542**	**160,687,404**	**163,029,352**	**188,586,390**	**27,898,986**	**17.4%**
Capital Expenditures						
Capital	$ 47,179,821	$ 31,005,756	$ 113,770,990	34,061,984	3,056,229	9.9%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**47,179,821**	**31,005,756**	**113,770,990**	**34,061,984**	**3,056,229**	**9.9%**
Other						
Debt Service	$ 28,723,256	$ 6,219,835	$ 6,219,835	22,350,444	16,130,609	259.3%
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**28,723,256**	**6,219,835**	**6,219,835**	**22,350,444**	**16,130,609**	**259.3%**
Total Expenditures	**240,766,618**	**197,912,994**	**283,020,176**	**244,998,818**	**47,085,824**	**23.8%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ 6,478,040	$ 1,502,314	$ 2,201,201	2,510,980	1,008,666	67.1%
Use of Reserves	$ -	$ 9,456,359	$ 14,943,329	8,808,200	(648,159)	-6.9%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	-	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	-	-	--
Sale of Capital Assets	$ -	$ -	$ -	-	-	--
Transfers In	$ -	$ -	$ 5,000,000	7,083,200	7,083,200	--
Transfers Out	(6,849,599)	(1,502,314)	(7,135,218)	(9,308,200)	(7,805,886)	519.6%
Total Other Financing Sources and Uses	**(371,559)**	**9,456,359**	**15,009,312**	**9,094,180**	**(362,179)**	-3.8%
Net	**$ 4,717,980**	**$ 13,459,209**	**$ (24,589,197)**	**$ 3,441,486**	**$ (10,017,723)**	**-74.4%**

City of Bentonville
2024 Budget
General Fund

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 59,377,219	$ 55,788,647	$ 55,788,647	$ 64,735,854	$ 8,947,207	16.0%
Licenses & Permits	$ 2,340,846	$ 2,280,565	$ 2,280,565	1,872,338	(408,227)	-17.9%
Intergovernmental Revenue	$ 1,690,164	$ 553,435	$ 7,271,285	822,824	269,389	48.7%
Charge for Services	$ 6,548,189	$ 6,755,438	$ 6,755,438	7,619,750	864,312	12.8%
Special Assesments/Fines	$ 438,620	$ 508,199	$ 508,199	494,102	(14,097)	-2.8%
Interest/Rent	$ 370,769	$ 381,335	$ 381,335	2,890,108	2,508,774	657.9%
Other Income	$ 2,269,428	$ 604,064	$ 12,637,659	$ 606,504	$ 2,440	0.4%
Total Revenues	**73,035,236**	**66,871,683**	**85,623,128**	**79,041,480**	**12,169,798**	**18.2%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 27,803,441	$ 31,738,610	$ 32,724,238	35,456,914	3,718,304	11.7%
Benefits	$ 11,281,114	$ 12,530,458	$ 12,596,680	14,737,176	2,206,718	17.6%
Supplies & Materials	$ 2,822,572	$ 3,827,537	$ 4,020,876	4,608,734	781,197	20.4%
Technology Maintenance/Minor Equipment	$ 1,676,784	$ 2,479,270	$ 2,452,876	2,692,253	212,982	8.6%
Professional Services	$ 3,400,892	$ 4,332,161	$ 4,516,328	4,937,310	605,149	14.0%
Property Services	$ 2,347,327	$ 2,839,197	$ 3,029,053	3,754,180	914,983	32.2%
Other Services	$ 1,264,290	$ 1,830,562	$ 1,836,562	1,855,325	24,763	1.4%
Utility Cost of Goods	$ -	$ -	$ -	-	-	--
Total Operations and Maintenance	**50,596,421**	**59,577,794**	**61,176,613**	**68,041,891**	**8,464,096**	**14.2%**
Capital Expenditures						
Capital	$ 17,707,719	$ 17,141,402	$ 81,559,068	11,242,423	(5,898,980)	-34.4%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**17,707,719**	**17,141,402**	**81,559,068**	**11,242,423**	**(5,898,980)**	**-34.4%**
Other						
Debt Service	$ -	$ -	$ -	-	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**68,304,140**	**76,719,197**	**142,735,681**	**79,284,313**	**2,565,116**	**3.3%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ 6,478,040	$ 1,502,314	$ 2,142,218	2,225,000	722,686	48.1%
Use of Reserves	$ -	$ 8,701,359	$ 8,701,359	7,083,200	(1,618,159)	-18.6%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	-	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	-	-	--
Sale of Capital Assets	$ -	$ -	$ -	-	-	--
Transfers In	$ -	$ -	$ 5,000,000	-	-	--
Transfers Out	-	-	-	(7,083,200)	(7,083,200)	--
Total Other Financing Sources and Uses	**6,478,040**	**10,203,673**	**15,843,577**	**2,225,000**	**(7,978,673)**	-78.2%
Net	**$ 11,209,136**	**$ 356,159**	**$ (41,268,976)**	**$ 1,982,167**	**$ 1,626,009**	**456.5%**

City of Bentonville
2024 Budget
General
Administration

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 57,424,472	$ 53,873,513	$ 53,873,513	$ 62,669,903	$ 8,796,390	16.3%
Licenses & Permits	$ 74,979	$ 75,359	$ 75,359	$ 81,519	6,160	8.2%
Intergovernmental Revenue	$ 4,569	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 315,372	$ 323,974	$ 323,974	$ 2,803,669	2,479,695	765.4%
Other Income	$ 284,678	$ -	$ 522,200	$ 244,559	$ 244,559	--
Total Revenues	**58,104,070**	**54,272,846**	**54,795,046**	**65,799,650**	**11,526,804**	**21.2%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,970,690	$ 2,417,585	$ 2,439,528	$ 525,264	(1,892,321)	-78.3%
Benefits	$ 757,180	$ 960,935	$ 962,613	$ 150,823	(810,112)	-84.3%
Supplies & Materials	$ 62,822	$ 81,150	$ 81,150	$ 11,900	(69,250)	-85.3%
Technology Maintenance/Minor Equipment	$ 520,831	$ 650,101	$ 650,101	$ 12,993	(637,108)	-98.0%
Professional Services	$ 177,040	$ 294,575	$ 294,575	$ 42,150	(252,425)	-85.7%
Property Services	$ 186,409	$ 164,832	$ 164,832	$ 63,955	(100,877)	-61.2%
Other Services	$ 233,182	$ 471,616	$ 473,816	$ 95,163	(376,454)	-79.8%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**3,908,153**	**5,040,794**	**5,066,616**	**902,247**	**(4,138,547)**	**-82.1%**
Capital Expenditures						
Capital	$ 558,555	$ 2,230,197	$ 5,804,319	$ 10,355	(2,219,842)	-99.5%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**558,555**	**2,230,197**	**5,804,319**	**10,355**	**(2,219,842)**	**-99.5%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**4,466,708**	**7,270,991**	**10,870,935**	**912,602**	**(6,358,388)**	**-87.4%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ 2,073,359	$ 2,073,359	$ 7,083,200	5,009,841	241.6%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ 5,000,000	$ -	-	--
Transfers Out	-	-	-	(7,083,200)	(7,083,200)	--
Total Other Financing Sources and Uses	**-**	**2,073,359**	**7,073,359**	**-**	**(2,073,359)**	-100.0%
Net	**$ 53,637,362**	**$ 49,075,214**	**$ 50,997,470**	**$ 64,887,048**	**$ 15,811,834**	**32.2%**

City of Bentonville

2024 Budget
General
Legal

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	-	-	-	-	-	--
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ 627,421	627,421	--
Benefits	$ -	$ -	$ -	$ 258,726	258,726	--
Supplies & Materials	$ -	$ -	$ -	$ 30,400	30,400	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ 22,883	22,883	--
Professional Services	$ -	$ -	$ -	$ 219,092	219,092	--
Property Services	$ -	$ -	$ -	$ 20,422	20,422	--
Other Services	$ -	$ -	$ -	$ 125,715	125,715	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	-	-	-	**1,304,659**	**1,304,659**	--
Capital Expenditures						
Capital	$ -	$ -	$ -	$ 100,000	100,000	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	-	-	-	**100,000**	**100,000**	--
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	-	-	-	-	-	--
Total Expenditures	-	-	-	**1,404,659**	**1,404,659**	--
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	-	-	-	-	-	--
Net	**$ -**	**$ -**	**$ -**	**$ (1,404,659)**	**$ (1,404,659)**	--

City of Bentonville

2024 Budget
General
Human Resources

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	-	-	-	-	-	--
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ 322,362	322,362	--
Benefits	$ -	$ -	$ -	$ 123,930	123,930	--
Supplies & Materials	$ -	$ -	$ -	$ 14,750	14,750	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ 5,270	5,270	--
Professional Services	$ -	$ -	$ -	$ 215,655	215,655	--
Property Services	$ -	$ -	$ -	$ 10,806	10,806	--
Other Services	$ -	$ -	$ -	$ 42,435	42,435	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	-	-	-	**735,209**	**735,209**	--
Capital Expenditures						
Capital	$ -	$ -	$ -	$ -	-	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	-	-	-	-	-	--
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	-	-	-	-	-	--
Total Expenditures	-	-	-	**735,209**	**735,209**	--
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	-	-	-	-	-	--
Net	**$ -**	**$ -**	**$ -**	**$ (735,209)**	**$ (735,209)**	--

City of Bentonville
2024 Budget
General
Accounting

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ 7,606	$ 106,000	$ 106,000	$ 90,000	$ (16,000)	-15.1%
Total Revenues	**7,606**	**106,000**	**106,000**	**90,000**	**(16,000)**	**-15.1%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 699,344	$ 874,171	$ 874,171	$ 813,225	(60,946)	-7.0%
Benefits	$ 280,118	$ 363,975	$ 363,975	$ 339,734	(24,240)	-6.7%
Supplies & Materials	$ 21,134	$ 25,020	$ 27,020	$ 29,190	4,170	16.7%
Technology Maintenance/Minor Equipment	$ 114,482	$ 175,644	$ 178,644	$ 193,323	17,680	10.1%
Professional Services	$ 66,796	$ 74,500	$ 94,500	$ 148,441	73,941	99.2%
Property Services	$ 826	$ 600	$ 600	$ 18,006	17,406	2901.0%
Other Services	$ 50,646	$ 38,580	$ 33,580	$ 37,135	(1,445)	-3.7%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**1,233,345**	**1,552,489**	**1,572,489**	**1,579,055**	**26,566**	**1.7%**
Capital Expenditures						
Capital	$ -	$ -	$ -	$ -	-	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**--**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**1,233,345**	**1,552,489**	**1,572,489**	**1,579,055**	**26,566**	**1.7%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (1,225,740)**	**$ (1,446,489)**	**$ (1,466,489)**	**$ (1,489,055)**	**$ (42,566)**	**2.9%**

City of Bentonville
2024 Budget
General
Information Technology

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	-	-	-	-	-	--
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ 1,089,898	1,089,898	--
Benefits	$ -	$ -	$ -	$ 502,418	502,418	--
Supplies & Materials	$ -	$ -	$ -	$ 22,800	22,800	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ 538,989	538,989	--
Professional Services	$ -	$ -	$ -	$ 250	250	--
Property Services	$ -	$ -	$ -	$ 119,163	119,163	--
Other Services	$ -	$ -	$ -	$ 37,839	37,839	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	-	-	-	**2,311,356**	**2,311,356**	--
Capital Expenditures						
Capital	$ -	$ -	$ -	$ 492,213	492,213	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	-	-	-	**492,213**	**492,213**	--
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	-	-	-	-	-	--
Total Expenditures	-	-	-	**2,803,569**	**2,803,569**	--
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	-	-	-	-	-	--
Net	**$ -**	**$ -**	**$ -**	**$ (2,803,569)**	**$ (2,803,569)**	--

City of Bentonville
2024 Budget
General
District Court

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ 35,498	$ 47,760	$ 49,760	$ 47,760	-	0.0%
Charge for Services	$ 60,069	$ 67,583	$ 67,583	$ 11,000	(56,583)	-83.7%
Special Assesments/Fines	$ 367,757	$ 427,969	$ 427,969	$ 413,872	(14,097)	-3.3%
Interest/Rent	$ 1,237	$ 301	$ 301	$ 1,992	1,691	561.9%
Other Income	$ 11,840	$ -	$ -	$ 3,875	$ 3,875	--
Total Revenues	**476,401**	**543,613**	**545,613**	**478,500**	**(65,113)**	**-12.0%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 415,668	$ 490,891	$ 490,891	$ 559,819	68,928	14.0%
Benefits	$ 184,629	$ 226,313	$ 226,313	$ 268,972	42,658	18.8%
Supplies & Materials	$ 10,756	$ 32,550	$ 32,550	$ 31,200	(1,350)	-4.1%
Technology Maintenance/Minor Equipment	$ 85,182	$ 101,140	$ 101,140	$ 103,388	2,248	2.2%
Professional Services	$ 27,821	$ 46,783	$ 48,783	$ 46,960	177	0.4%
Property Services	$ 59,963	$ 55,200	$ 55,200	$ 80,151	24,951	45.2%
Other Services	$ 8,805	$ 28,312	$ 28,312	$ 27,453	(860)	-3.0%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**792,826**	**981,189**	**983,189**	**1,117,941**	**136,752**	**13.9%**
Capital Expenditures						
Capital	$ 79,849	$ 35,515	$ 165,743	$ 17,138	(18,377)	-51.7%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**79,849**	**35,515**	**165,743**	**17,138**	**(18,377)**	**-51.7%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**872,675**	**1,016,704**	**1,148,932**	**1,135,079**	**118,375**	**11.6%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (396,273)**	**$ (473,091)**	**$ (603,319)**	**$ (656,579)**	**$ (183,488)**	**38.8%**

City of Bentonville
2024 Budget
General
Planning

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 131,396	$ 123,650	$ 123,650	$ 165,322	41,672	33.7%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**131,396**	**123,650**	**123,650**	**165,322**	**41,672**	**33.7%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 759,686	$ 925,442	$ 925,442	$ 985,506	60,065	6.5%
Benefits	$ 303,015	$ 363,462	$ 363,462	$ 414,963	51,502	14.2%
Supplies & Materials	$ 49,360	$ 66,340	$ 78,677	$ 70,720	4,380	6.6%
Technology Maintenance/Minor Equipment	$ 58,119	$ 64,141	$ 64,141	$ 91,097	26,956	42.0%
Professional Services	$ 292,918	$ 738,440	$ 899,426	$ 307,750	(430,691)	-58.3%
Property Services	$ 31,808	$ 79,358	$ 79,358	$ 57,379	(21,979)	-27.7%
Other Services	$ 82,654	$ 110,567	$ 112,767	$ 132,059	21,492	19.4%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**1,577,561**	**2,347,750**	**2,523,273**	**2,059,474**	**(288,276)**	**-12.3%**
Capital Expenditures						
Capital	$ 9,681	$ -	$ -	$ 10,355	10,355	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**9,681**	**-**	**-**	**10,355**	**10,355**	**--**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**1,587,242**	**2,347,750**	**2,523,273**	**2,069,829**	**(277,920)**	**-11.8%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (1,455,846)**	**$ (2,224,100)**	**$ (2,399,623)**	**$ (1,904,508)**	**$ 319,592**	**-14.4%**

City of Bentonville
2024 Budget
General
Engineering

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ 4,450	$ 2,600	$ 2,600	$ 2,600	-	0.0%
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 7,625	$ 9,500	$ 9,500	$ 8,800	(700)	-7.4%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**12,075**	**12,100**	**12,100**	**11,400**	**(700)**	**-5.8%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 790,708	$ 836,815	$ 836,815	$ 852,602	15,787	1.9%
Benefits	$ 300,011	$ 308,839	$ 308,839	$ 329,971	21,132	6.8%
Supplies & Materials	$ 28,620	$ 14,000	$ 14,000	$ 15,500	1,500	10.7%
Technology Maintenance/Minor Equipment	$ 33,851	$ 29,175	$ 29,175	$ 35,599	6,424	22.0%
Professional Services	$ 52,644	$ 63,845	$ 63,845	$ 677,780	613,935	961.6%
Property Services	$ 13,894	$ 11,835	$ 11,835	$ 21,332	9,497	80.2%
Other Services	$ 12,832	$ 19,872	$ 19,872	$ 16,441	(3,431)	-17.3%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**1,232,561**	**1,284,381**	**1,284,381**	**1,949,223**	**664,842**	**51.8%**
Capital Expenditures						
Capital	$ 116,244	$ 2,428,000	$ 3,674,745	$ -	(2,428,000)	-100.0%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**116,244**	**2,428,000**	**3,674,745**	**-**	**(2,428,000)**	**-100.0%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**1,348,804**	**3,712,381**	**4,959,126**	**1,949,223**	**(1,763,158)**	**-47.5%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ 2,428,000	$ 2,428,000	$ -	(2,428,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**2,428,000**	**2,428,000**	**-**	**(2,428,000)**	-100.0%
Net	**$ (1,336,729)**	**$ (1,272,281)**	**$ (2,519,026)**	**$ (1,937,823)**	**$ (665,542)**	**52.3%**

City of Bentonville

2024 Budget
General
Airport

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 38,571	$ 38,846	$ 38,846	$ 45,725	$ 6,879	17.7%
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ 156,907	$ -	$ 4,671,025	$ -	-	--
Charge for Services	$ 31,946	$ 26,521	$ 26,521	$ 26,521	-	0.0%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 41,877	$ 45,660	$ 45,660	$ 46,462	802	1.8%
Other Income	$ 80,244	$ 87,180	$ 300,180	$ 91,994	$ 4,814	5.5%
Total Revenues	**349,545**	**198,207**	**5,082,232**	**210,702**	**12,495**	**6.3%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ 83,107	$ 90,957	$ 90,957	$ 96,000	5,043	5.5%
Technology Maintenance/Minor Equipment	$ -	$ 4,135	$ 4,135	$ -	(4,135)	-100.0%
Professional Services	$ 35,235	$ -	$ -	$ -	-	--
Property Services	$ 45,448	$ 97,700	$ 97,700	$ 103,512	5,812	5.9%
Other Services	$ 3,874	$ 9,326	$ 9,326	$ 10,618	1,292	13.9%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**167,664**	**202,118**	**202,118**	**210,130**	**8,011**	**4.0%**
Capital Expenditures						
Capital	$ 622,311	$ -	$ 5,348,659	$ -	-	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**622,311**	**-**	**5,348,659**	**-**	**-**	**--**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**789,975**	**202,118**	**5,550,777**	**210,130**	**8,011**	**4.0%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (440,430)**	**$ (3,911)**	**$ (468,546)**	**$ 572**	**$ 4,484**	**-114.6%**

City of Bentonville
2024 Budget
General
Police

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 495,771	$ 495,771	$ 495,771	$ 520,771	$ 25,000	5.0%
Licenses & Permits	$ 1,594	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ 1,265,300	$ 480,000	$ 553,003	$ 752,000	272,000	56.7%
Charge for Services	$ 775,340	$ 723,700	$ 723,700	$ 892,650	168,950	23.3%
Special Assesments/Fines	$ 17,194	$ 25,230	$ 25,230	$ 25,230	-	0.0%
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ 127,092	$ -	$ 153,261	$ 64	$ 64	--
Total Revenues	**2,682,291**	**1,724,701**	**1,950,965**	**2,190,715**	**466,014**	**27.0%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 8,675,318	$ 9,392,481	$ 10,417,649	$ 11,170,190	1,777,709	18.9%
Benefits	$ 3,773,898	$ 3,741,925	$ 3,744,985	$ 4,864,006	1,122,081	30.0%
Supplies & Materials	$ 681,102	$ 887,334	$ 888,497	$ 969,809	82,475	9.3%
Technology Maintenance/Minor Equipment	$ 344,599	$ 622,031	$ 622,031	$ 707,155	85,124	13.7%
Professional Services	$ 317,429	$ 274,222	$ 274,222	$ 291,804	17,582	6.4%
Property Services	$ 531,160	$ 653,970	$ 778,570	$ 817,054	163,084	24.9%
Other Services	$ 369,537	$ 381,911	$ 384,111	$ 448,461	66,550	17.4%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**14,693,043**	**15,953,874**	**17,110,066**	**19,268,479**	**3,314,605**	**20.8%**
Capital Expenditures						
Capital	$ 1,383,178	$ 1,552,206	$ 1,693,688	$ 1,684,373	132,167	8.5%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**1,383,178**	**1,552,206**	**1,693,688**	**1,684,373**	**132,167**	**8.5%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**16,076,221**	**17,506,080**	**18,803,754**	**20,952,853**	**3,446,773**	**19.7%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (13,393,930)**	**$ (15,781,379)**	**$ (16,852,789)**	**$ (18,762,137)**	**$ (2,980,758)**	**18.9%**

City of Bentonville

2024 Budget
General
FIRE

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 1,418,405	$ 1,380,517	$ 1,380,517	$ 1,499,455	$ 118,938	8.6%
Licenses & Permits	$ 2,259,823	$ 2,202,606	$ 2,202,606	$ 1,788,219	(414,387)	-18.8%
Intergovernmental Revenue	$ 14,745	$ 14,875	$ 74,654	$ 17,164	2,289	15.4%
Charge for Services	$ 1,368,468	$ 1,344,181	$ 1,344,181	$ 1,506,441	162,260	12.1%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 667	$ -	$ -	$ 3,501	3,501	--
Other Income	$ 404,390	$ 333,884	$ 1,136,084	$ 144,511	$ (189,373)	-56.7%
Total Revenues	**5,466,498**	**5,276,063**	**6,138,042**	**4,959,291**	**(316,771)**	**-6.0%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 8,240,378	$ 9,563,929	$ 9,563,929	$ 10,392,379	828,450	8.7%
Benefits	$ 3,431,260	$ 3,925,614	$ 3,925,614	$ 4,410,404	484,790	12.3%
Supplies & Materials	$ 484,834	$ 755,791	$ 745,970	$ 957,926	202,135	26.7%
Technology Maintenance/Minor Equipment	$ 170,428	$ 385,847	$ 364,453	$ 408,075	22,227	5.8%
Professional Services	$ 276,488	$ 467,465	$ 467,465	$ 529,331	61,866	13.2%
Property Services	$ 465,265	$ 554,050	$ 647,806	$ 847,848	293,798	53.0%
Other Services	$ 263,834	$ 466,507	$ 468,707	$ 485,115	18,608	4.0%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**13,332,487**	**16,119,204**	**16,183,945**	**18,031,076**	**1,911,873**	**11.9%**
Capital Expenditures						
Capital	$ 940,932	$ 2,880,775	$ 3,139,187	$ 3,104,635	223,861	7.8%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**940,932**	**2,880,775**	**3,139,187**	**3,104,635**	**223,861**	**7.8%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**14,273,420**	**18,999,978**	**19,323,131**	**21,135,712**	**2,135,733**	**11.2%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ (371,559)	$ -	$ -	$ 995,000	995,000	--
Use of Reserves	$ -	$ 1,500,000	$ 1,500,000	$ -	(1,500,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**(371,559)**	**1,500,000**	**1,500,000**	**995,000**	**(505,000)**	-33.7%
Net	**$ (9,178,480)**	**$ (12,223,915)**	**$ (11,685,089)**	**$ (15,181,420)**	**$ (2,957,505)**	**24.2%**

City of Bentonville
2024 Budget
General
Public Works Maintenance

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 76,725	$ 79,425	$ 79,425	$ 80,302	877	1.1%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 10	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**76,735**	**79,425**	**79,425**	**80,302**	**877**	**1.1%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,040,288	$ 1,187,837	$ 1,187,837	$ 1,326,232	138,396	11.7%
Benefits	$ 464,174	$ 520,422	$ 520,422	$ 592,115	71,693	13.8%
Supplies & Materials	$ 138,650	$ 159,100	$ 159,100	$ 165,850	6,750	4.2%
Technology Maintenance/Minor Equipment	$ 3,991	$ 19,875	$ 19,875	$ 15,296	(4,579)	-23.0%
Professional Services	$ 378,361	$ 441,500	$ 441,500	$ 451,853	10,353	2.3%
Property Services	$ 137,298	$ 154,500	$ 154,500	$ 174,988	20,488	13.3%
Other Services	$ 17,437	$ 14,451	$ 14,451	$ 25,563	11,112	76.9%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**2,180,200**	**2,497,684**	**2,497,684**	**2,751,897**	**254,213**	**10.2%**
Capital Expenditures						
Capital	$ 133,683	$ 997,000	$ 997,000	$ 222,000	(775,000)	-77.7%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**133,683**	**997,000**	**997,000**	**222,000**	**(775,000)**	**-77.7%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**2,313,883**	**3,494,684**	**3,494,684**	**2,973,897**	**(520,787)**	**-14.9%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ 400,000	$ 400,000	$ -	(400,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**400,000**	**400,000**	**-**	**(400,000)**	-100.0%
Net	**$ (2,237,148)**	**$ (3,015,259)**	**$ (3,015,259)**	**$ (2,893,595)**	**$ 121,664**	**-4.0%**

City of Bentonville
2024 Budget
General
Parks & Recreation

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ 190,195	$ -	$ 1,911,563	$ -	-	--
Charge for Services	$ 4,096,619	$ 4,380,878	$ 4,380,878	$ 4,918,714	537,836	12.3%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 106	$ -	$ -	$ 833	833	--
Other Income	$ 1,230,127	$ -	$ 147,168	$ -	$ -	--
Total Revenues	**5,517,047**	**4,380,878**	**6,439,609**	**4,919,547**	**538,669**	**12.3%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 4,076,610	$ 4,542,905	$ 4,481,422	$ 5,113,848	570,943	12.6%
Benefits	$ 1,445,187	$ 1,613,246	$ 1,674,730	$ 1,913,094	299,848	18.6%
Supplies & Materials	$ 1,027,158	$ 1,382,745	$ 1,397,745	$ 1,569,639	186,894	13.5%
Technology Maintenance/Minor Equipment	$ 14,537	$ 119,795	$ 119,795	$ 153,302	33,506	28.0%
Professional Services	$ 1,740,012	$ 1,772,706	$ 1,772,706	$ 1,858,101	85,395	4.8%
Property Services	$ 769,047	$ 856,650	$ 856,650	$ 1,177,204	320,554	37.4%
Other Services	$ 172,988	$ 222,920	$ 225,120	$ 305,251	82,331	36.9%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**9,245,538**	**10,510,968**	**10,528,168**	**12,090,439**	**1,579,471**	**15.0%**
Capital Expenditures						
Capital	$ 13,534,537	$ 6,908,919	$ 47,166,015	$ 4,868,774	(2,040,145)	-29.5%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**13,534,537**	**6,908,919**	**47,166,015**	**4,868,774**	**(2,040,145)**	**-29.5%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**22,780,075**	**17,419,887**	**57,694,183**	**16,959,213**	**(460,674)**	**-2.6%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ 6,845,638	$ 1,500,000	$ 1,970,140	$ 500,000	(1,000,000)	-66.7%
Use of Reserves	$ -	$ 2,300,000	$ 2,300,000	$ -	(2,300,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**6,845,638**	**3,800,000**	**4,270,140**	**500,000**	**(3,300,000)**	-86.8%
Net	**$ (10,417,390)**	**$ (9,239,009)**	**$ (46,984,433)**	**$ (11,539,666)**	**$ (2,300,657)**	**24.9%**

City of Bentonville
2024 Budget
General
Library

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ 22,950	$ 10,800	$ 11,280	$ 5,900	(4,900)	-45.4%
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ 53,670	$ 55,000	$ 55,000	$ 55,000	-	0.0%
Interest/Rent	$ 11,500	$ 11,400	$ 11,400	$ 33,651	22,251	195.2%
Other Income	$ 8,995	$ 21,000	$ 10,216,204	$ 31,500	$ 10,500	50.0%
Total Revenues	**97,114**	**98,200**	**10,293,884**	**126,051**	**27,851**	**28.4%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,053,586	$ 1,193,693	$ 1,193,693	$ 1,315,470	121,777	10.2%
Benefits	$ 321,251	$ 337,161	$ 337,161	$ 394,553	57,391	17.0%
Supplies & Materials	$ 231,425	$ 230,950	$ 403,609	$ 508,550	277,600	120.2%
Technology Maintenance/Minor Equipment	$ 307,735	$ 295,450	$ 287,450	$ 390,773	95,323	32.3%
Professional Services	$ 27,647	$ 49,500	$ 50,120	$ 52,944	3,444	7.0%
Property Services	$ 96,782	$ 149,735	$ 121,235	$ 156,535	6,800	4.5%
Other Services	$ 44,946	$ 57,750	$ 57,750	$ 51,616	(6,134)	-10.6%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**2,083,372**	**2,314,239**	**2,451,018**	**2,870,440**	**556,201**	**24.0%**
Capital Expenditures						
Capital	$ 317,397	$ 108,791	$ 13,569,712	$ 732,578	623,787	573.4%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**317,397**	**108,791**	**13,569,712**	**732,578**	**623,787**	**573.4%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**2,400,768**	**2,423,030**	**16,020,730**	**3,603,019**	**1,179,989**	**48.7%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ 3,961	$ 2,314	$ 172,078	$ 730,000	727,686	31447.1%
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**3,961**	**2,314**	**172,078**	**730,000**	**727,686**	31447.1%
Net	**$ (2,299,693)**	**$ (2,322,516)**	**$ (5,554,768)**	**$ (2,746,967)**	**$ (424,451)**	**18.3%**

City of Bentonville
2024 Budget
General
Animal Services

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ 10,000	10,000	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ 114,458	$ 56,000	$ 56,562	$ -	$ (56,000)	-100.0%
Total Revenues	**114,458**	**56,000**	**56,562**	**10,000**	**(46,000)**	**-82.1%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 81,166	$ 312,862	$ 312,862	$ 362,698	49,836	15.9%
Benefits	$ 20,391	$ 168,565	$ 168,565	$ 173,467	4,902	2.9%
Supplies & Materials	$ 3,602	$ 101,600	$ 101,600	$ 114,500	12,900	12.7%
Technology Maintenance/Minor Equipment	$ 23,028	$ 11,935	$ 11,935	$ 14,111	2,176	18.2%
Professional Services	$ 8,502	$ 108,625	$ 109,187	$ 95,200	(13,425)	-12.4%
Property Services	$ 9,426	$ 60,767	$ 60,767	$ 85,827	25,060	41.2%
Other Services	$ 3,556	$ 8,750	$ 8,750	$ 14,463	5,713	65.3%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**149,671**	**773,104**	**773,666**	**860,264**	**87,161**	**11.3%**
Capital Expenditures						
Capital	$ 11,353	$ -	$ -	$ -	-	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**11,353**	**-**	**-**	**-**	**-**	**--**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**161,024**	**773,104**	**773,666**	**860,264**	**87,161**	**11.3%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (46,566)**	**$ (717,104)**	**$ (717,104)**	**$ (850,264)**	**$ (133,161)**	**18.6%**

City of Bentonville

2024 Budget

General Fund - Personnel Additions

Additions				
Department	**Position**	**Salary**	**Benefits**	**Total Cost**
Finance	Accountant *	$30,823	$15,440	$46,263
Fire	Captain	$68,015	$33,717	$101,732
Fire	Division Chief	$84,907	$38,037	$122,944
Library	Librarian *	$24,578	$12,368	$36,946
Library	Library Specialist II *	$19,248	$11,144	$30,392
Library	(2) Part Time Library Clerk IV *	$15,126	$1,157	$16,283
Parks	Recreation Facilities Manager	$58,808	$37,583	$96,392
Parks	Maintenance Foreman	$45,226	$26,750	$71,976
Parks	(2) Parks Maintenance Worker I **	$15,897	$9,622	$25,519
Parks	(2) Parks Maintenance Worker II **	$17,186	$9,905	$27,091
Planning	Planning Technician	$45,476	$26,004	$71,479
Police	Police Clerk II (Records)	$38,466	$24,384	$62,850
Police	Police Officer II (CID)	$60,142	$34,576	$94,717
Police	(2) Police Officer II (Patrol)	$120,283	$70,861	$191,144
Police	Telecommunicator Assistant Manager	$59,663	$30,083	$89,746
Public Works Maintenance	Custodian II	$34,223	$23,760	$57,982
Public Works Maintenance	Facilities Maintenance Technician III	$50,156	$27,994	$78,150
	Total Additions	**$788,223**	**$433,384**	**$1,221,607**

Upgrades				
Department	**Position**	**Salary**	**Benefits**	**Total Cost**
Human Resources	Human Resources Manager to Director of Human Resources	$8,620	$1,980	$10,599
Planning	Admin Asst II to Planning Projects Coordinator	$8,629	$1,982	$10,611
Court	Part Time Court Clerk to Deputy Court Clerk	$16,325	$21,556	$37,881
	Total Upgrades	**$33,573**	**$25,518**	**$59,091**

Total General Fund Additions and Upgrades	**$821,796**	**$458,902**	**$1,280,698**

* - July 1, 2024 Start

** - September 1, 2024 Start

City of Bentonville

2024 Budget

General Fund Professional Services >$20k

Department Name	Description	Amount
Accounting	50% of Audit	70,000.00
	Impact Fee Study	50,000.00
Accounting Total		**120,000.00**
Administration	Promotional	20,000.00
Administration Total		**20,000.00**
Animal Services	Medical, Surgical, Vaccinations	40,000.00
	Veterinarian Contract	28,000.00
Animal Services Total		**68,000.00**
District Court	Contribution to Judge salary	23,783.00
District Court Total		**23,783.00**
Engineering	eln-LIDAR / Contours	75,000.00
	NWA REGIONAL PLANNING Base on Population	30,800.00
	ORT Contract - Moving from Planning Budget to Engineering in 2024	530,000.00
Engineering Total		**635,800.00**
Fire	Annual firefighter physicals	135,000.00
	BFS CREDIT CARD FEES	30,000.00
	BFS Fire Prevention Material	39,600.00
	BFS Scan Archives	20,000.00
	Billing Company 7% of 1.45M	101,641.92
	Fireworks - 20K from Visit Bentonville	40,000.00
Fire Total		**366,241.92**
Human Resources	HR - Gallagher HR Consulting Fee - Annual - Paid Monthly-Insurance Broker	80,000.00
	HR Training/Development and Communication	30,000.00
	JER HR Group 2024 Salary/Benefits Survey	40,000.00
Human Resources Total		**150,000.00**
Legal	ARML Legal Defense (temp hold #)	162,492.00
	Legal - Outside Counsel	50,000.00
Legal Total		**212,492.00**
Parks & Recreation	CC - Rec Programs	576,241.00
	Maintenance Temp Labor	180,000.00
	Marketing Promotional Items	44,500.00
	Marketing Services	24,000.00
	OR - Community Events	21,100.00
	OR - Event Photography/Services	20,850.00
	OR - Rec Programs	460,126.00
	Parks - BCC HVAC Contract	55,000.00
	Parks - Chemical/Fertilizer Application	32,000.00
	Parks - Horticulture (Landscape Contracts)	25,000.00
	Parks - Mowing/Landscape Services	170,000.00

City of Bentonville

2024 Budget

General Fund Professional Services >$20k

Department Name	Description	Amount
	Parks - Mowing/Landscape Services(Creekside)	120,000.00
	PlanIT Geo Parks Tree Survey	25,000.00
Parks & Recreation Total		**1,753,817.00**
Planning	ARTS ADVISORY COMMITTEE	25,000.00
	Code Enforcement Mowing and Clean-Up Liens	40,000.00
	DOWNTOWN BENTONVILLE CONTRACT.	30,000.00
	Future Land Use Plan and Zoning Promotions	35,000.00
	Roundabout Art	100,000.00
	Tree and Landscape Committee	30,000.00
Planning Total		**260,000.00**
Police	911 equipment yearly costs	120,000.00
	BCSO Prisoner housing	75,000.00
	CID Meth lab/ SWAT/ Bomb Squad officer physicals, OSHA requirement for all that use APR 102 @$800	28,000.00
Police Total		**223,000.00**
Public Works Maintenance	(4) Employees for 20 weeks	50,000.00
	Mowing Contracts for 2024 ROW Mowing - $110,000 Interchanges - $90,000 Detention Pond $60,000 Finish Mowing $80,000 Brush Hogging Services $30,000 Storm debris program - $30,000	400,000.00
Public Works Maintenance Total		**450,000.00**
Grand Total		**4,283,133.92**

City of Bentonville

2024 Budget

General Fund Capital Purchases

Department Name	Capital Description		Amount
Administration	Network Switch Upgrades	$	7,855.23
	Video Storage Server	$	2,500.00
Administration Total		**$**	**10,355.23**
District Court	Network Switch Upgrades	$	9,638.05
	Video Server Upgrade	$	7,500.00
District Court Total		**$**	**17,138.05**
Fire	Additional Engine	$	995,000.00
	Ambulance Replacement	$	800,000.00
	AreaRae Monitor	$	109,000.00
	Assistant Fire Marshal Light Duty Truck Replacement	$	65,000.00
	Conceptual Design for Safety Town	$	12,500.00
	Mass Spectrometer Replacement	$	215,000.00
	MDT Laptop	$	6,000.00
	Network Switch Upgrades	$	28,637.81
	RIT packs & bottles	$	11,200.00
	SCBA Bottles	$	34,730.00
	Scott Airpacks	$	610,000.00
	Storage building for the Training Tower	$	10,000.00
	Chevy Tahoe Replacement	$	70,000.00
	Training Tower Gas Prop	$	127,567.50
	Video Storage Server	$	10,000.00
Fire Total		**$**	**3,104,635.31**
Information Technology	AT&T remodel	$	100,000.00
	Cisco UCS Servers Upgrades	$	120,000.00
	City Fiber Project	$	75,000.00
	Microsoft SQL Software	$	13,000.00
	Network Switch Upgrades	$	36,462.95
	Server Upgrades	$	17,500.00
	System Storage Upgrade	$	115,250.00
	Windows Data Center Server Software	$	15,000.00
Information Technology Total		**$**	**492,212.95**
Legal	AT&T remodel	$	100,000.00
Legal Total		**$**	**100,000.00**
Library	Capital Book and AV Collection purchases including opening day collection	$	320,000.00
	Copier	$	11,000.00
	Copier w/Finisher	$	17,000.00
	EXPANSION - new coin op hardware and software for Business Center/Community Hub	$	7,500.00

City of Bentonville

2024 Budget

General Fund Capital Purchases

Department Name	Capital Description	Amount
	EXPANSION - Replacement/upgrade of RFID sorting system - interior (Tech Logic)	$ 165,000.00
	EXPANSION - RFID upgrades and new technologies (Bibliotheca)	$ 130,000.00
	EXPANSION: Network Switches	$ 44,578.12
	Processing materials for collection growth including opening day collection	$ 30,000.00
	Video Storage Server	$ 7,500.00
Library Total		**$ 732,578.12**
Parks & Recreation	2024 New Position - Maintenance Foreman Truck	$ 49,000.00
	Aerator MFAC	$ 5,000.00
	Bikeway T1 Projects	$ 400,000.00
	Blower Attachment - Grasshopper	$ 6,900.00
	Blower Attachment - Tool Cat Debris - New	$ 9,000.00
	Cable Auger Machine - New Facilities	$ 5,500.00
	CC - Convert Kid Center Tile to Turf	$ 15,000.00
	CC - Fitness Lobby Furniture Replacement	$ 15,000.00
	CC - Gym, Track, Fitness Cubby Replacement	$ 21,000.00
	CC - Pool Stair Well Leisure Pool	$ 14,000.00
	CC - Replace Fitness Carpet	$ 60,000.00
	CC - Replace Kid Center Flooring	$ 9,000.00
	CC - Spin Bike Replacements	$ 13,200.00
	CC - Splash Wall Repair/Prep/Paint Leisure Pool	$ 5,000.00
	CC - Wash/Dry Hook Up 2nd Floor	$ 9,500.00
	Event and Program Software	$ 49,000.00
	Fence - Event Panels x100	$ 14,000.00
	Ford Ranger or Equivalent - Custodial New	$ 42,000.00
	Memorial Park - Security Cameras	$ 60,000.00
	Memorial Park BB/SB PA System	$ 17,520.00
	Memorial Park Playground (Phillips PG Relocate)	$ 365,000.00
	Memorial Pavilion Painting	$ 10,500.00
	MFAC - 50M Prep/Coat	$ 115,000.00
	Mower Zero Turn (6) - Replacement	$ 120,000.00
	Network Switch Upgrades	$ 63,854.22
	Orchards Playground Shade Structure	$ 45,000.00
	Parking Lot Maintenance Seal/Stripe	$ 10,000.00
	Parks Maintenance Facility - FFE	$ 145,000.00
	Phillips Park - FFE	$ 143,000.00
	Pool Cleaner CC Dolphin Pool Cleaner	$ 7,500.00
	Pump CC Backup Pump	$ 9,000.00
	Pump Parks Backup Pump	$ 8,500.00

City of Bentonville

2024 Budget

General Fund Capital Purchases

Department Name	Capital Description		Amount
	Pump Square Fountain Backup Pump	$	6,000.00
	Ram 1500 or Equivalent - Replacement 5030-07	$	48,000.00
	Ram 1500 or Equivalent - Sanitation New	$	48,000.00
	Ram 2500 or Equivalent - Replacement 5030-17	$	67,000.00
	Ram 3500 or Equivalent - Facilities New	$	76,000.00
	Ram 3500 or Equivalent - Grounds New	$	146,000.00
	Recrown Memorial Soccer #2	$	35,000.00
	Recrown Memorial Soccer #8	$	160,000.00
	Scrubber CC Large Pool Deck Scrubber - Replacement	$	15,000.00
	Scrubber CC Small Floor Scrubber - Replacement	$	7,000.00
	Scrubber Cordless Floor - New	$	5,300.00
	Sidewalk Projects	$	1,200,000.00
	Sod Roller-New Grounds	$	5,500.00
	Square Fountain Lighting	$	50,000.00
	SW Bentonville Trail System	$	500,000.00
	Sweeper Street Sweeper; Trails/Promenade - New	$	155,000.00
	Tennis Courts - CC Tennis Courts 3-4	$	35,000.00
	Tennis Courts - Memorial Tennis Courts 1-4	$	64,000.00
	Tennis Courts - Wildwood Park Tennis Court - Recoat	$	40,000.00
	Trailer 20' Flatbed - Replacement Grounds	$	17,000.00
	Trailer Deck over - New	$	14,000.00
	Trailer Dump - New	$	20,000.00
	Trash Collector Vehicle - Promenade	$	240,000.00
	Underground Wire Locator - New	$	5,500.00
	UTV Kawasaki Mule - New Promenade	$	20,000.00
	UTV Kawasaki Mule - New Sanitation	$	20,000.00
	Video Storage Server	$	7,500.00
Parks & Recreation Total		**$**	**4,868,774.22**
Planning	Network Switch Upgrades	$	7,855.23
	Video Storage Server	$	2,500.00
Planning Total		**$**	**10,355.23**
Police	(1) Admin replacement vehicle	$	50,000.00
	(1) CID Replacement Unmarked Vehicle. $45,000 each to include all up fitting	$	45,000.00
	(1) Patrol Replacement Marked Vehicles - Uniform Division. $69,300 each to include upfitting Chevy Tahoe	$	693,000.00
	(16) radios for new vehicles	$	88,000.00
	2024 New Position - CID Officer Radio	$	5,000.00
	2024 New Position - CID Officer Vehicle	$	45,000.00
	2024 New Position - Patrol Officer (1 of 2) Radio	$	5,000.00

City of Bentonville

2024 Budget

General Fund Capital Purchases

Department Name	Capital Description		Amount
	2024 New Position - Patrol Officer (1 of 2) Vehicle	$	69,300.00
	2024 New Position - Patrol Officer (2 of 2) Radio	$	5,000.00
	2024 New Position - Patrol Officer (2 of 2) Vehicle	$	69,300.00
	Body cameras for 10 replacement vehicles	$	15,000.00
	Body cameras for new patrol cars $1500 x 6	$	9,000.00
	Copy machine and maintenance contract	$	15,000.00
	Data Storage Expansion	$	46,000.00
	Dispatch Battery system	$	12,811.10
	Gym Equipment Replacement	$	25,000.00
	Investigative and accident tool for survey, mapping, etc	$	58,948.24
	IT - VMware Enterprise Upgrade	$	20,891.38
	Network Upgrades	$	167,122.68
	New K9 for 2024	$	20,000.00
	Server	$	22,000.00
	Striping, tint, floor mats (10) marked cars replacement and (6) new units	$	24,000.00
	Trunk boxes for marked Patrol/Uniform Division Tahoes 6 addition/10 replacement	$	24,000.00
	Update records division office and space	$	150,000.00
Police Total		**$**	**1,684,373.40**
Public Works Maintenance	Cemetery Projects - Mausoleum roof replacement, part of departments CIP	$	50,000.00
	Replace (1) 2016 Hustler Mower 1,509 hrs Poor Condition - $20,000 Replace (1) 2014 Kubota UTV 6,537 hrs Poor Condition - $22,000	$	42,000.00
	Replacement Trucks	$	130,000.00
Public Works Maintenance Total		**$**	**222,000.00**
Grand Total		**$**	**11,242,422.51**

City of Bentonville

2024 Budget

Governmental Funds - Use of Impact Fees

General Fund

Use of Impact Fees		
Department	Description	Amount
Library	Increase Library Materials	$730,000
Park & Rec	Parks Maintenance Facility	$500,000
Fire	New Fire Engine	$995,000
Total		**$2,225,000**

Use of Reserves		
Department	Description	Amount
		$0

City of Bentonville
2024 Budget
Street Fund
Street

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 7,265,485	$ 7,020,958	$ 7,020,958	$ 7,505,837	$ 484,879	6.9%
Licenses & Permits	$ 15,255	$ 17,000	$ 17,000	$ 12,000	(5,000)	-29.4%
Intergovernmental Revenue	$ 77,678	$ -	$ 3,066,463	$ -	-	--
Charge for Services	$ 51,752	$ 21,000	$ 21,000	$ 31,000	10,000	47.6%
Special Assesments/Fines	$ 1,024,280	$ -	$ 12,466,483	$ -	-	--
Interest/Rent	$ 165,899	$ 40,345	$ 40,345	$ 357,136	316,791	785.2%
Other Income	$ 3,599,448	$ -	$ 3,302,200	$ -	$ -	--
Total Revenues	**12,199,798**	**7,099,303**	**25,934,449**	**7,905,973**	**806,670**	**11.4%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,614,243	$ 1,824,395	$ 1,839,690	$ 2,125,363	300,968	16.5%
Benefits	$ 693,237	$ 747,341	$ 750,854	$ 946,005	198,665	26.6%
Supplies & Materials	$ 303,003	$ 241,250	$ 258,704	$ 225,457	(15,793)	-6.5%
Technology Maintenance/Minor Equipment	$ 49,945	$ 83,631	$ 84,256	$ 84,979	1,348	1.6%
Professional Services	$ 90,527	$ 153,102	$ 153,102	$ 188,010	34,908	22.8%
Property Services	$ 474,230	$ 846,974	$ 906,348	$ 531,615	(315,359)	-37.2%
Other Services	$ 42,318	$ 65,546	$ 67,746	$ 89,343	23,797	36.3%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**3,267,504**	**3,962,239**	**4,060,701**	**4,190,773**	**228,534**	**5.8%**
Capital Expenditures						
Capital	$ 9,429,630	$ 2,663,500	$ 4,215,478	$ 2,670,000	6,500	0.2%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**9,429,630**	**2,663,500**	**4,215,478**	**2,670,000**	**6,500**	**0.2%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**12,697,134**	**6,625,739**	**8,276,180**	**6,860,773**	**235,034**	**3.5%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	(5,000,000)	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**(5,000,000)**	**-**	**-**	--
Net	**$ (497,336)**	**$ 473,564**	**$ 12,658,269**	**$ 1,045,200**	**$ 571,636**	**120.7%**

City of Bentonville

2024 Budget

Street Fund - Personnel Additions

Additions				
Department	**Position**	**Salary**	**Benefits**	**Total Cost**
Street	Asphalt Supervisor	$63,010	$31,074	$94,084
Street	Construction Supervisor	$63,010	$31,074	$94,084
Street	(4) Heavy Equipment Operator II	$152,866	$98,407	$251,272
	Total Additions	**$278,886**	**$160,554**	**$439,440**

Upgrades				
Department	**Position**	**Salary**	**Benefits**	**Total Cost**
	None			
	Total Upgrades	**$0**	**$0**	**$0**

Total Street Fund Additions and Upgrades	**$278,886**	**$160,554**	**$439,440**

City of Bentonville

2024 Budget

Street Fund Professional Services >$20k

Department Name	Description	Amount
Street	4 part time employees Hired through temp agency for 20 weeks (June- October) Agency cost $18.31 per hour.	58,592.00
	Road/Drainage Design TBD	30,000.00
	Street Inventory Study	32,500.00
	On call and Bi -Annual Coordination for Traffic Signals	57,000.00
Grand Total		**178,092.00**

City of Bentonville

2024 Budget

Street Fund Capital Purchases

Department	Capital Description	Amount
Street	2024 New Position - Asphalt Supervisor Truck	$ 40,000.00
	2024 New Position - Construction Supervisor Truck	$ 40,000.00
	Building Expansion- Adding additional bays for Street Department	$ 900,000.00
	New rrfb for crosswalks	$ 28,000.00
	School Zone Beacon upgrades	$ 10,000.00
	Polara APS push button system upgrade	$ 18,000.00
	Street Preservation Maintenance Overlays/Mastic Seals	$ 1,000,000.00
	Replacement for Mechanic Truck (3810-37) 2007 model Ford F 250 w -65,238 miles	$ 160,000.00
	Trailer Attenuator (Crash Pad)	$ 43,000.00
	(2) Purchase of current backhoes that will be one year old which is currently on lease.	$ 400,000.00
	Sonic Ski Sensor and Cable	$ 13,000.00
	Double post vehicle lift	$ 18,000.00
Grand Total		**$ 2,670,000.00**

City of Bentonville

2024 Budget

Governmental Funds - Use of Impact Fees

Street Fund

Use of Impact Fees or Reserves		
Department	Description	Amount
		$0

City of Bentonville
2024 Budget
Utility Fund
All

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	-	-	-	-	-	--
Intergovernmental Revenue	-	-	-	-	-	--
Charge for Services	137,835,945	107,953,392	111,796,062	127,603,471	19,650,079	18.2%
Special Assesments/Fines	-	-	-	-	-	--
Interest/Rent	(217,136)	174,204	174,204	1,468,252	1,294,048	742.8%
Other Income	$ 703,176	$ 60,000	$ 136,561	$ 62,313	$ 2,313	3.9%
Total Revenues	**138,321,985**	**108,187,596**	**112,106,827**	**129,134,036**	**20,946,439**	**19.4%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	10,220,386	11,171,052	11,306,299	11,917,408	746,356	6.7%
Benefits	4,127,066	4,359,087	4,394,966	4,751,410	392,323	9.0%
Supplies & Materials	1,838,243	1,756,695	1,697,350	2,007,641	250,946	14.3%
Technology Maintenance/Minor Equipment	917,649	1,347,599	1,347,599	1,520,113	172,513	12.8%
Professional Services	1,669,144	1,596,007	1,936,807	1,856,403	260,396	16.3%
Property Services	2,451,482	2,440,969	2,633,055	2,923,459	482,490	19.8%
Other Services	539,510	773,134	773,134	851,706	78,572	10.2%
Utility Cost of Goods	89,236,137	73,702,827	73,702,827	90,525,587	16,822,760	22.8%
Total Operations and Maintenance	**110,999,617**	**97,147,370**	**97,792,038**	**116,353,726**	**19,206,356**	**19.8%**
Capital Expenditures						
Capital	20,042,471	9,415,853	26,211,444	17,771,229	8,355,375	88.7%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**20,042,471**	**9,415,853**	**26,211,444**	**17,771,229**	**8,355,375**	**88.7%**
Other						
Debt Service	142,915	2,163,094	2,163,094	1,964,142	(198,953)	-9.2%
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**142,915**	**2,163,094**	**2,163,094**	**1,964,142**	**(198,953)**	**-9.2%**
Total Expenditures	**131,185,004**	**108,726,318**	**126,166,575**	**136,089,097**	**27,362,779**	**25.2%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	-	-	58,983	285,980	285,980	--
Use of Reserves	-	755,000	6,241,970	-	(755,000)	-100.0%
Donated Infrastructure (non-cash item)	-	-	-	-	-	--
Proceeds from Issuance of Debt	-	-	-	-	-	--
Sale of Capital Assets	-	-	-	-	-	--
Transfers In	-	-	-	7,083,200	7,083,200	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**755,000**	**6,300,953**	**7,369,180**	**6,614,180**	876.1%
Net	**$ 7,136,981**	**$ 216,278**	**$ (7,758,795)**	**$ 414,119**	**$ 197,841**	**91.5%**

City of Bentonville
2024 Budget
Utility Fund
Electric

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 99,400,979	$ 71,616,251	$ 75,458,921	$ 84,550,909	12,934,658	18.1%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ (129,485)	$ 120,364	$ 120,364	$ 1,192,037	1,071,673	890.4%
Other Income	$ 25,330	$ 10,000	$ 10,000	$ 10,000	$ -	0.0%
Total Revenues	**99,296,824**	**71,746,615**	**75,589,285**	**85,752,946**	**14,006,331**	**19.5%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 4,836,503	$ 5,146,177	$ 5,245,643	$ 5,319,093	172,916	3.4%
Benefits	$ 1,834,221	$ 1,864,797	$ 1,887,644	$ 2,010,799	146,002	7.8%
Supplies & Materials	$ 284,324	$ 437,100	$ 437,100	$ 416,550	(20,550)	-4.7%
Technology Maintenance/Minor Equipment	$ 212,761	$ 225,575	$ 225,575	$ 258,474	32,899	14.6%
Professional Services	$ 219,307	$ 237,205	$ 435,005	$ 225,710	(11,495)	-4.8%
Property Services	$ 986,457	$ 820,656	$ 820,656	$ 873,155	52,499	6.4%
Other Services	$ 229,485	$ 316,203	$ 316,203	$ 360,811	44,608	14.1%
Utility Cost of Goods	$ 68,134,557	$ 53,550,877	$ 53,550,877	$ 65,341,182	11,790,305	22.0%
Total Operations and Maintenance	**76,737,615**	**62,598,590**	**62,918,703**	**74,805,774**	**12,207,184**	**19.5%**
Capital Expenditures						
Capital	$ 17,088,142	$ 6,915,000	$ 16,549,000	$ 8,315,000	1,400,000	20.2%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**17,088,142**	**6,915,000**	**16,549,000**	**8,315,000**	**1,400,000**	**20.2%**
Other						
Debt Service	$ 102,743	$ 1,317,632	$ 1,317,632	$ 1,319,816	2,184	0.2%
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**102,743**	**1,317,632**	**1,317,632**	**1,319,816**	**2,184**	**0.2%**
Total Expenditures	**93,928,499**	**70,831,222**	**80,785,335**	**84,440,590**	**13,609,368**	**19.2%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ 575,000	$ 6,061,970	$ -	(575,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**575,000**	**6,061,970**	**-**	**(575,000)**	-100.0%
Net	**$ 5,368,325**	**$ 1,490,393**	**$ 865,920**	**$ 1,312,356**	**$ (178,037)**	**-11.9%**

City of Bentonville
2024 Budget
Utility Fund
Water

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 14,233,989	$ 13,587,785	$ 13,587,785	$ 15,174,619	1,586,834	11.7%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ (48,693)	$ 30,118	$ 30,118	$ 161,299	131,182	435.6%
Other Income	$ 372,588	$ -	$ -	$ -	$ -	--
Total Revenues	**14,557,885**	**13,617,903**	**13,617,903**	**15,335,918**	**1,718,016**	**12.6%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,658,736	$ 1,837,315	$ 1,873,096	$ 2,225,589	388,274	21.1%
Benefits	$ 684,963	$ 768,676	$ 781,708	$ 950,644	181,968	23.7%
Supplies & Materials	$ 227,714	$ 227,410	$ 227,410	$ 235,056	7,646	3.4%
Technology Maintenance/Minor Equipment	$ 93,407	$ 157,577	$ 157,577	$ 229,700	72,123	45.8%
Professional Services	$ 139,335	$ 121,120	$ 264,120	$ 172,877	51,757	42.7%
Property Services	$ 644,236	$ 724,740	$ 916,826	$ 918,667	193,927	26.8%
Other Services	$ 137,390	$ 184,175	$ 184,175	$ 204,824	20,649	11.2%
Utility Cost of Goods	$ 8,431,942	$ 7,394,384	$ 7,394,384	$ 9,941,431	2,547,047	34.4%
Total Operations and Maintenance	**12,017,722**	**11,415,397**	**11,799,296**	**14,878,786**	**3,463,389**	**30.3%**
Capital Expenditures						
Capital	$ 1,550,378	$ 808,139	$ 1,603,526	$ 4,566,250	3,758,111	465.0%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**1,550,378**	**808,139**	**1,603,526**	**4,566,250**	**3,758,111**	**465.0%**
Other						
Debt Service	$ 36,181	$ 641,442	$ 641,442	$ 644,326	2,884	0.4%
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**36,181**	**641,442**	**641,442**	**644,326**	**2,884**	**0.4%**
Total Expenditures	**13,604,281**	**12,864,978**	**14,044,264**	**20,089,362**	**7,224,384**	**56.2%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ 58,983	$ 276,580	276,580	--
Use of Reserves	$ -	$ 90,000	$ 90,000	$ -	(90,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ 3,450,000	3,450,000	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**90,000**	**148,983**	**3,726,580**	**3,636,580**	4040.6%
Net	**$ 953,604**	**$ 842,925**	**$ (277,379)**	**$ (1,026,864)**	**$ (1,869,788)**	**-221.8%**

City of Bentonville
2024 Budget
Utility Fund
Wastewater

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 16,124,255	$ 15,109,013	$ 15,109,013	$ 19,265,840	4,156,827	27.5%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ (24,149)	$ 15,562	$ 15,562	$ 89,809	74,247	477.1%
Other Income	$ 10,030	$ -	$ -	$ -	$ -	--
Total Revenues	**16,110,137**	**15,124,575**	**15,124,575**	**19,355,649**	**4,231,075**	**28.0%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,304,507	$ 1,354,266	$ 1,354,266	$ 1,415,896	61,630	4.6%
Benefits	$ 567,897	$ 557,351	$ 557,351	$ 585,505	28,153	5.1%
Supplies & Materials	$ 347,770	$ 579,760	$ 521,255	$ 585,950	6,190	1.1%
Technology Maintenance/Minor Equipment	$ 12,185	$ 15,140	$ 15,140	$ 31,039	15,899	105.0%
Professional Services	$ 448,401	$ 441,066	$ 441,066	$ 428,661	(12,405)	-2.8%
Property Services	$ 517,029	$ 459,000	$ 459,000	$ 472,257	13,257	2.9%
Other Services	$ 81,958	$ 120,099	$ 120,099	$ 130,366	10,267	8.5%
Utility Cost of Goods	$ 6,459,282	$ 6,752,951	$ 6,752,951	$ 8,457,511	1,704,560	25.2%
Total Operations and Maintenance	**9,739,029**	**10,279,634**	**10,221,129**	**12,107,185**	**1,827,550**	**17.8%**
Capital Expenditures						
Capital	$ 326,147	$ 623,038	$ 6,691,824	$ 240,246	(382,792)	-61.4%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**326,147**	**623,038**	**6,691,824**	**240,246**	**(382,792)**	**-61.4%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**10,065,176**	**10,902,672**	**16,912,953**	**12,347,431**	**1,444,758**	**13.3%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ 6,044,961**	**$ 4,221,902**	**$ (1,788,378)**	**$ 7,008,218**	**$ 2,786,316**	**66.0%**

City of Bentonville
2024 Budget
Utility Fund
Sewer Rehab

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 48,560	$ 20,000	$ 20,000	$ 18,000	(2,000)	-10.0%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 2	$ -	$ -	$ 10	10	--
Other Income	$ 223,439	$ -	$ 76,561	$ -	$ -	--
Total Revenues	**272,001**	**20,000**	**96,561**	**18,010**	**(1,990)**	**-9.9%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 1,259,119	$ 1,485,885	$ 1,485,885	$ 1,609,762	123,877	8.3%
Benefits	$ 574,382	$ 635,724	$ 635,724	$ 669,084	33,360	5.2%
Supplies & Materials	$ 105,214	$ 124,200	$ 124,200	$ 149,460	25,260	20.3%
Technology Maintenance/Minor Equipment	$ 8,109	$ 47,353	$ 47,353	$ 66,640	19,287	40.7%
Professional Services	$ 17,703	$ 20,000	$ 20,000	$ 24,677	4,677	23.4%
Property Services	$ 206,249	$ 282,900	$ 282,900	$ 469,841	186,941	66.1%
Other Services	$ 57,675	$ 72,200	$ 72,200	$ 77,245	5,045	7.0%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**2,228,451**	**2,668,262**	**2,668,262**	**3,066,709**	**398,448**	**14.9%**
Capital Expenditures						
Capital	$ 981,043	$ 840,000	$ 1,137,418	$ 3,948,950	3,108,950	370.1%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**981,043**	**840,000**	**1,137,418**	**3,948,950**	**3,108,950**	**370.1%**
Other						
Debt Service	$ 3,992	$ 204,020	$ 204,020	$ -	(204,020)	-100.0%
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**3,992**	**204,020**	**204,020**	**-**	**(204,020)**	**-100.0%**
Total Expenditures	**3,213,486**	**3,712,282**	**4,009,699**	**7,015,659**	**3,303,378**	**89.0%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ 9,400	9,400	--
Use of Reserves	$ -	$ 90,000	$ 90,000	$ -	(90,000)	-100.0%
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ 3,633,200	3,633,200	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**90,000**	**90,000**	**3,642,600**	**3,552,600**	3947.3%
Net	**$ (2,941,485)**	**$ (3,602,282)**	**$ (3,823,138)**	**$ (3,355,049)**	**$ 247,232**	**-6.9%**

City of Bentonville

2024 Budget
Utility Fund
Sanitation

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 6,970,297	$ 6,609,817	$ 6,609,817	$ 7,638,849	1,029,032	15.6%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ (14,812)	$ 8,161	$ 8,161	$ 25,097	16,936	207.5%
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**6,955,485**	**6,617,978**	**6,617,978**	**7,663,947**	**1,045,968**	**15.8%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ -	$ -	$ -	$ -	-	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ -	-	--
Professional Services	$ 2,310	$ 10,000	$ 10,000	$ 65,000	55,000	550.0%
Property Services	$ -	$ -	$ -	$ -	-	--
Other Services	$ 27,082	$ 55,000	$ 55,000	$ 55,000	-	0.0%
Utility Cost of Goods	$ 6,210,356	$ 6,004,615	$ 6,004,615	$ 6,785,464	780,849	13.0%
Total Operations and Maintenance	**6,239,748**	**6,069,615**	**6,069,615**	**6,905,464**	**835,849**	**13.8%**
Capital Expenditures						
Capital	$ -	$ -	$ -	$ -	-	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**--**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**6,239,748**	**6,069,615**	**6,069,615**	**6,905,464**	**835,849**	**13.8%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ 715,737**	**$ 548,363**	**$ 548,363**	**$ 758,483**	**$ 210,120**	**38.3%**

City of Bentonville
2024 Budget
Utility Fund
Inventory

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**-**	**-**	**-**	**-**	**-**	**--**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 186,574	$ 200,102	$ 200,102	$ 211,100	10,998	5.5%
Benefits	$ 83,894	$ 83,817	$ 83,817	$ 95,087	11,270	13.4%
Supplies & Materials	$ 31,813	$ 42,000	$ 42,000	$ 43,050	1,050	2.5%
Technology Maintenance/Minor Equipment	$ 15,486	$ 15,997	$ 15,997	$ 17,047	1,051	6.6%
Professional Services	$ 948	$ 10,000	$ 10,000	$ 15,000	5,000	50.0%
Property Services	$ 18,963	$ 25,000	$ 25,000	$ 47,564	22,564	90.3%
Other Services	$ 148	$ 5,148	$ 5,148	$ 5,155	7	0.1%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**337,826**	**382,064**	**382,064**	**434,004**	**51,940**	**13.6%**
Capital Expenditures						
Capital	$ -	$ 110,000	$ 110,000	$ 370,000	260,000	236.4%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**110,000**	**110,000**	**370,000**	**260,000**	**236.4%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**337,826**	**492,064**	**492,064**	**804,004**	**311,940**	**63.4%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (337,826)**	**$ (492,064)**	**$ (492,064)**	**$ (804,004)**	**$ (311,940)**	**63.4%**

City of Bentonville

2024 Budget

Utility Fund

Utility Billing & Meter

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ 1,057,865	$ 1,010,526	$ 1,010,526	$ 955,252	(55,274)	-5.5%
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ -	$ -	$ -	$ -	-	--
Other Income	$ 71,789	$ 50,000	$ 50,000	$ 52,313	$ 2,313	4.6%
Total Revenues	**1,129,654**	**1,060,526**	**1,060,526**	**1,007,565**	**(52,961)**	**-5.0%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ 974,948	$ 1,147,306	$ 1,147,306	$ 1,135,968	(11,339)	-1.0%
Benefits	$ 381,709	$ 448,721	$ 448,721	$ 440,291	(8,430)	-1.9%
Supplies & Materials	$ 841,409	$ 346,225	$ 345,385	$ 577,575	231,350	66.8%
Technology Maintenance/Minor Equipment	$ 575,700	$ 885,958	$ 885,958	$ 917,213	31,255	3.5%
Professional Services	$ 841,140	$ 756,616	$ 756,616	$ 924,479	167,863	22.2%
Property Services	$ 78,549	$ 128,673	$ 128,673	$ 141,974	13,301	10.3%
Other Services	$ 5,772	$ 20,309	$ 20,309	$ 18,304	(2,005)	-9.9%
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**3,699,226**	**3,733,809**	**3,732,969**	**4,155,805**	**421,996**	**11.3%**
Capital Expenditures						
Capital	$ 96,762	$ 119,676	$ 119,676	$ 330,783	211,106	176.4%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**96,762**	**119,676**	**119,676**	**330,783**	**211,106**	**176.4%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**3,795,988**	**3,853,485**	**3,852,645**	**4,486,587**	**633,102**	**16.4%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (2,666,334)**	**$ (2,792,959)**	**$ (2,792,119)**	**$ (3,479,022)**	**$ (686,062)**	**24.6%**

City of Bentonville

2024 Budget

Utility Fund - Personnel Additions

Additions				
Department	**Position**	**Salary**	**Benefits**	**Total Cost**
Sewer	Operations/Maintenance Assistant Manager	$88,074	$44,600	$132,674
Water	Technical Services Assistant Manager Capital Construction *	$39,414	$21,560	$60,974
	Total Additions	**$127,488**	**$66,160**	**$193,648**

Upgrades				
Department	**Position**	**Salary**	**Benefits**	**Total Cost**
Electric	Administrative Assistant II to Apprentice Engineering Tech	$4,653	$1,069	$5,722
Electric	Administrative Assistant II to Field Operations Coordinator	$4,422	$1,016	$5,438
Sewer	Technical Services Supervisor to Technical Services Assistant Manager Land Development	$8,330	$1,913	$10,243
	Total Upgrades	**$17,405**	**$3,998**	**$21,403**

Total Utility Fund Additions and Upgrades	**$144,893**	**$70,158**	**$215,051**

* - July 1, 2024 Start

City of Bentonville

2024 Budget

Utility Fund Professional Services >$20k

Department Name	Description	Amount
Electric	Engineering services	110,000.00
	Monthly AMPA Legal & Consultant Charges	37,200.00
	NERC Quarterly Assessments	48,000.00
	Temporary Staff	20,000.00
Electric Total		**215,200.00**
Sanitation	Sanitation Contract Consultant	55,000.00
Sanitation Total		**55,000.00**
Utility Billing & Meter	50% Audit and Financial Reporting split with Admin	70,000.00
	Online Utility Exchange	38,000.00
	UB Credit card fees, online bank direct, bank payment interception and IC payment Services	797,004.00
Utility Billing & Meter Total		**905,004.00**
Wastewater	ADMIN: Wastewater Rate Study - JMB	60,000.00
	COMPOST: GREEN WASTE GRINDING FEES (HANSEN'S - CONTRACT RENEWED FOR 2022) **CONTRACT WILL NEED TO BE RENEWED IN 2024 PER GRINDING VENDOR**	100,000.00
	LABORATORY: OUTSIDE LABORATORY ANALYSIS FEES	50,000.00
	MAINTENANCE: MISSION CONTROL LIFT STATION SERVICE CONTRACT	25,000.00
	OPERATIONS: BIOSOLIDS DISPOSAL (DENALI-CONTRACT RENEWAL FOR 2023)	80,000.00
	OPERATIONS: WASTE DISPOSAL OF BARSCREEN, VAC-CON & GRIT	40,000.00
Wastewater Total		**355,000.00**
Water	SCADA Software Professional Migration -BT	92,000.00
	Water Rate Study - JMB	60,000.00
Water Total		**152,000.00**
Grand Total		**1,682,204.00**

City of Bentonville

2024 Budget

Utility Fund Capital Purchases

Department Name	Capital Description		Amount
Electric	Analytics Software/Reporting Tool	$	160,000.00
	Backyard Machine	$	260,000.00
	Bay Station Upgrade	$	30,000.00
	Bright Road Rebuild	$	500,000.00
	Carroll Purchases	$	50,000.00
	Easements Purchases	$	50,000.00
	General SCADA Upgrades	$	100,000.00
	General Shelving for Utility Complex	$	25,000.00
	Grapple Truck - Replacement 2010 T440 Kenworth	$	300,000.00
	Hwy 12 I66 Extension	$	500,000.00
	Meters	$	300,000.00
	NW 3rd Tie Line	$	105,000.00
	Overhead Primary Construction	$	450,000.00
	Replacement of 3010-48 (1/2 Ton pick up) 2011 1500 Dodge Ram	$	60,000.00
	Street Lights -- Lighting of Roadways	$	350,000.00
	Sub A Transformer	$	1,800,000.00
	Substation Electronic Equipment	$	75,000.00
	T-Line Steel Pole & Easements	$	1,000,000.00
	Underground Primary Construction	$	2,200,000.00
Electric Total		**$**	**8,315,000.00**
Inventory	Concrete pad at warehouse - not enough money for 2023 - rebid for 2024	$	275,000.00
	New forklift for warehouse use	$	80,000.00
	New upgrade on barcode scanners for warehouse personnel	$	15,000.00
Inventory Total		**$**	**370,000.00**
Sewer Rehab	CIPP line 1170' of 10" ductile	$	468,000.00
	CIPP line 1672' of 8" ductile sewer line.	$	585,200.00
	Ground Penetrating Radar Split with Water -BT	$	22,250.00
	Manhole rehab.	$	80,000.00
	Power lift assembly for the camera.	$	9,500.00
	Push camera	$	12,000.00
	Replacement 1 Ton truck #3040-14 to a 1/2 ton truck.	$	50,000.00
	Replacement camera truck chassis #3040-03 ton-half truck.	$	72,000.00
	Replacement of 12-yard dump truck #3040-12	$	150,000.00
	Spring Creek Interceptor construction	$	2,500,000.00
Sewer Rehab Total		**$**	**3,948,950.00**

City of Bentonville

2024 Budget

Utility Fund Capital Purchases

Department Name	Capital Description		Amount
Utility Billing & Meter	Cisco UCS Servers Upgrades	$	120,000.00
	City Fiber Project	$	75,000.00
	Network Switch Upgrades	$	20,782.58
	System Storage Upgrade	$	115,000.00
Utility Billing & Meter Total		**$**	**330,782.58**
Wastewater	ADMIN: NEW PICK UP 4X4 TRUCK	$	55,000.00
	COMPOST: 150' X 50' X 3" ASPHALT PAD EXPANSION	$	18,000.00
	MAINTENANCE: 12HP FLYGT SPARE RAS PUMP	$	40,000.00
	MAINTENANCE: 2 LIMITORQUE SERIES QX ELECTRIC VALVE ACTUATORS	$	25,000.00
	MAINTENANCE: AUGER AND GEARBOX ASSEMBLY FOR MCKISSIC BARSCREEN	$	28,470.00
	MAINTENANCE: GRINDER FOR MCKISSIC BARSCREEN	$	38,000.00
	MAINTENANCE: 10HP AIR COMPRESSOR FOR ODORBOSS.	$	10,000.00
	MAINTENANCE: MULTIMATIC 225 W/ EZ LATCH/TOURCH PACKAGE W/ FLEX HEAD WELDER.	$	6,500.00
	Network Switch Upgrades	$	19,276.10
Wastewater Total		**$**	**240,246.10**
Water	1/2 ton truck replacement for Meter Technician #1	$	50,000.00
	1/2 ton truck replacement for Meter Technician #2	$	50,000.00
	1/2 ton truck replacement for New Service Coordinator	$	50,000.00
	13-yard dump truck. #3020-15	$	150,000.00
	48" Mag Meter upsize and replacement	$	50,000.00
	District Metering Area Meters- BT	$	28,000.00
	Downtown Tank Booster Pump	$	26,000.00
	Ground Penetrating Radar Split with Sewer BT	$	22,250.00
	I Street Booster Pump Motor VFD drive	$	15,000.00
	Large AMI meters replacement and new	$	150,000.00
	Meter Test Bench Replacement parts -BT	$	25,000.00
	Replacement and new AMI meters	$	150,000.00
	Upsize waterline to I street tanks. this is the design fees associated with the water main addition 2 miles of 30" from 48" to I street tank site	$	1,150,000.00
	Water storage tank maintenance agreement-BT	$	350,000.00
	Western Corridor 48" Waterline Design	$	2,300,000.00
Water Total		**$**	**4,566,250.00**
Grand Total		**$**	**17,771,228.68**

City of Bentonville

2024 Budget

Governmental Funds - Use of Impact Fees

Utility Fund

Use of Reserves			
Department	Description		Amount
Water	Upsize waterline to I street tanks. this is the design fees associated with the water main addition 2 miles of 30" from 48" to I street tank site	$	1,150,000.00
Water	Western Corridor 48" Water Line	$	2,300,000.00
Sewer Rehab	Spring Creek Interceptor construction	$	2,500,000.00
Sewer Rehab	CIPP line 1672' of 8" ductile sewer line.	$	585,200.00
Sewer Rehab	CIPP line 1170' of 10" ductile	$	468,000.00
Sewer Rehab	Manhole rehab.	$	80,000.00
Total Use of Reserves		$	7,083,200.00

Use of Capacity Fees			
Department	Description		Amount
Water	Transfer In Use of Impact Fees to pay down debt	$	276,580.00
Sewer Rehab	Transfer In Use of Impact Fees to pay down debt	$	9,400.00
Total Use of Impact Fees		$	285,980.00

Total Other Financing Sources and Uses	$	7,369,180.00

City of Bentonville
2024 Budget
Impact & Capacity Fund

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	-	-	-	-	-	--
Intergovernmental Revenue	-	-	-	-	-	--
Charge for Services	-	-	-	-	-	--
Special Assesments/Fines	3,569,012	1,785,000	1,785,000	2,700,000	915,000	51.3%
Interest/Rent	61,778	-	-	178,333	178,333	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**3,630,790**	**1,785,000**	**1,785,000**	**2,878,333**	**1,093,333**	**61.3%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	-	-	-	-	-	--
Benefits	-	-	-	-	-	--
Supplies & Materials	-	-	-	-	-	--
Technology Maintenance/Minor Equipment	-	-	-	-	-	--
Professional Services	-	-	-	-	-	--
Property Services	-	-	-	-	-	--
Other Services	-	-	-	-	-	--
Utility Cost of Goods	-	-	-	-	-	--
Total Operations and Maintenance	**-**	**-**	**-**	**-**	**-**	**--**
Capital Expenditures						
Capital	-	1,785,000	1,785,000	2,378,333	593,333	33.2%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**1,785,000**	**1,785,000**	**2,378,333**	**593,333**	**33.2%**
Other						
Debt Service	-	-	-	-	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**-**	**1,785,000**	**1,785,000**	**2,378,333**	**593,333**	**33.2%**
Other Financing Sources and Uses	-	-	-	-		
Use of Impact/Capacity Fees	-	-	-	-	-	--
Use of Reserves	-	-	-	1,725,000	1,725,000	--
Donated Infrastructure (non-cash item)	-	-	-	-	-	--
Proceeds from Issuance of Debt	-	-	-	-	-	--
Sale of Capital Assets	-	-	-	-	-	--
Transfers In	-	-	-	-	-	--
Transfers Out	(6,849,599)	(1,502,314)	(2,135,218)	(2,225,000)	(722,686)	48.1%
Total Other Financing Sources and Uses	**(6,849,599)**	**(1,502,314)**	**(2,135,218)**	**(500,000)**	**1,002,314**	-66.7%
Net	**$ (3,218,808)**	**$ (1,502,314)**	**$ (2,135,218)**	**$ -**	**$ 1,502,314**	**-100.0%**

City of Bentonville
2024 Budget
Impact & Capacity Fund
Police Impact

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ 1,197,770	$ 500,000	$ 500,000	$ 700,000	200,000	40.0%
Interest/Rent	$ 16,707	$ -	$ -	$ 55,963	55,963	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**1,214,477**	**500,000**	**500,000**	**755,963**	**255,963**	**51.2%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ -	$ -	$ -	$ -	-	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ -	-	--
Professional Services	$ -	$ -	$ -	$ -	-	--
Property Services	$ -	$ -	$ -	$ -	-	--
Other Services	$ -	$ -	$ -	$ -	-	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**-**	**-**	**-**	**-**	**-**	**--**
Capital Expenditures						
Capital	$ -	$ 500,000	$ 500,000	$ 755,963	255,963	51.2%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**500,000**	**500,000**	**755,963**	**255,963**	**51.2%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**-**	**500,000**	**500,000**	**755,963**	**255,963**	**51.2%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ 1,214,477**	**$ -**	**$ -**	**$ -**	**$ 0**	**--**

City of Bentonville
2024 Budget
Impact & Capacity Fund
Fire Impact

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ 695,070	$ 300,000	$ 300,000	$ 600,000	300,000	100.0%
Interest/Rent	$ 12,492	$ -	$ -	$ 46,990	46,990	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**707,563**	**300,000**	**300,000**	**646,990**	**346,990**	**115.7%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ -	$ -	$ -	$ -	-	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ -	-	--
Professional Services	$ -	$ -	$ -	$ -	-	--
Property Services	$ -	$ -	$ -	$ -	-	--
Other Services	$ -	$ -	$ -	$ -	-	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**-**	**-**	**-**	**-**	**-**	**--**
Capital Expenditures						
Capital	$ -	$ 300,000	$ 300,000	$ 646,990	346,990	115.7%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**300,000**	**300,000**	**646,990**	**346,990**	**115.7%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**-**	**300,000**	**300,000**	**646,990**	**346,990**	**115.7%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ 995,000	995,000	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	(995,000)	(995,000)	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ 707,563**	**$ -**	**$ -**	**$ -**	**$ -**	**--**

City of Bentonville
2024 Budget
Impact & Capacity Fund
Parks Impact

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ 1,550,498	$ 900,000	$ 900,000	$ 1,300,000	400,000	44.4%
Interest/Rent	$ 26,975	$ -	$ -	$ 58,287	58,287	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**1,577,473**	**900,000**	**900,000**	**1,358,287**	**458,287**	**50.9%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ -	$ -	$ -	$ -	-	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ -	-	--
Professional Services	$ -	$ -	$ -	$ -	-	--
Property Services	$ -	$ -	$ -	$ -	-	--
Other Services	$ -	$ -	$ -	$ -	-	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**-**	**-**	**-**	**-**	**-**	**--**
Capital Expenditures						
Capital	$ -	$ 900,000	$ 900,000	$ 858,287	(41,713)	-4.6%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**900,000**	**900,000**	**858,287**	**(41,713)**	**-4.6%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**-**	**900,000**	**900,000**	**858,287**	**(41,713)**	**-4.6%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	(6,845,638)	(1,500,000)	(1,963,140)	(500,000)	1,000,000	-66.7%
Total Other Financing Sources and Uses	**(6,845,638)**	**(1,500,000)**	**(1,963,140)**	**(500,000)**	**1,000,000**	-66.7%
Net	**$ (5,268,165)**	**$ (1,500,000)**	**$ (1,963,140)**	**$ -**	**$ 1,500,000**	**-100.0%**

City of Bentonville
2024 Budget
Impact & Capacity Fund
Library Impact

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ -	$ -	$ -	$ -	$ -	--
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ 125,674	$ 85,000	$ 85,000	$ 100,000	15,000	17.6%
Interest/Rent	$ 5,604	$ -	$ -	$ 17,093	17,093	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**131,278**	**85,000**	**85,000**	**117,093**	**32,093**	**37.8%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ -	$ -	$ -	$ -	-	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ -	-	--
Professional Services	$ -	$ -	$ -	$ -	-	--
Property Services	$ -	$ -	$ -	$ -	-	--
Other Services	$ -	$ -	$ -	$ -	-	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**-**	**-**	**-**	**-**	**-**	**--**
Capital Expenditures						
Capital	$ -	$ 85,000	$ 85,000	$ 117,093	32,093	37.8%
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**85,000**	**85,000**	**117,093**	**32,093**	**37.8%**
Other						
Debt Service	$ -	$ -	$ -	$ -	-	--
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**-**	**-**	**-**	**-**	**-**	**--**
Total Expenditures	**-**	**85,000**	**85,000**	**117,093**	**32,093**	**37.8%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ 730,000	730,000	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	(3,961)	(2,314)	(172,078)	(730,000)	(727,686)	31447.1%
Total Other Financing Sources and Uses	**(3,961)**	**(2,314)**	**(172,078)**	**-**	**2,314**	-100.0%
Net	**$ 127,317**	**$ (2,314)**	**$ (172,078)**	**$ -**	**$ 2,314**	**-100.0%**

City of Bentonville

2024 Budget

Debt Service

Debt Svc - Sales Tax Capital

Description	2022 Actual	2023 Budget	2023 Revised	2024 Request	Change in Dollars	Change in Percent
Revenues						
Taxes	$ 18,571,646	$ 17,972,263	$ 17,972,263	$ 20,386,302	$ 2,414,039	13.4%
Licenses & Permits	$ -	$ -	$ -	$ -	-	--
Intergovernmental Revenue	$ -	$ -	$ -	$ -	-	--
Charge for Services	$ -	$ -	$ -	$ -	-	--
Special Assesments/Fines	$ -	$ -	$ -	$ -	-	--
Interest/Rent	$ 96,702	$ -	$ -	$ -	-	--
Other Income	$ -	$ -	$ -	$ -	$ -	--
Total Revenues	**18,668,348**	**17,972,263**	**17,972,263**	**20,386,302**	**2,414,039**	**13.4%**
Expenditures						
Operations and Maintenance						
Salaries & Wages	$ -	$ -	$ -	$ -	-	--
Benefits	$ -	$ -	$ -	$ -	-	--
Supplies & Materials	$ -	$ -	$ -	$ -	-	--
Technology Maintenance/Minor Equipment	$ -	$ -	$ -	$ -	-	--
Professional Services	$ -	$ -	$ -	$ -	-	--
Property Services	$ -	$ -	$ -	$ -	-	--
Other Services	$ -	$ -	$ -	$ -	-	--
Utility Cost of Goods	$ -	$ -	$ -	$ -	-	--
Total Operations and Maintenance	**-**	**-**	**-**	**-**	**-**	**--**
Capital Expenditures						
Capital	$ -	$ -	$ -	$ -	-	--
Setasides - Capital Items	-	-	-	-	-	--
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**--**
Other						
Debt Service	$ 28,580,341	$ 4,056,741	$ 4,056,741	$ 20,386,302	16,329,562	402.5%
Depreciation/Amortization	-	-	-	-	-	--
Total Other	**28,580,341**	**4,056,741**	**4,056,741**	**20,386,302**	**16,329,562**	**402.5%**
Total Expenditures	**28,580,341**	**4,056,741**	**4,056,741**	**20,386,302**	**16,329,562**	**402.5%**
Other Financing Sources and Uses						
Use of Impact/Capacity Fees	$ -	$ -	$ -	$ -	-	--
Use of Reserves	$ -	$ -	$ -	$ -	-	--
Donated Infrastructure (non-cash item)	$ -	$ -	$ -	$ -	-	--
Proceeds from Issuance of Debt	$ -	$ -	$ -	$ -	-	--
Sale of Capital Assets	$ -	$ -	$ -	$ -	-	--
Transfers In	$ -	$ -	$ -	$ -	-	--
Transfers Out	-	-	-	-	-	--
Total Other Financing Sources and Uses	**-**	**-**	**-**	**-**	**-**	--
Net	**$ (9,911,993)**	**$ 13,915,523**	**$ 13,915,523**	**$ -**	**$ (13,915,523)**	**-100.0%**

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE CITY OF BENTONVILLE'S 2024 BUDGET; APPROPRIATING FUNDS AND AUTHORIZING EXPENDITURES FOR ITEMS INCLUDED WITHIN THE CITY OF BENTONVILLE'S 2024 BUDGET; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor, in consultation with City staff, the department head of each City department, and the public has proposed a comprehensive budget for the calendar and budget year 2024 for the City of Bentonville;

WHEREAS, the City Council has made a comprehensive study and review of the proposed City of Bentonville's 2024 Budget;

WHEREAS, the City Council finds that the City of Bentonville's 2024 Budget accurately reflects the estimated revenues and expenditures for the 2024 budget year; and

WHEREAS, the Mayor and City Council continue to comply with Ark. Code Ann. §14-58-201, et seq., concerning the process for adoption and amendment of the City of Bentonville's 2024 Budget.

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

Section 1: The City of Bentonville's 2024 Budget is hereby adopted;

Section 2: The respective funds and assigned account numbers for each category of revenue and expenditure proposed in the City of Bentonville's 2024 Budget are adopted and appropriated;

Section 3: The Mayor or a duly authorized representative may approve for payment, out of funds appropriated by this budget or otherwise approved by the City Council for those purposes, or may disapprove any bills, debts, or liabilities asserted as claims against the City up to a maximum amount allowed by Arkansas law and the payment or disapproval of any bills, debts, or liabilities exceeding that amount shall require the confirmation of this governing body;

Section 4 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
STEPHANIE ORMAN, Mayor

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Patrick Johndrow
Phone:	479-271-6781	**For Department(s):**	Finance
Email:	pjohndrow@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Impact Fees (Police)
Action Recommendation & Justification:	Requesting City Council approval of an ordinance to amend Police Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE AMENDING POLICE IMPACT FEES IN THE CITY OF BENTONVILLE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas law, including Arkansas Code Annotated Section 14-56-103, authorizes municipalities to impose impact fees;

WHEREAS, the City of Bentonville first adopted Police Impact Fees on July 25, 2006, pursuant to Ordinance No. 2006-118;

WHEREAS, Bentonville Municipal Code *Sec. 46-132 Schedule of Police Impact Fees* was repealed in 2009 and reenacted in 2016 based on impact fee studies completed those years; and

WHEREAS, the Impact Fee Study dated September 19, 2023 prepared by TischlerBise which is incorporated herein by reference, recommends an adjustment of the justifiable police impact fees.

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

Section 1: That Bentonville Municipal Code *Sec. 46-132 Schedule of Police Impact Fees* should be and is hereby repealed and replaced with *Attachment A: Police Impact Fee Schedule*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by reference a though it were copied herein fully;

Section 2: That the Impact Fee Study, completed by TischlerBise dated September 19, 2023, an electronic copy and hard copy of which is on file with the City Clerk, is hereby incorporated into this ordinance as though it were copied herein fully; and

Section 3: That this Ordinance is necessary to preserve the public peace, health, safety and welfare, and because of such, an emergency is declared to exist, and this Ordinance shall be in full force and effect beginning with building permits issued on or after December 1, 2023 for new non-exempt Impact Generating Land Development as defined by Ord. No. 2006-116;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

ATTACHMENT A:

POLICE IMPACT FEE SCHEDULE

Sec. 46-132 Schedule of Police Impact Fees

(a) *Fee Schedule.* The schedule of police impact fees shall be as follows:

Type	**Fee**
RESIDENTIAL	
Single-family Detached	$350 per unit
Single-family Attached	$280 per unit
Multifamily	$194 per unit
NONRESIDENTIAL	
Retail	$436 per 1,000 sq. ft.
Office	$168 per 1,000 sq. ft.
Industrial	$74 per 1,000 sq. ft.
Institutional	$167 per 1,000 sq. ft.

(b) *Payment.* The amount of the fees shall be determined in accordance with *Sec. 46-132(a) Fee Schedule* and shall be paid to the City at the time and as a condition of issuance of a certificate of occupancy.

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Patrick Johndrow
Phone:	479-271-6781	**For Department(s):**	Finance
Email:	pjohndrow@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Impact Fees (Fire/EMS)
Action Recommendation & Justification:	Requesting City Council approval of an ordinance to amend Fire/EMS Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE AMENDING FIRE/EMS IMPACT FEES IN THE CITY OF BENTONVILLE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas law, including Arkansas Code Annotated Section 14-56-103, authorizes municipalities to impose impact fees;

WHEREAS, the City of Bentonville first adopted Fire/EMS Impact Fees on January 8, 2002, pursuant to Ordinance No. 2002-15;

WHEREAS, Bentonville Municipal Code *Sec. 46-30 Schedule of Fire/EMS Impact Fees* was updated and amended in 2006, 2009, and 2016 based on impact fee studies completed those years; and

WHEREAS, the Impact Fee Study dated September 19, 2023 prepared by TischlerBise which is incorporated herein by reference, recommends an adjustment of the justifiable Fire/EMS impact fees.

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

Section 1: That Bentonville Municipal Code *Sec. 46-30 Schedule of Fire/EMS Impact Fees* should be and is hereby repealed and replaced with *Attachment A: Fire/EMS Impact Fee Schedule*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by reference a though it were copied herein fully;

Section 2: That the Impact Fee Study, completed by TischlerBise dated September 19, 2023, an electronic copy and hard copy of which is on file with the City Clerk, is hereby incorporated into this ordinance as though it were copied herein fully;

Section 3: That this Ordinance is necessary to preserve the public peace, health, safety and welfare, and because of such, an emergency is declared to exist, and this Ordinance shall be in full force and effect beginning with building permits issued on or after December 1, 2023 for new non-exempt Impact Generating Land Development as defined by Ord. No. 2002-15;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

ATTACHMENT A:

FIRE/EMS IMPACT FEE SCHEDULE

Sec. 46-30 Schedule of Fire/EMS Impact Fees

(a) *Fee Schedule.* The schedule of Fire/EMS impact fees shall be as follows:

Type	**Fee**
RESIDENTIAL	
Single-family Detached	$532 per unit
Single-family Attached	$426 per unit
Multifamily	$295 per unit
NONRESIDENTIAL	
Retail	$717 per 1,000 sq. ft.
Office	$276 per 1,000 sq. ft.
Industrial	$121 per 1,000 sq. ft.
Institutional	$275 per 1,000 sq. ft.

(b) *Payment.* The amount of the fees shall be determined in accordance with *Sec. 46-30(a) Fee Schedule* and shall be paid to the City at the time and as a condition of issuance of a certificate of occupancy.

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Patrick Johndrow
Phone:	479-271-6781	**For Department(s):**	Finance
Email:	pjohndrow@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Impact Fees (Library)
Action Recommendation & Justification:	Requesting City Council approval of an ordinance to amend Library Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE AMENDING LIBRARY IMPACT FEES IN THE CITY OF BENTONVILLE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas law, including Arkansas Code Annotated Section 14-56-103, authorizes municipalities to impose impact fees;

WHEREAS, the City of Bentonville first adopted Library Impact Fees on July 25, 2006, pursuant to Ordinance No. 2006-116;

WHEREAS, Bentonville Municipal Code *Sec. 46-58 Schedule of Library Impact Fees* was repealed in 2009 and reenacted in 2016 based on impact fee studies completed those years; and

WHEREAS, the Impact Fee Study dated September 19, 2023 prepared by TischlerBise which is incorporated herein by reference, recommends an adjustment of the justifiable library impact fees.

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

Section 1: That Bentonville Municipal Code *Sec. 46-58 Schedule of Library Impact Fees* should be and is hereby repealed and replaced with *Attachment A: Library Impact Fee Schedule*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by reference a though it were copied herein fully;

Section 2: That the Impact Fee Study, completed by TischlerBise dated September 19, 2023, an electronic copy and hard copy of which is on file with the City Clerk, is hereby incorporated into this Ordinance as though it were copied herein fully;

Section 3: That this Ordinance is necessary to preserve the public peace, health, safety and welfare, and because of such, an emergency is declared to exist, and this Ordinance shall be in full force and effect beginning with building permits issued on or after December 1, 2023 for new non-exempt Impact Generating Land Development as defined by Ord. No. 2006-116;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

ATTACHMENT A:

LIBRARY IMPACT FEE SCHEDULE

Sec. 46-58 Schedule of Library Impact Fees

(a) *Fee Schedule.* The schedule of library impact fees shall be as follows:

Type	**Fee**
RESIDENTIAL	
Single-family Detached	$442 per unit
Single-family Attached	$354 per unit
Multifamily	$245 per unit

(b) *Payment.* The amount of the fees shall be determined in accordance with *Sec. 46-58(a) Fee Schedule* and shall be paid to the City at the time and as a condition of issuance of a certificate of occupancy.

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Patrick Johndrow
Phone:	479-271-6781	**For Department(s):**	Finance
Email:	pjohndrow@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Impact Fees (Parks)
Action Recommendation & Justification:	Requesting City Council approval of an ordinance to amend Parks Impact Fees, as recommended by TischlerBise in the Impact Fee Analysis Report dated September 19, 2023.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 0

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE AMENDING PARK AND OPEN SPACE IMPACT FEES IN THE CITY OF BENTONVILLE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas law, including Arkansas Code Annotated Section 14-56-103, authorizes municipalities to impose impact fees;

WHEREAS, the City of Bentonville first adopted Park and Open Space Impact Fees on July 25, 2006, pursuant to Ordinance No. 2006-117;

WHEREAS, the Bentonville Municipal Code *Sec. 46-97 Schedule of Park Impact Fees* was amended in 2009 and 2016 based on impact fee studies completed those years; and

WHEREAS, the Impact Fee Study dated September 19, 2023 prepared by TischlerBise which is incorporated herein by reference, recommends an adjustment of the justifiable park and open space impact fees.

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

Section 1: That Bentonville Municipal Code *Sec. 46-97 Schedule of Park Impact Fees* should be and is hereby repealed and replaced with *Attachment A: Park Impact Fee Schedule*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by reference a though it were copied herein fully;

Section 2: That the Impact Fee Study, completed by TischlerBise dated September 19, 2023, an electronic copy and hard copy of which is on file with the City Clerk, is hereby incorporated into this Ordinance as though it were copied herein fully;

Section 3: That this Ordinance is necessary to preserve the public peace, health, safety and welfare, and because of such, an emergency is declared to exist, and this Ordinance shall be in full force and effect beginning with building permits issued on or after December 1, 2023 for new non-exempt Impact Generating Land Development as defined by Ord. No. 2006-116;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

ATTACHMENT A:

PARK IMPACT FEE SCHEDULE

Sec. 46-97 Schedule of Park Impact Fees

(a) *Fee Schedule.* The schedule of park impact fees shall be as follows:

Type	**Fee**
RESIDENTIAL	
Single-family Detached	$2,521 per unit
Single-family Attached	$2,017 per unit
Multifamily	$1,396 per unit

(b) *Payment.* The amount of the fees shall be determined in accordance with *Sec. 46-97(a) Fee Schedule* and shall be paid to the City at the time and as a condition of issuance of a certificate of occupancy.

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Chief Ray Shastid
Phone:	479-271-3170	**For Department(s):**	Police Department
Email:	ray.shastid@bentonville.arkansas.gov		

Item Type (Check all that apply)

☐ Informational ☑ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Award Bid IFB-23-57 Re-bid of a Portable Restroom Trailer for the Police Training Facility
Action Recommendation & Justification:	Resolution to award bid (IFB-23-57 Re-bid) to 8540527 Canada Inc / NIU TOILET for the purchase of a portable restroom trailer. This was the lowest and most responsive bid received. No budget adjustment is needed.
Additional Comments for Consideration (Optional):	This is a budgeted item with funds from the 2021 bond extension-police law enforcement training facility. This restroom trailer will be used for the police department law enforcement training facility.
Amount for Approval:	**$** 38,999.00

Budget Impact

Is this Item Budgeted? ☑ YES ☐ NO ☐ ITEM HAS NO COST ☑ OTHER: 2021 bond extension

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☑ Other(s): 2021 bond extension project fund

Budget Impact Notes for Consideration (Optional):

CITY OF BENTONVILLE, ARKANSAS PURCHASING DEPARTMENT

FORMAL SEALED BID TABULATION

Date of Bid Opening:	10/24/2023	Time of Bid Opening:	1:00 PM	Solicitation ID Number:	IFB-23-57 Re-Bid

Solicitation Title: New or Current Model Year Portable Trailer Restroom

		Bidders:	Monmouth Solutions, Inc.	NIU Toilet	Portable Restroom Trailers, LLC	Ready2Go Restroom Trailers Sales, LLC
Line Item	Quantity (Unit of Measure = EA)	Description	Unit Price	Unit Price	Unit Price	Unit Price
1	1	New or Current Model Year Portable Restroom Trailer, as specified	$57,995.00	$38,999.00	$57,400.00	$50,810.00
		Total Bid Price	**$57,995.00**	**$38,999.00**	**$57,400.00**	**$50,810.00**

The Lang Specialty Trailers Bid Submission was rejected during Bid Evaluation.

purchasing@bentonvillear.com - (479) 271-3115

RESOLUTION NO. _____

A RESOLUTION AWARDING BID IFB-23-57 (RE-BID) TO NIU TOILET FOR THE PURCHASE OF A PORTABLE RESTROOM TRAILER FOR THE CITY OF BENTONVILLE POLICE TRAINING FACILITY, IN THE AMOUNT OF THIRTY-EIGHT THOUSAND NINE HUNDRED NINETY-NINE DOLLARS ($38,999.00); AND FOR OTHER PURPOSES.

WHEREAS, NIU Toilet is the lowest qualified bidder for bid IFB-23-57;

WHEREAS, this contract covers the purchase of a portable restroom trailer for the City of Bentonville Police Training Facility; and

WHEREAS, this will be funded by utilizing the 2021 Bond Extension in the amount of thirty-eight thousand nine hundred ninety-nine dollars ($38,999.00).

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract with NIU Toilet for the purchase of a portable restroom trailer for the City of Bentonville Police Training Facility;

Section 2: The estimated contract cost is thirty-eight thousand nine hundred ninety-nine dollars ($38,999.00);

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, MAYOR

ATTEST:

_____
Kirby Romines, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Ray Shastid
Phone:	479-271-3170	**For Department(s):**	Police
Email:	ray.shastid@bentonville.arkansas.gov		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☑ Enter into an Agreement ☐ Change Order

☐ Recognizing Funds ☐ Budget Adjustment ☑ Waiver of Bid ☑ Emergency Clause

☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Waiver of Bid to Enter into an Agreement with All American PDR, LLC
Action Recommendation & Justification:	Ordinance waiving the requirement for competitive bidding and declaring an emergency for All American PDR, LLC to complete hail damage repairs on police vehicles in the amount of $124,599.92. No budget adjustment is needed.
Additional Comments for Consideration (Optional):	A budget adjustment recognizing these funds as an ARML insurance settlement claim was approved by City Council on July 25, 2023. Due to the current vehicle repair facilities timelines and need for immediate repairs, it is neither practical or feasible to solicit competitive bids. This company is able to conduct the repairs at our facility, eliminates a third party pricing and scheduling from a standard body shop, and helps keep vehicles in service as multiple cars are repaired through the week.
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☑ OTHER: ARML reimbursement

Budget Adjustment *(to be completed by Finance when applicable)*

Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description	$ Expense	$ Revenue

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): _____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH ALL AMERICAN PDR, LLC., TO COMPLETE HAIL DAMAGE REPAIRS ON POLICE VEHICLES, IN THE AMOUNT OF ONE HUNDRED TWENTY-FOUR THOUSAND FIVE HUNDRED NINETY-NINE DOLLARS AND NINETY-TWO CENTS ($124,599.92); WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, due to a hailstorm on April 15, 2023, several police vehicles were damaged;

WHEREAS, American PDR, LLC. has agreed to conduct said repairs in their facility, eliminating third party pricing and scheduling, while keeping police vehicles in service as multiple vehicles are repaired through the week;

WHEREAS, due to the current vehicle repair facilities timelines and need for immediate repairs, it is neither practical or feasible to solicit competitive bids; and

WHEREAS, this will be funded by an ARML insurance settlement claim that was approved by City Council on July 25, 2023.

NOW, THEREFORE, BE IT ORDAINED 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 an agreement with American PDR, LLC. to complete hail damage repairs on police vehicles;

Section 2: This purchase will be funded by an ARML insurance settlement in the amount of one hundred twenty-four thousand five hundred ninety-nine dollars and ninety-two cents ($124,599.92);

Section 3: Due to the vehicle repair facilities timelines and need for immediate repairs, it would be neither practical nor feasible to advertise for competitive bidding so that requirement is herein waived;

Section 4 - Emergency Clause: The need to make this purchase is immediate and an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after the date of its passage and approval;

Section 5 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6 - Repeal of Conflicting Ordinances: All Ordinances of the City Council, or parts of Ordinances of the City Council, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
STEPHANIE ORMAN, Mayor

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Justin Scantlin
Phone:	479-685-1096	**For Department(s):**	Fire Department
Email:	jscantlin@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☑ Change Order
☐ Recognizing Funds ☑ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Reconciliation Change Order for Fire Training Tower
Action Recommendation & Justification:	Resolution for a reconciliation Change Order to close the Clinard Construction Contract for the Fire Training Facility, and a Budget Adjustment to appropriate the remaining funds of $177,683.49 for the purchase of additional capital items related to the Fire Training Facility and process the final payment for civil engineering services. The final payment to Clinard Construction has been processed, with the construction coming in $177,683.49 under the contract amount. A Budget Adjustement is needed.
Additional Comments for Consideration (Optional):	Fire Department is requesting to appropriate these funds for additional expenses related to the Training Facility, including: fiber for remote access to the props control system, an additional training prop for the tower, and a storage building for the site. The additional prop and storage building are 2024 budget items that can be cut with approval of this item; all of these items would be encumbered prior to year end 2023 and the remaining funds not used will be released into General Fund.
Amount for Approval:	**$** 177,683.49

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☑ OTHER: Remaining funds from project

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☑ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): _____

Budget Impact Notes for Consideration (Optional):

The total of the additional items and civil engineering expenses are expected to be less than the $177,683.49; any remaining funds will be returned to General Fund. While this is a 2021 Bond Project, all bond funds have been exhausted and the remaining funds are from budget adjustments from General Fund.

RESOLUTION NO._____

A RESOLUTION ADJUSTING THE 2023 BUDGET; APPROPRIATING ONE HUNDRED SEVENTY-SEVEN THOUSAND SIX HUNDRED EIGHTY-THREE DOLLARS AND FORTY-NINE CENTS ($177,683.49) FOR THE PURCHASE OF CAPTIAL ITEMS; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CHANGE ORDER WITH CLINARD CONSTRUCTION FOR THE FINAL CLOSEOUT OF THE BENTONVILLE FIRE TRAINING FACILITY; AND FOR OTHER PURPOSES.

WHEREAS, Bentonville Fire Department requests a final closeout change order for the Fire Training Facility; and

WHEREAS, the final payment to Clinard Construction has been processed, with the construction coming in one hundred seventy-seven thousand six hundred eighty-three dollars and forty-nine cents ($177,683.49) under the contract amount;

WHEREAS, a budget adjustment is needed to appropriate the remaining funds in the amount of one hundred seventy-seven thousand six hundred eighty-three dollars and forty-nine cents ($177,683.49) to purchase additional capital items.

WHEREAS, the additional capital items are 2024 budget items that can be cut with approval of this item, as all these items would be encumbered prior to year end 2023;

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

Section 1: The Mayor and City Clerk are authorized to enter into a final closeout change order with Clinard Construction for the Bentonville Fire Training Facility;

Section 2: The 2023 Budget is adjusted to appropriate one hundred seventy-seven thousand six hundred eighty-three dollars and forty-nine cents ($177,683.49) to purchase additional capital items.

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

_____
STEPHANIE ORMAN, Mayor

Attest:

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Justin Scantlin
Phone:	479-685-1096	**For Department(s):**	Fire
Email:	jscantlin@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☑ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Amend Halff and Associates Contract for Training Tower
Action Recommendation & Justification:	Resolution to amend the civil engineering contract for services related to construction observation for the fire training facility in the amount of $7,967.71 to process payment for final invoices.
Additional Comments for Consideration (Optional):	This amount reflects engineering services related to dirt work that was needed for drainage after the initial work completed was not within specification; City was unaware of the additional costs for this at the time.
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☑ OTHER: Remaining funds from constr. w/ cover

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): _____

Budget Impact Notes for Consideration (Optional):

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO AMEND THE CIVIL ENGINEERING CONTRACT WITH HALFF ASSOCIATES, INC., FOR ADDITIONAL PROFESSIONAL SERVICES RELATED TO THE BENTONVILLE FIRE TRAINING FACILITY; IN THE AMOUNT OF SEVEN THOUSAND NINE HUNDRED SIXTY-SEVEN DOLLARS AND SEVENTY-ONE CENTS ($7,967.71) AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville previously entered into an agreement with Halff Associates, Inc., for professional services related to the Bentonville Fire Training Facility;

WHEREAS, the additional professional services are related to additional dirt work that was needed for drainage after the initial work was completed;

WHEREAS, this amendment will be paid from remaining funds from construction.

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 amend the agreement with Halff Associates, Inc. for additional professional services for the Bentonville Fire Training Facility to increase the agreement price by an amount of seven thousand nine hundred sixty-seven dollars and seventy-one cents ($7,967.71);

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, MAYOR

ATTEST:

_____
Kirby Romines, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Justin Scantlin
Phone:	479-685-1096	**For Department(s):**	Fire
Email:	jscantlin@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☑ Waiver of Bid ☑ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Waiver of Bid to Purchase an Additional Gas Prop for the Fire Training Tower
Action Recommendation & Justification:	Ordinance with an emergency clause to waive bid to purchase an additional gas prop for the training facility from Symtech (sole source due to the system being proprietary) in the amount of $127,567.50. An emergency clause is needed in order to execute the Purchase Order prior to year-end of 2023.
Additional Comments for Consideration (Optional):	
Amount for Approval:	**$** 127,567.50

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☑ OTHER: Remaining funds from const. w/ cover

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): _____

Budget Impact Notes for Consideration (Optional):

Symtech
Live Fire Simulation Technology

November 2, 2023

Justin Scantlin, Battalion Chief
Bentonville Fire Department
Bentonville, AR 72712
Tel: (479) 685-1096
Via email: jscantlin@bentonvillear.com

SUBJECT: SOLE-SOURCE JUSTIFICATION FOR 3rd FLOOR FIRE SIMULATOR ST

Dear Chief Scantlin:

We hereby confirm that Symtech Fire, LLC is the sole and exclusive supplier of ST Fire Simulators. ST Fire Simulators include several proprietary features not available elsewhere. They are the only fire simulators that incorporate ALL of the following:

Flame Control Panel (FCP)/Software Compatibility – Symtech's Interchangeable Fire Simulator ST is the only prop system available that works with the existing Flame Control Panel (FCP) in the Bentonville fire training facility. It is also the only simulator that works with the existing software program.

Pilot Proving – Symtech offers the only system inclusive of a highly reliable ionization method for pilot proving providing a monitored and interlocked pilot, thereby ensuring main flame gas cannot be released without a confirmed ignition source. *This method eliminates cooldown thresholds (waiting time) and maintenance for maximum training time and fire ground efficiency.*

If included, other gas fueled fire training equipment typically utilizes either thermocouple or ultraviolet (UV) pilot proving. Thermocouples require lengthy cooldown periods and UV sensors require significant maintenance due to carbon build-up.

Premium Wireless Controls – Symtech's ST system includes a Wireless Controller with "deadmam," e-stop, and other exclusive features including:

- G-Force Shock Detection Disable - The zero-g safety function can prevent the uncontrolled output of commands in specific emergencies. The G sensor can detect if the transmitter receives a hard impact, dropped or thrown. This feature will deactivate the fire generation system.
- IP 65 enclosures (Transmitter and Receiver)
- Wireless charging

Live Fire Training systems utilize compressed flammable gases are inherently dangerous. Symtech Fire Simulators are certified safe.

Symtech is the only vendor to meet **ALL** of the aforementioned criteria.

Sincerely,

[redacted]

Jonathan J. Hanson
Managing Director

Symtech
Live Fire Simulation Technology

June 2, 2023

Justin Scantlin, Battalion Chief
Bentonville Fire Department
Bentonville, AR 72712
Tel: (479) 685-1096
Via email: jscantlin@bentonvillear.com

SUBJECT: **Proposal for PHASE III Structural Fire Simulator**
3rd Floor Interchangeable Prop for Bentonville Fire Department, AR

Dear Chief Scantlin:

Please find our proposal for PHASE III Structural Fire Simulator ST system attached. The proposed pricing is based on installation in the calendar year 2024.

Our proposal consists of the following:

- Structural Fire Simulator Phase III Price Proposal
- Terms & Conditions of Sale

Symtech specializes in live fire simulation technologies utilizing environmentally friendly propane or natural gas. Our Live Fire Simulator Technology is fully compliant with the NFPA 1402 Standard on Facilities for Fire Training and Associated Props.

We look forward to meeting your fire training needs!

Sincerely,

[redacted]

Jonathan J. Hanson
Managing Director

Symtech
Live Fire Simulation Technology

Who we are…

Symtech specializes in live fire simulation technologies utilizing environmentally friendly propane or natural gas. Our Live Fire Simulator Technology is fully compliant with the NFPA 1402 Standard on Facilities for Fire Training and Associated Props. In addition to our LPG-fueled structural live fire training systems, we offer a full complement of Outdoor & Industrial Fire Simulators, Flashover Trainers, and Fire Behavior Labs. Our service team has the expertise to service both our installations, as well as competitive installations. We also provide annual NFPA 1402 inspections for Symtech or competitive equipment.

symtechfire.com

Our commitment to excellence…

Safety…

Symtech is committed to the safety of system operators and trainees alike. Our systems are fully compliant with NFPA 1402, which became a standard (*rather than a guide*) beginning in 2019. Unlike older systems, our offerings are designed from the ground up with this new Standard in mind. We utilize the highest quality components available including pilot and main burners systems, valves, and electronics.

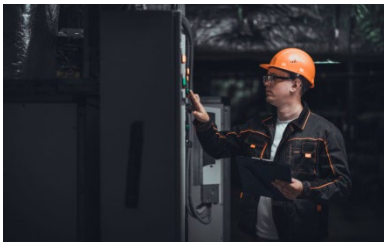
Realism…

We are committed to delivering training realism with thermal output, flame sizes, flame variability, and smoke output that leads the fire training systems industry. Environmentally friendly propane and natural gas (*indoors only*) alleviate environmental concerns, while delivering consistent training fires at the push of a button.

Customization…

Within the parameters of the NFPA 1402 Standard, Symtech provides our customers with the customization and flexibility options they desire. This is imperative to addressing unique challenges that vary from department to department and within SOP's domestically and abroad. We pride ourselves in delivering timely custom solutions on time and under budget.

Service…



Service is an essential component in what we do as a company. It is not a profit center, but rather, it is a vital element in achieving our mission of enabling AHJ's to deliver life-saving training when it's needed most. We not only stock vital system components to ensure their availability on short notice, but we also offer turnkey service and maintenance.

Symtech
Live Fire Simulation Technology

ST1033-JH-2June2023
Proposal for Structural Fire Simulator ST/ST-PRO Equipment
for Bentonville Fire Department, AR

Item	Description	Price
1	**Interchangeable Burn Prop, 3rd Floor** Simulating Extension from BBQ Grill. Bookcase and Entertainment Center Mockups (or choice of any two alt. mockups) Mockups Designed to Work on Fire Platform or Free-Standing w/ Custom Stand (1)	$116,500.00
2	**City of Bentonville Sales Tax (9.5%)**	$11,067.50
-	**TOTAL w/ Tax**	**$127,567.50**

Terms & Conditions:
Prices valid through 31 December 2024.
Installation to be completed 10 to 14 Weeks from PO (can be expedited depending on shop load).
Payment Terms: 50% on Order, 50% on Completion.
1-Year Industry Standard Warranty on Fire Training Equipment. Unlimited Technical Phone Support for the Life of the Product.

Inclusions:
NFPA-Compliant Safety Systems
Shipping to Bentonville, AR
Offloading of All Equipment from Delivery Truck at Job Site.
Installation
Handover / Re-Fresher Training

Exclusions:
Permits (if applicable).

Symtech
Live Fire Simulation Technology

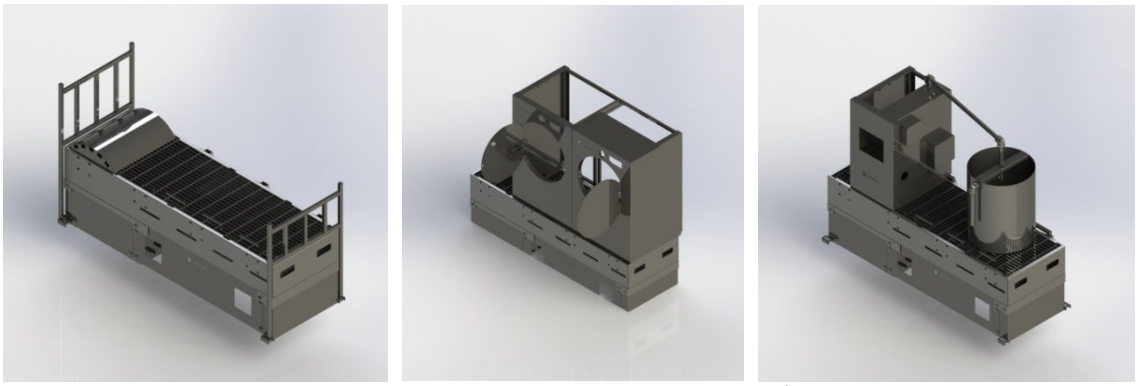
ORDER ACCEPTANCE AND NOTICE TO PROCEED

Symtech's proposal #ST1033-JH-2June2023 is acceptable including terms and conditions and we hereby authorize Symtech to proceed. The total contract value is **$127,567.50**.

Signature: _____ Date: _____
Name (Printed): _____

Symtech
Live Fire Simulation Technology

Interchangeable Fire Simulator ST Gas Simulator Examples



Interchangeable Mockup Platform incl. Bed, Clothes Dryer, and Boiler/Water Heater Props

Interchangeable Platform w/ Boiler/Water Heater Prop

Interchangeable Platform w/ Clothes Dryer Prop

Interchangeable Platform w/ Twin Bed Prop

ORDINANCE NO. _____

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF AN ADDITIONAL GAS PROP FOR THE BENTONVILLE FIRE TRAINING FACILITY; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT, NOT TO EXCEED ONE HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS AND FIFTY CENTS ($127,567.50), WITH SYMTECH FOR THIS PURCHASE; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville Fire Department requests to purchase an additional gas prop for the Bentonville Fire Training Facility;

WHEREAS, Symtech is the sole source representative due to the system being proprietary therefor it is neither practical or feasible to solicit competitive bids; and

WHEREAS, this amendment will be paid from remaining funds from construction.

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract with Symtech, for the purchase of an additional gas prop for the Bentonville Training Facility, in an amount not to exceed one hundred twenty-seven thousand five hundred sixty-seven dollars and fifty cents ($127,567.50);

Section 2: This purchase will be made using budgeted funds;

Section 3: There exists an exceptional circumstance whereby the requirements of competitive bidding are neither practical nor feasible and the City Council; therefore, waives the requirements of competitive bidding for the purchase of an additional gas prop for the Bentonville Training Facility;

Section 4 - Emergency Clause: The need to make this purchase is immediate, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 5 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

Attest:

_____
STEPHANIE ORMAN, Mayor

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Tracy Billings
Phone:	479-696-0229	**For Department(s):**	Transportation
Email:	tbillings@bentonvillear.com		

Item Type (Check all that apply)

☐ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☑ **Resolution** ☐ **Informational**

Title, Recommendation & Justification

Title:	Setting Public Hearing for Utility Easement Vacation
Action Recommendation & Justification:	Resolution to set public hearing for November 28, 2023 for a Utility Easement Vacation located at Lot 32 of College Place Subdivision Phase 8 (VAC23-0019).
Additional Comments for Consideration (Optional):	Resolution and GIS Vicinity Map attached.
Amount for Approval:	$ 0

Budget Impact

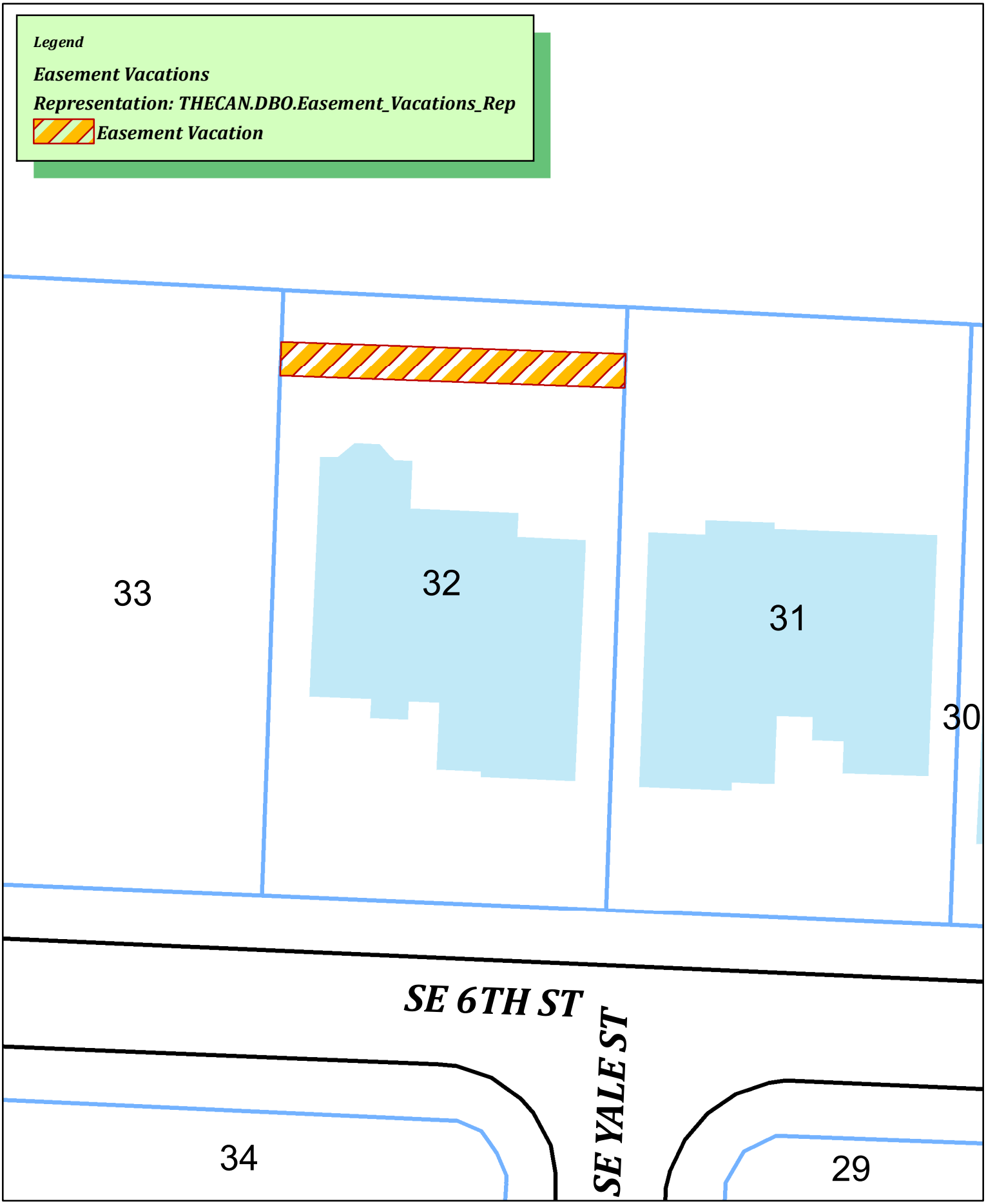
Is this Item Budgeted? ☐ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):



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Proposed Easement Vacation
Newell-4205 SE 6th Street

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 Tamara Newell requesting a utility easement vacation (VAC23-0019) within the City of Bentonville, Arkansas be vacated, which said utility easements is described as follows:

The South 8' of a 20' Utility Easement located on the North Side of Lot 32, College Place, Phase 8 and filed for record in Book 2007, Page 83 at the Benton County Courthouse, Bentonville, Arkansas.

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 the above described utility easement is set for a hearing November 28, 2023, 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 _____ 2023, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

_____
Kirby Romines, City Clerk
Bentonville, Arkansas

_____
Stephanie Orman, Mayor
City of Bentonville, Arkansas

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Tracy Billings
Phone:	479-696-0229	**For Department(s):**	Transportation
Email:	tbillings@bentonvillear.com		

Item Type (Check all that apply)

☐ **Informational** ☐ **Bid Award** ☐ **Enter into an Agreement** ☐ **Change Order**
☐ **Recognizing Funds** ☐ **Budget Adjustment** ☐ **Waiver of Bid** ☐ **Emergency Clause**
☐ **Ordinance** ☑ **Resolution** ☐ **Informational**

Title, Recommendation & Justification

Title:	Setting Public Hearing for Right of Way Vacation (VAC23-0020)
Action Recommendation & Justification:	Resolution to set public hearing for November 28, 2023 for Right of Way Vacation located at Lot 2 of Groundhog Addition(VAC23-0020).
Additional Comments for Consideration (Optional):	Resolution and GIS Vicinity Map attached.
Amount for Approval:	$ 0

Budget Impact

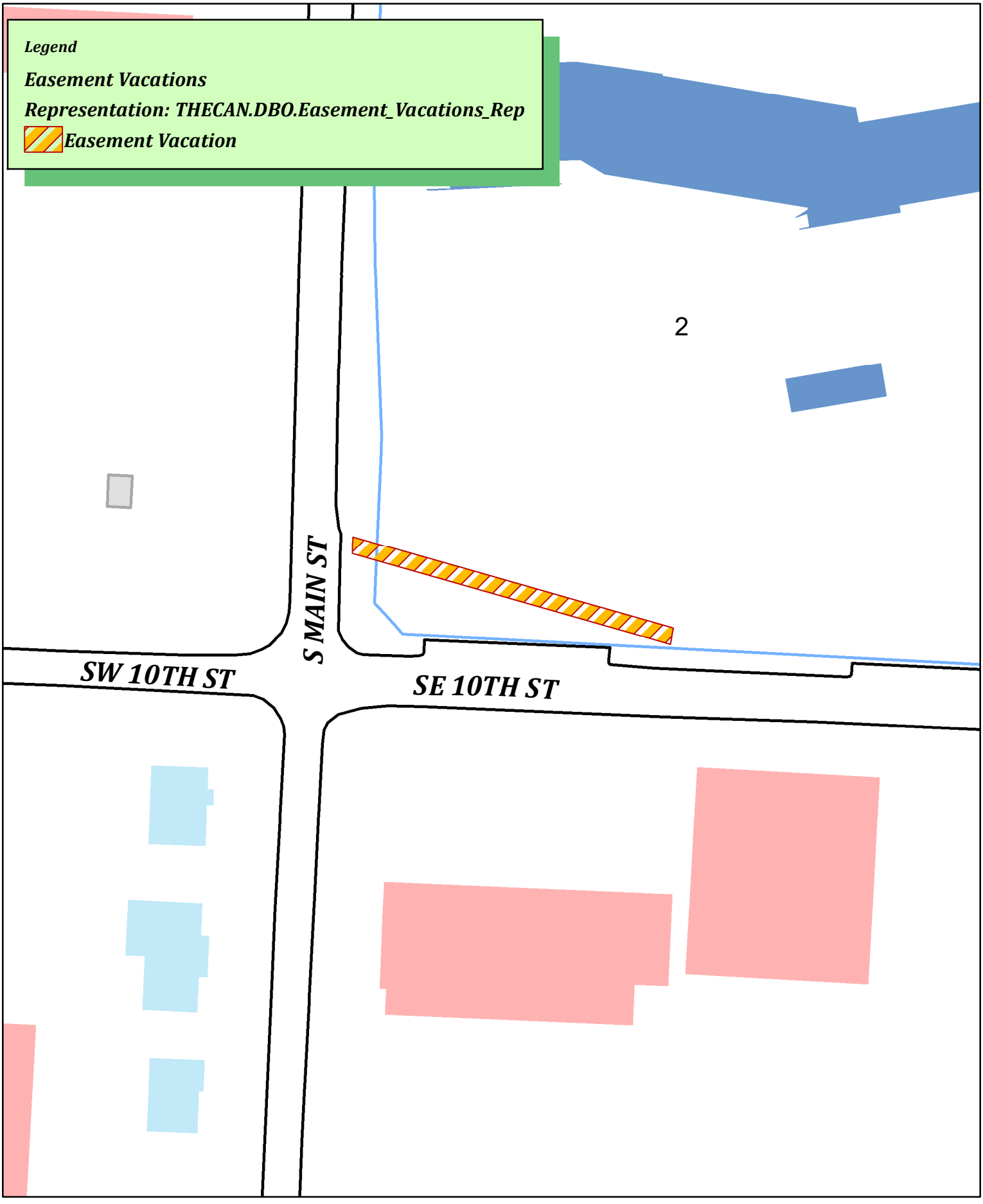
Is this Item Budgeted? ☐ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):



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S

VAC23-0020
Thaden School Easement Vacation
201 SE 10th St

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 CEI Engineering requesting right of way easement vacation (VAC23-0020) within the City of Bentonville, Arkansas be vacated, which said right of way easement is described as follows:

A 10' right-of-way grant in favor of the City of Bentonville per Deed Book 569, Page 739, being a part of Lot 2, Groundhog Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2017, Page 672, being a portion of land conveyed to Thaden School, and being described by metes and bounds as follows:

COMMENCING at a mag nail with washer stamped "LS 1616" found at the previous east right-of-way of South Main Street per Plat Book 3, Page 258 and Deed Book 2012, Page 27629 and north right-of-way of SE 10th Street, as shown on said Plat Book 2017, Page 672;
THENCE with previous east right-of-way, North 02°17'12" East, 44.86 feet to the POINT OF BEGINNING;
THENCE continuing with said east right-of-way, North 02°17'12" East, 10.29 feet;
THENCE leaving said east right-of-way, South 74°06'27" East, 202.31 feet to the north line of an existing 10-foot right-of-way grant in favor of City of Bentonville per Deed Book 569, Page 739;
THENCE South 09°26'44" West, 10.06 feet to the previous north right-of-way of SW 10th Street;
THENCE leaving said previous north right-of-way, North 74°06'27" West, 201.02 feet to the POINT OF BEGINNING and containing 2,017 square feet or 0.05 acres, more or less.

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 the above described utility easement is set for a hearing November 28, 2023, 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 _____ 2023, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

_____
Kirby Romines, City Clerk
Bentonville, Arkansas

_____
Stephanie Orman, Mayor
City of Bentonville, Arkansas

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Cody Vaughn
Phone:	479-254-2062	**For Department(s):**	Transportation
Email:	cvaughn@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☑ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	CEI Contract Amendment #2 - NW 9th & D Street Drainage Improvement Project
Action Recommendation & Justification:	Staff requests approval of a Resolution allowing the Mayor and City Clerk to authorize Contract Amendment #2 with CEI, Inc. for the NW 9th & D Street Drainage Improvement Project. This amendment is required to cover extended construction observation costs.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 164,810.00

Budget Impact

Is this Item Budgeted? ☐ YES ☑ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☑ Other(s): 2021 Drainage Bond Fund

Budget Impact Notes for Consideration (Optional):

Change Order 2 To Project: NW 9th and D Street (MUNIS# 21EN0009)

1. Background Data:

a. Effective Date of Project Contract: 6/28/2021

b. Owner: City of Bentonville, Arkansas

c. Engineer: CEI Engineering Associates, Inc.

d. Specific Project: - **City of Bentonville –** NW 9th and D Street (MUNIS# 21EN0009)

2. Description of Modifications

a. Engineer shall perform the following Additional Services:

- **Construction Observation – Increase of Construction Duration**

  Original contract stated the construction timeline was anticipated to be 4 months. Due to the utilities and ROW not having been acquired and removed prior to the beginning of construction, as well as the complexity of construction, CEI anticipates the construction duration will increase. Sizing of the structures are much larger than originally anticipated and will cause an increase in time of installation. CEI anticipates the construction duration will increase from 4 months to 10 months. Fees below reflect the difference in fees between 10 months and 4 months.

  General Coordination (Original $12,580, New $31,450)..……$18,870
  Pay Application Reviews (Original $6,480, New $16,200)…….$9,720
  Answer Questions During Const.
  (Original $18,100, New $45,250)……....…$27,150
  Field Visit (Original $8,060, New $20,150)…….……$12,090
  Half-Time Observation (Original $40,000, New $100,000) ……..…$60,000
  Review/Approve Construction Submittals & Change Orders
  (Original $15,040, New $37,600)……...$22,560
  Reimbursables – Title 2 (Original $280, New $700)……..$420

- **Engineering – Re-Design**

  CEI redesigned portions of the project during the ROW/TCE acquisitions on the project. A leg of the drainage system was removed that stretched down Huffman street, as well as the water and sewer relocations that were designed in this area. An additional portion of drainage was added at the beginning of the project off of Hook Street to capture storm water previously assumed by existing structures. After the project had been bid, it was discovered that a portion of the project in the alleyway along Lefors street previously assumed to be owned by the City of Bentonville was owned by the property owner Schuber. CEI will re-design the portion of the drainage project that goes through the Schuber property and direct the system to go

down NW Jefferson street and NW D Street. Fees include additional coordination that has occurred as well as what is anticipated for the above changes with the contract, property owners, utility companies, and the City of Bentonville.

Fees……..... $10,000

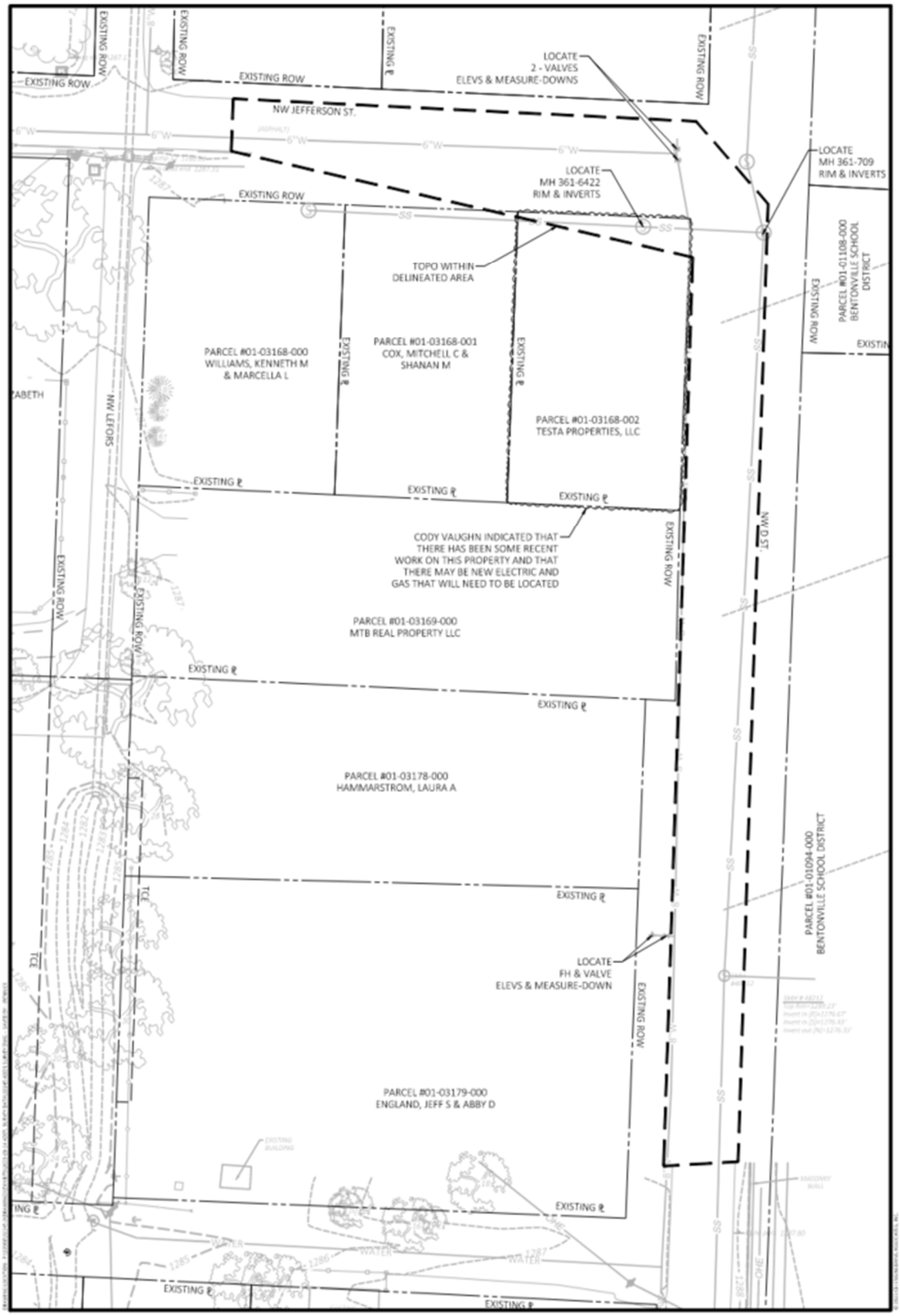
- **Topographic Survey and Limited Boundary Survey**

  CEI shall perform a Topographical Survey of additional area outlined in attached exhibit "A", consisting of 1' contours derived from a digital terrain model. Topographic survey will include all above-ground physicals and underground utilities. Location of underground utilities will be based on evidence found during the survey, markings by One Call service, and utility plans provided by Client.

  CEI field crews will locate pertinent monuments to determine the Right of Way lines according to provided deeds and surveys. Physicals such as the proposed gas line markers, existing gas line, gas valves, gas risers, drives and edges of road, etc will be located to aid in preparing easement exhibit and description. Fees do not include any reimbursables for items such as mileage, but current contract fees for reimbursables are sufficient to cover this additional item.

  Fees…….$4,000

Exhibit A


EXISTING ROW
NW JEFFERSON ST.
LOCATE
2 - VALVES
ELEVS & MEASURE-DOWNS
LOCATE
MH 361-6422
RIM & INVERTS
LOCATE
MH 361-709
RIM & INVERTS
TOPO WITHIN
DELINEATED AREA
PARCEL #01-03168-000
WILLIAMS, KENNETH M
& MARCELLA L
PARCEL #01-03168-001
COX, MITCHELL C &
SHANAN M
PARCEL #01-03168-002
TESTA PROPERTIES, LLC
PARCEL #01-01108-000
BENTONVILLE SCHOOL
DISTRICT
EXISTING ROW
EXISTING ℄
CODY VAUGHN INDICATED THAT
THERE HAS BEEN SOME RECENT
WORK ON THIS PROPERTY AND THAT
THERE MAY BE NEW ELECTRIC AND
GAS THAT WILL NEED TO BE LOCATED
PARCEL #01-03169-000
MTB REAL PROPERTY LLC
PARCEL #01-03178-000
HAMMARSTROM, LAURA A
PARCEL #01-01094-000
BENTONVILLE SCHOOL DISTRICT
LOCATE
FH & VALVE
ELEVS & MEASURE-DOWN
PARCEL #01-03179-000
ENGLAND, JEFF S & ABBY D
NW D ST
NW LEFORS
WATER
SS

b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Contract and previous amendments, if any, is modified as follows: [$399,640.00]

c. The responsibilities of Owner with respect to the Contract are modified as follows: [NONE]

d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation: [$164,810.00]

e. The schedule for rendering services under this Contract is modified as follows: [NONE]

f. Other portions of the Contract (including previous amendments, if any) are modified as follows: [NONE]

3. Contract Summary (Reference only)

a.	Original Contract amount:	$[237,090.00]
b.	Net change for prior amendments:	$[162,550.00]
c.	This amendment amount:	$[164,810.00]
d.	Adjusted Contract amount:	$[564,450.00]

The foregoing Contract Summary is for reference only and does not alter the terms of the Contract.

Owner and Engineer hereby agree to modify the above-referenced Contract as set forth in this Amendment. All provisions of the Agreement and Contract not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is October 2nd , 2023.

OWNER: CITY OF BENTONVILLE, ARKANSAS		ENGINEER: CEI Engineering Associates, Inc.	
By:	_____	By:	_____
Title:	_____	Title:	Department Manager Public Works
Date Signed:	_____	Date Signed:	_____

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT WITH CEI ENGINEERING ASSOCIATES, INC., FOR PROFESSIONAL SERVICES ON THE NW 9TH & NW D ST. PROJECT, IN THE AMOUNT OF ONE HUNDRED SIXTY-FOUR THOUSAND EIGHT HUNDRED TEN DOLLARS ($164,810.00); AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville previously entered into an agreement with CEI Engineering Associates, Inc., for professional services related to the NW 9th & NW D St. project;

WHEREAS, the City is requesting this amendment to cover extended construction observation cost; and

WHEREAS, this amendment will be paid using 2021 Drainage Bond monies.

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

Section 1: That the Mayor and City Clerk are hereby authorized to enter into an amended agreement with CEI Engineering Associates, Inc. for professional services for the NW 9th & NW D St. (PIIP22-0010; MUNIS 21EN0009) project to increase the agreement price by an amount of one hundred sixty-four thousand eight hundred ten dollars ($164,810.00);

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, MAYOR

ATTEST:

_____
Kirby Romines, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Bart Mahony
Phone:	479-271-5945	**For Department(s):**	Public Works Maintenance
Email:	bmahony@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☑ Enter into an Agreement ☑ Change Order
☐ Recognizing Funds ☑ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Amending Professional Services Agreement with Hight Jackson - Cemetery Columbarium Project
Action Recommendation & Justification:	Resolution authorizing the Mayor and City Clerk to amend the Professional Services Agreement with Hight Jackson and Associates, for the Cemetery Columbarium/Committal Shelter Project, for an increased amount of $19,250.00, for a total contract amount of $76,500.00. This request is due to a change in scope of work for Hight Jackson to add construction phase services. A Budget Adjustment is needed for this request.
Additional Comments for Consideration (Optional):	On 6/14/22 Council approved a Professional Services Agreement with Hight Jackson and Associates in the amount of $57,250. This agreement was for design services only for the City Cemetery Columbaria/Committal Shelter project. This amended contract will change the scope of Hight Jackson's responsibilities and will allow construction over-site, including but not limited to weekly site observations, Pay App approval, and Soil Density Inspections Scheduling and Approval.
Amount for Approval:	$ 19,250.00

Budget Impact

Is this Item Budgeted? ☐ YES ☑ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
105020-47210	Plants and Building	$ 19,250.00	$
		$	$
		$	$
		$	$

Fund(s) Impacted (check all that apply) ☑ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

AIA® Document G802® – 2017

Amendment to the Professional Services Agreement

PROJECT: *(name and address)* City of Bentonville Cemetery Columbarium Bentonville, AR	**AGREEMENT INFORMATION:** Date: May 25, 2022	**AMENDMENT INFORMATION:** Amendment Number: 1 Date: October 24, 2023
OWNER: *(name and address)* City of Bentonville, AR Bentonville, AR	**ARCHITECT:** *(name and address)* Hight Jackson Associates PA Rogers, AR	

The Owner and Architect amend the Agreement as follows:

Additional Scope of Work to include extensive coordination with Forever Redwood on Committal Shelter Design and additional structural footing design not included in original agreement. At the time of the agreement, it was assumed that a Construction Manager would be hired to oversee Bidding and Construction. The Owner selected to forego using a Construction Manager and go with an Open Bid construction delivery method increasing the Architect's Scope of Work during construction. Services to include standard construction phase services, pay application review, and additional observation.

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:

ADD: Nineteen Thousand, Two Hundred Fifty Dollars & no/100 ($19,250.00)

New Contract Total: Seventy-six Thousand, Five Hundred Dollars & no/100 ($76,500.00)

Schedule Adjustment:

Not Applicable

SIGNATURES:

Hight Jackson Associates PA **ARCHITECT** *(Firm name)*	City of Bentonville, AR **OWNER** *(Firm name)*
[redacted] **SIGNATURE**	**SIGNATURE**
Brian T. Jackson, President **PRINTED NAME AND TITLE**	Stephanie Orman, Mayor **PRINTED NAME AND TITLE**
DATE	**DATE**

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User Notes:
(3B9ADA46)

RESOLUTION NO. _____

A RESOLUTION ADJUSTING THE 2023 BUDGET; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT WITH HIGHT JACKSON, FOR PROFESSIONAL SERVICES ON THE CEMETERY COLUMBARIUM PROJECT, TO INCREASE THE AGREEMENT PRICE BY AN AMOUNT OF NINETEEN THOUSAND TWO HUNDRED FIFTY DOLLARS ($19,250.00); AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville previously entered into an agreement with Hight Jackson, for professional services related to the Columbarium/Committal Shelter project;

WHEREAS, the City is requesting this amendment to change the scope of Hight Jackson's responsibilities and will allow construction over-site; and

WHEREAS, a budget adjustment will be needed to fund this request.

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

Section 1: That the Mayor and City Clerk are hereby authorized to enter into an amended agreement with Hight Jackson for professional services for the Cemetery Columbarium Project to increase the agreement price by an amount of nineteen thousand two hundred fifty dollars ($19,250.00);

Section 2: The 2023 Budget is adjusted to appropriate nineteen thousand two hundred fifty dollars ($19,250.00) from the General Fund to Account Number 105020-47210 – Plants and Building;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, MAYOR

ATTEST:

_____
Kirby Romines, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Bart Mahony
Phone:	479-271-5945	**For Department(s):**	Public Works Maintenance
Email:	bmahony@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☑ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☑ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Award Bid IFB 23-53 to C.R. Crawford for the City Cemetery Columbarium/Committal Shelter Project
Action Recommendation & Justification:	Resolution approving bid award IFB-23-53 in the amount of $689,199.00 to C.R. Crawford Construction. This amount includes the subtraction of Alternate Deduct #1, and a portion of a 3% contingency ($15,000.00). C.R. Crawford was the lowest responsible bidder. A Budget Adjustment is needed for this project to cover landscape and irrigation materials/supplies, material testing, and contingency.
Additional Comments for Consideration (Optional):	Bid amount after Alternate Deduct #1 is $674,199.00; a 3% contingency is $20,000.00. The purchase of landscaping supplies and materials is $25,000.00, and $5,000.00 will be kept from the contingency for use in project costs. This brings the total project cost to $719,199.00. A Budget Adjustment in the amount of $246,632.48 is needed to complete construction of this project.
Amount for Approval:	**$** 719,199.00

Budget Impact

Is this Item Budgeted? ☑ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

105020-47210	Plants and Building	$ 246,632.48	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue

Fund(s) Impacted (check all that apply) ☑ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

HIGHT JACKSON ASSOCIATES PA

Bid Tabulation Form

Bid Date: October 17, 2023

Time Taken: 2:00 PM local time

Columbarium & Committal Shelter
City of Bentonville
Bentonville, AR

Project No. 2210

Contractors	CR Crawford	Milestone	ONECON	Benchmark
License No.	0173580624	0156090424	0381860324	0033500524
Bid Bond	✓	✓	✓	✓
Addenda 1 & 2	✓	✓	✓	✓
Base Bid	$716,899.00	$888,266.00	$875,000.00	$893,400.00
Trenching or Excavation Safety Systems	$360.00	$0.00	$1.00	$250.00
Unit Price 1 Rock excavation & off-site dispoal per cu.yd. in place	$360.00	$420.00	$500.00	$550.00
Unit Price 2 Provide, place & compact engineered fill per trucked cu.yd.	$64.00	$25.00	$25.00	$21.00
Unit Price 3 Excavation, removal & off-site disposal of existing earth per trucked cu.yd.	$44.00	$25.00	$25.00	$15.00
Unit 4 Provide shot rock fill per ton installed	$66.00	$62.00	$315.00	$360.00
Unit 5 Provide Controlled Low Strength Material per cu. Yd	$234.00	$240.00	$300.00	$330.00
Alternate # 1 Remove work & material from project scope for Sod, Hydroseeding, Landscaping, & Irrigation System **Deduct**	$42,700.00	$42,705.00	$38,760.00	$25,135.00
Completion Time (Calendar Days)	183	240	210	150
Sub-Contractors				
Electrical	Prime Electric	Dolle Electric	Dolle Electric	King Electric
License No.	0444630924	0022870324	0022870324	0063870424
Roofing & Sheet Metal	First Star Ext.	First Star Ext.	M2 Roofing	Benchmark
License No.	0387210524	0387210524	0351170324	0033500524

00 42 13
PROPOSAL FOR LUMP SUM CONTRACT

PLACE: Attn: IFB 23-53, City of Bentonville Purchasing Office, 1000 SW 14th Street Bentonville, AR 72712 - 2nd Floor.

DATE & TIME: October 17th, 2023 at 2:00 PM

PROJECT: City of Bentonville Columbarium and Committal Shelter, Bentonville, AR

PROPOSAL OF C.R. Crawford Construction, LLC
(Hereinafter called the "Bidder")

A Corporation, organized and existing under the laws of the State of Arkansas

A Partnership consisting of n/a

An individual trading as n/a

TO: CITY OF BENTONVILLE, ARKANSAS

Gentlemen:

The undersigned, in compliance with your invitation for bids for the City of Bentonville Columbarium and Committal Shelter, Bentonville, AR having examined the plans and specifications with related documents, and having visited the site of the proposed work within the past seven (7) days, and being familiar with all the conditions surrounding the construction of the proposed project, including the availability of materials and labor, hereby propose to furnish all labor, materials, supplies, plants, etc., and to construct the project in accordance with the contract documents within the time set forth therein and at the prices stated herein, to cover all work in accordance with bidders bid requirements. These prices are to cover all expenses incurred in performing the work required under the contract documents of which this proposal is a part.

I/We acknowledge receipt of the following Addenda:
(Arkansas public bid statutory requirement: Bidder must acknowledge all addenda issued by addendum number)

# 1	Dated 10.09.2023
# 2	Dated 10.13.2023
#	Dated
#	Dated

Base Bid Proposal for General Construction:

Seven Hundred Sixteen Thousand Eight Hundred Ninety Nine Dollars DOLLARS ($ 716,899.00)

(Arkansas public bid statutory requirement: Bidder must enter bid amount in written and numerical format)

In compliance with Act 291 of 1993 the following separate pay item is included in the base bid:
TRENCHING OR EXCAVATION SAFETY SYSTEMS:

Three Hundred Sixty DOLLARS ($ $360.00)

(Arkansas bidding law requirement: Bidder must enter amount. If amount is $0.00, then enter amount as $0.00)

UNIT PRICES:

UNIT PRICE NO. 1: Rock excavation and off-site disposal per Specifications, Section 31 23 00.

Three Hundred Sixty DOLLARS per cu.yd.in place ($360.00)

UNIT PRICE NO. 2: Provide, place & compact engineered fill as specified in Section 31 23 00. (Price shall also be for credit if fill called for is not required as determined by soils engineer)

Sixty Four DOLLARS per trucked cu.yd.($64.00)

UNIT PRICE NO. 3: Excavation, removal and off-site disposal of existing earth. (Price shall also be for credit if earth removal called for is not required as determined by soils engineer)

Forty Four DOLLARS per trucked cu.yd.($44.00)

UNIT PRICE NO. 4: Provide shot rock fill per specifications, Section 31 23 00.

Sixty Six DOLLARS per ton, installed. ($66.00)

UNIT PRICE NO. 5: Provide Controlled Low Strength Material (CLSM) / Flowable Fill per specifications, Section 31 23 00.

Two Hundred Thirty Four DOLLARS per cu. yd. ($234.00)

ALTERNATE PRICES: For the materials and work described in the specifications and/or drawings, the undersigned agrees to adjust his base bid for the following described work:

ALTERNATE NO. 1: Remove work and materials from project scope for Sod (Spec Section 32 92 23), Hydroseeding (Spec Section 32 92 20), Landscaping (Spec section 32 93 00) and Irrigation System (Spec Section 32 80 00) shown on drawings and specifications. Owner will provide. Refer to Spec Section 01 11 00 General Requirements.

DEDUCT$ $42,700.00

COMPLETION TIME:
The Contractor agrees, if awarded the contract to complete project within *(insert number of calendar days)* One Hundred Eighty Three (183) Calendar Days after the date noted in Contract.

Liquidated damages in the amount of Five Hundred Dollars ($300.00) per calendar day for delay beyond that time will be paid by the Contractor except for extensions of time granted under the General and Supplementary Conditions.

In submitting this bid, it is understood that the right is reserved by the Owner to reject any or all bids. No bid shall be withdrawn for a period of forty-five (45) days subsequent to the opening of bids without the consent of the Owner.

In submitting this bid I/We acknowledge and include Cash Allowance costs if required by your scope of work as part of the Base Bid as listed in Specification Section 01 21 13.

I (or we) submit the names of the subcontractors I (or we) propose to use, and the State Contractors' License Number (If Applicable), as follows:

SUBCONTRACTORS NAME	STATE CONTRACTOR'S LICENSE NO.
A. Electrical	
Prime Electric	0444630924
Is the amount of the Electrical work $50,000.00 or more? If yes, list electrical subcontractor and license number above.	Yes Y No
B. Roofing & Sheet Metal	
FIRST STAR EXTERIORS LLC	0387210524
Is the amount of the Roofing & Sheet Metal work $50,000.00 or more? If yes, list roofing and sheet metal subcontractor and license number above.	Yes Y No

Bidder must enter subcontractors name in blanks above along with license number unless amount of subcontract is less than $20,000.00.)

CONDITIONS:

A. It is agreed that if awarded the Contract, a period of time not to exceed forty-five (45) days shall be allowed the Owner in which to determine the manner in which to award or not award the contract.

B. It is further agreed that if awarded the contract, the undersigned will execute the contract and commence work per date as provided on "Notice To Proceed", and will fully complete the work ready to use, not later than the time stipulated.

DECLARATION:

A. The Undersigned hereby declares that he has carefully examined the Invitation and Instructions for Proposals, the Drawings and Specifications, has visited the actual location of the work and has consulted his sources of supply, and has satisfied himself as to all quantities and conditions, and understands that in signing this proposal, he waives all right to pleas of any misunderstanding regarding the same.

A. It is the intent of the requirement to visit the site within seven days of bid opening that the bidder familiarize himself/herself with the site, review existing conditions, and that his bid reflects same.

FIRM C.R. Crawford Construction, LLC

B [redacted]

(Arkansas public bid statutory requirement: Bidder must sign in space provided above)

PRINTED NAME & TITLE Trent Rogers, AIA Vice President | Architect

TITLE Vice President | Architect

DATE 10.17.2023

NOTE: If bidder is a corporation, indicate state of incorporation, under the Firm's Signature, and if a partnership, give full names of all partners.

Arkansas State Contractor's License No.
0173580624

(Arkansas public bid statutory requirement: Bidder must provide current State Contractor's number)

C.R. CRAWFORD CONSTRUCTION

COLUMBARIUM
Title of Estimate
10/17/2023

Project SF: 1,642 | **Total Project $** $716,899 | **Unit Total**
$ Per SF $436.60 | **$ Per Unit**

Div.	CSI Description	Qty	Unit	Unit $	Subtotal	$ / GSF	% of Total
01 11 00-1	General Requirements				$ 44,040	$ 26.82	6.14%
01 11 00-2	General Conditions				$ 77,272	$ 47.06	10.78%
03 30 00-1	Concrete				$ 77,696	$ 47.32	10.84%
04 00 00-1	Masonry				$ 65,000	$ 39.59	9.07%
05 00 00-1	Anchor Bolts				$ 1,353	$ 0.82	0.19%
05 00 00-2	Removable Bollards				$ 4,554	$ 2.77	0.64%
06 00 00-1	Rough Carpentry				$ 41,927	$ 25.53	5.85%
07 00 00-1	Waterproofing & Joint Sealants				$ 2,508	$ 1.53	0.35%
07 00 00-2	Standing Seam Metal Roof Panels				$ 60,725	$ 36.98	8.47%
08 00 00-1	Openings				$ 5,197	$ 3.17	0.72%
09 00 00-1	Finishes				$ 3,950	$ 2.41	0.55%
10 00 00-1	Specialties				$ 34,172	$ 20.81	4.77%
26 00 00	Electrical				$ 92,950	$ 56.61	12.97%
31 00 00	Earthwork				$ 60,545	$ 36.87	8.45%
32 00 00	Exterior Improvements				$ 51,419	$ 31.31	7.17%
33 00 00	Utilities				$ 16,707	$ 10.17	2.33%
				Subtotal Divisions 00 - 48	$ 640,015	$ 389.78	89.28%
	Contingency, Insurance, Fees, Bonds						
	Construction Contingency	1	LS	$ -	$ -	$ -	0.00%
	Design Contingency	1	LS	$ -	$ -	$ -	0.00%
	Material Escalation Contingency	1	LS	$ -	$ -	$ -	0.00%
	General Liability	1	LS	$ 4,800	$ 4,800	$ 2.92	0.67%
	Builders Risk	1	LS	$ 2,490	$ 2,490	$ 1.52	0.35%
	Preconstruction Fee	1	LS	$ -	$ -	$ -	0.00%
	Overhead and Profit	1	LS	$ 64,731	$ 64,731	$ 39.42	9.03%
	Subcontractor Bonding	1	LS	$ -	$ -	$ -	0.00%
	Payment and Performance Bond	1	LS	$ 4,863	$ 4,863	$ 2.96	0.68%
				Subtotal Contingency, Insurance, Fees, Bonds	$ 76,884	$ 46.82	10.72%
				Total Construction Costs	$ 716,899	$ 436.60	100.00%

AIA® Document A310™ – 2010

Bid Bond

CONTRACTOR:
(Name, legal status and address)
CR Crawford Construction, LLC
1102 S. Happy Hollow Road
Fayetteville, AR 72701

SURETY:
(Name, legal status and principal place of business)
Liberty Mutual Insurance Company
175 Berkeley Street
Boston, MA 02116

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

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:
(Name, legal status and address)
City of Bentonville
1000 SW 14th Street
Bentonville, AR 72712

BOND AMOUNT: **Five Percent (5%) of the Amount Bid----------**

PROJECT:
(Name, location or address, and Project number, if any)
COLUMBARIUM & COMMITTAL SHELTER
CITY OF BENTONVILLE
BENTONVILLE, ARKANSAS

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

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License No. 0173580624

ID #21483

State of Arkansas

Commercial Contractors Licensing Board

CR CRAWFORD CONSTRUCTION, LLC
1102 S HAPPY HOLLOW RD
FAYETTEVILLE, AR 72701

This is to Certify That CR CRAWFORD CONSTRUCTION, LLC

is duly licensed under the provisions of Ark. Code Ann. § 17-25-101 et. seq. as amended and is entitled to practice Contracting in the State of Arkansas within the following classifications/specialties:

BUILDING
- (COMMERCIAL & RESIDENTIAL)

This contractor has an unlimited suggested bid limit.

from May 19, 2023 **until** June 30, 2024 **when this Certificate expires.**

Witness our hands of the Board, dated at North Little Rock, Arkansas:

[redacted]

CHAIRMAN

[redacted]

SECRETARY

May 19, 2023 - dsa

AIA® Document A101® – 2017

Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the Sixth day of November in the year Two Thousand Twenty-three
(In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status, address and other information)

City of Bentonville
1000 SW 14th Street
Bentonville, AR 72712

and the Contractor:
(Name, legal status, address and other information)

C.R. Crawford Construction, LLC
1102 S Happy Hollow Rd
Fayetteville, AR 72701

for the following Project:
(Name, location and detailed description)

Columbarium & Committal Shelter
City of Bentonville
Bentonville, Arkansas

The Architect:
(Name, legal status, address and other information)

Hight Jackson Associates PA
5201 W. Village Parkway, Suite 300
Rogers, AR 72758

The Owner and Contractor agree as follows.

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

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

The parties should complete A101®–2017, Exhibit A, Insurance and Bonds, contemporaneously with this Agreement. AIA Document A201®–2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

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TABLE OF ARTICLES

1 THE CONTRACT DOCUMENTS

2 THE WORK OF THIS CONTRACT

3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

4 CONTRACT SUM

5 PAYMENTS

6 DISPUTE RESOLUTION

7 TERMINATION OR SUSPENSION

8 MISCELLANEOUS PROVISIONS

9 ENUMERATION OF CONTRACT DOCUMENTS

EXHIBIT A INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be:
(Check one of the following boxes.)

[X] A date set forth in a notice to proceed issued by the Owner.

(Paragraphs deleted)

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this Agreement.

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

§ 3.3 Substantial Completion

§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:
(Check one of the following boxes and complete the necessary information.)

[ ] Not later than One Hundred Eighty-three (183) calendar days from the date of commencement of the Work.

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§ 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
Complete Project	As noted in the Notice to Proceed

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.5.

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be Six Hundred Seventy-four Thousand, One Hundred Ninety-nine Dollars & no/100 ($ 674,199.00), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 Alternates

§ 4.2.1 Alternates, if any, included in the Contract Sum:

Item	Price
Alternate No. 1: Remove work and materials from project scope for Sod, Hydroseeding, Landscaping, and Irrigation System.	Deduct: Forty-two Thousand, Seven Hundred Dollars and no/100 ($42,700.00)

(Table deleted)
(Paragraphs deleted)

§ 4.3 Allowances, if any, included in the Contract Sum:
(Identify each allowance.)

Item	Price
Cast Building Plaque	One Thousand, Six Hundred Dollars and no/100 ($1,600.00)

§ 4.4 Unit prices, if any:
(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit ($0.00)
Unit Price No. 1	Rock excavation and off-site disposal	$360.00
Unit Price No. 2	Provide, place & compact engineered fill	$64.00
Unit Price No. 3	Excavation, removal and off-site disposal of existing earth	$44.00
Unit Price No. 4	Provide shot rock fill	$66.00
Unit Price No. 5	Provide Controlled Low Strength Material (CLSM)/Flowable Fill	$234.00

§ 4.5 Liquidated damages, if any:
(Insert terms and conditions for liquidated damages, if any.)

Liquidated damages in the amount of Three Hundred Dollars ($300.00) per calendar day for delay beyond that time will be paid by the Contractor except for extensions of time granted under the General and Supplementary Conditions.

§ 4.6 Other:
(Insert provisions for bonus or other incentives, if any, that might result in a change to the Contract Sum.)

None

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ARTICLE 5 PAYMENTS

§ 5.1 Progress Payments

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the Twenty-fifth day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the Twenty-fifth day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner as soon as possible after the Architect receives the Application for Payment.
(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 In accordance with AIA Document A201™–2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

§ 5.1.6.1 The amount of each progress payment shall first include:

.1 That portion of the Contract Sum properly allocable to completed Work;

.2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and

.3 That portion of Construction Change Directives that the Architect determines, in the Architect's professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

.1 The aggregate of any amounts previously paid by the Owner;

.2 The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;

.3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;

.4 For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and

.5 Retainage withheld pursuant to Section 5.1.7.

§ 5.1.7 Retainage

§ 5.1.7.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:
(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

Five Percent (5%)

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(Paragraphs deleted)

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201–2017.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 Final Payment

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

.1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and

.2 a final Certificate for Payment has been issued by the Architect.

(Paragraphs deleted)

§ 5.3 Interest

Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located.
(Insert rate of interest agreed upon, if any.)

Maximum allowed by law

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 Initial Decision Maker

The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker.
(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

§ 6.2 Dispute Resolution

For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of dispute resolution shall be as follows:
(Check the appropriate box.)

[X] Litigation in a court of competent jurisdiction in Benton County, AR

If the Owner and Contractor do not select a method of dispute resolution, or do not subsequently agree in writing to a dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.

ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

§ 7.1.1 If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows:
(Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.)

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§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2017.

ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 The Owner's representative:
(Name, address, email address, and other information)

Bart Mahony, Maintenance Manager
City of Bentonville
1000 SW 14th Street
Bentonville, AR

§ 8.3 The Contractor's representative:
(Name, address, email address, and other information)

Trent Rogers, Vice President
C.R. Crawford Construction
1102 S Happy Hollow Rd
Fayetteville, AR 72701

§ 8.4 Neither the Owner's nor the Contractor's representative shall be changed without ten days' prior notice to the other party.

§ 8.5 Insurance and Bonds

§ 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.

§ 8.5.2 The Contractor shall provide bonds as set forth in AIA Document A101™–2017 Exhibit A, and elsewhere in the Contract Documents.

(Paragraphs deleted)
§ 8.7 Other provisions:

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§ 9.1 This Agreement is comprised of the following documents:

.1 AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor
.2 AIA Document A101™–2017, Exhibit A, Insurance and Bonds
.3 AIA Document A201™–2017, General Conditions of the Contract for Construction

(Paragraph deleted)

.5 Drawings Refer to the attached list

.6 Specifications

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Section	Title	Date September 1, 2023	Pages
Division 0	Conditions of the Contract		00 11 16-1-00 73 00-11
Division 1	General Requirements		01 11 00-1-15
Division 2	Existing Conditions		02 32 00-1
Division 3	Concrete		03 11 00-1-03 48 43-6
Division 4	Masonry		04 05 13-1-04 22 00-7
Division 5	Metals		05 50 00-1-3
Division 6	Wood and Plastic		06 10 00-1-4
Division 7	Thermal & Moisture Protection		07 10 00-1-07 92 00-5
Division 8	Openings		08 11 13-1-08 71 00-4
Division 9	Finishes		09 91 00-1-8
Division 10	Specialties		10 00 00-1-10 74 16-2
Division 26	Electrical		26 00 10-1-26 56 00-2
Division 31	Earthwork		31 11 00-1-31 35 00-3
Division 32	Exterior Improvements		32 16 00-1-32 94 00-8
Division 33	Utilities		33 41 00-1-33 46 16-2

.7 Addenda, if any:

Number	Date	Pages
1	October 9, 2023	7
2	October 13, 2023	2

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9.

.8 Other Exhibits: None
(Check all boxes that apply and include appropriate information identifying the exhibit where required.)

(Table deleted)

*(Paragraphs deleted)*This Agreement entered into as of the day and year first written above.

City of Bentonville, AR

C.R. Crawford Construction, LLC

OWNER *(Signature)*

Stephanie Orman, Mayor
(Printed name and title)

CONTRACTOR *(Signature)*

Trent Rogers, Vice President
(Printed name and title)

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Drawing Index

CIVIL

C1.0 SITE AND UTILITY PLAN
C2.0 EROSION CONTROL PLAN
C3.0 GRADING A& DRAINAGE PLAN
C4.0 LANDSCAPING PLAN
C5.0 SITE DETAILS
C6.0 SITE DETAILS

ARCHITECTURAL

A1.0 ARCHITECTURAL SITE PLAN
A1.1 CODE FOOTPRINT
A2.0 FIRST FLOOR PLAN
A2.1 ENLARGED PLANS & DETAILS
A2.2 RCP & ROOF PLAN
A2.3 ROOF DETAILS
A4.0 EXTERIOR ELEVATIONS
A5.1 BUILDING SECTIONS
A5.2 WALL SECTIONS
A5.3 ENLARGED DETAILS
A6.0 COLUMBARIUM PLAN & DETAILS

STRUCTURAL

S1.0 REQUIRED IBC SPECIAL INSPECTIONS (2021)
S1.1 FOUNDATION GENERAL NOTES, FRAMING GENERAL NOTES, & TYP. DETAILS
S2.1 FOUNDATION PLAN
S3.1 ROOF FRAMING PLAN & FRAMING DETAILS
S4.1 FOUNDATION DETAILS

FOREVER REDWOOD (FOR REFERENCE ONLY)

S-1 FOREVER REDWOOD COVER SHEET
S-2 FOREVER REDWOOD PLANS & ELEVATIONS
S-3 FOREVER REDWOOD FRAMING DETAILS

ELECTRICAL

E2.0 ELECTRICAL SITE PLAN
E2.1 ELECTRICAL PLAN
E3.1 ELECTRICAL DETAILS

ISSUE DATE: 09/01/2023

RESOLUTION NO. _____

A RESOLUTION AWARDING BID IFB-23-53 TO C.R. CRAWFORD CONSTRUCTION FOR PROFESSIONAL SERVICES FOR CEMETERY COLUMBARIUM PROJECT, IN THE AMOUNT OF SIX HUNDRED SEVENTY-FOUR THOUSAND ONE HUNDRED NINETY-NINE DOLLARS ($674,199.00); AMENDING THE 2023 BUDGET TO TRANSFER TWO HUNDRED SIXTY-FIVE THOUSAND DOLLARS ($265,000.00) FROM GENERAL FUNDS TO ACCOUNT #105020-47210 – PLANTS AND BUILDING; AND FOR OTHER PURPOSES.

WHEREAS, C.R. Crawford Construction is the lowest responsive bidder for bid IFB-23-53;

WHEREAS, this contract is needed to complete construction for the Cemetery Columbarium Project; and

WHEREAS, this contract will require a budget adjustment in the amount of two hundred sixty-five thousand dollars ($265,000.000);

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract with C.R. Crawford Construction for professional services for the Cemetery Columbarium Project in the amount of six hundred seventy-four thousand one hundred ninety-nine dollars ($674,199.00);

Section 2: The 2023 Budget is hereby amended to appropriate two hundred sixty-five thousand dollars ($265,000.000)from General Funds to Account #105020-47210 – Plants and Building;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
STEPHANIE ORMAN, Mayor

ATTEST:

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	David Wright, Parks and Recreation Directo
Phone:	479.271.6813	**For Department(s):**	Parks and Recreation
Email:	dwright@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☑ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☑ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Resolution and Budget Adjustment - Donation for Gilmore Park Improvements
Action Recommendation & Justification:	Council approval of a resolution and budget adjustment in the amount of $257,795.00, accepting a donation from Steuart and Kelly Walton, for park improvements at Gilmore Park. A budget adjustment is needed to accept funds.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$ 257,795.00

Budget Impact

Is this Item Budgeted? ☐ YES ☑ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

105030-33810	Local Grants	$	$ 257,795.00
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
105030-47390	Improv Other than Bldg / Other	$ 257,795.00	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

Memo

To: City Council, Mayor Orman

Thru: David Wright, Parks and Recreation Director

From: Wade Tomlinson, Parks Planner

Date: November 1, 2023

Re: City Council approval of a resolution and budget adjustment, accepting a donation in the amount of $257,795 for improvements at Gilmore Park.

Approximately two (2) years ago, we began talking about the possibility of making improvements of Gilmore Park. Gilmore Park was opened in 2010 and has served this neighborhood so well over the last decade. We met with representatives from Runway and the Walton Family Foundation and they wanted to help.

The City budgeted $65,000 in 2022 to replace the playground's fall safe material. But we conducted a public input meeting to talk to neighbors about what type of improvements they desired to see. We heard more and more there are young children the area and the need for playground for younger kids and some level of barrier separating the playground with the common area and adjacent roads.

In addition, the land adjacent to the property was purchased and improved with the intent of donating the property to the city for use of expanding the public park. This donation of $257,795, will be used for new playground equipment, shade, safety fencing and sidewalk and landscaping improvements. We will utilize this donation, plus the $65,000 we currently have budgeted to start this project as soon as possible – possibly by the end of the year.

If you have questions concerning this item, please email me at wtomlinson@bentonvillear.com or call 479.217.3392.

DocuSign Envelope ID: 05BEF819-6715-4686-BFFF-477E966EC8DD

September 26, 2023

Mayor Stephanie Orman
City of Bentonville
305 SW A Street
Bentonville, AR 72712

Dear Mayor Orman,

It is my pleasure to inform you that Kelly and Steuart Walton (“Donors”) have approved support in the amount of $257,795.00 to the City of Bentonville (“Giftee”). The gift funds are to support Gilmore Park improvements. The funds are exclusively for the intended purpose and are subject to the terms below and attached.

The gift amount of $257,795.00 should be received by an electronic transfer within 14 days upon approval of Bentonville’s City Council.

City of Bentonville will provide a financial and narrative report on or before December 31, 2023. The report shall include an account of expenditures of funds and a brief narrative of what was accomplished, including updates on agreed upon metrics.

For all communications regarding this gift, your point of contact will be Jon Raney. He can be contacted via phone (214) 532-1959 or email jraney@bluecrane.us.

Sincerely,

DocuSigned by:
[redacted]
Erron Smith, Secretary
KSW Management, LLC

cc: David Wright

enclosure

DocuSign Envelope ID: 05BEF819-6715-4686-BFFF-477E966EC8DD

GIFT TERMS

By accepting a gift from the Donors, Giftee acknowledges and agrees to the following terms:

1. **Organizational Status.** Giftee represents to be an organization in good standing, is either an organization described in section 501(c)(3) of the Internal Revenue Code ("Code") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code.

2. **Accounting.** Giftee will account for and maintain records of receipts and expenditures of the gift funds in accordance with generally accepted accounting principles.

3. **Restrictions on Gift Use.** Giftee will use the funds only for the purposes described, and will comply with all applicable laws and regulations in administering and expending the gift funds. In no event will Giftee use any gift funds:

   (a) to lobby for or against, or otherwise to attempt to influence, government legislation;

   (b) to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive; or

   (c) to undertake any activity other than for a charitable, educational or other tax-exempt purpose specified in section 170(c)(2)(B) of the Code.

4. **Gratuities.** Giftee's resources shall be dedicated to accomplishing its philanthropic purposes. Therefore, Giftee agrees that it will not furnish any type of benefit related to this gift including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.

5. **Gift Publicity.** Gift publicity related to this gift consistent with Giftee's normal practice is permitted, subject to the following provisions. Any announcements and other publicity shall focus on Giftee's work and the project or issue funded by the gift. Recognition of the funder's role in the project is permitted, provided that the timing, content and strategic focus of such publicity is approved. If publicized or recognized, please coordinate communications about this gift with your point of contact prior to any announcements.

6. **Repayment.** Giftee agrees to repay any portion of the gift funds not used for the gift's purposes.

7. **Additional Information.** Giftee may be requested to provide such information as is necessary or appropriate to determine that the gift funds are being used for the purposes intended. Giftee agrees to provide such information upon request.

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A GRANT FROM KELLY AND STEUART WALTON IN THE AMOUNT OF TWO HUNDRED FIFTY-SEVEN THOUSAND SEVEN HUNDRED NINETY-FIVE DOLLARS ($257,795.00); ADJUSTING THE 2023 BUDGET TO RECOGNIZE THE SAME TO ACCOUNT #105030-33810 – LOCAL GRANTS; APPROPRIATING THE SAME INTO ACCOUNT #105030-47390 – IMPROVEMENT OTHER THAN BUILDING; AND FOR OTHER PURPOSES.

WHEREAS, in 2022, the City budgeted sixty-five thousand dollars ($65,000.00) for improvements to Gilmore Park;

WHEREAS, after a public input meeting, the City expanded plans to revitalize this park with help from community partners through land donation and grant funds;

WHEREAS, in addition to the previously budgeted amount, this grant will be used for new playground equipment, shade, safety fencing, and sidewalk and landscaping improvements; and

WHEREAS, there is no matching portion for this grant.

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

Section 1: The Mayor and City Clerk are authorized to accept a grant from the Kelly and Steuart Walton, in the amount of two hundred fifty-seven thousand seven hundred ninety-five dollars ($257,795.00), for improvements to Gilmore Park;

Section 2: The 2023 Budget is adjusted to recognize two hundred fifty-seven thousand seven hundred ninety-five dollars ($257,795.00) of grant funds into Account #105030-33810 – Local Grants and appropriate the same to Account #105030-47390 – Improvement Other than Building;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
STEPHANIE ORMAN, MAYOR

_____
KIRBY ROMINES, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	David Wright, Parks and Recreation Directo
Phone:	479.271.6813	**For Department(s):**	Parks and Recreation
Email:	dwright@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☑ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Land Donation for Gilmore Park from 8th & Melissa LLC
Action Recommendation & Justification:	Resolution authorizing the Mayor and City Clerk to enter into an agreement with 8th and Melissa, LLC, accepting a land donation that will become part of Gilmore Park. No budget adjustment is needed.
Additional Comments for Consideration (Optional):	
Amount for Approval:	$

Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☑ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		
		$ Expense	$ Revenue
Account Number (ORG-OBJECT)	Account Description		

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

Memo

To: City Council, Mayor Orman

Thru: David Wright, Parks and Recreation Director

From: Wade Tomlinson, Parks Planner

Date: November 1, 2023

Re: City Council approval of a resolution authorizing the Mayor to enter into agreement with 8th & Melissa, LLC for a real estate transaction accepting the donation of the property that will become part of Gilmore Park.

The parcel being donated to the city is owned by 8th and Melissa, LLC. and shares a common property line with the current Gilmore Park. The owner contacted the parks department asking if the parks department had interest in the land becoming part of Gilmore Park thereby enlarging the park and its usefulness to the public. The parks department agrees that the land donation to expand the park would be a valued expansion.

Moving forward from the concept of park expansion, EDG was hired by the owner to start design of the park improvements. This plan included the current Gilmore Park and the donated parcel. The parks department held a Saturday morning Gilmore Park design input meeting at Gilmore Park with many neighbors attending and sharing comments on the design. Those comments were collected and provided to the designers.

Over the over the next couple of months, a final master plan was developed. The parks board approved the master plan which included the parkland addition. Since that approval, Runway is currently providing necessary drainage and site improvements and new sidewalks on the adjacent lot. Once construction is complete of this lot is complete, we will finalize real estate transaction and will assume ownership of the property. In the meantime, we have also received a grant letter accepting a donation to improve the playspace at Gilmore. Once all necessary approvals are complete, that project will begin. Our hope is by Spring of 2024 the renovated park space will be available to our residents.

If you have questions concerning this item, please email me at wtomlinson@bentonvillear.com or call 479.217.3392.

DONATION AGREEMENT

This DONATION AGREEMENT ("**Agreement**") dated effective as of April __, 2023, is made by and between **8th & Melissa, LLC**, an Arkansas limited liability company ("**Donor**"), and **The City of Bentonville**, an Arkansas municipal government ("**Recipient**").

RECITALS

A. Donor is the owner in fee simple of approximately 0.21 acres of real estate and all improvements thereon located in Benton County, Arkansas, and more particularly described on **Exhibit A** hereto (the "**Property**").

B. Recipient's Parks and Recreation division supports public spaces, for the enjoyment and welfare of the citizens and visitors of Bentonville, Arkansas.

C. Recipient is an Arkansas municipal government.

D. Donor desires to convey to Recipient the Property on the terms and subject to the conditions set forth below.

E. Recipient desires to accept Donor's gift upon the terms and subject to the conditions set forth below.

NOW, THEREFORE, the parties agree as follows:

AGREEMENT

1. **Donation, Acceptance, and Conveyance.** Donor agrees to donate, convey, and transfer to Recipient and Recipient agrees to receive and accept from Donor, all of the Donor's right, title and interest in and to the Property, subject to the terms and conditions in this Agreement. Donor agrees to convey the Property to Recipient in accordance with and pursuant to a deed (the "**Deed**") in substantially the same form as attached hereto as **Exhibit B**. Donor and Recipient agree that the covenants, conditions, and restrictions set forth in the Deed shall run with the land and be binding upon each of their respective successors, assigns, grantees, and lessees.

2. **Donative Intent.** The Property is being donated by the Donor to Recipient as a charitable gift.

3. **Title and Survey**. Donor, upon request from Recipient, shall provide to Recipient a copy of the most recent title search completed with respect to the Property, and a copy of the Donor's most recent survey of the Property. At Recipient's election and at its sole cost and expense, Recipient may obtain an updated title commitment for an ALTA Owner's Policy of Title Insurance insuring title to the Property to Recipient to be issued by a title company acceptable to Recipient. At Recipient's election, and Recipient's sole cost and expense,

Recipient may obtain an updated survey, or surveyor's certificate for the Property.

4. **Donor's Warranties and Representations.** The Property is being conveyed on an "AS IS" "WHERE IS" basis in its present state and condition and the Donor disclaims all warranties and representations of any kind or nature, whether oral or written, express or implied, concerning the Property, or any such personal property.

5. **Recipient Warranties, Representations and Acknowledgements**.

(a) Recipient hereby warrants and represents to the Donor that it is a validly existing Arkansas municipal corporation.

(b) Recipient acknowledges that it has not relied, and does not rely, upon any warranties, representations, or statements concerning the Property other than those that are specifically included in this Agreement. Recipient acknowledges the present state and condition of the Property and agrees to accept the Property, notwithstanding any known or unknown deficiencies or defects of or with respect to the Property, and agrees not to assert any claim or attempt to rescind the transfer and gift of the Property to Recipient based on the state or condition of the Property.

6. **The Donor's Documentation and Delivery of Instruments**. Prior to Closing or otherwise in the time periods specifically set forth herein, Donor shall deliver to the Recipient the Deed, executed by the Donor, conveying to Recipient all of the Donor's right, title and interest in and to the Property; and such other documents as may be reasonably necessary to effectuate the terms and conditions of this Agreement.

7. **Recipient's Documentation and Delivery of Instruments.** Prior to the end of Donor's current fiscal year, Recipient shall deliver to Donor:

(a) one (1) copy of Recipient Acknowledgment (Part IV) of Section B of IRS Form 8283, executed by Recipient by an official authorized to sign the tax returns for Recipient or by a person specifically designated to sign Form 8283; and

(b) such other documents as may be reasonably necessary to effectuate the terms and conditions of this Agreement.

8. **Closing.** On or about April 30, 2023, Donor shall execute and deliver the Deed to the Recipient and the Recipient shall file the Deed of record and perform all other measures required to complete the transactions contemplated hereby (the "**Closing**").

9. **Charges.** Unless otherwise agreed, Donor and Recipient will share the responsibility for the payment of the cost of recording the Deed, any Property transfer tax or conveyance fees, and any other costs and expenses required to effectuate the transfer contemplated hereby.

10. **Charitable Use.** Recipient intends to use the Property exclusively for charitable purposes within the meaning of Code Section 501(c)(3).

11. **Enforceability; Successors and Assigns.** The terms of this Agreement shall be legally binding upon and enforceable against each of the parties hereto and their respective successors and permitted assigns. Neither this Agreement nor any duty or right hereunder may be voluntarily assigned by a party without the written prior consent of the other parties.

12. **Notices.** All directions, consents and other notices given by a party pursuant to this Agreement will be in writing and delivered personally or sent on a prepaid basis by certified or registered mail (return receipt requested), receipted courier service, or facsimile, to the other party as provided in this section. Any such notice, when delivered or sent in the manner aforesaid, will be deemed given on the date of receipt. Each of Recipient and Donor will designate a representative to receive notices as provided herein.

13. **Authority to Enter into Agreement.** By execution of this Agreement, each of the parties hereto represents to the other party that (a) the terms hereof do not violate any obligation by which such party is bound, whether arising by contract, operation of law or otherwise, and (b) this Agreement has been duly authorized by appropriate action and when so executed and delivered will be binding upon such party, in accordance with its terms.

14. **Governing Law.** This Agreement is governed by and will be construed in accordance with the laws of the State of Arkansas.

15. **Entire Agreement; Further Documents.** This Agreement (including **Exhibits A** and **B**) represents the entire agreement of the parties with respect to its subject matter, and supersedes all prior negotiations, discussion and prior agreements. The parties agree that each will execute and deliver such other and further documents as are contemplated by this Agreement or are reasonably required in order to effectively carry out the purposes of this Agreement.

16. **Amendment.** The terms of this Agreement may be amended by written instrument executed by Donor and Recipient.

17. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be deemed an original and which, taken together, will constitute one and the same agreement.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives effective as of the date first above written.

DONOR:

8th & Melissa, LLC, an
Arkansas limited liability company

By: _____
Madeline Taylor, Authorized Signatory

RECIPIENT:

The City Of Bentonville, an
Arkansas municipal government

By: _____

Name: _____

Title: _____

EXHIBIT A

Parcel Numbers:

01-02419-000 (0.21 acres)

Legal Description

Lots 1 and 2, Block 3, Dunn and Davis Addition to the City of Bentonville, Benton County, Arkansas, along with abandoned and vacated alley lying West of Lot 2, Block 3, Dunn and Davis Addition to the City of Bentonville, Benton County, Arkansas, being described as follows: Beginning at the NW corner of Lot 2, thence West to center of alley, thence South 02 degrees 37 minutes 01 seconds West 117.98 feet, thence in a Northeasterly direction to the West line of Lot 2, thence North to the point of beginning.

LESS AND EXCEPT:

All that portion lying South of the Arkansas & Missouri Railroad right of way.

AND, LESS AND EXCEPT:

Lot 13, Block 8 of Gilmore's Addition being all of Lots 1, 3, 5 and part of Lots 7, 9 and 11 in Block 8 of Gilmore's Addition to the City of Bentonville, recorded in Plat Record A page 37 in the office of the Circuit Clerk in Benton County, Arkansas. Also, all of a fifty foot abandoned Arkansas and Missouri Railroad right of way lying within said Block 8 and in Block 3 of Dunn and Davis Addition to the City of Bentonville, recorded in Plat Record C page 126 in the office of the Circuit Clerk in Benton County, Arkansas, also part of the abandoned 12 foot alley as described in Ordinance 2009-92 and filed in Book 2009 at page 50813. Property described by metes and bounds as follows: Beginning at the Northwest corner of said Block 8 being a set 5/8" rebar with cap (PLS 1659); thence S87°22'59" E
along the North line of said Block 8, 184.00 feet to a set 5/8" rebar with cap (PLS 1659) on the centerline of a 12.00 foot alley (Plat Record A page 37); thence S02°37'01"Walong the above said centerline 117.98 feet to a set 5/8" rebar with cap (PLS 1659) on the Northerly right of way line of the abandoned Arkansas and Missouri Railroad; thence N 59°57'31" E along the above said Northerly line 130.66 feet to a set 5/8" rebar with cap (PLS 1659) on the East line of Block 3 of the Dunn and Davis Addition to the City of Bentonville (Plat Record C page 126); thence S02°37'01"W along the above said East line 59.39 feet to a set 5/8" rebar with cap (PLS 1659) on the Southerly right of way line of the abandoned Arkansas and Missouri Railroad; thence S 59°57'31"Walong the above said Southerly line 349.21 feet to a found cotton picker spindle on the West line of Block 8 of the above Gilmore's Addition; thence N 02°37'01" E along the above said West line 295.30 feet to the point of beginning and containing 50,018 square feet or 1.15 acres more or less.

Exhibit B
Deed

This Instrument Prepared By
and after Recording Return to:

_____
_____
_____

QUITCLAIM DEED

8th & Melissa, LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of Ten and No/100 United States Dollars ($10.00) and other good and valuable consideration in hand paid by the **CITY OF BENTONVILLE, ARKANSAS**, a municipal corporation ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant and quitclaim unto Grantee, and unto its successors and assigns forever, all its right, title, interest and claim in and to the real property situated in Benton County, Arkansas, described in Exhibit 1 attached hereto and incorporated herein.

TO HAVE AND TO HOLD the Property unto Grantee, and unto its successors and assigns forever, with all appurtenances thereunto belonging in "AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED" condition and subject to all matters of record or fact.

EFFECTIVE this _____ day of _____, 2023.

8th & Melissa, LLC

By:_____
Name:_____
Title:_____

I certify under penalty of false swearing that this instrument is exempt from the real property transfer tax. This affidavit is made in compliance with Ark. Code Ann. § 26-60-110(b)(2)(C).

GRANTEE OR AGENT: _____
GRANTEE'S ADDRESS: _____
_____

_____
GRANTEE'S SIGNATURE

STATE OF ARKANSAS)
) ss: ACKNOWLEDGMENT
COUNTY OF BENTON)

On this day, before me, a Notary Public, duly commissioned, qualified and acting, with and for said County and State, appeared in person the within named _____, to me well known, who stated and acknowledged that he/she was the _____ of 8th & Melissa, LLC, and had so signed, executed and delivered said foregoing instrument on behalf of the entity for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ___ day of _____, 2023.

_____
Notary Public

My Commission Expires:

_____
(S E A L)

EXHIBIT 1

Lots 1 and 2, Block 3, Dunn and Davis Addition to the City of Bentonville, Benton County, Arkansas, along with abandoned and vacated alley lying West of Lot 2, Block 3, Dunn and Davis Addition to the City of Bentonville, Benton County, Arkansas, being described as follows: Beginning at the NW corner of Lot 2, thence West to center of alley, thence South 02 degrees 37 minutes 01 seconds West 117.98 feet, thence in a Northeasterly direction to the West line of Lot 2, thence North to the point of beginning.

LESS AND EXCEPT:

All that portion lying South of the Arkansas & Missouri Railroad right of way.

AND, LESS AND EXCEPT:

**Lot 13, Block 8 of Gilmore's Addition being all of Lots 1, 3, 5 and part of Lots 7, 9 and 11 in Block 8 of Gilmore's Addition to the City of Bentonville, recorded in Plat Record A page 37 in the office of the Circuit Clerk in Benton County, Arkansas. Also, all of a fifty foot abandoned Arkansas and Missouri Railroad right of way lying within said Block 8 and in Block 3 of Dunn and Davis Addition to the City of Bentonville, recorded in Plat Record C page 126 in the office of the Circuit Clerk in Benton County, Arkansas, also part of the abandoned 12 foot alley as described in Ordinance 2009-92 and filed in Book 2009 at page 50813. Property described by metes and bounds as follows: Beginning at the Northwest corner of said Block 8 being a set 5/8" rebar with cap (PLS 1659); thence S87°22'59" E
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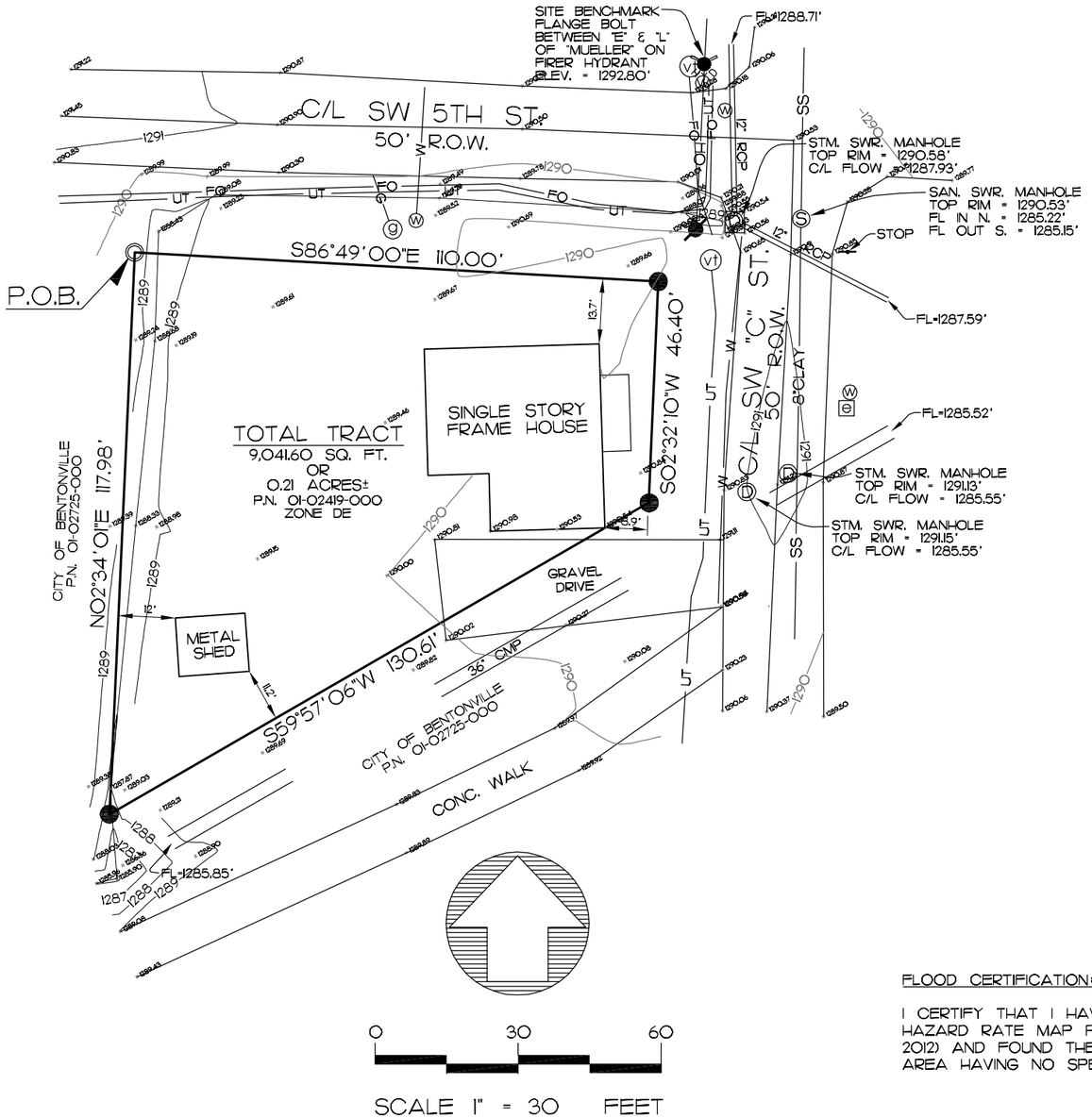

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.

3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.

5. THE PROPERTY SHOWN HEREON IS ZONED DE (DOWNTOWN EDGE) AND IS WITHIN THE CITY LIMITS OF ROGERS, ARKANSAS. THE FRONT, SIDE AND REAR YARD REGULATIONS ARE AS FOLLOWS:

FRONT YARD: 0 FEET (MIN.), 20 FEET (MAX.)
SIDE YARD: 7 FEET (MIN.), 0 FEET (MAX.)
REAR YARD: ADJACENT TO RESIDENTIAL - 12 FEET (MIN.), 0 FEET (MAX.)
ADJACENT TO NON-RESIDENTIAL - 7 FEET (MIN.), 0 FEET (MAX.)

6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

7. THIS SURVEY DOES NOT PROVIDE SURVEY CONTROL FOR FUTURE CONSTRUCTION.

LEGEND

- FOUND REBAR
- SET 1/2" REBAR W/CAP, LS 1370
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER METER
- TELEPHONE VAULT
- GAS METER
- ELECTRIC RISER
- UTILITY POLE
- SIGN POST
- GAS LINE
- WATER LINE
- UNDGR TELEPHONE LINE
- FIBER OPTIC
- SANITARY SEWER LINE
- OVERHEAD LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- 1293 CONTOUR LINE
- x 1250.00 SPOT ELEVATION
- DECIDUOUS TREE

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0255K (EFFECTIVE DATE JUNE 5, 2012) AND FOUND THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

SURVEY DESCRIPTION:

LOT 1 AND LOT 2 NORTH OF ABANDONED RAILROAD AND VACATED ALLEY, BLOCK 3 OF DUNN & DAVIS ADDITION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 2010, PAGE 49, AND PLAT RECORD "C", PAGE 126 OF THE BENTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NW CORNER OF SAID LOT 2, THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SW 5TH STREET S86°49'00"E 110.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SW "C" STREET, THENCE ALONG SAID WEST RIGHT-OF-WAY LINE S02°32'10"W 46.40 FEET, THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE S59°57'06"W 130.61 FEET, THENCE N02°34'01"E 117.98 FEET TO THE POINT OF BEGINNING, CONTAINING 9,041.60 SQUARE FEET OR 0.21 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MONUMENTS ARE TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED, AND THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT AS SHOWN ON THIS PLAT. THIS SURVEY MEETS THE CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS", PER THE STATE OF ARKANSAS.

ROBERT J. CASTER, P.L.S. NO.1370, ARKANSAS DATE

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE "I" Street, Suite 5
Bentonville, AR 72712
Telephone 479-268-4464

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO.1370
SIGNATURE
ROBERT J. CASTER

SCALE: 1" = 30' | DATE: 5-10-21

TOPOGRAPHIC/BOUNDARY SURVEY
PART LOT 1 & PART LOT 2 BLOCK 3 DUNN & DAVIS ADDITION

502 SW "C" STREET
BENTONVILLE, BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
20-246.1	ASD	RJC	1 OF 1

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH 8TH & MELISSA, LLC, ACCEPTING THE DONATION OF PROPERTY THAT WILL BECOME PART OF GILMORE PARK; AND FOR OTHER PURPOSES.

WHEREAS, the property to be donated shares a common property line with the current Gilmore Park;

WHEREAS, the property owners contacted the City asking if there was interest in a land donation enlarging the park, which the Parks Department believes would be a valued expansion;

WHEREAS, the acceptance of this donation has been approved by the Parks and Recreation Advisory Board.

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

Section 1: That the Mayor and City Clerk are authorized to enter into an agreement accepting the donation of property from 8th and Melissa, LLC;

Section 2: This donation will become a part of Gilmore Park;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

_____
STEPHANIE ORMAN, MAYOR

ATTEST:

_____
KIRBY ROMINES, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	David Wright, Parks and Recreation Directc
Phone:	479.271.6813	**For Department(s):**	Parks and Recreation
Email:	dwright@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☑ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Accept Grant for E Bike Rebate Program
Action Recommendation & Justification:	Resolution authorizing the Mayor and City Clerk to accept a grant in the amount of $1,450,000.00 over a three (3) year period. No budget adjustment is needed.
Additional Comments for Consideration (Optional):	Funds will be held in an escrow account and a budget adjustment will be brought forth at a later date to recognize the revenue and expense associated with this grant.
Amount for Approval:	**$** 1,450,000.00

Budget Impact

Is this Item Budgeted? ☐ YES ☑ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue

Fund(s) Impacted (check all that apply) ☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

Memo

To: City Council, Mayor Orman

Thru: David Wright, Parks and Recreation Director

From: Jackie Bubenik, Bike and Pedestrian Planner

Date: November 1, 2023

Re: City Council approval of a resolution authorizing the Mayor to enter into a grant agreement with Walton Family Foundation, in the amount of $1,450,000, over a three (3) year period for an E Bike Rebate Program.

Parks and Recreation Staff is requesting Council's approval of a grant award, in the amount of $1,450,000, to contribute to an E Bike Rebate Program for Bentonville residents.

This program's intent is to help remove barriers for individuals who interested in cycling for a mode of transportation. While design of the program is still in motion, we hope to be able to hire a 3rd party contractor to help us administer a program and assist residents with their purchase of an E Bike. The contractor will be responsible for building registration sites, working with local bike shops and developing marketing strategies to best inform our residents of this opportunity. Rebate awards may be awarded through a lottery type system. But these awards and distribution of rebate funds will be performed by the 3rd party, not City Staff.

This program will be 100% grant supported. No tax dollars, other than staff time, will be utilized during for this program.

This resolution is only to accept this grant. In the next couple of months, we should receive additional funding assistance for this program and will be able to finalize an agreement with the vendor. Once those steps are complete, we will bring those funding grants to you as well as an agreement with a firm for management of the program.

If you have questions concerning this item, please email me at jbubenik@bentonvillear.com or call 479.464.7275.

WALTON FAMILY
FOUNDATION

October 27, 2023

Stephanie Orman
City of Bentonville
305 SW A Street
Bentonville, AR, 72712

RE: Grant 00109968

Dear Mayor Orman,

At the Walton Family Foundation, we work to tackle tough social and environmental problems with urgency and a long-term approach to create access to opportunity for people and communities. To do this, we know we must work with individuals and groups closest to these challenges because they often have the most thoughtful, insightful solutions.

As we support efforts to improve education, protect our rivers and oceans and the livelihoods they support, and promote quality of life in our Home Region, we look to groups like yours. I am pleased to inform you that your grant request has been approved in the amount of up to $1,450,000.00 to support the design, launch and management of an e-bike rebate program for Bentonville residents. The attached grant agreement outlines the details.

On behalf of the Walton Family Foundation, I express my appreciation for what your organization has accomplished so far and my optimism for your future success. Together, we can have an impact that improves lives today and that will last to benefit future generations.

Sincerely,

Stephanie Cornell
Executive Director

Grant Agreement

October 27, 2023

Grant 00109968

The Walton Family Foundation, Inc. (“Foundation” or “WFF”) has approved a grant in the amount of up to $1,450,000.00 to City of Bentonville (“Grantee”). The project term will be November 1, 2023 to November 1, 2026. This grant is subject to the following terms and conditions:

1. **Purpose:** The purpose of the grant is to support the design, launch and management of an e-bike rebate program for Bentonville residents with a minimum of three participating retailers as more fully described in Appendix A. Grantee agrees to use all grant funds exclusively for the grant’s purposes. Any changes in these purposes must be authorized in advance by the Foundation in writing.

2. **Amount: Up to $1,450,000.00 USD**

   Grant payments will be made as follows:

Installment	Amount	Requirement	Date
1	$550,000.00	Signed grant agreement	November 2023
2	Up to $450,000.00	Detailed report on program usage and expenses and documentation that at least three retailers are participating in the program.	On or around September 1, 2024
3	Up to $450,000.00	Detailed report on program usage and expenses and documentation that at least three retailers continue to participate in the program.	On or around September 1, 2025

3. **Payable:** Initial installment of $550,000.00 shall be initiated upon receipt of this completed agreement from Grantee acknowledging the terms and conditions set forth herein. Grantee should receive the initial installment electronically within 14 business days of completion.

   Further installments shall be contingent upon the Foundation’s approval of the Grantee’s activities of the grant as evidenced by the reports described in the Reporting and Evaluation paragraph below and other information the Foundation may gather.

4. **Accounting:**
   a. The Foundation encourages, whenever feasible, the deposit of grant funds in an interest-bearing account. For purposes of this agreement, the term “grant funds” includes the grant and any income earned thereon.
   b. Grantee will maintain records of receipts and expenditures made in connection with the grant funds and will keep these records during the period covered by the Grantee’s reporting obligations specified in the Reporting and Evaluation paragraph and for at least four years thereafter (“Maintenance Period”). Grantee

will make its books and records in connection with the grant funds available for inspection by the Foundation during normal business hours as the Foundation may request at any time during the Maintenance Period.

5. **Reporting and Evaluation:** Grantee will provide the Foundation with reports by the due dates listed in the report schedule below. Each report shall include an account of expenditures of grant funds, and a brief narrative of what was accomplished (including a description of progress made in fulfilling the purposes of the grant and a confirmation of Grantee's compliance with the terms of the grant).

Report Type	Report Date
Miscellaneous Report – detailed report on program usage and expenses	September 1, 2024
Miscellaneous Report – detailed report on program usage and expenses	September 1, 2025
Final Report	December 1, 2026

Success will be measured against the outputs and outcomes described in Appendix A.

All reports will be submitted electronically using the Foundation's online grants management system. Any questions regarding this process should be addressed to your contact listed in the Contact paragraph of this document, or by emailing smartsimplehelp@wffmail.com. Please reference Grant 00109968 on all communication.

Grantee payments are always contingent upon the Foundation's approval of Grantee's operations based on the above reports and the Foundation's satisfaction with such information as it chooses to obtain from other sources.

6. **Representations:** Grantee represents and warrants to the Foundation that:
    a. Grantee is an organization in good standing, is either an organization described in section 501(c) (3) of the Internal Revenue Code ("Code" or "IRC") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code. Grantee will promptly notify the Foundation of any change in Grantee's tax status under the Code.
    b. In no event will Grantee use any grant funds:
        i. to carry on propaganda, or otherwise to attempt, to influence legislation;
        ii. to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive; or
        iii. to undertake any activity other than for a charitable, educational or other exempt purpose specified in section 170(c)(2)(B) of the Code.
    c. Grantee will comply with all applicable laws and regulations.
    d. Grantee does not support, directly or indirectly, terrorist activities or violence of any kind, and takes reasonable steps to ensure that:
        i. Grantee's board, staff and volunteers have no dealings with, and do not support, terrorist activities or violence of any kind, and
        ii. grant funds will not ultimately be used to support terrorist activities or violence of any kind.

7. **Anti-Discrimination:** It is the Foundation's expectation that, in the application of Foundation's funds, Grantee will encourage equal opportunities for all and will not use the Foundation's funds to promote or engage in: exploitation, abuse, bullying, harassment, criminal acts of violence, terrorism, hate crimes, or any behavior which would be considered a violation of federal anti-discrimination laws, which prohibit discrimination on the basis of age, race, national origin, religious beliefs, sex (including gender, pregnancy, sexual orientation, and gender identity), disability, and veteran status. It is also the Foundation's expectation that Grantee has established appropriate policies and procedures for training staff and receiving and addressing complaints regarding violence, exploitation, abuse, harassment, and discrimination, and other forms of misconduct.

8. **Repayment, Rescission, and/or Termination:** The Foundation, in its sole discretion, may discontinue or suspend funding, rescind payments made, require the return of any unspent funds, or terminate this agreement if any of the following events occur:
    a. Grantee ceases to maintain its tax-exempt status as described in paragraph 6(a) above;
    b. Grantee fails to comply with the terms of this agreement, including, but not limited to, failure to submit any required reports on a timely basis;
    c. There is a material change in Grantee's key personnel that in the sole opinion of the Foundation adversely affects Grantee's management of the grant;
    d. Grantee does not use funds for the purpose of this grant;
    e. The Foundation determines that Grantee will be unable to achieve the purposes for which the grant was made;
    f. The Foundation becomes aware of actual or alleged acts or omissions to act by Grantee or one or more of Grantee's directors, officers, employees, volunteers, sub-grantees or contractors which the Foundation believes pose a reputational risk to the Foundation, and for which the Foundation determines Grantee has not taken immediate and effective remedial measures;
    g. There is an investigation or allegation of unlawful action or gross misconduct by Grantee, any officer, director, trustee, employee, or agent of Grantee, or any organization affiliated with Grantee, and the Foundation, in its sole discretion, determines such investigation or allegation to be credible; or
    h. The Foundation determines that making any payment, in the judgment of the Foundation, might expose the Foundation to liability, adverse tax consequences, or constitute a taxable expenditure.

    The Foundation will provide notice of any determinations made under this paragraph and, in its sole discretion, may provide Grantee up to 30 days to respond to and resolve the issues identified in the Foundation's notice. However, the determination to suspend funding, terminate, or continue the grant will remain in the Foundation's sole discretion.

9. **Grant Publicity:** Grant publicity related to this grant consistent with Grantee's normal practice is permitted, subject to the following provisions. The Foundation expects any announcements and other publicity to focus on Grantee's work and the project or issue funded by the grant. Recognition of the Foundation's role in funding the project is permitted, provided that the timing, content and strategic focus of such publicity should be approved by the Foundation contact listed in the Contact paragraph of this document. Publicizing the grant and the Foundation in Grantee's publications and communications in a manner consistent with similar grants obtained by Grantee is permitted. If publicized or recognized, the grant should be listed as from the "Walton Family Foundation."

The Foundation may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the grant (collectively "Grant Work Product") for use in Foundation communications including the Foundation's website, annual report, newsletters, board materials, presentations, communications and other publications. Grantee agrees to provide the Foundation with such items upon the Foundation's reasonable request and hereby grants to the Foundation and anyone acting under the authority of the Foundation a fully paid-up, world-wide, right and license to use, reproduce, display and distribute the Grant Work Product in connection with the Foundation's charitable operations and activities. In connection therewith, Grantee shall be responsible for obtaining all necessary rights and permissions from third parties for the Foundation to use the Grant Work Product for these purposes. By signing this Agreement, Grantee also acknowledges and agrees to use by the Foundation of historical, programmatic and other information relating to Grantee and the grant hereunder.

10. **Gratuities:** The Foundation desires that all of Grantee's resources be dedicated to accomplishing its philanthropic purposes. Therefore, Grantee agrees that it will not furnish the Foundation or its Board of Directors, officers, staff or affiliates with any type of benefit related to this grant including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.

11. **Contact:** For all communications regarding this grant, please contact the Foundation by email at HomeRegion@wffmail.com. Please reference Grant 00109968 in your communication.

By electronically signing this agreement the Grantee acknowledges and agrees to the terms and conditions herein. A copy of the completed document will be emailed to the Grantee through DocuSign.

Walton Family Foundation, Inc.

By:

Stephanie Cornell
Executive Director

City of Bentonville

By:

Stephanie Orman
Mayor

Appendix A: City of Bentonville

Description of Grant Project: The purpose of this grant is to to support the design, launch and management of an e-bike rebate program for Bentonville residents.

Grantee will select a qualified contractor to design, launch and manage an e-bike rebate program for Bentonville residents (both income- and non-income qualified), including necessary marketing and communications for the program, issuance of rebates, regular reporting and other tasks deemed necessary for a successful program. Grant funds will be used to partially fund administration of the program, supporting administrative costs in proportion to Grantor's funding to total program cost. The balance of the grant funds will be used only to support rebates to income qualified residents of Bentonville. Income qualification will be based upon reference to state or federal programs that reference federal poverty guidelines.

Grant funds are conditioned on a minimum of three retailers participating in the Grantee's program.

Performance Measures

Goal: Increase the number of cyclists utilizing cycling infrastructure in Bentonville via a new e-bike incentive program.			
Outputs And Outcomes			
Category	**Who will do what and how much?**	**By when?**	**Measured or evaluated by?**
Output	The grantee will select and contract with a qualified consultant to design, manage and launch an e-bike incentive program for Bentonville residents. Said program will include incentives to purchase e-bikes for transportation purposes in the form of rebates for non-income and income qualifying residents.	05/01/2024	Public launch of incentive program
Outcome	At the end of Year 1, at least 450 income qualified residents will participate in the program, as part of a total goal of 1,250 participants. Annual goals will be recalibrated each year thereafter based upon learnings after the pilot year.	05/01/2025	Online accessible database with aggregated totals for $s of rebates and #s of residents served
Outcome	Participating residents on average will utilize their e-bike at least three times per week, replacing vehicle trips.	12/01/2026	Annual Surveys
Outcome	Participating residents on average will ride their e-bikes at least 20 miles per week.	12/01/2026	Annual Surveys

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A GRANT FROM THE WALTON FAMILY FOUNDATION, IN THE AMOUNT OF ONE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS ($1,450,000.00), FOR AN E BIKE REBATE PROGRAM; AND FOR OTHER PURPOSES.

WHEREAS, the City's Parks and Recreation Department is requesting approval of this grant award to contribute to an E Bike Rebate Program for Bentonville residents;

WHEREAS, this Resolution is only to accept the grant as the program is in design and vendor selection has not occurred;

WHEREAS, this program will be wholly supported by grant funds and will be administered by a third party vendor; and

WHEREAS, there is no matching portion for this grant.

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

Section 1: The Mayor and City Clerk are authorized to accept a grant from the Walton Family Foundation, in the amount of one million four hundred fifty thousand dollars ($1,450,000.00), for an E Bike Rebate Program;

Section 2: No budget adjustment is needed at this time as the funds will be held in escrow;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
STEPHANIE ORMAN, MAYOR

_____
KIRBY ROMINES, CITY CLERK

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Travis Matlock
Phone:	479-271-5941	**For Department(s):**	Electric
Email:	tmatlock@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☑ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☐ Budget Adjustment ☑ Waiver of Bid ☐ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Agreement with AECI for the Purchase of Transformers in 2024
Action Recommendation & Justification:	Ordinance waiving the requirement of competitive bidding to enter into an agreement with AECI which offers a Volume Commitment Agreement that will guarantee transformers through out the 2024 year. The costs will be reviewed every quarter and relayed to Bentonville. Approved by Utility Board 4-0.
Additional Comments for Consideration (Optional):	AECI has won the last few quotes for all transformers of various size. With the transformers BEUD has currently ordered, and these included with the VCA, BEUD will have a steady stream of transformers to supply the various projects under construction and in design. Based on the current estimates and the current pricing, both subject to change in accordance with the agreement and actual quantities needed, the City estimates the contract value will be appox. $3,139,995.00.
Amount for Approval:	**$** 3,139,995.00

Budget Impact

Is this Item Budgeted? ☑ **YES** ☐ **NO** ☐ **ITEM HAS NO COST** ☐ **OTHER:**_____

Budget Adjustment *(to be completed by Finance when applicable)*

		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue

Fund(s) Impacted (check all that apply) ☐ **General Fund** ☐ **Utility Fund** ☐ **Street Fund** ☐ **Other(s):**_____

Budget Impact Notes for Consideration (Optional):

ARKANSAS ELECTRIC COOPERATIVES, INC.

Reliable · Affordable · Responsible

VOLUME COMMITMENT AGREEMENT

This Volume Commitment Agreement (VCA) is entered into by and between **Arkansas Electric Cooperatives, Inc.** (AECI), a designated distributor of transformers, at 1 Cooperative Way, Little Rock, Arkansas 72209 and **CITY OF BENTONVILLE** (each individually a "Party" and together the "Parties") is subject to the AECI's *Standard Terms and Conditions for the Sale of Goods, Materials, and/or Equipment* (Terms), attached hereto as Attachment A and incorporated herein by referenced.

The Parties hereby agree as follows:

1. **Formation.** This VCA, the Terms and any purchase order issued by Purchaser that is specifically accepted by AECI shall constitute the entire agreement between AECI and Purchaser with respect to the subject matter herein. Any terms or conditions proposed in the purchase order that add to, vary from or conflict with this VCA or the Terms are deemed material and are hereby rejected. In the event of conflict or inconsistency between the Terms and this VCA, the VCA shall control.

2. **Term.** This VCA is effective from January 1, 2024 and will expire on December 31, 2024 (Term).

3. **Termination.** This VCA can be terminated at any time by either Party with 90 days' written notice, subject to the Purchaser Penalties (Section 9) if the VCA is terminated by Purchaser and AECI Penalties (Section 10) if the VCA is terminated by AECI.

4. **Volume Commitment.** AECI agrees to sell up to the Commitment Amount and Purchaser agrees to buy at least 95% of the Commitment Amount (Threshold Amount) and up to the Commitment Amount, of transformers during the Term of the VCA. The Parties agree to the Commitment Amount and Threshold Amount for each product line as set forth in Table 1. AECI reserves the right to limit the purchase of certain products due to production constraints. Products that are subject to production constraints are set forth in Attachment C The Commitment Amount shall mean the maximum number of each product line for which AECI is obligated to produce for Purchaser. The Threshold Amount is the minimum amount of each product line the Producer is committed to buy from AECI and that AECI is obligated to deliver to Purchaser without penalty.

TABLE 1

		1PH Poles	1PH Pads	3PH
January 1, 2024 December 31 2024	*Commitment Amount*	180	300	2
	Threshold Amount = 95% Commitment Amount	171	285	2

5. **Monthly Slot Quantities.** Monthly Slot Quantities shall be derived by dividing the Commitment Amount by 12, unless otherwise specified by Purchaser. AECI, at its sole

discretion, shall determine the maximum monthly quantity that could be sold to Purchaser (Monthly Slot Quantities) based on required Lead Time and Shipping Commitments, as set forth in the attached Schedule 1. AECI reserves the right, in its sole discretion, to determine for each week the quantity of transformers that can be delivered to Purchaser.

6. **Requirement for Purchase Order.** Purchaser must issue a Purchase Order (PO), subject to AECI's written acceptance pursuant to the Terms, no later than the required Lead Time as indicated in Schedule 1.

    a. PO quantities shall be no less than Threshold Amount but no more than the Commitment Amount of the Monthly Slot Quantity allocated to Purchaser. PO quantities are subject to any production limitations listed in Attachment C. Any quantity ordered for each product line that exceeds the available Commitment Amount applicable to the Monthly Slot Quantity will be automatically applied to future month, unless otherwise specified on the PO, but in no event shall AECI be obligated to deliver, for any product line, an amount above the Commitment Amount for the applicable year.

    b. If Purchaser does not place a PO by the Lead Time specified in Schedule 1, AECI shall notify Purchaser and allow for a 1-week (7 calendar days, including holidays) grace period. If Purchaser does not order sufficient quantities of product to consume the available slots allocated to Purchaser within the 1-week grace period, Purchaser will relinquish the applicable slots, without implication for future POs or slots and AECI will not be obligated to deliver any product above the amounts accepted by PO to the Purchaser for that Slot Month.

7. **Pricing.** Pursuant to the Terms, prices are established in AECI's Quote. Prices for products under this VCA shall be adjusted quarterly on January 1, April 1, July 1, and October 1.

8. **Shipping Commitment.** AECI will take all reasonable commercial efforts to ship the Monthly Slot Quantity no later than the Shipping Commitment Date outlined in Schedule 1, provided that the PO (i) was accepted by AECI through written confirmation, and (ii) meets the requirements set forth above. All shipping dates are approximate and are dependent upon (i) prompt receipt by AECI of all information necessary to fulfill Purchaser's order; (ii) Purchaser's compliance with this VCA, (iii) manufacturer production capacity, component and material availability, and (iv) other terms in this VCA and the Terms, including but not limited to force majeure.

9. **Purchaser Damages.** If Purchaser fails to purchase or fails to place a PO(s) to purchase the Threshold Amount, damages shall be charged to Purchaser's account, on a quarterly basis, in an amount equal to the number of units by which the Purchaser has failed to purchase below the Threshold Amount times 25% of the average unit selling price in effect at the end of each applicable quarter. PO's canceled by Purchaser and products returned by Purchaser shall be considered Purchasers failure to purchase for purposes of this Section. For the avoidance of doubt the Purchaser Damages will be calculated as of March 31, June 30, September 30, December 31 of each calendar year.

10. **AECI Damages.** Subject to the Terms, including but not limited to Force Majeure events, and the terms and conditions of this VCA, if AECI fails to deliver the sum total of units in approved PO's during the preceding quarter, AECI shall pay Purchaser, in the form of a credit to Purchaser's account, damages in the amount of 25% of the average selling price

for each unit. For the avoidance of doubt the AECI Damages will be calculated as of March 31, June 30, September 30, December 31 of each calendar year.

11. **Force Majeure.** Force majeure under this VCA is governed by the Terms and Conditions as defined in Attachment A.

12. **Emergency Response Plan.**

a. AECI shall make best efforts to prioritize emergency orders over existing slotted orders. Purchaser shall have the option to count their emergency orders towards their Commitment Amount. If Purchaser decides not to apply emergency orders towards their Commitment Amount, AECI shall have the right to adjust the AECI Commitment down by the number of units designated as emergency orders which will not be subject to the AECI Penalties as previously defined. Due to the nature of the emergency, Purchaser hereby acknowledges that third party emergency orders will take precedence over Purchaser existing POs and Shipping Commitments that are not emergency orders; provided, however that AECI shall promptly notify Purchaser of any third-party emergency orders that will take precedence over existing POs and Shipping Commitments.

b. AECI will quantify the impact of emergency relief efforts to its production schedule and will modify the Shipping Commitments in Schedule 1 by an amount of time equal to the time spent satisfying the emergency orders. By way of example, if Purchaser issues a PO for emergency order that require two weeks for AECI to process, then AECI shall extend the Shipping Commitments for all accepted POs by two weeks.

13. Amendment. This VCA, Schedule 1, and any PO that has been issued and accepted may be amended or modified only by signed written mutual agreement. Schedule 1 and POs may only be amended four (4) weeks prior to the Lead Time as indicated in Schedule 1.

[SIGNATURES ON THE FOLLOWING PAGE]

The foregoing has been AGREED AND APPROVED, in its entirety, by:

ARKANSAS ELECTRIC COOPERATIVES, INC.	**CITY OF BENTONVILLE**
Signature: [redacted]	Signature: _____
Printed Name: VICTORIA LAMB	Printed Name: _____
Title: INTERIM CCO	Title: _____
Date: _____	Date: _____

ATTACHEMENT A
[AECI TERMS & CONDITIONS]

Any applicable policies, procedures, and programs (collectively "Rules") are otherwise available on AECI's website at https://aecc.com/aecc-and-aeci-terms-and-conditions/aeci-terms-and-conditions/ (AECI Terms and Conditions – Electric Cooperatives of Arkansas). These Rules may hereafter be revised, from time to time, by AECI, by posting revisions on the Website without notice and such revisions shall be binding on both Purchaser and AECI upon posting.

ATTACHMENT B
[PURCHASER CONTACT INFORMATION]

Authorized Signer	
Printed Name	
Title	
Email Address	
Phone Number	

Operational Contact	
Printed Name	
Title	
Email Address	
Phone Number	

ATTACHEMENT C
[2024 Production Design Constraints]

1) **Single-phase pole mount transformers larger than 75kVA have limited production capacity in 2024. AECI reserves the right to limit the quantity of pole mount transformers greater than 75kVA if necessary to manage manufacturing constraints.**

2) **Interlaced pole mount transformers have limited production capacity in 2024. AECI reserves the right to limit the quantity of interlaced pole mount transformers if necessary to manage manufacturing constraints.**

3) **Production capacity for 3-PH pad mount transformers is limited to 300kVA or smaller in 2024. AECI reserves the right to limit any 3-PH pad mount transformers greater than 300kVA in order to manage manufacturing constraints.**

ATTACHEMENT D
[2024 Special Provision for City of Bentonville]

1) **Notwithstanding any other provision of this Agreement, all obligations of the City of Bentonville under this Agreement which require the expenditure of funds are conditioned on the availability of funds appropriated for that purpose. The City shall notify the Contractor in writing of any such non-appropriation of funds at the earliest possible date.**

SCHEDULE 1 CITY OF BENTONVILLE				
PO Due Date	Shipping Commitment Date	Pole Mounts	Pad Mounts	3-Phase Pad Mounts
9/15/2023	Jan-24			
10/15/2023	Feb-24			
11/15/2023	Mar-24	30	35	
12/15/2023	Apr-24	15	35	
1/15/2024	May-24	15	25	2
2/15/2024	Jun-24	15	25	
3/15/2024	Jul-24	30	45	
4/15/2024	Aug-24	15	25	
5/15/2024	Sep-24	15	35	
6/15/2024	Oct-24	15	25	
7/15/2024	Nov-24	15	25	
8/15/2024	Dec-24	15	25	

2024 Commitment Total	180	300	2
2024 Threshold Amount	171	285	2

3PH orders for 300KVA and below.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARKANSAS ELECTRIC COOPERATIVES, INC. FOR THE PURCHASE OF TRANSFORMERS, IN THE APPROXIMATE AMOUNT OF THREE MILLION ONE HUNDRED THIRTY-NINE THOUSAND NINE HUNDRED NINETY-FIVE DOLLARS ($3,139,995.00); WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville Electric Utilities Department requires various transformers to provide services to citizens and developments;

WHEREAS, this agreement offers a Volume Commitment Agreement that will guarantee transformers through out the 2024 year;

WHEREAS, due to current supply chain issues and price volatility with this project, soliciting bids is not feasible; and

WHEREAS, this purchase will be made using budgeted funds.

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

Section 1: That the Mayor and City Clerk are hereby authorized to enter into an agreement with Arkansas Electric Cooperative, Inc. for the purchase of transformers in the approximate amount of three million one hundred thirty-nine thousand nine hundred ninety-nine dollars ($3,139,995.00.00);

Section 2: Due to current market volatility and supply chain issues with this product, it would be neither practical nor feasible to advertise for competitive bidding so that requirement is herein waived;

Section 3 – Emergency Clause: Because the need to make this purchase is immediate, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Ordinances: All Ordinances of the City Council, or parts of Ordinances of the City Council, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

_____
STEPHANIE ORMAN, Mayor

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Preston Newbill
Phone:	(479) 271-3140	**For Department(s):**	Water Utilities
Email:	pnewbill@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☑ Budget Adjustment ☐ Waiver of Bid ☐ Emergency Clause
☐ Ordinance ☑ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Budget Adjustment for Water Utilities Contracted Services
Action Recommendation & Justification:	Resolution to approve a budget adjustment in the amount of $273,018.90 which includes $130,305.10 for directional boring services through the annual IFB 22-68 boring contract and $142,713.80 for contracted water system repairs through the annual IFB-23-38 IDIQ Water and Sewer Maintenance contract. This item was approved by Utility Board 4-0.
Additional Comments for Consideration (Optional):	The contracted services above were not budgeted because we haven't outsourced these services prior to this year. We are using this option to help us manage the increased work load associated with the water system repairs without adding additional personnel. This budget adjustment was anticipated and we will adjust the 2024 budget to include these expenses now that we have an idea of the annual expense. This will be funded from Utility Fund Reserves.
Amount for Approval:	$ 273,018.90

Budget Impact

Is this Item Budgeted? ☐ YES ☑ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

503020-44450	Pub Works by Project Maint	$ 273,018.90	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue

Fund(s) Impacted (check all that apply) ☐ General Fund ☑ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

Source	Source Desc	Year	Period	Amount	Eff Date	Posted	Comment	Vendor
POE	PO Entry	2023	9	$7,250.00	09/05/2023	TRUE	SH-BORES,LINEBARGER, MAYFLOWER	CALCON, INC.
POE	PO Entry	2023	9	$4,420.00	09/25/2023	TRUE	JW - BORES 409 SW 20TH & 2303	CALCON, INC.
POE	PO Entry	2023	9	$19,900.00	09/25/2023	TRUE	JW - BORES FOR SYCON WD004	CALCON, INC.
POE	PO Entry	2023	9	$6,900.00	09/26/2023	TRUE	AH - Road Bores IFB-22-38 402	CALCON, INC.
REQ	Requisition	2023	10	$2,100.00	10/25/2023	FALSE	JW - 2 - BORES OFF NUTMEG / IFB-22-68	CALCON, INC.
REQ	Requisition	2023	10	$2,520.00	10/25/2023	FALSE	JW - 2 - BORES OFF NUTMEG / IFB-22-68	CALCON, INC.
POE	PO Entry	2023	10	$800.00	10/05/2023	TRUE	JW - 6303 SW SHADY SIDE/ BORE	CALCON, INC.
POE	PO Entry	2023	10	$1,920.00	10/05/2023	TRUE	JW - 708 NE A ST / 2" BORE IFB	CALCON, INC.
POE	PO Entry	2023	10	$4,120.00	10/13/2023	TRUE	JW- BORES -THORNHILL, PURDUE	CALCON, INC.
POE	PO Entry	2023	10	$2,150.00	10/18/2023	TRUE	JW - BORE - 13 GREENRIDGE LN	CALCON, INC.
POE	PO Entry	2023	10	$2,825.10	10/21/2023	TRUE	JW - BORE - 110 NW SOMERSET	CALCON, INC.
	Total for 22 bores			$54,905.10				
Additonal 29 bores anticipated:								
15 bores will be associated with repairs through the IDIQ Maintenance Contract totaling $39,000								
14 bores will be associated with repairs made by City staff totaling $36,400								
Total	$130,305.10							

IFB-23-38 IDIQ CONTRACT: WORK ASSIGNMENT FORM

WORK ASSIGNMENT #: WD004

(Department initials followed by 001,002,003 etc.)

DATE OF ISSUANCE: 9/25/2023

DEPARTMENT ISSUING WORK ASSIGNMENT: Water Utilities - 503020

CITY CONTACT FOR WORK ASSIGNMENT:

Name: Donald Schmidt Phone: (479)586-1662 Email: dschmidt @bentonvillear.com

Contact Notes:

Summary/Narrative of Scope of Work:

Water Leak Repairs - See Attachments

Design Documents (check applicable):

X Attached to Work Assignment (or in email) ___ Will be proved by _____(date)

Date Work Shall Begin:

10/2/23

Date Work Shall be Substantially Complete (Specify NA if not using substantial completion):

10/18/23

Date Work Shall be 100% Complete:

10/20/23

Other Requirements (optional):

Estimated Cost for Work Assignment:

$30,190.00

Signatures (REQUIRED):

[redacted] _____ **Contractor as Acknowledged and Compliant**

_____ **City Contact as Approved and Issued**

IDIQ Work Assignments

Date: 9/25/2023

Address	Scope of Work	Cost
1503 SE S	Upgrade long side service line	$3,005.00
3700/3702 NE Oaktrace Ave	Upgrade 2 long side service lines	$3,665.00
3405/3407 NE Oaktrace Ave	Upgrade 2 short side service line	$1,725.00
1307 Spring St	Upgrade long side service line	$3,065.00
5103 SW Energy	Upgrade short side service line	$1,675.00
4703/4705 SW Merin St	Upgrade 2 long side service lines	$3,665.00
1312 NW Quail Run Cir	Upgrade 2 long side service lines	$3,785.00
2900/2902 Red Haven	Upgrade 2 long side service lines	$4,025.00
3004 Loring St	Upgrade 2 long side service lines	$3,905.00
604 Glasgow Ln	Upgrade short side service line	$1,675.00
	Total	$30,190.00

IFB-23-38 IDIQ CONTRACT: WORK ASSIGNMENT FORM

WORK ASSIGNMENT #: WD005

(Department initials followed by 001,002,003 etc.)

DATE OF ISSUANCE: 10/19/2023

DEPARTMENT ISSUING WORK ASSIGNMENT: Water Utilities - 503020

CITY CONTACT FOR WORK ASSIGNMENT:

Name: Donald Schmidt Phone: (479) 586-1662 Email: dschmidt @bentonvillear.com

Contact Notes:

Summary/Narrative of Scope of Work:

Yard/Concrete Work after Water Leak Repairs - See Attachmnents

Design Documents (check applicable):

X Attached to Work Assignment (or in email) ____ Will be proved by _____(date)

Date Work Shall Begin:

10/31/23

Date Work Shall be Substantially Complete (Specify NA if not using substantial completion):

11/15/23

Date Work Shall be 100% Complete:

11/20/23

Other Requirements (optional):

Estimated Cost for Work Assignment:

$26,169.80

Signatures (REQUIRED):

[redacted] _____ **Contractor as Acknowledged and Compliant**

_____ **City Contact as Approved and Issued**

IDIQ Work Assignments

Date: 10/19/2023

Address	Scope of Work	Cost
1503 SE S	Yard/Concrete work after leak repairs	$2,697.00
3700/3702 NE Oaktrace Ave	Yard/Concrete work after leak repairs	$2,898.00
3405/3407 NE Oaktrace Ave	Yard/Concrete work after leak repairs	$2,156.00
1307 Spring St	Yard/Concrete work after leak repairs	$2,240.80
5103 SW Energy	Yard/Concrete work after leak repairs	$1,838.00
4703/4705 SW Merin St	Yard/Concrete work after leak repairs	$3,887.40
1312 NW Quail Run Cir	Yard/Concrete work after leak repairs	$2,827.20
2900/2902 Red Haven	Yard/Concrete work after leak repairs	$2,529.60
3004 Loring St	Yard/Concrete work after leak repairs	$1,785.00
604 Glasgow Ln	Yard/Concrete work after leak repairs	$3,310.80
	Total	$26,169.80

IFB-23-38 IDIQ CONTRACT: WORK ASSIGNMENT FORM

WORK ASSIGNMENT #: WD007

(Department initials followed by 001,002,003 etc.)

DATE OF ISSUANCE: 10/19/2023

DEPARTMENT ISSUING WORK ASSIGNMENT: Water Utilities - 503020

CITY CONTACT FOR WORK ASSIGNMENT:

Name: Donald Schmidt Phone: (479) 586-1662 Email: dschmidt @bentonvillear.com

Contact Notes:

Summary/Narrative of Scope of Work:

Water Leak Repairs - See Attachments
Concrete Repairs - See Attachments

Design Documents (check applicable):

X Attached to Work Assignment (or in email) ____ Will be proved by _____(date)

Date Work Shall Begin:

11/5/23

Date Work Shall be Substantially Complete (Specify NA if not using substantial completion):

11/21/23

Date Work Shall be 100% Complete:

11/26/23

Other Requirements (optional):

Estimated Cost for Work Assignment:

$49,521.00

Signatures (REQUIRED):

[redacted] _____**Contractor as Acknowledged and Compliant**

_____**City Contact as Approved and Issued**

IDIQ Work Assignments

Date: 10/19/2023

Address	Scope of Work	Cost
1705 Carolyn St	Upgrade 2 long side service lines	$3,785.00
702 SW Sandrock Rd	Upgrade 2 short side service lines and 2 long side service lines	$5,490.00
4002 SW Clearcreek Cv	Upgrade long side service line	$2,945.00
4406 SW Fieldstone Blvd	Upgrade 2 long side service lines	$3,545.00
208 SE 16th St	Upgrade short side service line	$1,675.00
3707 SW Lone Oak Ave	Upgrade short side service line	$1,675.00
6305 SW Bear Rd	Upgrade 2 long side service lines	$3,095.00
904 SW Pure Globe St	Upgrade 2 short side service lines and 2 long	$5,490.00
902 SW Caprington St	Upgrade long side service line	$2,945.00
	Service Repair Total	$30,645.00
1806 NW Autumn Ave	Concrete work after leak repairs	$4,750.00
3404 SW Briar Creek Ave	Concrete work after leak repairs	$7,964.00
3000 SW Oakleigh Rd	Concrete work after leak repairs	$6,162.00
	Concrete Repair Total	$18,876.00
	Grand Total	$49,521.00

IDIQ Work Assignment Totals							
WD004			$30,190.00	16 Leak Repairs			
WD005			$26,169.80	10 Yard/Concrete Repairs			
WD006 - Voided			$0.00				
WD007			$49,521.00	18 Leak Repairs and 3 Concrete Repairs			
WD008 (anticipated)			$36,833.00	Anticipating 15 - 20 Leak Repairs			
Total			$142,713.80				

RESOLUTION NO. _____

A RESOLUTION AMENDING THE 2023 BUDGET; APPROPRIATING TWO HUNDRED SEVENTY-THREE THOUSAND EIGHTEEN DOLLARS AND NINETY CENTS ($273,018.90) FROM UTILITY FUND RESERVES INTO ACCOUNT #503020-44450 – PUBLIC WORKS BY PROJECT MAINTENANCE; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT WITH CALCON, INC. AND SYCON EXCAVATION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville Water Utilities currently has maintenance agreements with Calcon, Inc. (IFB-22-68) and Sycon Excavation (IFB-23-38);

WHEREAS, this amendment and budget adjustment is being requested to help manage increased workload associated with the water system repairs without adding additional personnel; and

WHEREAS, a budget adjustment will be needed for the additional services for Calcon, Inc. in the amount of one hundred thirty thousand three hundred five dollars and ten cents ($130,305.10) and Sycon Excavation in the amount of one hundred forty-two thousand seven hundred thirteen dollars and eighty cents ($142,713.80).

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

Section 1: That the Mayor and City Clerk are hereby authorized to enter into amended agreements with Calcon, Inc. and Sycon Excavation for additional services needed for the water system repairs;

Section 2: The 2023 Budget is amended to adjust two hundred seventy-three thousand eighteen dollars and ninety cents ($273,018.90) from Utility Fund Reserves to Account #503020-44450 – Public Works by Project Maintenance;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Ordinances: All Ordinances of the City Council, or parts of Ordinances of the City Council, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
STEPHANIE ORMAN, Mayor

ATTEST:

_____
KIRBY ROMINES, City Clerk

City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:	11/14/2023	**Submitted By:**	Preston Newbill
Phone:	(479) 271-3140	**For Department(s):**	Water Utilities
Email:	pnewbill@bentonvillear.com		

Item Type (Check all that apply)

☐ Informational ☐ Bid Award ☐ Enter into an Agreement ☐ Change Order
☐ Recognizing Funds ☑ Budget Adjustment ☑ Waiver of Bid ☑ Emergency Clause
☑ Ordinance ☐ Resolution ☐ Informational

Title, Recommendation & Justification

Title:	Waiver of Bid and Budget Adjustment for Property Damage at 1101 Spriggs Court
Action Recommendation & Justification:	Approval of a Budget Adjustment appropriating $86,378.66 for expenses related to property damage at 1101 Spriggs Court due to a sewer backup, and an Ordinance waiving competitive bidding with an Emergency Clause to NWA Restore-It, in the amount of $67,219.59 for the mitigation and repair expenses. This amount includes $17,358.07 in hotel fees, and $1,801.00 for replacement of personal items. Due to the emergency, it was neither practical or feasible to solicit competitive bids.
Additional Comments for Consideration (Optional):	The damage to the home occurred on 10/3/2023 due to a faulty sewer service connection on the city side that allowed roots to grow into the main, causing the backup that ran into the home. The blockage was cleared and the pipe was repaired immediately after notification. Staff contacted NWA Restore It for mitigation and repairs while the tenants are staying in a hotel. ETA of completion is mid to late December. This item was approved by Utility Board 5-0.
Amount for Approval:	**$** $86,378.66

Budget Impact

Is this Item Budgeted? ☐ YES ☑ NO ☐ ITEM HAS NO COST ☐ OTHER:_____

Budget Adjustment *(to be completed by Finance when applicable)*

503040-44450	Public Works by Proj Maint	$ 86,378.66	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		$	$
Account Number (ORG-OBJECT)	Account Description	Expense	Revenue

Fund(s) Impacted (check all that apply) ☐ General Fund ☑ Utility Fund ☐ Street Fund ☐ Other(s):_____

Budget Impact Notes for Consideration (Optional):

A portion of these costs have been encumbered or spent in accordance with the City's Purchasing Policy for Emergency Purchases.

1101 Spriggs Ct

Description	Cost	Notes
Mitigation	$15,189.43	Cost to stabilize
Repairs	$52,030.16	Cost to repair and replace
Hotel	$17,022.07	10/3-10/7 = $558.07, plus estimate for new hotel from 10/7-10/21 per Loran = $196/night. Tenants confirmed they will stay here through the duration. So, $196 x 84 days (10/7-12/30) = $16,464 + $558.07 = $17,022.07
Personal Items	$1,801.00	See spreadsheet attachment
Total	**$86,042.66**	

Quality Inn Bentonville-Rogers (AR067)
215 SE Walton Blvd
Bentonville, AR 72712
(479) 250-9944
AR067@stayatchoice.com

WYATT, ALBERT
7703 SW Starling In
Bentonville, AR 72712

Account: 893254410
Date: 10/9/23
Room: 104 SCPM
Arrival Date: 10/3/23
Departure Date: 10/7/23
Check In Time: 10/3/23 4:06 PM
Check Out Time: 10/7/23 10:47 AM
Rewards Program ID: GP-AXW331418
You were checked out by: cbanna
You were checked in by: cbanna
Total Balance Due: 0.00

Post Date	Description	Comment	Amount
10/3/23	Master Card	XXXXXXXXXXXX1709	(483.07)
10/3/23	Master Card	pet fee XXXXXXXXXXXX1709	(75.00)
10/3/23	Pet Charge	pet fee	75.00
10/3/23	Room Charge	#104 WYATT, ALBERT	105.45
10/3/23	State Tax		6.85
10/3/23	County Tax		1.05
10/3/23	State Tourist Tax		2.11
10/3/23	City Sales Tax		2.11
10/3/23	City A&P Tax		2.11
10/4/23	Room Charge	#104 WYATT, ALBERT	108.30
10/4/23	State Tax		7.04
10/4/23	County Tax		1.08
10/4/23	State Tourist Tax		2.17
10/4/23	City Sales Tax		2.17
10/4/23	City A&P Tax		2.17
10/5/23	Room Charge	#104 WYATT, ALBERT	108.30
10/5/23	State Tax		7.04
10/5/23	County Tax		1.08
10/5/23	State Tourist Tax		2.17
10/5/23	City Sales Tax		2.17
10/5/23	City A&P Tax		2.17
10/6/23	Room Charge	#104 WYATT, ALBERT	103.55
10/6/23	State Tax		6.73
10/6/23	County Tax		1.04
10/6/23	State Tourist Tax		2.07
10/6/23	City Sales Tax		2.07
10/6/23	City A&P Tax		2.07

Folio Summary 10/3/23 - 10/6/23		
Room Charge		425.60
State Tax		27.66
County Tax		4.25
State Tourist Tax		8.52
City Sales Tax		8.52
City A&P Tax		8.52
Master Card		(558.07)
Pet Charge		75.00
	Balance Due:	**0.00**

This rate is eligible for partner rewards. If this rate is changed, you may no longer be entitled to Choice Privileges points.

Any authorization over the amount of the grand total of your stay performed on your card at check-in was to protect against room damages and incidental charges, which is a common procedure used at hotels worldwide.

If this authorization was unused during your stay, it is released by the hotel on your day of departure. It is the responsibility of your bank- not the hotel- to return these funds back to your account. Typically, most banks take 2-10 business days after departure to restore these funds. The hotel is unable to assist in forcing your bank to expedite this process.

If you used a debit card issued by an online-only bank such as Chime, CashApp, or PayPal, please note that these types of financial institutions typically take 30+ days to return unused hotel authorizations.

x_____

CHOICE privileges. REWARDS

Congratulations, you are earning Choice Privileges Points for this stay! Log on to www.choicehotels.com/choice-privileges to redeem for free nights and other great rewards.

NWA RESTORE IT INC.
www.nwarestoreit.com

INVOICE

BILL TO:
City Of Bentonville Loran Shipman 1000 SW 14th Bentonville, AR 72712

DATE	INVOICE #
10/16/2023	36006

Project	20230288M	City Of Bentonville 1101 Spriggs Court Bentonville, AR 72712

Jobs involving multiple phases (mitigation (initial work to stop further loss, dry, and remove damaged material), mold remediation, general construction (work to restore property to pre-loss condition), and/or contents (moving, cleaning, and storing personal property)) may be invoiced at the completion of each phase.

Item	Description	Amount
Division - Mit	MITIGATION SERVICES - RESIDENTIAL - 1101 SPRIGGS COURT - BENTONVILLE	0.00
MITNTSTMT	DEMOLITION, REMOVING NON-SALVAGEABLE MATERIAL, DRYING & EXTRACTING, TEMPORARY REPAIRS, PREPARING FOR CONSTRUCTION	0.00
XM8 - DMO ...	GENERAL DEMOLITION	250.00
XM8 - HMR -...	HAZARDOUS MATERIAL REMEDIATION	15,079.57
MTAD -XM8	TAX ADJ - MATERIALS	83.34
TAD -XM8	TAX ADJ - LABOR	1,464.24
MITDISCOU...	MITIGATION DISCOUNT	-1,687.72

Insurance Co.		Claim #	

Sales Tax (9.5%)	$0.00
Total	$15,189.43
Payments/Credits	$0.00
Balance Due	$15,189.43

Payment is Due Upon Receipt
A 3.5% processing fee will be added to all payments made by credit card.
5% finance charge may apply to balances not paid within 30 days.

*****See note below concerning insurance payments.*****

If the work invoiced is covered by insurance and you have provided information on your policy and claim, we will report information to the insurance company on your behalf.
Payment may be issued to you or directly to NWA Restore It, Inc.

Federal ID Number: 72-1532198
Remit to: 13525 W Hwy 102 - Centerton, AR 72719
Main 479.644.4246 Office 479.795.1300 Fax 479.795.1156

Donald Schmidt

From: Donald Schmidt
Sent: Thursday, October 19, 2023 2:29 PM
To: Joel Barton
Cc: Loran Shipman; Chris Foster; Preston Newbill
Subject: RE: 1101 Spriggs Court, Bentonville

Thank you Joel. Per our conversation, this will serve as our "not to exceed" amount. Once all work is completed satisfactorily, the invoice will be paid in full.

Once we receive the paperwork for the repairs, we will get it signed and back to you as soon as possible. I'm hopeful this timeframe can be beaten, and I understand your current backlog. However, we appreciate any urgency that can be applied.

Thanks again,

Donald Schmidt
Manager – Construction Services
City of Bentonville Water Utilities
3200 SW Municipal Dr.
Bentonville, AR 72712
Office: 479-271-3140

WE'RE HIRING

From: Joel Barton <joelb@nwarestoreit.com>
Sent: Thursday, October 19, 2023 2:10 PM
To: Donald Schmidt <DSchmidt@bentonvillear.com>
Cc: Loran Shipman <lshipman@bentonvillear.com>; Chris Foster <chrisf@nwarestoreit.com>; Preston Newbill <PNewbill@bentonvillear.com>
Subject: Re: 1101 Spriggs Court, Bentonville

The amount of the repair portion is $52,030.16. We should not go over this amount. We should be able to start approximately 2 weeks after we receive signed contracts, and it should take about 2 months to complete the repairs after they have started.

From: Donald Schmidt <DSchmidt@bentonvillear.com>
Sent: Tuesday, October 17, 2023 3:12 PM
To: Joel Barton <joelb@nwarestoreit.com>
Cc: Loran Shipman <lshipman@bentonvillear.com>; Preston Newbill <PNewbill@bentonvillear.com>
Subject: 1101 Spriggs Court, Bentonville

Joel,

Thank you to you and your team for helping us out with this issue, we really appreciate it.

I have attached an invoice for the mitigation services that have been provided as well as an estimate for the repairs that you sent Loran earlier. I need to get a total cost for this entire project, start to finish. Can you provide me with a "not to exceed amount" for the repairs please? I can put that with the mitigation invoice total and have what I need.

Also, can you give me as close of an ETA as possible on when all the work will be complete and the tenants can move back in?

Thanks again for your help.

Donald Schmidt
Manager – Construction Services
City of Bentonville Water Utilities
3200 SW Municipal Dr.
Bentonville, AR 72712
Office: 479-271-3140

WE'RE HIRING

NWA Restore - It, Inc.

13525 W HWY 102
Centerton, AR 72719
Office: (479) 795-1300
Fax: (479) 795-1156
Tax ID: 72-1532198

Client:	City Of Bentonville
Property:	1101 Spriggs Court Bentonville , AR 72712
Operator:	JOELB
Type of Estimate:	
Date Entered:	10/16/2023
Date Assigned:	
Price List:	ARFA8X_OCT23
Labor Efficiency:	Restoration/Service/Remodel
Estimate:	CITY_B-VILLE_0288G

This is an ESTIMATE only for the work described. Any expenses or materials not listed in this estimate will be considered additional and will be billed in addition to the amount of this estimate. This estimate is good for 30 days from receipt.

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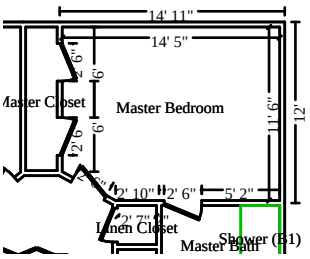
CITY_B-VILLE_0288G

Interior

Interior

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Residential Supervision / Project Management - per hour	12.00 HR		0.00	67.53	0.00	162.08	972.44
2. Final cleaning - construction - Residential	1,046.87 SF		0.00	0.33	39.38	69.10	453.95
3. Tandem axle dump trailer - per load - including dump fees	1.00 EA		225.76	0.00	0.00	45.16	270.92
Total: Interior					39.38	276.34	1,697.31



Master Bedroom **Height: 8'**

336.57 SF Walls	162.41 SF Ceiling
498.97 SF Walls & Ceiling	162.41 SF Floor
18.05 SY Flooring	40.40 LF Floor Perimeter
50.40 LF Ceil. Perimeter	

Door	**2' 6" X 6' 8"**	**Opens into MASTER_CLOSE**
Door	**2' 6" X 6' 8"**	**Opens into MASTER_CLOSE**
Door	**2' 6" X 6' 8"**	**Opens into HALLWAY**
Door	**2' 6" X 6' 8"**	**Opens into MASTER_BATH**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
4. Floor preparation for glued down vinyl flooring	162.41 SF		0.00	0.55	10.19	17.86	117.38
5. Vinyl plank flooring	162.41 SF		0.00	5.96	110.35	193.60	1,271.91
6. Add for glued down vinyl plank application over concrete	162.41 SF		0.00	0.32	5.93	10.40	68.30
7. Baseboard - 2 1/4"	40.40 LF		0.00	2.99	5.30	25.22	151.32
8. Mask and prep for paint - plastic, paper, tape (per LF)	40.40 LF		0.00	1.42	1.04	11.68	70.09
9. Seal (1 coat) & paint (1 coat) baseboard	40.40 LF		0.00	1.53	0.50	12.46	74.77
10. Batt insulation - 4" - R13 - paper / foil faced	28.00 SF		0.00	1.06	2.10	6.36	38.14
11. 1/2" - drywall per LF - up to 2' tall	40.40 LF		0.00	8.60	5.99	70.68	424.11
12. Tape joint for new to existing drywall - per LF	40.40 LF		0.00	7.17	1.19	58.18	349.04
13. Texture drywall - machine	121.21 SF		0.00	0.56	0.58	13.70	82.16

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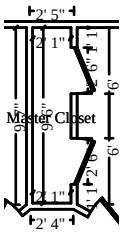
CONTINUED - Master Bedroom

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
14. Window blind - horizontal or vertical - Detach & reset	1.00 EA		0.00	34.53	0.00	6.90	41.43
15. Paint the walls - two coats	336.57 SF		0.00	1.25	8.31	85.80	514.82
16. Casing - 2 1/4"	56.00 LF		0.00	2.31	7.66	27.42	164.44
17. Interior door - Detach & reset - slab only	4.00 EA		0.00	18.68	0.00	14.94	89.66
18. Paint door/window trim & jamb - 2 coats (per side)	4.00 EA		0.00	32.42	2.02	26.34	158.04
Totals: Master Bedroom					161.16	581.54	3,615.61



Master Closet **Height: 8'**

152.33	SF Walls	19.83	SF Ceiling
172.17	SF Walls & Ceiling	19.83	SF Floor
2.20	SY Flooring	18.21	LF Floor Perimeter
23.21	LF Ceil. Perimeter		

Door **2' 6" X 6' 8"** **Opens into MASTER_BEDRO**

Door **2' 6" X 6' 8"** **Opens into MASTER_BEDRO**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
19. Floor preparation for glued down vinyl flooring	19.83 SF		0.00	0.55	1.25	2.18	14.34
20. Vinyl plank flooring	19.83 SF		0.00	5.96	13.48	23.64	155.31
21. Add for glued down vinyl plank application over concrete	19.83 SF		0.00	0.32	0.72	1.28	8.35
22. Baseboard - 2 1/4"	18.21 LF		0.00	2.99	2.39	11.38	68.22
23. Mask and prep for paint - plastic, paper, tape (per LF)	18.21 LF		0.00	1.42	0.47	5.28	31.61
24. Seal (1 coat) & paint (1 coat) baseboard	18.21 LF		0.00	1.53	0.23	5.62	33.71
25. Batt insulation - 4" - R13 - paper / foil faced	2.00 SF		0.00	1.06	0.15	0.46	2.73
26. 1/2" - drywall per LF - up to 2' tall	18.21 LF		0.00	8.60	2.70	31.86	191.17
27. Tape joint for new to existing drywall - per LF	18.21 LF		0.00	7.17	0.54	26.22	157.33
28. Texture drywall - machine	54.62 SF		0.00	0.56	0.26	6.18	37.03
29. Paint the walls - two coats	152.33 SF		0.00	1.25	3.76	38.84	233.01

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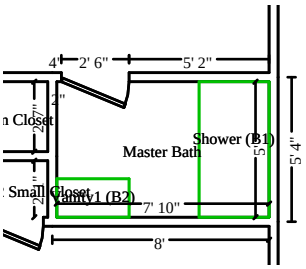
CONTINUED - Master Closet

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
30. Casing - 2 1/4"	28.00 LF		0.00	2.31	3.83	13.70	82.21
31. Paint door/window trim & jamb - 2 coats (per side)	2.00 EA		0.00	32.42	1.01	13.16	79.01
Totals: Master Closet					30.79	179.80	1,094.03



Master Bath **Height: 8'**

115.42 SF Walls	39.17 SF Ceiling
154.58 SF Walls & Ceiling	26.25 SF Floor
2.92 SY Flooring	8.92 LF Floor Perimeter
25.67 LF Ceil. Perimeter	

Door **2' 6" X 6' 8"** **Opens into MASTER_BEDRO**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
32. Floor preparation for glued down vinyl flooring	26.25 SF		0.00	0.55	1.64	2.88	18.96
33. Vinyl plank flooring	26.25 SF		0.00	5.96	17.83	31.30	205.58
34. Add for glued down vinyl plank application over concrete	26.25 SF		0.00	0.32	0.96	1.68	11.04
35. Baseboard - 2 1/4"	8.92 LF		0.00	2.99	1.17	5.58	33.42
36. Mask and prep for paint - plastic, paper, tape (per LF)	8.92 LF		0.00	1.42	0.23	2.58	15.48
37. Seal (1 coat) & paint (1 coat) baseboard	8.92 LF		0.00	1.53	0.11	2.76	16.52
38. 1/2" - drywall per LF - up to 2' tall	8.92 LF		0.00	8.60	1.32	15.60	93.63
39. Tape joint for new to existing drywall - per LF	8.92 LF		0.00	7.17	0.26	12.86	77.08
40. Texture drywall - machine	26.75 SF		0.00	0.56	0.13	3.02	18.13
41. Paint the walls - two coats	115.42 SF		0.00	1.25	2.85	29.44	176.57
42. Casing - 2 1/4"	17.00 LF		0.00	2.31	2.33	8.32	49.92
43. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
44. Vanity	2.67 LF		0.00	311.51	70.48	180.44	1,082.65
45. Mask and cover light fixture	1.00 EA		0.00	14.62	0.08	2.94	17.64
46. Countertop - post formed plastic laminate	2.67 LF		0.00	61.79	12.42	35.48	212.88

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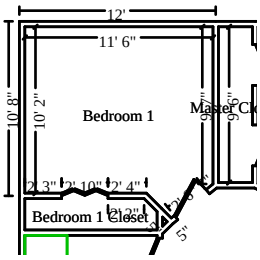
CONTINUED - Master Bath

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
47. 4" backsplash for flat laid countertop	4.67 LF		0.00	9.39	3.01	9.38	56.24
48. R&R P-trap assembly - ABS (plastic)	1.00 EA		8.38	61.71	0.76	14.18	85.03
49. Shower curtain rod - Detach & reset	1.00 EA		0.00	16.13	0.00	3.22	19.35
50. Towel bar - Detach & reset	1.00 EA		0.00	16.98	0.00	3.40	20.38
51. Mirror - plate glass - Detach & reset	6.00 SF		0.00	6.20	0.00	7.44	44.64
52. R&R Angle stop valve	3.00 EA		5.58	39.15	3.56	27.56	165.31
53. R&R Plumbing fixture supply line	3.00 EA		5.58	20.78	1.95	16.20	97.23
54. Sink - single - Detach & reset	1.00 EA		0.00	154.79	0.06	30.98	185.83
55. Sink faucet - Detach & reset	1.00 EA		0.00	124.38	0.00	24.88	149.26
56. Install Toilet	1.00 EA		0.00	204.09	0.00	40.82	244.91
57. Toilet paper holder - Detach & reset	1.00 EA		0.00	17.93	0.00	3.58	21.51
Totals: Master Bath					121.65	523.10	3,158.69



Bedroom 1 **Height: 8'**

317.61 SF Walls	119.31 SF Ceiling
436.92 SF Walls & Ceiling	119.31 SF Floor
13.26 SY Flooring	38.81 LF Floor Perimeter
44.15 LF Ceil. Perimeter	

Door **2' 10" X 6' 8"** **Opens into BEDROOM_1_CL**

Door **2' 6" X 6' 8"** **Opens into HALLWAY**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
58. Floor preparation for glued down vinyl flooring	119.31 SF		0.00	0.55	7.48	13.12	86.22
59. Vinyl plank flooring	119.31 SF		0.00	5.96	81.06	142.22	934.37
60. Add for glued down vinyl plank application over concrete	119.31 SF		0.00	0.32	4.36	7.64	50.18
61. Baseboard - 2 1/4"	38.81 LF		0.00	2.99	5.09	24.22	145.35
62. Mask and prep for paint - plastic, paper, tape (per LF)	38.81 LF		0.00	1.42	1.00	11.22	67.33

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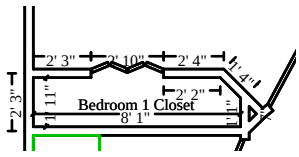
CONTINUED - Bedroom 1

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
63. Seal (1 coat) & paint (1 coat) baseboard	38.81 LF		0.00	1.53	0.48	11.98	71.84
64. Batt insulation - 4" - R13 - paper / foil faced	22.00 SF		0.00	1.06	1.65	5.00	29.97
65. 1/2" - drywall per LF - up to 2' tall	38.81 LF		0.00	8.60	5.75	67.92	407.44
66. Tape joint for new to existing drywall - per LF	38.81 LF		0.00	7.17	1.14	55.88	335.29
67. Texture drywall - machine	116.44 SF		0.00	0.56	0.55	13.16	78.92
68. Window blind - horizontal or vertical - Detach & reset	1.00 EA		0.00	34.53	0.00	6.90	41.43
69. Paint the walls - two coats	317.61 SF		0.00	1.25	7.85	80.98	485.84
70. Casing - 2 1/4"	31.00 LF		0.00	2.31	4.24	15.16	91.01
71. Paint door/window trim & jamb - 2 coats (per side)	2.00 EA		0.00	32.42	1.01	13.16	79.01
72. Interior door - Detach & reset - slab only	1.00 EA		0.00	18.68	0.00	3.74	22.42
73. Bifold door set - (4 slabs only) - Double Detach & reset	1.00 EA		0.00	26.37	0.00	5.28	31.65
Totals: Bedroom 1					121.66	477.58	2,958.27



Bedroom 1 Closet **Height: 8'**

137.39	SF Walls	15.18	SF Ceiling
152.57	SF Walls & Ceiling	15.18	SF Floor
1.69	SY Flooring	16.70	LF Floor Perimeter
19.54	LF Ceil. Perimeter		

Door **2' 10" X 6' 8"** **Opens into BEDROOM_1**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
74. Floor preparation for glued down vinyl flooring	15.18 SF		0.00	0.55	0.95	1.68	10.98
75. Vinyl plank flooring	15.18 SF		0.00	5.96	10.31	18.10	118.88
76. Add for glued down vinyl plank application over concrete	15.18 SF		0.00	0.32	0.55	0.98	6.39
77. Baseboard - 2 1/4"	16.70 LF		0.00	2.99	2.19	10.42	62.54
78. Mask and prep for paint - plastic, paper, tape (per LF)	16.70 LF		0.00	1.42	0.43	4.82	28.96

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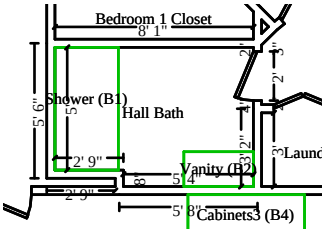
CONTINUED - Bedroom 1 Closet

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
79. Seal (1 coat) & paint (1 coat) baseboard	16.70 LF		0.00	1.53	0.21	5.16	30.92
80. Batt insulation - 4" - R13 - paper / foil faced	2.00 SF		0.00	1.06	0.15	0.46	2.73
81. 1/2" - drywall per LF - up to 2' tall	16.70 LF		0.00	8.60	2.47	29.22	175.31
82. Tape joint for new to existing drywall - per LF	16.70 LF		0.00	7.17	0.49	24.04	144.27
83. Texture drywall - machine	50.11 SF		0.00	0.56	0.24	5.66	33.96
84. Paint the walls - two coats	137.39 SF		0.00	1.25	3.39	35.02	210.15
85. Casing - 2 1/4"	14.00 LF		0.00	2.31	1.92	6.84	41.10
86. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
Totals: Bedroom 1 Closet					23.80	148.98	905.69



Hall Bath **Height: 8'**

132.92	SF Walls	43.94	SF Ceiling
176.87	SF Walls & Ceiling	31.03	SF Floor
3.45	SY Flooring	11.08	LF Floor Perimeter
27.50	LF Ceil. Perimeter		

Door **2' X 6' 8"** **Opens into HALLWAY**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
87. Floor preparation for glued down vinyl flooring	31.03 SF		0.00	0.55	1.94	3.42	22.43
88. Vinyl plank flooring	31.03 SF		0.00	5.96	21.08	36.98	243.00
89. Add for glued down vinyl plank application over concrete	31.03 SF		0.00	0.32	1.13	1.98	13.04
90. Baseboard - 2 1/4"	11.08 LF		0.00	2.99	1.45	6.92	41.50
91. Mask and prep for paint - plastic, paper, tape (per LF)	11.08 LF		0.00	1.42	0.28	3.20	19.21
92. Seal (1 coat) & paint (1 coat) baseboard	11.08 LF		0.00	1.53	0.14	3.42	20.51
93. 1/2" - drywall per LF - up to 2' tall	11.08 LF		0.00	8.60	1.64	19.38	116.31
94. Tape joint for new to existing drywall - per LF	11.08 LF		0.00	7.17	0.33	15.94	95.71
95. Texture drywall - machine	33.25 SF		0.00	0.56	0.16	3.76	22.54

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CONTINUED - Hall Bath

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
96. Paint the walls - two coats	132.92 SF		0.00	1.25	3.28	33.90	203.33
97. Casing - 2 1/4"	14.00 LF		0.00	2.31	1.92	6.84	41.10
98. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
99. Vanity	2.92 LF		0.00	311.51	77.08	197.34	1,184.03
100. Mask and cover light fixture	1.00 EA		0.00	14.62	0.08	2.94	17.64
101. Countertop - post formed plastic laminate	2.92 LF		0.00	61.79	13.58	38.80	232.81
102. 4" backsplash for flat laid countertop	4.92 LF		0.00	9.39	3.17	9.88	59.25
103. R&R P-trap assembly - ABS (plastic)	1.00 EA		8.38	61.71	0.76	14.18	85.03
104. Shower curtain rod - Detach & reset	1.00 EA		0.00	16.13	0.00	3.22	19.35
105. Towel bar - Detach & reset	1.00 EA		0.00	16.98	0.00	3.40	20.38
106. Mirror - plate glass - Detach & reset	6.00 SF		0.00	6.20	0.00	7.44	44.64
107. R&R Angle stop valve	3.00 EA		5.58	39.15	3.56	27.56	165.31
108. R&R Plumbing fixture supply line	3.00 EA		5.58	20.78	1.95	16.20	97.23
109. Sink - single - Detach & reset	1.00 EA		0.00	154.79	0.06	30.98	185.83
110. Sink faucet - Detach & reset	1.00 EA		0.00	124.38	0.00	24.88	149.26
111. Install Toilet	1.00 EA		0.00	204.09	0.00	40.82	244.91
112. Toilet paper holder - Detach & reset	1.00 EA		0.00	17.93	0.00	3.58	21.51
113. Interior door - Detach & reset - slab only	1.00 EA		0.00	18.68	0.00	3.74	22.42
Totals: Hall Bath					134.09	567.28	3,427.78

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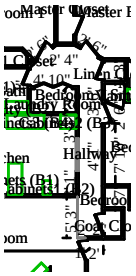
Hallway **Height: 8'**

310.96	SF Walls	98.82	SF Ceiling
409.78	SF Walls & Ceiling	98.82	SF Floor
10.98	SY Flooring	35.01	LF Floor Perimeter
58.18	LF Ceil. Perimeter		

Door	**2' 6" X 6' 8"**	**Opens into COAT_CLOSET**
Missing Wall	**1' X 8'**	**Opens into LIVING_ROOM**
Missing Wall	**5' 3" X 8'**	**Opens into LIVING_ROOM**
Missing Wall - Goes to Floor	**4' 1" X 6' 8"**	**Opens into KITCHEN**
Door	**4' 10" X 6' 8"**	**Opens into LAUNDRY_ROOM**
Door	**2' X 6' 8"**	**Opens into HALL_BATH**
Door	**2' 6" X 6' 8"**	**Opens into BEDROOM_1**
Door	**2' 6" X 6' 8"**	**Opens into MASTER_BEDRO**
Door	**2' 3" X 6' 8"**	**Opens into LINEN_CLOSET**
Door	**2' 6" X 6' 8"**	**Opens into BEDROOM_2**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
114. Floor preparation for glued down vinyl flooring	98.82 SF		0.00	0.55	6.19	10.88	71.42
115. Vinyl plank flooring	98.82 SF		0.00	5.96	67.14	117.80	773.91
116. Add for glued down vinyl plank application over concrete	98.82 SF		0.00	0.32	3.60	6.32	41.54
117. Baseboard - 2 1/4"	35.01 LF		0.00	2.99	4.59	21.86	131.13
118. Mask and prep for paint - plastic, paper, tape (per LF)	35.01 LF		0.00	1.42	0.90	10.12	60.73
119. Seal (1 coat) & paint (1 coat) baseboard	35.01 LF		0.00	1.53	0.43	10.80	64.80
120. 1/2" - drywall per LF - up to 2' tall	35.01 LF		0.00	8.60	5.19	61.26	367.54
121. Tape joint for new to existing drywall - per LF	35.01 LF		0.00	7.17	1.03	50.40	302.45
122. Texture drywall - machine	105.03 SF		0.00	0.56	0.50	11.86	71.18
123. Paint the walls - two coats	310.96 SF		0.00	1.25	7.68	79.28	475.66
124. Casing - 2 1/4"	77.00 LF		0.00	2.31	10.53	37.68	226.08
125. Paint door slab only - 2 coats (per side)	6.00 EA		0.00	38.78	4.95	47.54	285.17
126. Paint door/window trim & jamb - Large - 2 coats (per side)	2.00 EA		0.00	38.14	1.19	15.50	92.97
127. Corner trim	7.00 LF		0.00	1.79	0.63	2.62	15.78

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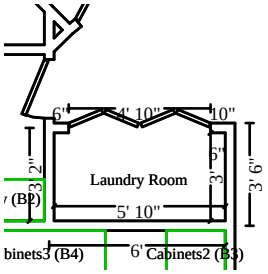
CONTINUED - Hallway

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
Totals: Hallway					114.55	483.92	2,980.36



Laundry Room **Height: 8'**

109.13	SF Walls	17.51	SF Ceiling
126.63	SF Walls & Ceiling	17.51	SF Floor
1.95	SY Flooring	12.84	LF Floor Perimeter
17.67	LF Ceil. Perimeter		

Door **4' 10" X 6' 8"** **Opens into HALLWAY**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
128. Floor preparation for glued down vinyl flooring	17.51 SF		0.00	0.55	1.09	1.92	12.64
129. Vinyl plank flooring	17.51 SF		0.00	5.96	11.89	20.88	137.13
130. Add for glued down vinyl plank application over concrete	17.51 SF		0.00	0.32	0.64	1.12	7.36
131. Baseboard - 2 1/4"	12.84 LF		0.00	2.99	1.68	8.02	48.09
132. Mask and prep for paint - plastic, paper, tape (per LF)	12.84 LF		0.00	1.42	0.33	3.70	22.26
133. Seal (1 coat) & paint (1 coat) baseboard	12.84 LF		0.00	1.53	0.16	3.98	23.79
134. 1/2" - drywall per LF - up to 2' tall	12.84 LF		0.00	8.60	1.90	22.46	134.78
135. Tape joint for new to existing drywall - per LF	12.84 LF		0.00	7.17	0.38	18.50	110.94
136. Texture drywall - machine	38.51 SF		0.00	0.56	0.18	4.36	26.11
137. Paint the walls - two coats	109.13 SF		0.00	1.25	2.70	27.82	166.93
138. Dryer - Remove & reset	1.00 EA		0.00	39.75	0.00	7.96	47.71
139. Washer/Washing machine - Remove & reset	1.00 EA		0.00	51.56	0.00	10.32	61.88
140. Detach & Reset Bifold door set - Colonist - Double	1.00 EA	26.37	0.00	0.00	0.00	5.28	31.65
141. Casing - 2 1/4"	19.00 LF		0.00	2.31	2.60	9.30	55.79
142. Seal & paint closet shelving - single shelf - Large closet	1.00 EA		0.00	69.43	0.67	14.02	84.12
143. Paint door/window trim & jamb - Large - 2 coats (per side)	1.00 EA		0.00	38.14	0.59	7.74	46.47
Totals: Laundry Room					24.81	167.38	1,017.65

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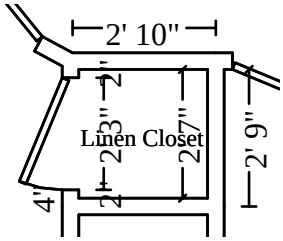

Linen Closet **Height: 8'**

67.67 SF Walls	6.67 SF Ceiling
74.34 SF Walls & Ceiling	6.67 SF Floor
0.74 SY Flooring	8.08 LF Floor Perimeter
10.33 LF Ceil. Perimeter	

Door **2' 3" X 6' 8"** **Opens into HALLWAY**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
144. Floor preparation for glued down vinyl flooring	6.67 SF		0.00	0.55	0.42	0.74	4.83
145. Vinyl plank flooring	6.67 SF		0.00	5.96	4.54	7.96	52.25
146. Add for glued down vinyl plank application over concrete	6.67 SF		0.00	0.32	0.24	0.42	2.79
147. Baseboard - 2 1/4"	8.08 LF		0.00	2.99	1.06	5.06	30.28
148. Mask and prep for paint - plastic, paper, tape (per LF)	8.08 LF		0.00	1.42	0.21	2.34	14.02
149. Seal (1 coat) & paint (1 coat) baseboard	8.08 LF		0.00	1.53	0.10	2.50	14.96
150. 1/2" - drywall per LF - up to 2' tall	8.08 LF		0.00	8.60	1.20	14.14	84.83
151. Tape joint for new to existing drywall - per LF	8.08 LF		0.00	7.17	0.24	11.62	69.79
152. Texture drywall - machine	24.25 SF		0.00	0.56	0.11	2.74	16.43
153. Paint the walls - two coats	67.67 SF		0.00	1.25	1.67	17.26	103.52
154. Interior door - Detach & reset - slab only	1.00 EA		0.00	18.68	0.00	3.74	22.42
155. Casing - 2 1/4"	14.00 LF		0.00	2.31	1.92	6.84	41.10
156. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
157. Seal & paint closet shelving - linen closet	1.00 EA		0.00	91.96	1.47	18.70	112.13
Totals: Linen Closet					13.68	100.64	608.85

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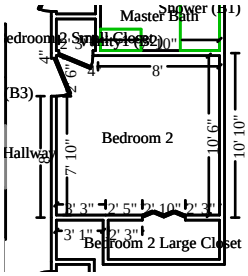

Bedroom 2 **Height: 8'**

289.44	SF Walls	112.88	SF Ceiling
402.32	SF Walls & Ceiling	112.88	SF Floor
12.54	SY Flooring	34.92	LF Floor Perimeter
42.50	LF Ceil. Perimeter		

Door	**2' 10" X 6' 8"**	**Opens into BEDROOM_2_LA**
Door	**2' 3" X 6' 8"**	**Opens into BEDROOM_2_SM**
Door	**2' 6" X 6' 8"**	**Opens into HALLWAY**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
158. Floor preparation for glued down vinyl flooring	112.88 SF		0.00	0.55	7.08	12.42	81.58
159. Vinyl plank flooring	112.88 SF		0.00	5.96	76.69	134.56	884.01
160. Add for glued down vinyl plank application over concrete	112.88 SF		0.00	0.32	4.12	7.22	47.46
161. Baseboard - 2 1/4"	34.92 LF		0.00	2.99	4.58	21.80	130.79
162. Mask and prep for paint - plastic, paper, tape (per LF)	34.92 LF		0.00	1.42	0.90	10.10	60.59
163. Seal (1 coat) & paint (1 coat) baseboard	34.92 LF		0.00	1.53	0.43	10.76	64.62
164. 1/2" - drywall per LF - up to 2' tall	34.92 LF		0.00	8.60	5.18	61.10	366.59
165. Tape joint for new to existing drywall - per LF	34.92 LF		0.00	7.17	1.03	50.28	301.69
166. Texture drywall - machine	104.75 SF		0.00	0.56	0.50	11.84	71.00
167. Paint the walls - two coats	289.44 SF		0.00	1.25	7.15	73.80	442.75
168. Batt insulation - 4" - R13 - paper / foil faced	11.00 SF		0.00	1.06	0.83	2.50	14.99
169. Interior door - Detach & reset - slab only	1.00 EA		0.00	18.68	0.00	3.74	22.42
170. Casing - 2 1/4"	51.00 LF		0.00	2.31	6.98	24.96	149.75
171. Paint door/window trim & jamb - 2 coats (per side)	3.00 EA		0.00	32.42	1.51	19.76	118.53
172. Window blind - horizontal or vertical - Detach & reset	1.00 EA		0.00	34.53	0.00	6.90	41.43
Totals: Bedroom 2					116.98	451.74	2,798.20

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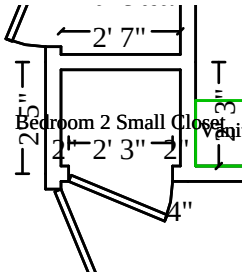

Bedroom 2 Small Closet **Height: 8'**

59.67	SF Walls	5.38	SF Ceiling
65.05	SF Walls & Ceiling	5.38	SF Floor
0.60	SY Flooring	7.08	LF Floor Perimeter
9.33	LF Ceil. Perimeter		

Door **2' 3" X 6' 8"** **Opens into BEDROOM_2**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
173. Floor preparation for glued down vinyl flooring	5.38 SF		0.00	0.55	0.34	0.60	3.90
174. Vinyl plank flooring	5.38 SF		0.00	5.96	3.66	6.42	42.14
175. Add for glued down vinyl plank application over concrete	5.38 SF		0.00	0.32	0.19	0.34	2.25
176. Baseboard - 2 1/4"	7.08 LF		0.00	2.99	0.93	4.42	26.52
177. Mask and prep for paint - plastic, paper, tape (per LF)	7.08 LF		0.00	1.42	0.18	2.06	12.29
178. Seal (1 coat) & paint (1 coat) baseboard	7.08 LF		0.00	1.53	0.09	2.18	13.10
179. 1/2" - drywall per LF - up to 2' tall	7.08 LF		0.00	8.60	1.05	12.40	74.34
180. Tape joint for new to existing drywall - per LF	7.08 LF		0.00	7.17	0.21	10.20	61.17
181. Texture drywall - machine	21.25 SF		0.00	0.56	0.10	2.40	14.40
182. Paint the walls - two coats	59.67 SF		0.00	1.25	1.47	15.22	91.28
183. Interior door - Detach & reset - slab only	1.00 EA		0.00	18.68	0.00	3.74	22.42
184. Casing - 2 1/4"	14.00 LF		0.00	2.31	1.92	6.84	41.10
185. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
186. Seal & paint closet shelving - small closet	1.00 EA		0.00	91.96	1.47	18.70	112.13
Totals: Bedroom 2 Small Closet					12.11	92.10	556.54

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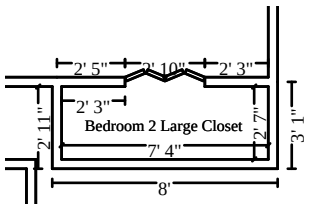

Bedroom 2 Large Closet **Height: 8'**

139.78	SF Walls	18.94	SF Ceiling
158.72	SF Walls & Ceiling	18.94	SF Floor
2.10	SY Flooring	17.00	LF Floor Perimeter
19.83	LF Ceil. Perimeter		

Door **2' 10" X 6' 8"** **Opens into BEDROOM_2**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
187. Floor preparation for glued down vinyl flooring	18.94 SF		0.00	0.55	1.19	2.08	13.69
188. Vinyl plank flooring	18.94 SF		0.00	5.96	12.86	22.58	148.32
189. Add for glued down vinyl plank application over concrete	18.94 SF		0.00	0.32	0.70	1.22	7.98
190. Baseboard - 2 1/4"	17.00 LF		0.00	2.99	2.23	10.60	63.66
191. Mask and prep for paint - plastic, paper, tape (per LF)	17.00 LF		0.00	1.42	0.44	4.90	29.48
192. Seal (1 coat) & paint (1 coat) baseboard	17.00 LF		0.00	1.53	0.21	5.24	31.46
193. 1/2" - drywall per LF - up to 2' tall	17.00 LF		0.00	8.60	2.52	29.74	178.46
194. Tape joint for new to existing drywall - per LF	17.00 LF		0.00	7.17	0.50	24.48	146.87
195. Texture drywall - machine	51.00 SF		0.00	0.56	0.24	5.76	34.56
196. Paint the walls - two coats	139.78 SF		0.00	1.25	3.45	35.64	213.82
197. Batt insulation - 4" - R13 - paper / foil faced	10.00 SF		0.00	1.06	0.75	2.28	13.63
198. Bifold door set - (4 slabs only) - Double Detach & reset	1.00 EA		0.00	26.37	0.00	5.28	31.65
199. Casing - 2 1/4"	17.00 LF		0.00	2.31	2.33	8.32	49.92
200. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
201. Seal & paint closet shelving - single shelf - Large closet	1.00 EA		0.00	69.43	0.67	14.02	84.12
Totals: Bedroom 2 Large Closet					28.59	178.72	1,087.12

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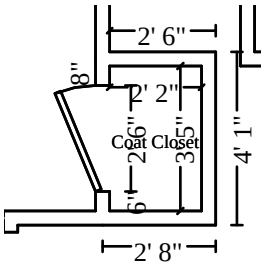
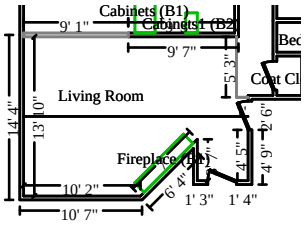


Coat Closet **Height: 8'**

72.67	SF Walls	7.40	SF Ceiling
80.07	SF Walls & Ceiling	7.40	SF Floor
0.82	SY Flooring	8.67	LF Floor Perimeter
11.17	LF Ceil. Perimeter		

Door **2' 6" X 6' 8"** **Opens into HALLWAY**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
202. R&R Vinyl plank flooring	7.40 SF		1.31	5.96	5.03	10.76	69.58
203. Add for glued down vinyl plank application over concrete	7.40 SF		1.68	0.32	0.28	2.96	18.04
204. Floor preparation for glued down vinyl flooring	7.40 SF		0.00	0.55	0.47	0.82	5.36
205. Baseboard - Detach & reset	8.67 LF		0.00	2.34	0.02	4.06	24.37
206. Mask and prep for paint - plastic, paper, tape (per LF)	8.67 LF		0.00	1.42	0.22	2.50	15.03
207. Seal (1 coat) & paint (1 coat) baseboard	8.67 LF		0.00	1.53	0.11	2.68	16.06
208. Interior door - Detach & reset - slab only	1.00 EA		0.00	18.68	0.00	3.74	22.42
209. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
Totals: Coat Closet					6.63	34.10	210.36



Living Room **Height: Peaked**

435.72	SF Walls	255.42	SF Ceiling
691.13	SF Walls & Ceiling	239.43	SF Floor
26.60	SY Flooring	44.98	LF Floor Perimeter
72.69	LF Ceil. Perimeter		

Missing Wall **1' X 8'** **Opens into HALLWAY**

Missing Wall **5' 3" X 8'** **Opens into HALLWAY**

Missing Wall - Goes to Floor **9' 1" X 6' 8"** **Opens into KITCHEN**

Door **2' 6" X 6' 8"** **Opens into Exterior**

Door **2' 6" X 6' 8"** **Opens into Exterior**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL

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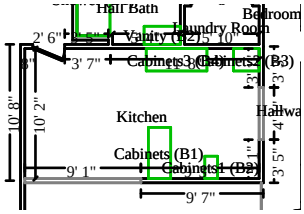
CONTINUED - Living Room

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
210. Remove Vinyl plank flooring	191.43 SF		1.31	0.00	0.00	50.16	300.93
211. Add for glued down vinyl plank application over concrete	191.43 SF		1.68	0.00	0.00	64.32	385.92
212. Floor preparation for glued down vinyl flooring	239.43 SF		0.00	0.55	15.01	26.34	173.04
213. Vinyl plank flooring	239.43 SF		0.00	5.96	162.68	285.40	1,875.08
214. Add for glued down vinyl plank application over concrete	239.43 SF		0.00	0.32	8.74	15.32	100.68
215. Baseboard - Detach & reset	44.98 LF		0.00	2.34	0.09	21.08	126.42
216. Mask and prep for paint - plastic, paper, tape (per LF)	44.98 LF		0.00	1.42	1.15	13.02	78.04
217. Seal (1 coat) & paint (1 coat) baseboard	44.98 LF		0.00	1.53	0.56	13.88	83.26
218. 1/2" - drywall per LF - up to 2' tall	44.98 LF		0.00	8.60	6.67	78.70	472.20
219. Tape joint for new to existing drywall - per LF	44.98 LF		0.00	7.17	1.32	64.76	388.59
220. Texture drywall - machine	134.93 SF		0.00	0.56	0.64	15.24	91.44
221. Paint the walls - two coats	435.72 SF		0.00	1.25	10.76	111.10	666.51
222. Paint door/window trim & jamb - 2 coats (per side)	2.00 EA		0.00	32.42	1.01	13.16	79.01
223. Window blind - horizontal or vertical - Detach & reset	2.00 EA		0.00	34.53	0.00	13.82	82.88
Totals: Living Room					208.63	786.30	4,904.00



Kitchen **Height: 8'**

302.81 SF Walls	186.39 SF Ceiling
489.19 SF Walls & Ceiling	165.83 SF Floor
18.43 SY Flooring	38.58 LF Floor Perimeter
57.00 LF Ceil. Perimeter	

Door	**2' 6" X 6' 8"**	**Opens into Exterior**
Missing Wall - Goes to Floor	**4' 1" X 6' 8"**	**Opens into HALLWAY**
Missing Wall - Goes to Floor	**9' 1" X 6' 8"**	**Opens into LIVING_ROOM**

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
224. Floor preparation for glued down vinyl flooring	165.83 SF		0.00	0.55	10.39	18.24	119.84

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CONTINUED - Kitchen

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
225. Vinyl plank flooring	165.83 SF		0.00	5.96	112.67	197.68	1,298.70
226. Add for glued down vinyl plank application over concrete	165.83 SF		0.00	0.32	6.05	10.62	69.74
227. Baseboard - 2 1/4"	29.58 LF		0.00	2.99	3.88	18.46	110.78
228. Mask and prep for paint - plastic, paper, tape (per LF)	29.58 LF		0.00	1.42	0.76	8.56	51.32
229. Seal (1 coat) & paint (1 coat) baseboard	29.58 LF		0.00	1.53	0.37	9.14	54.77
230. 1/2" - drywall per LF - up to 2' tall	26.58 LF		0.00	8.60	3.94	46.50	279.03
231. Tape joint for new to existing drywall - per LF	26.58 LF		0.00	7.17	0.78	38.28	229.64
232. Texture drywall - machine	79.75 SF		0.00	0.56	0.38	9.02	54.06
233. Paint the walls - two coats	302.81 SF		0.00	1.25	7.48	77.20	463.19
234. Casing - 2 1/4"	17.00 LF		0.00	2.31	2.33	8.32	49.92
235. Paint door/window trim & jamb - 2 coats (per side)	1.00 EA		0.00	32.42	0.50	6.58	39.50
236. Window blind - horizontal or vertical - Detach & reset	1.00 EA		0.00	34.53	0.00	6.90	41.43
237. Batt insulation - 4" - R13 - paper / foil faced	11.00 SF		0.00	1.06	0.83	2.50	14.99
238. Refrigerator - Remove & reset	1.00 EA		0.00	52.99	0.00	10.60	63.59
239. Range - electric - Remove & reset	1.00 EA		0.00	39.75	0.00	7.96	47.71
240. Install Dishwasher	1.00 EA		0.00	127.55	0.00	25.52	153.07
241. Cabinetry - full height unit	2.00 LF		0.00	403.88	68.65	175.30	1,051.71
242. Cabinetry - lower (base) units	4.75 LF		0.00	309.50	124.48	318.92	1,913.53
243. R&R Cabinetry - upper (wall) units	12.00 LF		8.38	217.36	209.44	583.66	3,501.98
244. R&R Cabinetry - lower (base) units	5.00 LF		8.38	309.50	131.03	344.08	2,064.51
245. Countertop - post formed plastic laminate	6.75 LF		0.00	61.79	31.40	89.70	538.18
246. R&R Countertop - post formed plastic laminate	5.00 LF		4.64	61.79	23.26	71.10	426.51
247. 4" backsplash for flat laid countertop	9.75 LF		0.00	9.39	6.28	19.58	117.41
248. Detach & Reset Sink - double basin	1.00 EA	166.22	0.00	0.00	0.08	33.26	199.56
249. Detach & Reset Sink faucet - Kitchen	1.00 EA	124.38	0.00	0.00	0.00	24.88	149.26

CONTINUED - Kitchen

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
250. R&R P-trap assembly - ABS (plastic)	2.00 EA		8.38	61.71	1.53	28.34	170.05
251. R&R Plumbing fixture supply line	3.00 EA		5.58	20.78	1.95	16.20	97.23
252. R&R Angle stop valve	3.00 EA		5.58	39.15	3.56	27.56	165.31
Totals: Kitchen					752.02	2,234.66	13,536.52
Total: Interior					**1,910.53**	**7,284.18**	**44,556.98**

Contents Pack-out / Pack-in

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
253. Content Manipulation charge - per hour	48.00 HR		0.00	70.47	0.00	676.52	4,059.08
3 techs for 8 hours for pack out. 3 techs for 8 hours for pack in.							
254. Contents Evaluation and/or Supervisor/Admin	8.00 HR		0.00	92.77	0.00	148.44	890.60
Working supervisor on site, communication with customer and administrative tasks.							
255. Provide stretch film/wrap - 20" x 1000' roll	1.00 RL		0.00	28.36	2.69	6.22	37.27
256. Provide box, packing paper & tape - large size	18.00 EA		0.00	5.06	8.65	19.96	119.69
257. Provide plastic mattress cover & packing tape - Queen size	2.00 EA		0.00	8.73	1.66	3.84	22.96
258. Garment Bags	30.00 EA		0.00	8.89	30.41	53.34	350.45
259. Provide wardrobe box & tape - medium size	6.00 EA		0.00	16.13	21.27	21.20	139.25
260. Provide furniture lightweight blanket/pad	12.00 EA		0.00	9.07	10.34	23.82	143.00
261. Job-site cargo container - pick up/del. (each way) 16'-40'	2.00 EA		0.00	139.16	26.44	60.94	365.70
1 container, pick up and delivery for each							
262. Job-site cargo/storage container - 40' long - per month	3.00 MO		0.00	300.00	85.50	197.10	1,182.60
1 container rentals for 3 months. Actual time stored will be calculated.							
263. Padlock/disc lock	1.00 EA		0.00	16.05	1.52	3.52	21.09
Totals: Contents Pack-out / Pack-in					188.48	1,214.90	7,331.69

Labor Minimums Applied

NWA Restore - It, Inc.

13525 W HWY 102
Centerton, AR 72719
Office: (479) 795-1300
Fax: (479) 795-1156
Tax ID: 72-1532198

CONTINUED - Labor Minimums Applied

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
264. Insulation labor minimum	1.00 EA		0.00	117.91	0.00	23.58	141.49
Totals: Labor Minimums Applied					0.00	23.58	141.49
Line Item Totals: CITY_B-VILLE_0288G					**2,099.01**	**8,522.66**	**52,030.16**

Grand Total Areas:

2,980.07	SF Walls	1,109.24	SF Ceiling	4,089.32	SF Walls and Ceiling
1,046.87	SF Floor	116.32	SY Flooring	341.28	LF Floor Perimeter
0.00	SF Long Wall	0.00	SF Short Wall	489.16	LF Ceil. Perimeter
1,046.87	Floor Area	1,211.39	Total Area	2,980.07	Interior Wall Area
1,561.19	Exterior Wall Area	175.74	Exterior Perimeter of Walls		
0.00	Surface Area	0.00	Number of Squares	0.00	Total Perimeter Length
0.00	Total Ridge Length	0.00	Total Hip Length		

NWA Restore - It, Inc.

13525 W HWY 102
Centerton, AR 72719
Office: (479) 795-1300
Fax: (479) 795-1156
Tax ID: 72-1532198

Summary

Line Item Total	41,408.49
Material Sales Tax	1,080.90
Cleaning Matl Tax	9.19
Storage Rental Tax	111.94
Subtotal	42,610.52
Overhead	4,261.33
Profit	4,261.33
Service Sales Tax	896.98
Replacement Cost Value	**$52,030.16**
Net Claim	**$52,030.16**

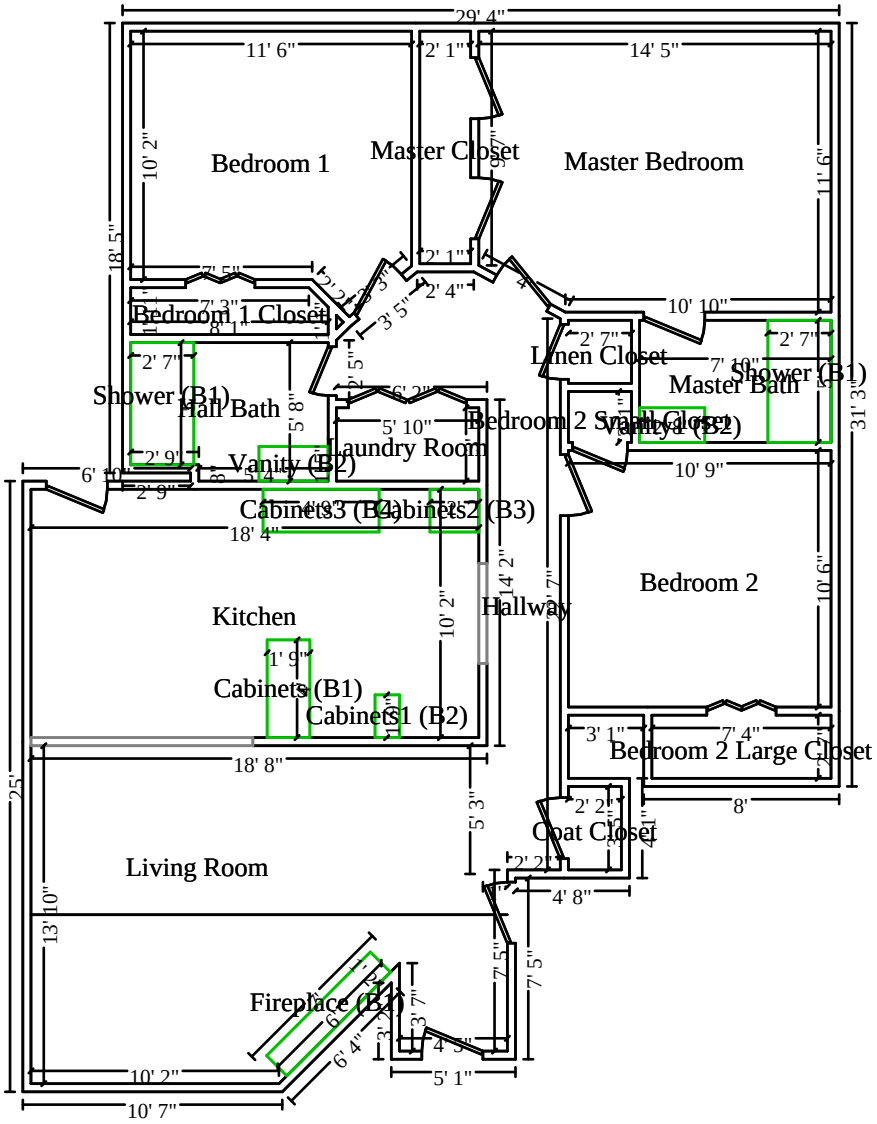

29' 4"
11' 6"
2' 1"
14' 5"
Bedroom 1
Master Closet
Master Bedroom
10' 2"
18' 5"
11' 6"
2' 1"
7' 5"
2' 4"
10' 10"
Bedroom 1 Closet
7' 3"
8' 1"
2' 7"
2' 7"
Linen Closet
7' 10"
Shower (B1)
Master Bath
Shower (B1)
Hall Bath
5' 8"
5' 10"
Bedroom 2 Small Closet
Vanity1 (B2)
31' 3"
Laundry Room
2' 9"
Vanity (B2)
6' 10"
2' 9"
10' 9"
Cabinets3 (B2)
Cabinets2 (B3)
18' 4"
14' 2"
Bedroom 2
10' 6"
Kitchen
10' 2"
Hallway
1' 9"
Cabinets (B1)
Cabinets1 (B2)
3' 1"
7' 4"
Bedroom 2 Large Closet
18' 8"
25'
5' 3"
8'
2' 2"
Coat Closet
Living Room
2' 2"
4' 8"
13' 10"
7' 5"
7' 5"
Fireplace (B1)
3' 7"
4' 3"
10' 2"
5' 1"
10' 7"

Photo	Location In Home	Item	Price	Notes	Link to Item (If available)
S1	Office Closet Floor	Backpack	$20	Backpack used for work daamged by sewage water	
S2	Master Bedroom Closet Floor	Shoes	$298	Sewage water drenched P448 Designer Sneakers	https://us.p448.com/collections/women-low-top/products/f23bjohn-m-102
S3	Master Bedroom Closet Floor	Shoes	$50	Sewage water soaked Sam Edelman mules	
S4	Master Bedroom Closet Floor	Shoes	$50	Sewage water soaked SamEdelman Sandals	
S5	Master Bedroom Closet Floor	Shoes	$100	Misc older Nike running shoes 3 pairs - ruined by sewage water	
S6	Living Room Floor	Area Rug	$150	Poly and Bark Berat Area Rug // Sewage water stained edge of rug	https://www.bedbathandbeyond.com/Home-Garden/Poly-and-Bark-Berat-Area-Rug/37570053/product.html?opre=1&option=74718932
S7	Master Bedroom	Shop Vac	$79	Hart 6 gallon shop vac used prior to city/restoration arriving in attempt to clean up sewage water	
L1	Bedroom/Closet Floor	Hat	$20	Best Dad Ever Hat damaged by sewage water	
L2	Bedroom/Closet Floor	Paint Brushes	$15	Misc Paint Brushes damaged by sewage water	
L3	Bedroom/Closet Floor	Dr. Marten Boots	$150	Non-Slip Vegan Leather Dr. Marten Boots damaged by sewage water	
L4	Bedroom/Closet Floor	Dress	$150	Azazie bridesmaids dress (with alterations) damaged by sewage water	
L5	Bedroom/Closet Floor	Kn95 Masks	$25	Kn95 Masks box of 50 damaged by sewage water	
L6	Bedroom/Closet Floor	Hat	$20	OMP hat ruined by sewage water	
L7	Bedroom/Closet Floor	Misc. Wrapping Paper Rolls	$30	Misc rolls of wrapping paper $6 a roll damaged by sewage water	
L8	Bedroom/Closet Floor	Sleeping Bag	$20	Ozark Trail sleeping bag damaged by sewage water	
L9	Bedroom/Closet Floor	Wicker Basket	$30	Wicker basket ruined by sewage water	
L10	Bedroom/Closet Floor	Weighted Blanket	$30	Weighted blanket damaged/molded by sewage water	
L11	Bedroom/Closet Floor	Stuffed Sheep	$20	Stuffed Sheep ruined by sewage water	
L12	Bedroom/Closet Floor	Bulk Tissue Paper	$25	Tissue paper ruined by sewage water	
J1	Office Closet Floor	Book	$24	Pre-Industrial Societies book damaged by sewage water	https://www.amazon.com/Pre-Industrial-Societies-Anatomy-Pre-Modern-World/dp/1780747411/ref=asc_df_1780747411/?tag=hyprod-20&linkCode=df0&hvadid=312118059795&hvpos=&hvnetw=g&hvrand=877901094217051923&hvpone=&hvptwo=&hvqmt=&hvdev=c&hvdvcmdl=&hvlocint=&hvlocphy=9026086&hvtargid=pla-557334420374&psc=1&language=en_US
J2	Office Closet Floor	Book	$19	Official RuneScape Handbook damaged by sewage water	https://www.amazon.com/RuneScape-Official-Handbook-Tracey-January/dp/B015X3ZWOM
J3	Office Closet Floor	Book	$16	Vintage history of Arkansas Razorback football book damaged by sewage water	https://www.amazon.com/-/es/Orville-Henry/dp/0873970241
J4	Office Closet Floor	Shoes	$50	Adidas tennis shoes ruined by sewage water	
J5	Master Bedroom Floor	Backpack	$25	Goodfellow backpack used for work/travel ruined by sewage water	https://www.target.com/p/backpack-goodfellow-38-co-8482/-/A-87363257?preselect=54595006#lnk=sametab
J6	Master Bedroom Floor	Duffelbag	$30	Goodfellow duffelbag used for work/travel ruined by sewage water	https://www.target.com/p/men-39-s-carry-on-duffel-weekender-bag-goodfellow-38-co-8482-black/-/A-54594975#lnk=sametab
J7	Office	Cube Storage Unit	$55	Cubical storage unit ruined by sewage water	https://www.target.com/p/4-cube-organizer-brightroom/-/A-83961099?preselect=83499774#lnk=sametab
J8	Household	Cleaning Supplies	$100	Household cleaning supplies used on day of event in attempt to clean/stop situation prior to city/restoration crew arriving	
J9	Household	Misc items used	$100	Misc items used/destroyed during event/clean-up process	
J10	Household	Towels	$100	Majority of our towells were ruined in attempt to stop, clean up, and keep flooding contained	

S	Sammy Jo Thompson	$747
L	Lexie Bureleson	$535
J	Albert "Jake" Wyatt	$519
	Total Amount Reqested	**$1,801**

RESOLUTION NO. _____

AN ORDINANCE AMENDING THE 2023 BUDGET; APPROPRIATING EIGHTY-SIX THOUSAND THREE HUNDRED SEVENTY-EIGHT DOLLARS AND SIXTY-SIX CENTS ($86,378.66) FROM UTILITY FUND RESERVES INTO ACCOUNT #503040-44450 – PUBLIC WORKS BY PROJECT MAINTENANC IN ORDER TO FUND REPAIRS FOR PROPERTY DAMAGE THAT OCCURRED AT 1101 SPRIGGS COURT, BENTONVILLE, ARKANSAS, WAIVING COMPETITIVE BIDDING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, on October 03, 2023, property damage occurred inside the home due to faulty sewer service connection;

WHEREAS, Staff contacted NWA Restore It for mitigation and repairs while the tenants were staying in a hotel; and

WHEREAS, a budget adjustment will be needed.

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

Section 1: The 2023 Budget is amended to adjust eighty-six thousand three hundred seventy-eight dollars and sixty-six cents ($86,378.66) from Utility Fund Reserves to Account #503040-44450 – Public Works by Project Maintenance;

Section 2: Due to the urgent need for repairs on an emergency basis, pursuant to purchasing policy for such items, it would be neither practical nor feasible to advertise for competitive bidding so that requirement is herein waived;

Section 3 – Emergency Clause: Because the need to make this purchase is immediate, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Ordinances: All Ordinances of the City Council, or parts of Ordinances of the City Council, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____

STEPHANIE ORMAN, Mayor

ATTEST:

_____

KIRBY ROMINES, City Clerk

Unlicensed Vehicles

PC Date: 11/7/2023
Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Zoning Code, Sec. 501.12 Parking and Storage of Certain Vehicles
Recommendation	APPROVAL

Issue Statement

Zoning Code *Sec. 501.12 Parking and Storage of Certain Vehicles* states "Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in complete enclosed buildings or carport." Legal staff has advised staff that this regulation is unenforceable as it pertains to private property. The licensing of a vehicle is a purview of the state and the police department enforces unlicensed vehicle when traveling or parking on a public street.

Consequently, upon adoption of the new Property Maintenance Code last year with Ord. No. 2022-23, an "unlicensed vehicle" was specifically removed as one of the criteria for an "inoperative motor vehicle." Below is the amendment adopted with Ord. No. 2022-23:

> 8. *Motor vehicles.* Except as provided for in other regulations, inoperative ~~or unlicensed~~ motor vehicle shall not be parked, kept or stored on any premises other than in a carport or enclosed building, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Zoning Code Sec. 501.12 is in now in conflict with the Property Maintenance Code. Since the storage of vehicles on private property is not a land use matter but rather a property maintenance matter, the Property Maintenance Code prevails.

Proposed Changes

- Delete Zoning Code, Sec. 501.12 Parking and Storage of Certain Vehicles.

The Code Review Committee has reviewed and supports the proposed amendment.

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A ZONING CODE TO DELETE SEC. 501.12 PARKING AND STORAGE OF CERTAIN VEHICLES; AND FOR OTHER PURPOSES.

WHEREAS, Zoning Code Sec. 501.12 Parking and Storage of Certain Vehicles states "*Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in complete enclosed buildings or carport*.";

WHEREAS, upon adoption of the new Property Maintenance Code with Ord. No. 2022-23, an "unlicensed vehicle" is no longer considered an "inoperative motor vehicle";

WHEREAS, Zoning Code Sec. 501.12 is in now in conflict with the Property Maintenance Code; and

WHEREAS, regulation of storage of vehicles is a property maintenance issue and not a zoning issue and, therefore, the Property Maintenance Code should prevail.

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

Section 1: That Bentonville Municipal Code, Appendix A Zoning Code shall be and is hereby amended by deleting Sec. 501.12 Parking and Storage of Certain Vehicles;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

Amended 2023-2027 Consolidated Plan

PC Date: 11/7/2023
Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	2023-2027 Consolidated Plan and Annual Action Plan
Recommendation	APPROVAL

Issue Statement

The City of Bentonville adopted the 2023-2027 Consolidated Plan and Annual Action Plan on July 11, 2023. This plan was then submitted to HUD to re-enter the Community Development Block Grant (CDBG) Program. A letter from HUD dated September 1, 2023, identified several deficiencies in the Consolidated Plan and Annual Action Plan. Staff has amended the plan to address the deficiencies.

Amendments

Below is a description of the deficiencies and how they have been addressed.

2023-2027 Consolidated Plan	
Deficiency	**Correction/Amended**
AD-25. Missing proof of publication of public notification of comment period.	Submitted proof of publication in IDIS*.
AD-25. Ineligible time period – the "overall benefit period" cannot exceed three years.	Changed the "overall benefit period" from five-years to three-years. Submitted in IDIS*.
SP-35. The city did not include the expected amount available for the remainder of the Consolidated Plan.	Provided the remaining funding as requested. See plan, pg. 74.
SP-45/SP48. Each goal does not have an outcome indicator, quality, or unit of measure selected.	Added outcome indicator for all projects. See plan, pg. 79.
SP-65. The City did not provide a summary of its lead-based paint policies and procedures – specific to CDBG, to ensure that its program and partners are operating in compliance with regulations.	Provided greater detail on how lead-based paint will be addressed. See plan, pg. 87.
Tables NA-10 – MA-50. Missing data in tables.	Identified missing data or clearly stated that the data is not available. See plan, pgs. 17-42.

**IDIS is the software system for documentation and compliance for the CDBG program.*

2023 Annual Action Plan	
Deficiency	**Correction/Amended**
AP-20/AP-23. Proposed program to replacement manhole covers in a low-to-moderate income area is an ineligible activity.	The city classified this as an infrastructure project but HUD determined it as maintenance, which is not allowed. Removed the manhole cover project and replaced it with a down payment and closing assistance program. See plan, pg. 91.
AP-20/AP-23. Funding in the Annual Plan doesn't match that on the federal form.	Revised to ensure the total project amounts are equal to the funding amount of $320,831.00. See plan, pg. 91.
AP-35. Each project does not include an estimate of the number and type of families that will benefit.	Added estimates for the number and type of families that will benefit each project. See plan, pgs. 95-100.
AP-35. The total amount planned for public services is greater than 15% maximum allowable.	Contacted HUD and they determined they incorrectly calculated the public service amount. Based on Bentonville's allocation of $320,831, the maximum for public service (15%) is $48,124.65. The original plan had a total public service of $47,500, below the public service cap. We have since removed the eBike Voucher Program (details below) and are well-below the cap in the amended budget. Pg. 91.

Revised Budget

The revised budget for the 2023 Annual Action Plan is below.

Annual Budget	**2023**
Amount Awarded/Expected	**$ 320,831.00**
Max Public Service (15% cap)	$ 48,124.65
Max Admin (20% cap)	$ 64,166.20
Project Allocations	**2023**
Helen Walton (childcare)	$ 10,000.00
Boys and Girls Club (childcare)	$ 10,000.00
Coc (homeless)	$ 12,500.00
~~Bike Voucher (was $15,00))~~	$ -
Total Public Service	$ 32,500.00
~~Infrastructure (manhole covers)~~ Home Ownership Assistance	$ 231,331.00
Housing (Habitat)	$ 25,000.00
Administration	$ 32,000.00
Totals	**$ 320,831.00**

Program Changes

Added the Home Ownership Assistance Program. Since the replacement of manholes was deemed an ineligible project, those funds need to be reallocated to a different project. Since the city has been discussing housing affordability and accessibility, offering a home ownership assistance program provides one tool for addressing this issue.

This project is designed to assist qualified low-to-moderate income households purchase a home by providing assistance with downpayments and closing costs. Downpayment assistance cannot exceed 50% of the lender required down payment amount. The city will promote the program, accept, evaluate applications and award assistance. Qualified applicants are those that meet the most recently published HUD income guidelines based on persons per household. Homebuyers will be required to take a homebuyer education class and provide the final certificate as proof of completion.

Removed the eBike Voucher Program. The eBike Voucher Program proposed in the original plan would have required substantial time to establish and manage. Since the Home Ownership Assistance Program has now been added, staff time requires focusing on establishing and managing that program, which is a higher priority. Therefore, the eBike Voucher Program was removed from the 2023 Annual Action Plan.

No other changes. No other programs proposed in the original plan have changed.

Recommendation

In accordance with the city's adopted Citizen Participation Plan, a notice for a 30-day review period of the amended plan was published October 15, 2023. To-date, staff has received no comments on the plan. Staff recommends approval of the proposed amendments.

Community Development Block Grant (CDBG) Program

2023-2027 Consolidated Plan | 2023 Annual Action Plan

As Amended November 2023

Prepared by:
City of Bentonville

Submitted to:
United States Departm,ent of Housing and Urban Development
Little Rock Field Office

Contents

Executive Summary 4
ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b) 4
The Process 8
PR-05 Lead & Responsible Agencies 24 CFR 91.200(b) 8
PR-10 Consultation – 91.100, 91.110, 91.200(b), 91.300(b), 91.215(I) and 91.315(I) 9
PR-15 Citizen Participation – 91.105, 91.115, 91.200(c) and 91.300(c) 14
Needs Assessment 17
NA-05 Overview 17
NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c) 18
NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2) 24
NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2) 26
NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2) 28
NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2) 29
NA-35 Public Housing – 91.205(b) 30
NA-40 Homeless Needs Assessment – 91.205(c) 34
NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d) 36
NA-50 Non-Housing Community Development Needs – 91.215 (f) 39
Housing Market Analysis 40
MA-05 Overview 40
MA-10 Number of Housing Units – 91.210(a)&(b)(2) 42
MA-15 Housing Market Analysis: Cost of Housing - 91.210(a) 44
MA-20 Housing Market Analysis: Condition of Housing – 91.210(a) 46
MA-25 Public and Assisted Housing – 91.210(b) 49
MA-30 Homeless Facilities and Services – 91.210(c) 51
MA-35 Special Needs Facilities and Services – 91.210(d) 54
MA-40 Barriers to Affordable Housing – 91.210(e) 56
MA-45 Non-Housing Community Development Assets – 91.215 (f) 58
MA-50 Needs and Market Analysis Discussion 63
MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2) 64
MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3) 65
Strategic Plan 66
SP-05 Overview 66
SP-10 Geographic Priorities – 91.215 (a)(1) 67
SP-25 Priority Needs - 91.215(a)(2) 69

SP-30 Influence of Market Conditions – 91.215 (b) 73
SP-50 Public Housing Accessibility and Involvement – 91.215(c) 82
SP-55 Barriers to affordable housing – 91.215(h) 83
SP-60 Homelessness Strategy – 91.215(d) 85
SP-65 Lead based paint Hazards – 91.215(i) 87
SP-70 Anti-Poverty Strategy – 91.215(j) 88
Expected Resources 89
AP-15 Expected Resources – 91.220(c)(1,2) 89
Annual Goals and Objectives 91
Projects 94
AP-35 Projects – 91.220(d) 94
AP-38 Project Summary 95
AP-50 Geographic Distribution – 91.220(f) 101
Affordable Housing 102
AP-55 Affordable Housing – 91.220(g) 102
AP-60 Public Housing – 91.220(h) 103
AP-65 Homeless and Other Special Needs Activities – 91.220(i) 104
AP-75 Barriers to affordable housing – 91.220(j) 107
AP-85 Other Actions – 91.220(k) 109
Program Specific Requirements 111

Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

In 1994, the U.S. Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting and citizen participation processes for four formula grant programs: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA). The new single-planning process was intended to more comprehensively fulfill three basic goals: to provide decent housing, to provide a suitable living environment and to expand economic opportunities. It was termed the *Consolidated Plan for Housing and Community Development*.

According to HUD, the Consolidated Plan is designed to be a collaborative process whereby a community establishes a unified vision for housing and community development actions. It offers entitlements the opportunity to shape these housing and community development programs into effective, coordinated neighborhood and community development strategies. It also allows for strategic planning and citizen participation to occur in a comprehensive context, thereby reducing duplication of effort.

As the lead agency for the Consolidated Plan, the Bentonville Planning Department, hereby follows HUD's guidelines for citizen and community involvement. Furthermore, it is responsible for overseeing these citizen participation requirements, those that accompany the Consolidated Plan and HUD programs, as well as those that complement the planning processes already at work in the city.

The 2023-2027 Consolidated Plan for Housing and Community Development for the City of Bentonville, Arkansas is the comprehensive five-year planning document identifying the needs and respective resource investments in satisfying the City's housing, homeless, non-homeless special populations, community development and economic development needs.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment

Overview

The goals of Bentonville Planning are to provide decent housing, a suitable living environment and expanded economic opportunities for the city's low to moderate income residents. Bentonville Planning strives to accomplish these goals by maximizing and utilizing available funding resources to conduct housing and community development activities that serve our economically disadvantaged residents. By addressing need and creating opportunity at the individual and neighborhood levels, Bentonville Planning hopes to improve the quality of life for all residents. These goals are further explained as follows:

- Providing decent housing means helping homeless persons obtain appropriate housing and assisting those at risk of homelessness; preserving affordable housing stock; increasing availability of permanent housing that is affordable to low and moderate-income persons without discrimination; and increasing supply of supportive housing.
- Providing a suitable living environment entails improving safety and livability of neighborhoods; increasing access to quality facilities and services; and reducing isolation of income groups within an area through de-concentration of low-income housing opportunities.
- Expanding economic opportunities involves creating jobs that are accessible to low- and moderate-income persons; making mortgage financing available for low- and moderate-income persons at reasonable rates; providing access to credit for development activities that promote long-term economic and social viability of the community; and empowering low-income persons to achieve self-sufficiency to reduce generational poverty in federally-assisted and public housing.

These objectives are:

Decent Housing - Assisting homeless persons obtain affordable housing; assisting persons at risk of becoming homeless; retention of affordable housing stock; increasing the availability of affordable permanent housing in standard condition to low-income to moderate income families; particularly those of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability; increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS to live in dignity and independence); and providing affordable housing that is accessible to job opportunities. The City will continue to improve the infrastructure in CDBG target neighborhoods determined to contain a significant population of low to moderate income households. In the past the City has used some of their CDBG funding for infrastructure improvements, add sidewalks along City streets, rebuild sidewalks, and improve water, sewer, and drainage to City street standards in target low- income neighborhoods. The City will also assist public service agencies who serve the City's youth, seniors, special needs persons, veterans, persons and families in crisis and disabled persons who are deemed low to moderate-income. These services include transportation assistance programs, and child- care assistance to enable parents to continue working, as well as other services requested that meet a very specific need of the low income. The City will also look to improve public facilities that will address the needs of the homeless, disabled, elderly, children, or low income citizens.

Expanding Economic Opportunities - availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices; access to capital and credit for development activities that promote the long-term economic and social viability of the community; generational poverty in federally assisted housing and public housing. The three outcomes for these objectives are availability/accessibility, affordability, and sustainability.

3. Evaluation of past performance

The City of Bentonville's last Five-Year Consolidated Plan was 2011-2015, completed in 2010. However, city administration opted to remove the city from the CDBG Entitlement Program effective January 1, 2016. The City now working to re-enter the program. Previous activities implemented have met or exceeded the goals established in the last Consolidated Plan. These activities have been very successful. Funds were spent in a timely manner. Activities completed in the most recent participating year are as follows:

In previous participating years, the City of Bentonville used $7,000 in CDBG funds to remove and replace 500-linear feet of existing 4-foot-wide deteriorating asphalt sidewalk with concrete along the west side of SE J Street between SE 10th and SE 12th Streets.

On June 16, 2015, the city entered into an agreement with Crafton, Tull & Associates, Inc. to provide engineering services including surveying, design, bidding and negotiation, and construction administration. On June 21, 2016, Bentonville City Council approved an amendment to this project, increasing the funding for this project by $30,000 to City of Bentonville, Arkansas Community Development Block Grant 3 2017 CAPER $138,168 to fully fund design and partially fund project construction. On October 13, 2016, the city entered into an agreement with Diamond C Construction to make the drainage improvements. A total of $138,1368 in CDBG funds were used to fully fund design and partially fund construction of the SE 10th Street Drainage Project. The project consisted of hiring an engineering firm to redesign the storm drain system and a construction firm to complete the project under SE 10th Street between SE C and SE J Streets. The improvements now prevent flooding in a once prone area.

4. Summary of citizen participation process and consultation process

The City uses many individuals and agencies in the development of the Consolidated Plan, as well as the Annual Action Plan. Resident participation starts at the development of the plan. We take all input we receive to help us analyze and measure to determine housing, facility, and service needs with an emphasis on low-moderate income, elderly, disabled, and homelessness. We look at resources in the City to meet these needs as well as gaps that might not be met by other resources. A Public Hearing is held where the public is invited to offer comments and identify housing and community needs. The public is notified of this Public Hearing by a display ad placed in the local newspaper and social media posts. The City encourages the residents of Bentonville to provide input into the Consolidated and Annual Action Plans by attending the Public Hearings or sending in their comments.

Once completed, another Public Hearing along with a notice will be published advising these Plans are ready for review. The final Plans will consider and/or implement concerns and suggestions from residents, public agencies, and other interested parties. Beginning with the first program year, 2023-2024, final review and approval to the Consolidated Plan and Annual Action Plans will be made by the Mayor of Bentonville and the Bentonville City Council.

Every five years the City will submit their Affirmatively Furthering Fair Housing Report. That process involves surveys, stakeholder meetings, focus groups, meeting with our low-income citizens, our disabled and our residents in public housing. Public Hearings will be held along with a comment period to get input on housing needs, access to housing and services, as well as challenges facing our City and Region.

The public will also be given an opportunity to review the Consolidated Annual Performance and Evaluation Report (CAPER). This contains a summary of accomplishments and evaluation of progress made during the year. All Public Hearings and meetings will be held in buildings that have access for persons with disabilities. Hearings will be scheduled with providing working individuals and families a greater opportunity to attend in mind. Technical assistance will be provided to those requesting assistance in developing a proposal under the Consolidated or Action Plan submission. Resident participation process is also involved in the submission of the Consolidated Plan, Annual Action Plan, CAPER, and AFFH Report.

5. Summary of public comments

Various needs were brought up during the first public input meeting that detailed housing affordability, utility bill costs, childcare costs, and infrastructure needs. Cost burden became a main topic in regard to overall cost of living in the area. Furthermore, a public input survey was made available to city residents. The results of this survey showed that and received 99 responses over a three week period. Responses pointed to infrastructure being recognized as the number one need with public facilities second and housing and economic development being third. Within the breakout of infrastructure section, mobility initiatives such as sidewalk improvements and mass transit were regarded as in high need. Lack of affordable housing and overall cost burden were also highlighted within the survey results. No comments specific to the plan were received during the pre-planning resident participation section of the Consolidated Plan or the resident participation section of the final plan review held 30 days prior to submission to Department of Housing and Urban Development. There were 21 attendees for the first public input meeting and seven attendees for the second and final public input meeting.

6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments not accepted.

7. Summary

The goal of the City of Bentonville in using their Community Development Block Grant funding is to improve the quality of life for low to moderate-income families, seniors, persons with special needs by funding public services that stabilize and enhance living conditions, and provide affordable home ownership opportunities, and provide hope repairs to maintain decent housing.

The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	BENTONVILLE	Bentonville Planning

Table 1 – Responsible Agencies

Narrative

The Consolidated Plan is prepared by the CDBG Administrator. The CDBG Administrator reports to the City's Planning Director. The CDBG Administrator is also responsible for administering the programs covered in the Consolidated Plan. This includes the development, implementation, monitoring and activities reporting. The CDBG Administrator uses City Staff, residents, community and neighborhood organizations, and non-profits for their insight and expertise on housing, service, and facility projects. The Planning Director and his staff evaluate all CDBG infrastructure projects. The CDBG Administrator also conducts meetings and public hearings to encourage public comments and to receive resident views to establish priorities. The following agencies were invited to a public input meeting to discuss and help prepare the 2023-2027 Consolidated Plan: Boys and Girls Club, Habitat for Humanity of Benton County, Community Development Corporation, For the Love Food Truck, Helen R. Walton Children's Enrichment Center, St. Stephens, and Northwest Arkansas Continuum of Care.

Consolidated Plan Public Contact Information

Shelli Kerr, Comprehensive Planning Manager, 479-271-3122, skerr@bentonvillear.com

Tyler Overstreet, Planning Director, 479-271-3122, toverstreet@bentonvillear.com

Stephanie Orman, Mayor, 479-271-5966, sorman@bentonvillear.com

PR-10 Consultation – 91.100, 91.110, 91.200(b), 91.300(b), 91.215(l) and 91.315(l)

1. Introduction

The City of Bentonville's consultation process is an on-going year-round effort. The CDBG Administrator meets with government officials, those who deal with housing, service areas, and with nonprofits that are active in this area. During this development period, the City was able to get resident input through surveys, public hearings, and stakeholder meetings. These organizations consisted of representatives of non-profits, fair housing providers, community-based organizations, service providers, educational institutions, and a range of government agencies. Working with data provided by HUD, locally developed, and resident input we will be able to identify goals and strategies and use this information in the development of the Consolidated and Annual Action Plans.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City encourages all residents, especially minorities, persons with disabilities, residents of public and assisted housing developments, residents living in slum and blighted areas, residents in predominately low-to-moderate income neighborhoods, agencies that provide assisted housing, health and social services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and homeless persons) to participate in the development of this Plan. These agencies are asked to provide data on current and future needs in housing and services. Public Hearings were held. The City is also becoming a member of the Northwest Arkansas Continuum of Care which is made up of housing providers and service and government agencies.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City of Bentonville is re-establishing its relationship with the Northwest Arkansas Continuum of Care. The NWA Continuum of Care coordinates community resources to build a collaborative system that addresses core issues of homelessness and poverty. Their mission is coordinating a community response to end homelessness in Northwest Arkansas. The coalition consists of homeless housing and shelter providers, consumers, advocates, government representatives and stakeholders working together to address the homeless situation in Northwest Arkansas. The Continuum of Care is governed by a board and committees and works to implement practices to meet the needs of our area's homeless and to make sure that no person discharged from an institution becomes homeless. We will work to coordinate needs by addressing capacity, occupancy, future housing needs, support services needed, chronic homelessness, numbers turned away from shelters/services, and the number of homeless on waiting lists for housing/services.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City receives no ESG funds.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Boys and Girls Club of Benton County
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Services for school age children and families
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey; and submitted a proposal as a potential subrecipient.
2	**Agency/Group/Organization**	HABITAT FOR HUMANITY OF BENTON COUNTY
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Rehabilitation
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.
3	**Agency/Group/Organization**	Community Development Corporation
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.
4	**Agency/Group/Organization**	For The Love
	Agency/Group/Organization Type	Food Services
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting and responded to survey.
5	**Agency/Group/Organization**	Helen Walton Children's Enrichment Center
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Childcare Assistance

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.
6	**Agency/Group/Organization**	St Stephens Catholic Church
	Agency/Group/Organization Type	Faith Based Organization
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting and responded to survey.
7	**Agency/Group/Organization**	NWA Continuum of Care
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.

Identify any Agency Types not consulted and provide rationale for not consulting

The City of Bentonville did not have any agencies that reached out not be consulted.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care		The City of Bentonville is working to re-establish its relationship as a member of the Northwest Arkansas Continuum of Care. A continuum that has established a system to prevent and eradicate homelessness in this region. Their number one priority is keeping people housed. The City's Strategic Plan also has these goals.
Master Street Plan	City of Bentonville	The CityÃ¢Â¿Â¿s Master Street Plan works to establish a plan that provides appropriate transportation infrastructure to support the needs of the community as a whole.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Bentonville Community Plan	City of Bentonville	The Bentonville Community Plan is the official comprehensive plan for the City of Bentonville. It is intended to serve as a roadmap for the community as it evolves, grows and changes over time. The plan serves to identify key areas of focus, define a vision for future growth and development, and provide guidance for city actions and investments over the next 10 to 20 years. The City's Strategic Plan also serves to define a vision for the future that benefits all income levels.

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

City Staff and Bentonville elected officials are all involved in the planning of the City's Consolidated Plan and provide a key role in the formulation of the projects and integrating the City's goals and objectives into the program development. We also ensure that all residents have an opportunity to provide input into the planning and participation of the City's Five-Year Consolidated Plan, as well as the annual Action Plans. The City continues to coordinate with the Department of Housing and Urban Development's Little Rock Field Office to build relationships and ensure proper compliance with the program. The City of Bentonville is establishing a partnership with the City of Springdale for guidance with building our program and associated Consolidated and Action Plans.

Narrative (optional):

PR-15 Citizen Participation – 91.105, 91.115, 91.200(c) and 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Bentonville was responsible for the development of its Citizen Participation Plan. The city utilized this plan to provide a framework of policies and procedures to guide Bentonville's efforts to encourage citizen participation in the CDBG process. It is a primary goal of the City to provide for and encourage participation in all phases of the development of the Consolidated Plan by low- and moderate-income persons and any organizations that assist with those individual persons or families. The Bentonville Planning Department took several steps for citizen outreach and public input: a survey of city residents and stakeholders, and a public input meeting. Additional public review activities were also conducted following development of the draft Consolidated Plan for public review. In keeping with the Citizen Participation Plan, the public was provided significant opportunities to provide input to the initial development of the Consolidated Plan and to its data and needs assessments. For feedback from the community, the City elected to use a survey instrument for collecting resident input on needs associated with the Consolidated Plan. The survey comprised a series of questions, in which the respondent was asked to rank the desirability of the particular housing or community development need. The levels of the ranking were listed as "no need," "low need," "medium need" or "high need." Topics included community services, community facilities, infrastructure, neighborhood services, the needs of special populations, housing and economic development needs. Selected questions were then posed under each topic area. The survey was distributed via an e-mail containing a link to a Web-based survey. Additionally, flyers were posted around public spaces and social media posts were made that included a link and QR code to access the survey. The survey generated 98 responses.

The City is aware that increased outreach efforts enhance public input to the planning, development, performance, implementation and modification of the Consolidated Plan. This process also allows the City to receive requests each year and to more adequately address the needs of the Community. The City holds a minimum of two public hearings each year. These public hearings provide an opportunity for all residents to communicate their views and needs to the City. The first Public Hearing was held March 6, 2023 at City Hall to solicit input into the City's 2023-2027 Consolidated Plan and the 2023 Annual Action Plan. At this public hearing, residents were able to see past accomplishments with our CDBG funding and to talk about future needs of our community. Public Hearing notices were published in the Arkansas Democrat Gazette. The second Public Hearing was held on July 7, 2023 to review the final 2023-2027 Consolidated Plan and the final 2023 Annual Action Plan. A 30-day comment period is provided prior to submitting the Consolidated and Annual Action Plan.

The proposed 2023-2027 Consolidated Plan was posted on the City's website and was available at four other locations within the City of Bentonville City Hall, Bentonville Public Library, Downtown Activity Center and the Bentonville Community Center. All public comments received are included in the Consolidated Plan. The City of Bentonville did an online survey for residents and service providers in

March 2023. This survey allowed the City to identify needs and rate our performance of meeting those needs. The CDBG Administrator was available to assist anyone in completing the surveys. The online survey was available from March 15, 2023 to March 31, 2023 and generated 99 responses. The 2023-2027 Consolidated Plan was developed using data obtained from surveys and public hearings.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of Comments received	Summary of comments not accepted and reasons	URL If applicable
1	News-paper Ad	Non-targeted/ broad community	No responses or comments, prompting no response from the City of Bentonville	No comments received	N/A	
2	Public Meeting	Non-targeted/ broad community	A public meeting was held on March 6, 2023. The purpose of this meeting was to discuss the City's plan for re-entry into the CDBG program, past performance of previous years in the program, and discussion of community needs that are being seen by those who attended.	19 individuals in attendance. Items discussed were needs for housing support, income support, public facilities and infrastructure improvements, social services, utility costs, and public transit.	No comments not accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of Comments received	Summary of comments not accepted and reasons	URL If applicable
3	Internet Outreach	Non-targeted/broad community	An internet survey was distributed via email, social media, and flyers with a link to the survey were displayed in City Hall, the Bentonville Public Library, Downtown Activity Center, and Bentonville Community Center.	98 survey responses received. No additional comments were received outside of the responses to the specific survey questions. Survey results ranked our needs in the following order: 1. Infrastructure 2. Public Facilities 3. Housing and Economic Development 4. Human Services 5. Other	No comments not accepted.	https://forms.gle/pJypKQJrY8owMJsF8
4	Newspaper Ad	Non-targeted/broad community	No responses or comments, prompting no response from the City of Bentonville	No comments received	N/A	

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

The City of Bentonville takes multiple steps in identifying and assigning priority needs within our community. HUD provides tools to identify low/mod income persons based on census tract data. Neighborhoods are then targeted for public improvements located in eligible census tracts and block groups where the highest percentages of low/mod residents are located. Statistically, these areas define a concentration of residents in need of both programs and services. The CDBG administrator works closely with organizations that provide services to the low/mod income persons. Through these organizations, the city can identify service needs of special population groups. Through both public comments, via the Citizen Participation Plan, and a needs assessment survey distributed to city residents, the city also received valuable insight into community needs.

According to 2021 census estimates, 7.1% of the population of Bentonville live at or below the poverty level. As the following tables will show, those below 50% of Median Family Income are more likely to be renters and renters are more likely to have a cost burden or housing problem. Households with at least one severe housing problem come out to 11%, however 75% of those are renters.

NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

Listed below are demographic and household tables. Because these figures have already been supplied by HUD and cannot be changed, we have decided to update this information when available to a more current set of numbers. Median household income continues to grow in Bentonville. 2021 ACS data currently estimates median household income at $89,653. Median household income for Benton County was $78,691 in 2021, up from $62,600 in 2016. Households at the lowest income levels and renter households are most affected by housing problems. In 2020 the population estimate for Bentonville was 54,164 or a 53% increase from 2010. There were 21,385 households for a 25% increase from 2017.

Demographics	Base Year: 2010	Most Recent Year: 2020	% Change
Population	35,301	54,164	53%
Households	13,253	20,476	55%
Median Income	$51,305.00	$84,340.00	64%

Table 5 - Housing Needs Assessment Demographics

Data Source Comments: 2010 Decennial Census; 2020 ACS

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	1,090	1,060	2,035	1,175	10,580
Small Family Households	0	0	0	0	
Large Family Households	0	0	0	0	
Household contains at least one person 62-74 years of age	0	0	0	0	
Household contains at least one person age 75 or older	0	0	0	0	
Households with one or more children 6 years old or younger	0	0	0	0	

Table 6 - Total Households Table

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	0	0	0	0	0	0	0	0	0	0
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	0	0	0	0	0	0	0	0	0	0
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	0	0	0	0	0	0	0	0	0	0
Housing cost burden greater than 50% of income (and none of the above problems)	0	0	0	0	0	0	0	0	0	0
Housing cost burden greater than 30% of income (and none of the above problems)	0	0	0	0	0	0	0	0	0	0
Zero/negative Income (and none of the above problems)	0	0	0	0	0	0	0	0	0	0

Table 7 – Housing Problems Table

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	750	630	475	40	1,895	135	220	320	105	780
Having none of four housing problems	75	85	720	530	1,410	55	125	525	500	1,205
Household has negative income, but none of the other housing problems	75	0	0	0	75	30	0	0	0	30

Table 8 – Housing Problems 2

Data Source Comments:

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	0	0	0	0	0	0	0	0
Large Related	0	0	0	0	0	0	0	0
Elderly	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total need by income	0	0	0	0	0	0	0	0

Table 9 – Cost Burden > 30%

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	0	0	0	0	0	0	0	0
Large Related	0	0	0	0	0	0	0	0
Elderly	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total need by income	0	0	0	0	0	0	0	0

Table 10 – Cost Burden > 50%

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	0	0	0	0	0	0	0	0	0	0
Multiple, unrelated family households	0	0	0	0	0	0	0	0	0	0
Other, non-family households	0	0	0	0	0	0	0	0	0	0
Total need by income	0	0	0	0	0	0	0	0	0	0

Table 11 – Crowding Information – 1/2

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present	0	0	0	0	0	0	0	0

Table 12 – Crowding Information – 2/2

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

Describe the number and type of single person households in need of housing assistance.

According to the 2013-2017 ACS, there are 15,936 households in Bentonville with 3,282 being single person households, 20.6% of all households. Of those, nearly 30% are age 65 years and over. The most significant housing issue facing single householders is cost burden. The median monthly housing cost for renters is $883 and $1,475 for owners.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

According to the 2013-2017 ACS, the number of persons with a disability is 3,191. Nearly 40% of those are age 65 years and over.

What are the most common housing problems?

Housing cost burden is the most prevalent problem facing Bentonville residents. As income decreases, the percentage that own homes decreases, with 40% of households being below 100% of the median family income. Of our residents with a cost burden over 50%, 73% of those are renters. Similarly, those with a cost burden over 30%, roughly 62% are renters. Affordable housing is one of the Bentonville's biggest needs.

Are any populations/household types more affected than others by these problems?

Renters tend to be more affected by these problems than homeowners. The largest percent of renters are households below 50% median family income. And, nearly 70% of households with at least one housing problem are renters. And, while only 11% of households have several housing problems, those predominately fall on renters, consisting of 75% of all the households with severe problems.

Furthermore, lower income households are more likely to have a housing problem. Nearly all renter households with incomes between 30-50% MFI have at least one housing problem (94%). Similarly, over half of the owner-occupied households with incomes between 30-50% median family income have a housing problem.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

The number one characteristic of low-income individuals and families with children are an imminent risk of being homeless is lack of income. Unemployment and underemployment can be related to their lack of education, obtaining a decent paying job or just not be employable for whatever the reason to include losing their job. Many suffer with substance abuse, mental health issues, and chronic medical problems. Another characteristic that affects children is separation and/or divorce. During the Northwest Arkansas Point-in-Time Count, most of those contacted said they needed housing, work, benefits, and mental health, drug/alcohol, medical treatments, and transportation. The biggest need of formerly housing families and individuals is additional permanent affordable housing with support services and jobs. The Northwest Arkansas Continuum of Care is committed to making homelessness rare for all populations and providing permanent housing as soon as possible.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

The profile of the population at risk of homelessness is based on the Northwest Arkansas Point-in-Time Count done in 2022. Data collection occurred in various locations in Benton and Washington Counties. A master list was developed of shelters and facilities serving homeless persons in Northwest Arkansas. These facilities ranged from emergency shelters to transitional facilities, domestic violence shelters, and special needs facilities for homeless persons. Shelters and facilities provided advanced updated information including contact persons, telephone numbers, email addresses, physical addresses, and an inventory of services provided. Street homeless were south primarily in areas noted as places where homeless had been seen. The local police departments were a big help in making this information available. Experienced interviewers (social workers) were chosen as teen captains. The remaining volunteers included service providers and community residents. All volunteers were trained prior to the homeless count. The event was heavily advertised and places where homeless come for foods and help were manned by volunteers in hopes of talking to most of our homeless population. Several quality control procedures were in place to eliminate duplicate responses. The Point-in-Time Count was not broken down by cities. Numbers provided do not just reflect the City of Bentonville or Benton County. We do know that 38% of the homeless population in Benton County were in emergency shelters, five percent in transitional shelters, and 18% were unsheltered.

Breakdown by race was Caucasian 78% with 9% of that being Hispanic, Black/African American were at 12%; multiple races made up five percent, American Indian/American Native/Indigenous made-up three percent, and Asian and Pacific Islanders were both at one percent. There were 49 chronic homeless and 30 of the homeless were veterans.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

Household income and housing costs are a definite link to increased risk of homelessness.

Discussion

As stated earlier, housing cost burden is the most significant housing need facing low-to-moderate-income owners and renters. The elderly, disabled and households with children also experience a higher cost burden. The City will prioritize our projects in the 2023-2027 Consolidated Plan, as well as the 2023-2027 Annual Action Plans, to do whatever we can to meet our most urgent housing and community development needs. Maintaining and improving the existing affordable housing stock is also a priority for the City of Bentonville.

NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

According to HUD, a disproportionately greater need exists when the members of a racial or ethnic group at a given income level experience housing problems at a greater rate (10 percentage points or more) than the income level as a whole. In this section we will look at whether racial or ethnic groups are disproportionately impacted by housing problems.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	815	95	105
White	640	80	29
Black / African American	0	10	30
Asian	0	0	30
American Indian, Alaska Native	0	4	0
Pacific Islander	100	0	0
Hispanic	40	0	15

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4.Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	850	435	0
White	705	415	0
Black / African American	25	0	0
Asian	4	20	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0
Hispanic	70	0	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4.Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	734	1,090	0
White	655	885	0
Black / African American	40	0	0
Asian	0	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	24	185	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are:
1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4.Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	115	1,080	0
White	110	845	0
Black / African American	0	95	0
Asian	0	75	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	4	45	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4.Cost Burden greater than 30%

Discussion

The tables above show the number of households with and without housing problems and each racial or ethnic group at the different area median income (AMI) levels. Of the 1,015 households earning 0-30% of AMI, 76% report one or more housing problems. The greatest ethnic group with problems is White with 78% followed by Pacific Islander with 12%. Of the 1,285 households earning 30-50% of AMI, 64% report one or more housing problems. Again, the greatest ethnic group with reported problems is White at 83% followed by Hispanic at 8%. Of the 1,824 households earning 50-80% of AMI, 40% reported one or more housing problems. Whites make up 89% followed by Black/African American households at 5%. Of the households earning 80-100% of AMI, 10% reported one or more housing problems. Whites make up 96% followed by Hispanics at 4%.

NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

HUD defines "disproportionately greater need" as existing when the members of a racial or ethnic group at a given income level experience housing problems at a greater rate (10 percentage points or more) than the income level as a whole. Charts below show the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category as a whole.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	680	230	105
White	510	210	29
Black / African American	0	10	30
Asian	0	0	30
American Indian, Alaska Native	0	4	0
Pacific Islander	100	0	0
Hispanic	40	0	15

Table 17 – Severe Housing Problems 0 - 30% AMI

Data Source: 2013-2017 CHAS

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4.Cost Burden over 50%

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	330	955	0
White	250	870	0
Black / African American	0	25	0
Asian	4	20	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0
Hispanic	30	40	0

Table 18 – Severe Housing Problems 30 - 50% AMI

Data Source: 2013-2017 CHAS

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4.Cost Burden over 50%

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	105	1,709	0
White	90	1,450	0
Black / African American	0	40	0
Asian	0	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	20	189	0

Table 19 – Severe Housing Problems 50 - 80% AMI

Data Source: 2013-2017 CHAS

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4.Cost Burden over 50%

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	50	1,145	0
White	50	900	0
Black / African American	0	95	0
Asian	0	75	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	0	49	0

Table 20 – Severe Housing Problems 80 - 100% AMI

Data Source: 2013-2017 CHAS

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4.Cost Burden over 50%

Discussion

The above tables show the number of households with severe housing problems at various levels of AMI. Of the 680 households in the 0-30% of Median Income, 510 White households reported one or more of the four housing problems. This is followed by 100 Pacific Islander households. In the 30-50% of Median Income bracket, white households reported 250 of the 330 households with one or more of the four housing problems followed by Hispanic households with 30 households. In the 50-80% of Median Income bracket, white households reported 90 of the 105 households with one or more of the four housing problems followed by Hispanic households with 0 households.

NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction:

According to HUD, disproportionately greater need exists when the members of a racial or ethnic group experience housing cost burden at a greater rate (10 percentage points or more) than the population as a whole. Cost burden is the highest housing problem in Bentonville. More affordable housing is needed, as well as, additional older homes undergoing energy rehabs to help with utility costs that can incur costs as high as rent or house payments.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	10,330	1,769	1,140	105
White	8,235	1,585	905	29
Black / African American	400	65	0	30
Asian	845	0	4	30
American Indian, Alaska Native	110	10	15	0
Pacific Islander	0	0	100	0
Hispanic	454	88	60	15

Table 21 – Greater Need: Housing Cost Burdens AMI

Data Source: 2013-2017 CHAS

Discussion:

The table shows the number of households with and without housing cost burden as well as number of households with no or negative income by race or ethnicity. Households spending 30%-50% of their income are considered moderately cost burdened. Those over 50% are considered severely cost burdened. Disproportionate impact among households with no or negative income is also considered. According to 2013-2017 CHAS estimates, there were 1,769 households that spent 30-50% of their income on housing related costs. There is one census tracts with a percent of owner-occupied housing units below 20%, Tract 205.03.

NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2)

Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

The data does not indicate that there is a racial or ethnic group that has a disproportionately great need. Of the white population, 6% have a housing cost burden over 30%. For the Asian and Black populations, that percentage is lower. Approximately 4% of the black population has a cost burden over 30% and the cost burden for the Asian population is negligible.

If they have needs not identified above, what are those needs?

Additional needs have not been identified.

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

Bentonville does have pockets of concentration for our Asian population. There are several Census Tracts around the city that fall into the 10%-19%, however Census Tracts 205.03 and 206.07 exceed 20%. Western Bentonville does show some small concentrations of Black or African American concentration with Census Tracts 206.08 and 209.03 exceeding 5% per the 2020 Census Demographic Data Map Viewer.

NA-35 Public Housing – 91.205(b)

Introduction

The needs of public housing residents are the same needs of the population. They need access to employment opportunities along with transportation to reach those employment opportunities. They also need education opportunities as well as homes that accommodate disabilities for our public housing disabled residents. However, Bentonville does not have public housing in the city limits.

Totals in Use

Program Type									
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	0	0	434	0	434	0	0	0

Table 22 - Public Housing by Program Type

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

Data Source: PIC (PIH Information Center)

Characteristics of Residents

Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers				
				Total	Project-based	Tenant-based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
Average Annual Income	0	0	0	10,893	0	10,893	0	0
Average length of stay	0	0	0	4	0	4	0	0
Average Household size	0	0	0	2	0	2	0	0
# Homeless at admission	0	0	0	0	0	0	0	0
# of Elderly Program Participants (>62)	0	0	0	127	0	127	0	0

Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers				
				Total	Project-based	Tenant-based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
# of Disabled Families	0	0	0	159	0	159	0	0
# of Families requesting accessibility features	0	0	0	434	0	434	0	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Tables did not auto-populate due to lack of public housing in Bentonville.

Race of Residents

Program Type									
Race	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	0	0	402	0	402	0	0	0
Black/African American	0	0	0	20	0	20	0	0	0
Asian	0	0	0	1	0	1	0	0	0
American Indian/Alaska Native	0	0	0	9	0	9	0	0	0
Pacific Islander	0	0	0	2	0	2	0	0	0
Other	0	0	0	0	0	0	0	0	0
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 24 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Program Type									
Ethnicity	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project -based	Tenant -based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	0	0	18	0	18	0	0	0
Not Hispanic	0	0	0	416	0	416	0	0	0
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 25 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

The City of Bentonville does not oversee public housing. At the time of researching to complete the Consolidated Plan, we were unable to find data on waiting lists for accessible units. We are currently working with our local organizations to obtain this information for future use.

The biggest needs of public housing tenants and applicants are available units and accessibility. They also need access to quality education as this will influence their children's future health, career progression and economic potential. While significant percentages of public housing residents and voucher holders are elderly persons or persons with disabilities who are out of the workforce, there is still a need for jobs and training opportunities for workable adults. Removing barriers to employment through childcare, education, skills training and creating jobs within commuting distances of public housing could provide opportunities for public housing residents. The City of Bentonville only has one low cost of public transportation and that is Ozark Regional Transportation; however, their service level to public housing residents is not always available. Ozark Regional's On-Demand Service requires a smart phone. Many of those in public housing cannot afford to pay the cost for a smart phone and apps needed to use the On-Demand Service.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

The most immediate need would be more available housing for individuals and families. It should be noted that the Siloam Springs Housing Authority is 30 miles from the City of Bentonville, which could make it difficult for the Housing Authority to remain aware of the needs and accessibility to the residents of Bentonville. Residents in Bentonville also have a transportation cost trying to get from Bentonville to Siloam Springs. There is no direct bus route. The demand for affordable housing in Bentonville continues to outweigh the supply.

How do these needs compare to the housing needs of the population at large

Relative to the population at large, the need for access to improved education, job opportunities and transportation options is assumed to be a much higher for public housing residents than for the population at large due to the effects of poverty and lack of affordable housing in many of our neighborhoods.

Discussion

To be eligible for low-income housing, an applicant must meet the income criteria. Selections are based on the date the application was received and the availability of a unit appropriate for the applicant's household size. The City of Bentonville needs more housing for the low-to-moderate-income.

NA-40 Homeless Needs Assessment – 91.205(c)

Introduction:

A Point-In-Time count was done in March 2022. In that study, 343 people were experiencing homelessness in the Northwest Arkansas region. Because the count breakdown is done regionally, we don't have the breakdown for Bentonville. With that said, the numbers for the breakdown will be based on the region which includes Benton County, Washington County, and Carroll County. Of the 343 reported, 123 were female, 216 were male, and 4 were transgender. A breakdown of race showed 266 Caucasian, 42 African-American, 32 Hispanic, and 35 were classified as other ethnic groups. The count also broke down our homeless by veterans. A total of 30 veterans were included in that number with 28 being male and 2 being female. Emergency shelters housed 20 veterans, while 1 was in transitional housing, and 9 were unsheltered.

Homeless definition according to the McKinney-Vento Act is different from HUD's definition. The schools in Northwest Arkansas count children as homeless if they are in shared housing due to economic hardship, migratory children, nighttime residence was a place not meant for human habitation, emergency shelters, or transitional housing. During the Point-In-Time count, we were able to get a count from the schools based on their definition of homeless, and that number was 2,268. A breakdown of that number is as follows: 104 children sheltered, 1,788 children doubled-up, 97 children unaccompanied, 257 children in hotels, and 22 children unsheltered.

The breakdown below will be based on numbers for Northwest Arkansas as we did not get a complete breakdown for the City of Bentonville. We will not have numbers for each of the blanks as those were not available. We will work with the Point-In-Time group to get a count reflecting a better breakdown for Bentonville with the next releases.

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered (optional)
White	239	27
Black or African American	41	1
Asian	4	0
American Indian or Alaska Native	9	1
Pacific Islander	2	1
Ethnicity:	**Sheltered:**	**Unsheltered (optional)**
Hispanic	31	2
Not Hispanic	208	26

Data Source Comments:

https://nwacoc.com/point-in-time-count/

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

Although Northwest Arkansas has several shelters for men, women, and children, we still do not have enough to house our homeless population. At the time of the 2022 Point-in-Time Count, there were 41 people not sheltered. Of the adults interviewed for the Point in Time Count, serious mental illnesses, substance use disorders, domestic violence victims, and those with physical disabilities were encountered. Many of these were receiving help and making strides to overcome, but without available housing to place them, their time in shelters get longer and longer and it becomes harder for them to get in a position to rid themselves of homelessness. it was discovered through these interviews that even if housing is found, many don't have transportation to get them to and from a job or even get their children to and from school. The Northwest Arkansas Continuum of Care is working diligently to not only provide housing assistance for our homeless families, individuals and veterans, but to provide services needed to help these folks back on their feet and out of the homeless count.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

The largest racial and ethnic group consisted of Whites, which made up 78%. Black/African American accounted for 12%, Hispanic accounted for 9%, with Asian, Pacific Islander, AI/AN/Indigenous and multiple races accounting for 1%, 1%, 3%, and 5% respectively.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

There were more individuals in emergency shelters and unsheltered than transitional housing. The data shows we have a need to get our homeless out of shelters and off the homeless roles. We also understand that there are still individuals that did not get counted in the 2022 Point-In-Time-Count.

Discussion:

The City of Bentonville will work to re-establish its relationship as a member of the Northwest Arkansas Continuum of Care and work to end homelessness in the community. Through reaching out to our local organizations, plans are in place that are improving the transition for individuals to get them the services needed.

NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)

Introduction:

As already discussed, cost burden is the most significant barrier to affordable housing. Our special needs populations to include persons with mental health challenges, intellectual disabilities, the elderly and persons with HIV/AIDs have additional challenges that require a range of supportive services to enable them to live in affordable housing.

Describe the characteristics of special needs populations in your community:

Elderly. HUD provides a definition of "elderly" as persons age 62 or older. The U.S. National Center for Health Statistics (NCHS) notes that a number of older citizens have limitations caused by chronic conditions that constrain Activities of Daily Living (ADLs). ADLs are divided into three levels, from basic to advanced. Basic ADLs involve personal care and include tasks such as eating, bathing, dressing, using the toilet, and getting in or out of bed or a chair. Intermediate, or instrumental, Activities of Daily Living (IADLs) are tasks necessary for independent functioning in the community. These include cooking, cleaning, laundry, shopping, using the telephone, using or accessing transportation, taking medicines, and managing money. Social, recreational and occupational activities that greatly affect the individual's quality of life are Advanced Activities of Daily Living (AADL). Playing bridge, bowling, doing crafts, or volunteering for one's church are examples of advanced ADLs. "Frail elderly" is defined as persons who are unable to perform three or more activities of daily living. In Bentonville, the total population over the age of 65 is 3,431, approximately 8% of the total population.

Persons with Disabilities. According to HUD, physical or mental disabilities include "hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS related complex, and mental retardation that substantially limits one or more major life activities. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for oneself." HUD defers to Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 for the definition of developmental disability: "a severe, chronic disability of an individual that is attributable to a mental or physical impairment or combination of mental and physical impairments."

Many disabled persons require support services in order to maintain healthy lifestyles. The services that are required often depend on the individual and the type of disability. For example, a mentally disabled person may require medication assistance, weekly counseling sessions or job placement assistance. Specialized transport services and physical therapy sessions are services that might be required for a physically disabled person.

In Bentonville, 34.7% of the population over age 65 have a disability, with a total of 910 persons over age 65with a disability. This is 40% of all the people with a disability, which is 3,191. Just 2.3% of children under age 18 have a disability. (Source:2021 ACS)

People with Alcohol or Drug Addictions. According to the National Coalition for the Homeless, "for those . . . just one step away from homelessness, the onset or exacerbation of an addictive disorder may provide just the catalyst to plunge them into residential instability."For persons suffering from addictions to drugs and alcohol, housing is complicated. Persons who have stable housing are much better able to treat their addictions. However, obtaining stable housing while suffering from addiction can be quite difficult, and the frustrations caused by a lack of housing options may only exacerbate addictions.

What are the housing and supportive service needs of these populations and how are these needs determined?

According to HUD, special needs populations are "not homeless but require supportive housing, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify."

The following is a program list, addressing the needs of older persons in the state.

- *The Ombudsman Program* advocates the rights of long-term care residents
- *Adult Protective Services* functions to protect those endangered and unable to comprehend their danger
- *Assisted Living* is a Medicaid home and community-based waiver program that provides 24-hour supervision and supportive services
- *ElderChoices* provides in-homes services to people 65 and over. This program is for individuals seeking to prevent or delay institutionalism by developing, strengthening or restoring the clients function in his or her living situation
- *IndependentChoices* allows Medicaid clients to exchange services for a monthly cash allowance to spend on personal care needs
- *Alternatives* serves people between the ages of 18 and 64 who require intermediate nursing home care. Clients who meet financial need criteria are provided with attendant care and environment modification services

DHS also provides a service directory offering information on a variety of services including adult day care, foster care, case management, chore services, legal assistance, home repair, and socialization.

As the Baby Boomer generation grows older, needs of this population are expected to multiply and require increased funding. The priority need of this population, especially the frail elderly population, is assisted or long-term care housing/services. The Baby Boomer generation is more likely to want to remain independent and physically and mentally active. Thus, there is a need for a greater focus on in-home care or expanded home health services for elderly persons who are essentially independent but may benefit from meal services or housekeeping assistance as well as for families who do provide home care but still require additional medical or financial assistance. Because most elderly persons are on a fixed budget and the costs of services increase as people live longer, the burden of cost may lie heavily on state-funded programs.

The following highlights a few of the programs listed on the DHS service directory.

- *Alternative Community Services* provides waivers for Medicaid patients for an array of services in their home and community
- *The Early Childhood Program* assists children ages three to six years with a diagnosis of developmental disability or developmental delay
- *Integrated Supports* strives to keep people with disabilities in their communities and out of institutions by offering a variety of services to adults and children, based on individual needs
- *State Operated Residential Services* has multiple locations throughout the state, providing services including residential, medical, occupational, physical and speech therapies, and community development and outreach services

The Arkansas Disability Rights Center made a list of issues including community integration, institutions, housing, juvenile justice, abuse, education, employment, voting access, ADA access, public policy, and restraint, seclusion, and corporal punishment in schools.

The Arkansas Disability Coalition (ADC) focuses on children with disabilities. Families with disabled children can use the ADC to learn about their child's rights and receive help networking and forming support group in their communities.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

The size of the population with HIV/AIDS in Bentonville is unclear with limited data available.

If the PJ will establish a preference for a HOME TBRA activity for persons with a specific category of disabilities (e.g., persons with HIV/AIDS or chronic mental illness), describe their unmet need for housing and services needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2) (ii))

Discussion:

As described above, the City of Bentonville special needs households require diverse supportive services to gain access to affordable opportunities that might be available to them. The City will work with agencies that provide services to non-homeless special needs people. We will work to support agencies to enhance programs for special needs adults and children. We help keep our elderly and disabled in their homes. We will continue to support opportunities for accessible infrastructure and/or facility improvements to meet ADA requirements.

NA-50 Non-Housing Community Development Needs – 91.215 (f)

Describe the jurisdiction's need for Public Facilities:

Community serving public facilities such as libraries, health centers, parks and fire and police stations provide vitally needed services to improve the health, safety and well-being of Bentonville residents. The City of Bentonville recognizes these public facilities are an asset to our city and that they strengthen and improve neighborhoods. The city uses their capital investments and leverage of public and private resources to keep these facilities in a good state of repair while ensuring that these facilities are provided for all our residents.

How were these needs determined?

The city determines its needs for public facilities and improvements based largely on the planning processes, facility assessments, and master plans. Needs are also determined through public input.

Describe the jurisdiction's need for Public Improvements:

Bentonville is developing rapidly and at such a pace that there are areas where the infrastructure is older and needs to be repaired and improved or no longer serving the needs of the number of residents that now inhabit the area. The city regularly evaluates areas to determine our most critical needs. The city will work to upgrade our low-to-moderate-income areas through street, sidewalk, and drainage improvements.

How were these needs determined?

The city determines its needs for public facilities and improvements based largely on the planning processes, facility assessments, and master plans. Needs are also determined through public input. Our public input survey and public meetings helped determine infrastructure needs for our area, which we will work to apply in census tracts and block groups where the highest percentages of low-to-moderate income residents live.

Describe the jurisdiction's need for Public Services:

The City of Bentonville has a need for a wide range of public services. Some of these needs are early childhood and youth educational programs, mental and physical health resources, services for elderly, disabled, homeless, housing counseling, public transportation, as well as many more not listed. The City will make every effort to make these services available to all our residents and has previously spent some of our Community Development Block Grant funds on these services. We plan to continue supporting these needs using Community Development Block Grant funding for low-to-moderate-income families.

How were these needs determined?

Data gathered through research and public outreach helped inform the city what public services are needed. Online surveys were available to the public. Community stakeholder meetings were conducted with our non-profits, working professionals, and City department heads, as well as other entities. Needs were also determined by surveys conducted by Bentonville Planning. The needs for public services gathered from this process were used in preparing the 2023-2027 Consolidated Plan.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

In 2022, the City of Bentonville organized an Affordable Housing Work Group. The group identified three target markets, gathered data, identified barriers to affordable housing, and developed recommendations. Below is a summary of their findings.

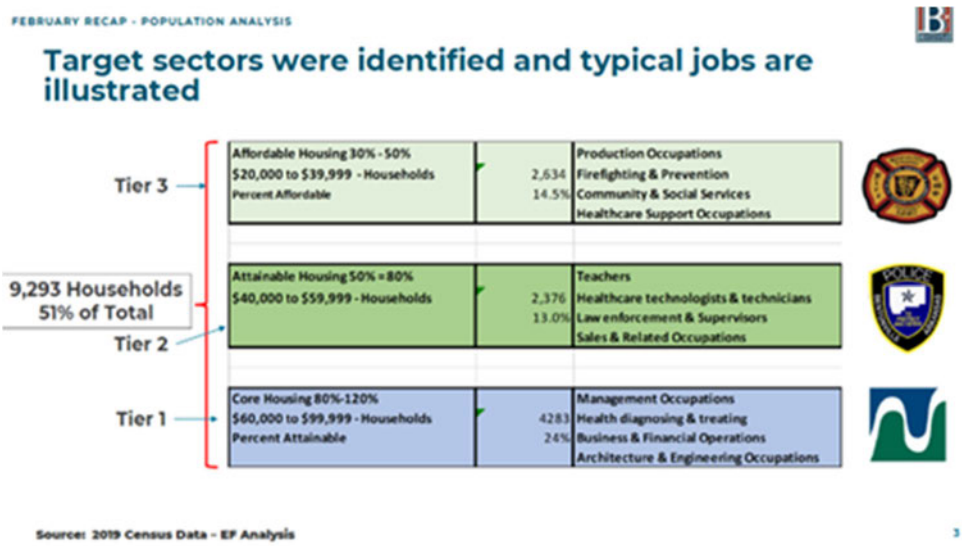
The housing crisis is decades old, stemming from the region's explosive growth that began in the 1990s. But more recent developments—such as the impact of the COVID-19 pandemic on the local economy, interest rates being raised repeatedly by the Federal Reserve to curb inflation, and major employers like Walmart and Tyson Foods recruiting ever more new employees to the region or relocating existing ones to their home offices—have elevated the problem to historic heights. Recent analyses show that Fayetteville, AR (and, by extension, the rest of the region) is the most competitive small rental market in the United States and that home prices in Northwest Arkansas are climbing faster than anywhere else in the country.

According to the findings of the Bentonville Affordable Housing Work Group in early 2023, the construction of single-family homes is not keeping pace with city growth. Single-family construction, for example, has been relatively flat over the last seven years, even though the population has seen dramatic increases. The reasonable priced homes that are built, are not being accessed by our target three sectors. While more and more multifamily units are being constructed, they are prices above what our two lower target sectors can attain. Pressure is mounting financially on our two lower target sectors causing out-migration of our workforce, as they seek affordable housing elsewhere.

Multi-family and single-family housing is in critically short supply for the target population, due to shared issues:

1. Construction of these units, especially for the lower two income tiers, has stagnated over the last decade.
2. The units being built at affordable price points for the target population are often rented or purchased for occupation or as investment properties by families with higher annual incomes.
3. As a result, the target population must either rent or purchase (though the latter is less feasible) housing in the city that is unaffordable (greater than 30% of their income) or they must leave Bentonville.
4. The overall development cycle time—from concept to completion—can be more than three years, which can jeopardize millions of dollars of funding for affordable developments that are participating in federal programs that have strict timelines for completion and habitation, such as the Low-Income Housing Tax Credit (LIHTC).

Without innovative solutions, roughly two thirds of the target income bands will only be able to afford multi-family rental units, which is borne out by the current occupation rates. The higher third should be able to afford single-family home purchases if developers offer the right products and the right processes are in place.



Affordable Housing Tiers

MA-10 Number of Housing Units – 91.210(a)&(b)(2)

Introduction

Based on the most recent ACS (2017-2021), there are 21,385 housing units in Bentonville. 68.9% of all units are single family homes. The next largest property type is multifamily units with nearly 17% of all housing types. Small scale multifamily (2-4 units) makes up only 8.1% of the housing types. The tenure is divided nearly equally between owner and renter occupied. Total number of owner-occupied units is 9,968 (50.9%) and renter occupied is 9,605 (49.1%). (Source: 2017-2021 ACS).

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	13,212	64%
1-unit, attached structure	1,215	6%
2-4 units	1,779	9%
5-19 units	3,343	16%
20 or more units	1,149	6%
Mobile Home, boat, RV, van, etc	66	0%
Total	***20,764***	***100%***

Table 26 – Residential Properties by Unit Number

Data Source Comments: 2016-2020 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	0	0%	515	5%
1 bedroom	66	1%	2,184	23%
2 bedrooms	4,366	46%	5,854	62%
3 or more bedrooms	5,106	54%	820	9%
Total	***9,538***	***101%***	***9,373***	***99%***

Table 27 – Unit Size by Tenure

Data Source Comments: 2016-2020 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

There are 47 affordable housing units provided by the Community Development Corporation.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

The only potential loss for affordable housing inventory could be due to a significant increase in existing affordable housing being purchased for investment purposes, primarily for use as short-term rentals. In Bentonville, particularly in the downtown area, there are approximately 500-700 units listed on short term rental websites. However, we do not have access to data that makes a correlation between the those listed and their affordability. The City of Bentonville does not have any Section 8 contracts or housing.

Does the availability of housing units meet the needs of the population?

Between 2018 and 2022, an average of 1,595 housing units have been completed each year, with more multifamily unit being developed each year than single family each year, except 2021. While the number of units appears to be keeping pace with the growth, the cost for those homes is increasingly significantly. The average value of a single-family homes in 2022 was $412,786, up 43% from 2018 when it was $289,317. With the increasing values and costs, the available units may not meet the needs of lower incomes.

Describe the need for specific types of housing:

A greater variety of housing type is needed. Single Family and Multifamily are the predominant housing types. The city is working to revise zoning regulations to better accommodate what is considered “missing middle” housing, such as triplex, fourplex and six plex.

Discussion

One of the best means of addressing affordable housing is to provide adequate supply of housing with a variety of housing types at various price points. The city feels that one area that they can focus on is making it easier to build that “missing middle” as well as improve the review time to get more housing on the market quicker.

MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

Introduction

Cost of Housing

	Base Year: 2010	Most Recent Year: 2020	% Change
Median Home Value	169,400	258,300	52%
Median Contract Rent	691	978	42%

Table 28 – Cost of Housing

Data Source Comments: 2010 ACS (Base Year), 2020 ACS (Most Recent Year)

Rent Paid	Number	%
Less than $500	260	0.0%
$500-999	4,556	0.0%
$1,000-1,499	3,311	0.0%
$1,500-1,999	832	0.0%
$2,000 or more	239	0.0%
Total	***9,198***	***0.0%***

Table 29 - Rent Paid

Data Source Comments: 2020 ACS

Housing Affordability

Number of Units affordable to Households earning	Renter	Owner
30% HAMFI	1,140	No Data
50% HAMFI	930	370
80% HAMFI	1,330	910
100% HAMFI	No Data	905
Total	***3,400***	***2,185***

Table 30 – Housing Affordability

Data Source Comments: 2020 ACS100% HAMFI for Renters is 1245; 30% HAMFI for Owners is 270

Monthly Rent

Monthly Rent ($)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	720	764	930	1,322	1,582
High HOME Rent	720	764	930	1,322	1,582
Low HOME Rent	720	764	930	1,151	1,285

Table 31 – Monthly Rent

Data Source Comments: HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

Affordable housing in Bentonville, at all income levels, is not adequately available. According to a study completed by the NWA Council in 2020, they found the following:

0–30% AMI: 27 affordable and available units for every 100 extremely low-income households

0–50% AMI: 62 affordable and available units for every 100 very low-income households

0–80% AMI: 92 affordable and available units for every 100 low-income households

0–120% AMI: 104 affordable and available units for every 100 moderate-income households

How is affordability of housing likely to change considering changes to home values and/or rents?

Affordability of housing may become more challenging if the recent trend of increasing rents and housing continue. The median rent between 2011 and 2016 increased 14% and the median for-sale price increased 16%. (Source: Bentonville Housing Summary).

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

Median rent in Bentonville is $1,055 (2018-2021 ACS). The Fair Market Rent for the 2023 Fayetteville – Springdale-Rogers MSA for a two-bedroom is $930, suggesting that Bentonville's median rent is significantly higher than the rest of the area, at approximately 13%.

(https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023_code/2023summary.odn)

Discussion

With over a quarter of the rental units costing the households more than 30% of their income, rental assistance would likely be a benefit to these households.

MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

Introduction

U. S. Department of Housing and urban Development (HUD) defines substandard housing using conditions similar to those in the Needs Assessment. Housing units are considered substandard if they have one or more of the following conditions: 1) lack of complete plumbing facilities; 2) lack of complete kitchen facilities, 3) more than one person per room; or 4) a housing cost burden greater than 30%. The chart below shows the number of units in Bentonville with one or more of these conditions, and therefore substandard.

The majority of the houses in Bentonville were built between 2000 and 2021; however, the City does have 2,685 houses built prior to 1980 (12.5%). Some of the homes have lead paint that has not been remediated in accordance with national lead-based regulations leading to children exposed to lead that can cause developmental delays, learning and behavioral difficulties, as well as physical ailments. Low-income individuals and families often reside in the older units with higher maintenance needs as well as un-remediated lead-based paint.

There are a small number of units that could be eligible for home repairs, considering 47 units (less than 1% of all units) lack complete plumbing facilities. Similarly, 123 (less than 1%) lack complete kitchen facilities. We did not have access to data by tenure.

Definitions

The City of Bentonville has building codes for ventilation, plumbing, mechanical, electrical, and fire protection systems. The code also provides for structural conditions of a dwelling such as foundations, exterior walls, roof, interior walls and ceilings, floors, windows, doors, and stairs. The City also has occupancy limits for structures.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	0	0%	0	0%
With two selected Conditions	0	0%	0	0%
With three selected Conditions	0	0%	0	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	0	0%	0	0%
Total	***0***	***0%***	***0***	***0%***

Table 32 - Condition of Units

Data Source: 2013-2017 ACS

	Owner Occupied		Renter Occupied
	Number		
With at least one selected condition	990		2095
No selected conditions	7625		5120

Table 33 - Condition of Units

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	6,123	62%	4,531	48%
1980-1999	2,385	24%	3,390	36%
1950-1979	1,023	10%	1,311	14%
Before 1950	274	3%	141	2%
Total	***9,805***	***99%***	***9,373***	***100%***

Table 34 – Year Unit Built

Alternate Data Source Name:
2020 ACS
Data Source Comments:

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	1,297	13%	1,452	15%
Housing Units build before 1980 with children present	0	0%	0	0%

Table 35 – Risk of Lead-Based Paint

Alternate Data Source Name:
2020 ACS
Data Source Comments: Data did not self-populate and was not found in the ACS or CHAS data.

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	0	0	0
Abandoned Vacant Units	0	0	0
REO Properties	0	0	0
Abandoned REO Properties	0	0	0

Table 36 - Vacant Units

Data Source: 2005-2009 CHAS

Need for Owner and Rental Rehabilitation

Since nearly 13% of the housing units in Bentonville were built prior to 1980, there are likely homes that may require rehabilitation. However, the trend has been that these older homes are purchased and torn down to build new homes. Indicating that they are not necessarily owned by low-to-moderate income families.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

Since nearly 13% of the housing units in Bentonville were built prior to 1980, there are likely homes that could have lead-based-paint hazards. Data was not available to determine whether or not these units are occupied by low-to-moderate income families. Primarily, because these older homes would be located downtown where homeowners are rehabbing or tearing down and rebuilding on their own.

Discussion

Based on the estimated number of older housing units, but lack of data to determine those that are owned or rented by LMI, the need for housing rehabilitation is limited.

MA-25 Public and Assisted Housing – 91.210(b)

Introduction

There are no public housing facilities in the city limits of Bentonville. The City does not have current plans of seeking public housing within the Jurisdiction. Although, the City will distribute CDBG assistance to those organizations that serve the needs of the extremely low- income, low-income, and moderate-income families residing in the jurisdiction. This includes the Housing Authority, which provides Section 8 tenant vouchers and other organizations.

A Community Development Corporation (CDC) is located within Bentonville. The CDC focuses on the HOME program and has developed, owns and manages over 200 units which focus on senior housing within the area. The CDC was formed in 1991 by the Bentonville / Bella Vista Chamber of Commerce. The City and the CDC are two separate entities, although the City fully supports the CDC and accommodates the organization.

The Community Development Corporation (CDC) in Bentonville provides affordable housing (non-senior) in Bentonville with rents trending below market rate and they accept Section 8 vouchers. There are three properties that provide permanent housing with 47 units: Briarwood, 816 A Street Apartments, Meadowglade.

Briarwood includes 24 one and two-bedroom apartments furnished with major appliances and central heat/air. Income qualification is required. Residents only pay for electricity. The deposit equals one month's rent.

The 816 A Street Apartments includes 9, one, two and three bedroom unites that come fully furnished with all major appliances central heat/air, a full-size washer /dryer, and a covered front porch. Income qualification is required, and residents pay all utilities. The deposit is equal to one month's rent.

Meadowglade Townhomes have 14 three-bedroom units, all furnished with most appliances, central heat/air, porches, and well-maintained grounds. Residents pay all utilities. The deposit is equal to one month's rent.

Havenwood, also operated by the CDC, is a two-year program designed to help single mothers overcome the barriers in their lives that lead to homelessness while providing transitional housing for them and their children in a supportive environment so they may become economically self-sufficient and transition into permanent housing.

The City will support the management and operation of all organizations that address the revitalization and restoration needs of low- to moderate-income housing. Collectively, all organizations will offer support and guidance and will work together to improve the living environment of extremely low-income, low-income, and moderate-income families residing in Bentonville.

Totals Number of Units

Program Type									
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available				493			0	0	0
# of accessible units									
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 37 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 38 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

N/A

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

N/A

Discussion:

N/A

MA-30 Homeless Facilities and Services – 91.210(c)

Introduction

According to HUD, a national focus on homeless rights during the Reagan administration helped to form much of the way homeless needs are addressed today. It was during the early 1980s that the administration determined that the needs of the homeless were best handled on a state or local level rather than a national level. In 1983, a federal task force was created to aid local and regional agencies in their attempts to resolve homeless needs, and in 1986, the Urgent Relief for the Homeless Act was introduced, which chiefly established basic emergency supplies for homeless persons such as food, healthcare and shelter. The act was later renamed the McKinney-Vento Act, after the death of one of its chief legislative sponsors, and was signed into law in 1987.

HUD defines the term "homeless" according to the McKinney-Vento Act, which states that a person is considered homeless if he/she lacks a fixed, regular and adequate night-time residence. A person is also considered homeless if he/she has a primary nighttime residence that is:

- A supervised publicly or privately operated shelter designed to provide temporary living accommodations,
- An institution that provides a temporary residence for individuals intended to be institutionalized,
- A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.[1]

Therefore, homelessness can be defined as the absence of a safe, decent, stable place to live. A person who has no such place to live stays wherever he or she can find space—an emergency shelter, an abandoned building, a car, an alley or any other such place not meant for human habitation.

Homeless sub-populations tend to include those with substance abuse and dependency issues, those with serious mental illness, persons living with HIV/AIDS, women and other victims of domestic violence, emancipated youth, and veterans.

Reversing declines in personal incomes, reducing the lack of affordable housing for precariously housed families and individuals who may be only a paycheck or two away from eviction, increasing and promoting help available from welfare agencies are all significant policy challenges today. It takes only one additional personal setback to precipitate a crisis that would cause homelessness for those at risk. Deinstitutionalization of patients from psychiatric hospitals without adequate community clinic and affordable housing support only propagates more people in search of affordable housing. Personal vulnerabilities also have increased, with more people facing substance abuse problems, diminished job prospects because of poor education or health difficulties while lacking medical coverage.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	0	0	0	0	0
Households with Only Adults	0	0	0	0	0
Chronically Homeless Households	0	0	0	0	0
Veterans	0	0	0	0	0
Unaccompanied Youth	0	0	0	0	0

Table 39 - Facilities and Housing Targeted to Homeless Households

Data Source Comments: Data did not auto-populate. Point in Time Homeless count available is for all of Northwest Arkansas, not specific to Bentonville.

Describe mainstream services, such as health, mental health, and employment services to the extent those services are use to complement services targeted to homeless persons

A network of public and private agencies in Northwest Arkansas provides a variety of services to the homeless ranging from prevention and outreach to comprehensive supportive services. Homelessness represents a complex personal and social problem that requires multiple resources to eventually gain permanent housing. Planning and effective continuum of care means engagement of a wide spectrum of local agencies. Along with agencies providing homeless services the following mainstream agencies are engaged in planning and implementation: Northwest Arkansas Continuum of Care, Benton County Public Health Department, local health care providers, local police departments, employment service providers, local employers, local substance abuse programs, Veteran's Affairs, Mayor's Office, Community Development Block Grant (CDBG) Office, other local government officials, local welfare departments, housing authorities, neighborhood and community associations, as well as non-profit agencies.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

Many of the outreach components listed above assist the individuals with accessing mainstream mental health and chemical dependence services. They provide emergency assistance for those teetering on the brink of homelessness. These emergency services include food, rent, mortgage, and utility assistance as well as case management, mentoring, and landlord/lender intervention. These organizations also provide housing and/or a range of services for those assessed through screening and/or referral as having a specific problem that could result in homelessness.

Helping homeless persons find emergency housing, safe havens, transitional housing, rapid rehousing, and permanent supportive housing is a priority as all of these not only provide housing facilities, but supportive services. For our homeless living on the street, there are day programs and soup kitchens for our homeless to go during daytime hours.

MA-35 Special Needs Facilities and Services – 91.210(d)

Introduction

The City of Bentonville is in a region that has several agencies that provide housing or supportive services to our special need populations. These agencies include Open Avenues, Sunshine School and Development Center, Souls Harbor, Saving Grace, Northwest Arkansas Women's Shelter as well as numerous other agencies that provide services to the elderly, disabled, persons dealing with addictions, HIV/AIDS, mental and physical health organization and agencies dealing with domestic or dating violence, sexual assault, and stalking.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

Adults over the age of 65 make up 8% of the City's total population. Elderly persons need various types and levels of affordable, supportive housing opportunities. Several factors impact the senior population when making housing and/or supportive service choices. Among these are the ability to function independently with supportive services, level of care and comprehensive medical and living support required, limited ability to pay for required housing choice and supportive services, and limited availability of affordable supportive housing opportunities. Seniors tend to fall in between income eligibility guidelines for state and federal assistance programs. Many of our seniors live alone leading to a greater reliance on care systems.

An estimated 7.5% of our population in Bentonville lives with one or more disabilities. Those rates tend to move upward for our low-income residents.

There is a growing need for safe and affordable residential care for high risk/need persons with mental illness. Additional housing options for individuals with chemical dependency remain a need in the community. Access to safe, decent, affordable housing for individuals and families is important in assisting individuals to remain in recovery. There are various levels of residential services available on a limited basis for individuals with chemical dependency; however, finding one that is both safe and affordable is not as easy.

The projected needs of the HIV/AIDS population include increased supportive services and the need for adequate, accessible, affordable, safe housing for families living with someone infected with AIDS or who has been diagnosed as HIV positive.

Domestic violence survivors need health care, services, and housing supports to help them repair their lives.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

Adult care facilities are housing options for individuals who cannot live independently or semi-independently. Residential programs are available for those with chemical dependency, homelessness, HIV/AIDS. Programs available provide safe havens and high-quality care and hope for the future to children who have been abandoned, abused, or neglected. There are programs to end family violence by empowering victims to survive and then promote healthy relationships. Programs exist to help people with disabilities achieve the skills and confidence they need to live as independently as possible. Emergency shelters, mental health services, physical health services, alcohol and drug recovery programs, and various other programs help provide the necessities of life--food, clothing, and shelter.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

The City of Bentonville will continue to have annual goals to provide decent housing by continuing to provide funding for organizations and programs that benefit low-to-moderate-income individuals and families. The City will also provide funding for supportive services by helping with the cost of low-income children to attend an early childhood education facility for children with developmental disabilities. This will provide these children with an extensive kindergarten transition program that eases these children and their families into the public schools. Occupational, speech and physical therapists along with trained nurses are also available to these children so they not only have an opportunity to thrive and develop in their future academic years, but also get the therapy they need and help them overcome their disabilities. The City will also provide funding for after school and summer care for children where the cost of childcare would be a huge financial burden on their parent and/or parents. These children will receive a safe, developmentally place to stay while their parents are at work. These children are nurtured and given opportunities that they might not receive without this abuse. Their parents will maintain their employment or similar or better employment because they don't have the burden of childcare and leaving their children home alone. The City will also provide funding for opportunities that reduce transportation cost burdens for the low-to-moderate-income population, greatly improving the mobility of income-eligible residents in Bentonville. The City will also help in providing supportive agencies with funding to be more energy efficient and reduce their utility costs.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

The City of Bentonville will continue to work with agencies to assist in however we can help to provide housing and supportive services to our special need residents.

MA-40 Barriers to Affordable Housing – 91.210(e)

Negative Effects of Public Policies on Affordable Housing and Residential Investment

Using the Affordable Housing Workgroup members, City staff, developers, and the public, six major barriers preventing affordable housing were identified:

Total development cycle time. An analysis of development and approval cycle times was provided by City staff to the workgroup. When shared with developers, the Pre-Approval Conference and the Pre-Construction periods were identified as the biggest pain points, leading to a complete cycle time of four years for both single-family and multi-family units (Fig. 14). Developers have risked losing millions of federal dollars by not being able to finish within the federally mandated time period of two years. Other developers choose not to bring projects to Bentonville. These issues point to looking at a redesign of the development cycle with staff, planning commission, and local developers to reduce time.

Figure 14: Average Development Cycle Time (Bentonville Planning Department)

Zoning limitations. Zoning options enacted in other cities are currently unavailable in Bentonville. These options would allow for the creation of "Missing Middle" housing, allowing for higher density, single-family owned and occupied options. These options will be important for the City-managed process of affordable housing developments and can also be used for other developments.

Additionally, while the number of units allowed per acre provides a developer a great deal of density (e.g. R4 allows for 52 units/acre), the actual number of units that can go on a piece of land is much lower due City restrictions and requirements (e.g. in reality, R4 is actually closer to 20 units/acre). These factors include parking requirements, right of way and easement dedications, height limits, etc.

Regulatory infrastructure, permit costs, and fees. Impact/permit fees, combined with limited cost sharing by the City all add costs to development projects. Fair market rate projects face significant hurdles in this area, but adding these costs to projects that are attempting to be affordable only pass these costs on to the potential buyers. Affordable developments are being assessed under the same guidelines as fair market rate projects, de-incentivizes the creation of the former.

Land costs. Affordable developments are less likely to be pursued due to the higher initial investment developers must make on simply acquiring land. This is due, in part, to the limited number of financing options available to developers.

Lack of access to affordable options. As discussed, many affluent households are renting or purchasing housing below their means (i.e. significantly less than 30% of income, including utilities). This squeezes out workforce households in the three targeted income tiers, who have to choose between becoming rent/mortgage burdened with housing above their means or leaving the City to find more affordable housing elsewhere.

Participation in government programs. A significant amount of federal housing subsidies (e.g. Community Development Block Grants) that could be used to address some of the financial hurdles mentioned above have not been used for many years since Bentonville stopped participating in the program in 2016. There is also lack of education for developers on the existence of this funding and ways in which to access it.

A few key themes emerged from the discussion that were prioritized when developing solutions:

1. Solutions to these barriers should be bundled together so that they are dealt with comprehensively.
2. A tiered system of incentives and barrier removal should be put in place that aligns with the tiered income bands of the target population.
3. Affordable price points, duration of price points, and renter/buyer eligibility should be codified, ensuring that the people who most need affordable housing are able to obtain it.

	"Phase 0"	Phase 1			Phase 2	Phase 3	Phase 4	Phase 5		Phase 6 (SF only)	
	Finance / RE Contract / Zoning	Concept	Site Engineering	Pre-App Conference	Planning App/ Approval	Pre-Construction	Construction	Site Final	Final Plat Approval/File	Home Construction	Years
Current Days											
Single Family	60	90	120	60	60	251	325	125		245	3.7
Multi-Family	60	90	120	90	60	201	365	125		0	3.0

MA-45 Non-Housing Community Development Assets – 91.215 (f)

Introduction

This report provides an overview of the business activity, labor force, education, and infrastructure needs in the jurisdiction of Bentonville. It highlights the major employment sectors, emphasizing the significance of retail trade and professional, scientific, and management services. The workforce and infrastructure needs of the business community are discussed, with a focus on ongoing efforts to improve workforce skills and address infrastructure requirements. Furthermore, the economic impact of planned investments, such as Walmart's new campus, is explored. The alignment between the current workforce's skills and employment opportunities in Bentonville is examined, and the role of educational institutions in providing workforce training is emphasized. Finally, the report touches upon economic development initiatives and target sectors, as well as the impact of tourism on the need for affordable housing and service industry workers.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	58	0	0	0	0
Arts, Entertainment, Accommodations	2,216	0	8	0	-8
Construction	742	0	3	0	-3
Education and Health Care Services	4,086	0	15	0	-15
Finance, Insurance, and Real Estate	1,166	0	4	0	-4
Information	224	0	1	0	-1
Manufacturing	2,287	0	9	0	-9
Other Services	987	0	4	0	-4
Professional, Scientific, Management Services	4,359	0	16	0	-16
Public Administration	518	0	2	0	-2
Retail Trade	8,260	0	31	0	-31
Transportation and Warehousing	1,245	0	5	0	-5
Wholesale Trade	628	0	2	0	-2
Total	26,776	0	--	--	--

Table 40 - Business Activity

Data Source 2020 ACS
Comments:

Labor Force

Total Population in the Civilian Labor Force	27,459
Civilian Employed Population 16 years and over	27,776
Unemployment Rate	2.50
Unemployment Rate for Ages 16-24	0.00
Unemployment Rate for Ages 25-65	0.00

Table 41 - Labor Force

Data Source Comments: 2020 ACS, unable to determine unemployment rate for provided age ranges.

Occupations by Sector	Number of People
Management, business and financial	13,464
Farming, fisheries and forestry occupations	0
Service	3,125
Sales and office	6,542
Construction, extraction, maintenance and repair	1,063
Production, transportation and material moving	2,582

Table 42 – Occupations by Sector

Data Source Comments: 2020 ACS; Farming, fisheries and forestry occupations included in the construction category as a natural resource industry.

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	23,219	87%
30-59 Minutes	3,141	12%
60 or More Minutes	225	1%
Total	***26,585***	***100%***

Table 43 - Travel Time

Data Source Comments: 2020 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		
	Civilian Employed	Unemployed	Not in Labor Force
Less than high school graduate	639	48	521
High school graduate (includes equivalency)	4,218	62	1,197
Some college or Associate's degree	4,853	17	1,544
Bachelor's degree or higher	13,435	240	2,270

Table 44 - Educational Attainment by Employment Status

Data Source Comments: 2020 ACS

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	0	0	0	0	0
9th to 12th grade, no diploma	475	0	0	0	0
High school graduate, GED, or alternative	1,151	9,914	8,505	9,597	3,655
Some college, no degree	0	0	0	0	0
Associate's degree	1,669	0	0	0	0
Bachelor's degree	637	5,717	5,288	5,288	1,281
Graduate or professional degree	0	0	0	0	0

Table 45 - Educational Attainment by Age

Data Source Comments: 2020 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	26,534
High school graduate (includes equivalency)	34,227
Some college or Associate's degree	44,523
Bachelor's degree	71,486
Graduate or professional degree	95,457

Table 46 – Median Earnings in the Past 12 Months

Data Source Comments: 2020 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Retail trade (31.3%) is the major employment sector with Bentonville being the location of the Walmart Home Office. The next major sector is professional, scientific and management services at 15%.

Describe the workforce and infrastructure needs of the business community:

The necessary skills for good performance in entry level jobs are an ongoing struggle for employers. We are seeing more coordination between our educational institutes and skill training institutes in preparing this type of worker to support businesses. The rest of the workforce meets the needs of the community, however, like every place in America, some sectors in Bentonville are still struggling to keep employees in place for longer periods of time.

Bentonville is in good shape with their infrastructure needs in most of the City. There are some areas where infrastructure is still needed and are addressed in the City's Master Plan. The finances for the City are in great shape and these funds have been used and will continue to be used to get the infrastructure in place. The City's downtown area has experienced a rapid revitalization and tremendous growth with new businesses moving in over the last decade. What areas are still in need of infrastructure updates will be address in the years ahead.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

Walmart is building a new campus. Exact numbers of those being employed there are unclear, yet this will have a significant impact on our need to house those employees locally so as not to have significant impact to the local transportation system.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Local colleges and universities provide educational opportunities geared toward the needs of the major employers. Such programs include logistics and supply chain management.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

As mentioned above, Northwest Arkansas Community College is located in Bentonville and provides workforce training programs as needed in Bentonville. The University of Arkansas in Fayetteville provide degree programs that benefit our major employers.

The Bentonville Area Chamber of Commerce supports economic development and is the lead agency for economic development for the City of Bentonville. Private investments and developers provide millions of dollars towards economic development in this area. The City supports and works with community organizations that engage in research, planning activities, and perform marketing studies.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

Yes

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

The City of Bentonville adopted a Strategic Economic Development Plan in 2014 called the Bentonville Blueprint.

Since Bentonville is unique, its target sector opportunities will differ from a typical city of its size. Seven main target sector opportunities, along with specific focus areas for each have been identified as priorities for Bentonville to focus its efforts over the next five years. The selection of these targets involved the review of: the current targeted sectors of Northwest Arkansas; the current business/ industry base in Bentonville and the region, along with location quotients and projected growth rates for such sectors, as applicable; and recent project activity in Bentonville and the region. The key strengths and advantages of Bentonville related to each target was also a significant determinant of whether the sector was a fit. It is important to note that Bentonville may have successes in sectors outside of these identified sectors.

Target Sector Opportunities: Digital Media, Entrepreneurship and Innovation, Hospitality and Culture and Entertainment, Light Advanced Manufacturing, Retail Supplier Regional Offices, Retail Technology, Specialty Retail, and Transportation and Warehousing.

Discussion

The increase in the amount of bike trails and the increasing cultural options are having a significant impact on the tourism industry. Because of this, there is a need for service industry workers. The challenge is that the cost of housing is an impediment for many to find housing in the city limits. The goals of the CDBG program to address affordable housing will assist in providing the necessary workforce for the tourism industry.

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

We defined concentration as more than 50% of a census tract with housing problems. Based on current data and analysis, we do not find there to be a concentration of households with multiple housing problems.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

We define concentration as a census tract with higher proportions of minorities and low -income families than other tracts in the city. Ethnic minorities and low-income families are spread relatively evenly throughout the city.

What are the characteristics of the market in these areas/neighborhoods?

Not applicable.

Are there any community assets in these areas/neighborhoods?

Not applicable.

Are there other strategic opportunities in any of these areas?

Not applicable.

MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

There are several agencies that provides high speed internet, but the cost of that is sometimes not affordable for our most vulnerable. Basic internet is the cheapest and that sometimes comes with interruptions and slower internet. Bentonville offers free digital access and literacy in our downtown area, government buildings, public library and community buildings. The school system provides chrome books for students and charging services are available at all the schools.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

Bentonville has good competition for broadband internet services. Some of our bigger providers are AT&T, T-Mobile, and Cox Communications.

MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction’s increased natural hazard risks associated with climate change.

The local climate hazards associated with climate change in Bentonville would be extreme heat, shorter winters, intense storms, drought, threats to water quality and the instability of energy prices. These climate changes can cause infrastructure stress, flooding, air pollution and continued deterioration of housing stock especially with older homes which are more affordable in Bentonville than newer homes. Additionally, rapid development has caused a strain on our drainage systems as more intense storms roll through, having a detrimental impact on our Census Tracts determined to be low-to-moderate-income areas. We realize that climate change tends to have the most impact on our most vulnerable. Higher utility bills, flooding, higher food costs are all financial stresses that can have the most impact on our low-income. The City takes a proactive approach to protecting our community's most vulnerable.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

The City has not participated in any studies on climate change, but we know there are impacts. We will work to research data, findings, and methods to understand our local climate data and to make sure we address those needs as soon as possible.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The mission of the Strategic Plan is to improve the quality of life for low to moderate-income individuals and families, to include seniors and persons with special needs, in the City of Bentonville by providing affordable rental and homeownership opportunities, repairing and conserving existing housing, providing funding for facilities and infrastructure improvements, creating and retaining jobs, funding public services that stabilize and enhance living conditions, working on reducing homelessness, fostering access to all housing and community resources, addressing economic, education, and income needs, strengthening community assets, working to eliminate blight, reduce crime and improving quality of life for our residents, promoting fair housing and access to opportunities for all Bentonville residents.

The City of Bentonville is 21,920 acres (34.25 square miles). The City is still mostly surrounded by Agriculturally zoned land, but with our rapid development, we are starting to see zoning requests extend further into those zones. With our latest counts, the City has 85 miles of trail around the City that are part of the connection to the Razorback Greenway which connects to the other major hubs of Northwest Arkansas. This enables residents of Northwest Arkansas to travel from one city to the next by walking or biking.

The unemployment rate for Northwest Arkansas is 2.4% and falls well below the State of Arkansas unemployment rate of 2.7% and National unemployment rate of 3.7% as of May 2023. With the number of local and nationally known companies headquartered in or having a presence in Northwest Arkansas, coupled with the population growth rate, we expect the need for employment to continue making Northwest Arkansas a great job market. Northwest Arkansas is still growing rapidly at a pace of around 45 people a day.

SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

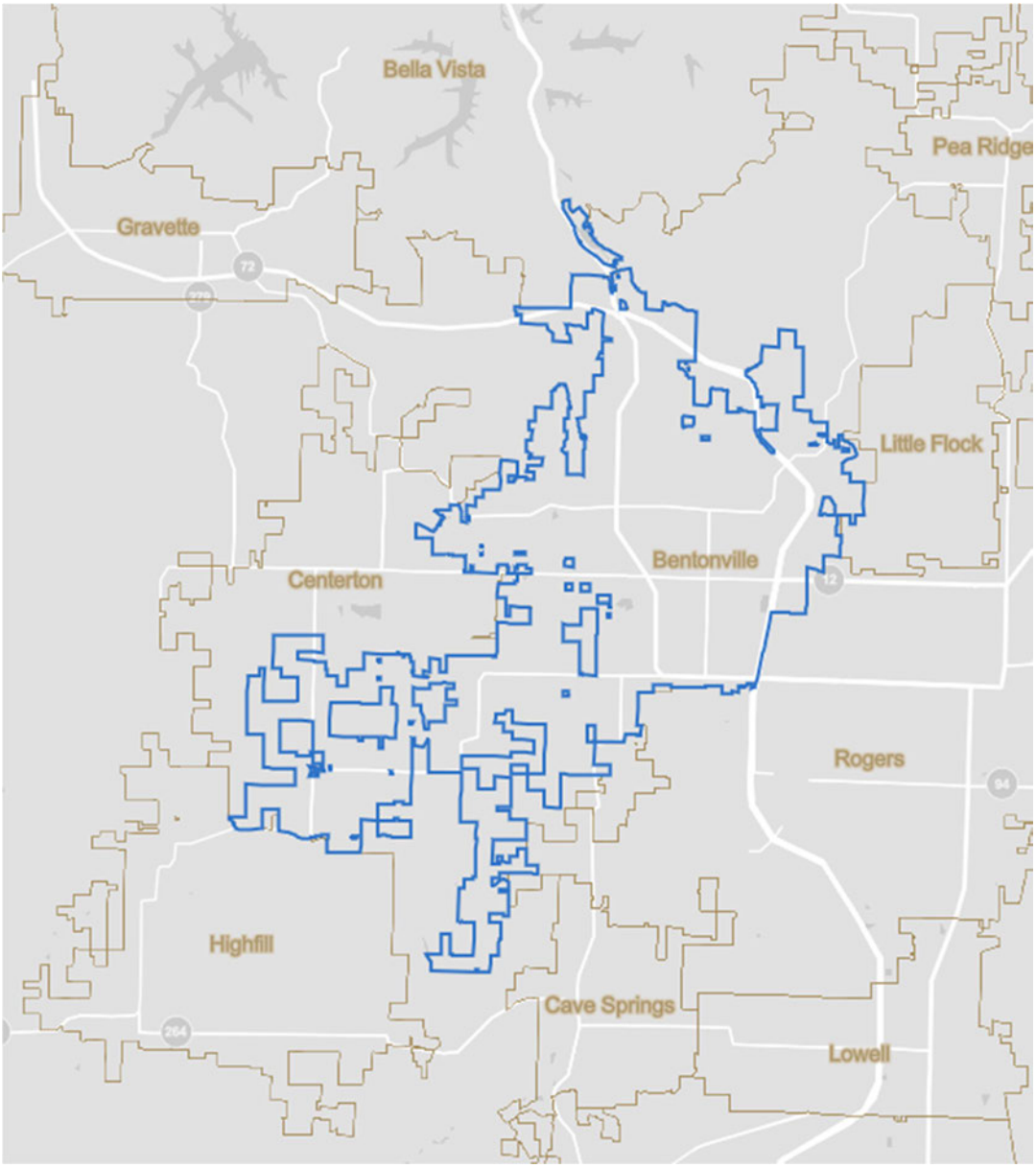
Table 47 - Geographic Priority Areas

1	**Area Name:**	Census Tracts (205.04 and 206.04)
	Area Type:	Local Target area
	Other Target Area Description:	
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	Other
	Other Revital Description:	Infrastructure
	Identify the neighborhood boundaries for this target area.	
	Include specific housing and commercial characteristics of this target area.	
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	
	Identify the needs in this target area.	
	What are the opportunities for improvement in this target area?	
	Are there barriers to improvement in this target area?	
2	**Area Name:**	City of Bentonville
	Area Type:	Local Target area
	Other Target Area Description:	
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	Other
	Other Revital Description:	For Public Service Projects targeting LMI individuals/families
	Identify the neighborhood boundaries for this target area.	
	Include specific housing and commercial characteristics of this target area.	
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	
	Identify the needs in this target area.	
	What are the opportunities for improvement in this target area?	
	Are there barriers to improvement in this target area?	

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The City of Bentonville utilizes CDBG funding to allocate to activities that invest in our neighborhoods and benefit low-to-moderate-income households and individuals. Areas of the city will benefit from this funding, allowing residents to remain and prosper in their homes. Whether through an area benefit or a service provided directly to a low-to-moderate-income person or household, 100% of our CDBG funding will go to CDBG eligible households and/or census tracts.



SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

Table 48 – Priority Needs Summary

1	**Priority Need Name**	**Home Ownership Assistance**
	Priority Level	High
	Population	Low, Moderate, Middle, Large Familie, Families with Children, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Home Ownership Assistance
	Description	Bentonville is made up of 45% of renter-occupied housing. Rents in Bentonville have increased from a median rent of $691 in 2010 to $978 in 2020, a 42% increase. Nearly 50% of renters are paying more than $1,000 for rent and more than 25% of households are paying more than 30% of their income to rental costs. The high rents in Bentonville create a challenge for renters to be able to save up for closing costs and the required 20% down payment to purchase a home. And, if they are unable to meet the 20% down payment, they end up paying for private mortgage insurance which ultimately increases their overall housing costs. In 2010, the median home value was $169,400. By 2020, that increased by 52% to $258,300. A snapshot of the market in October 2023 indicated the lowest home price on the market was $300,000. High rents making it difficult to save to purchase a home combined with the significantly increasing cost of a home, make it difficult for low- and moderate-income families to own homes. Offering a down payment assistance program would help encourage long-term investment in Bentonville and helps low-to-moderate-income families lower their housing costs.
	Basis for Relative Priority	Resident and stakeholder input via public hearings and meetings held in the planning process of the Five-Year Consolidated Plan and Annual Action Plan, as well as feedback and data gathered from the Affordable Housing Work Group. Information is gathered from these meetings suggesting a strong need to address affordable housing.

2	**Priority Need Name**	**Public Services**
	Priority Level	High
	Population	Extremely Low, Low, Moderate, Large Families, Families with Children, Elderly, Public Housing Residents, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, veterans, Persons with HIV/AIDS. Victims of Domestic Violence, Unaccompanied Youth, Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Public Services
	Description	Public Services are one of the City of Bentonville's greatest needs. Public hearings, consultations, and survey results supported this sentiment. Childcare was a high priority in this area. The cost of childcare makes it very difficult for some of our people to come out ahead by working as childcare costs are getting higher and higher. The need for more mental and physical services for our residents that have no means to pay for these services was also identified. Additional service ideas were related to bill pay assistance for low-income residents. All these service ideas potentially reduce the cost burden on households and setup low-to-moderate-income individuals/families for success via various support services.
	Basis for Relative Priority	Resident and stakeholder input via public hearings and meetings held in the planning process of the Five-Year Consolidated Plan and Annual Action Plan. Information is gathered from these meetings suggesting a strong need to provide for public services to meet current demand.

3	**Priority Need Name**	**Housing Rehabilitation**
	Priority Level	High
	Population	Extremely Low, Low, Moderate, Large Families, Families with Children, Elderly, Public Housing Residents, Chronic Homelessness, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, veterans, Persons with HIV/AIDS, Victims of Domestic Violence, Unaccompanied Youth, Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Decent Housing
	Description	The City has a need for affordable housing for our low-income residents. There is a gap between income and availability of housing. Housing cost burden is the most prevalent housing problem facing Bentonville owners and renters. We have severely cost-burdened owners that are extremely low-income. We also see a housing cost burden and lack of available units with our special needs and disabled residents. Age and condition of housing is another barrier to maintaining housing stability. The City is working to provide funding for local organizations to address this need, allowing us to provide rehabilitation on our low-income owner single-family homes and get the repairs done to not only increase the value of our housing stock, but provide energy efficient repairs that will put money back into resident's pockets with lower utility bills.
	Basis for Relative Priority	Resident and stakeholder input via public hearings and meetings held in the planning process of the Five-Year Consolidated Plan and Annual Action Plan. Information gathered from these meetings pointing to a need to provide for rehabilitation projects to meet current demand.

4	**Priority Need Name**	**Administration**
	Priority Level	Low
	Population	Extremely Low, Low, Moderate, Large Families, Families with Children, Elderly, Public Housing Residents, Chronic Homelessness, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, veterans, Persons with HIV/AIDS, Victims of Domestic Violence, Unaccompanied Youth, Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence, Non-housing Community Development
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Administration
	Description	The CDBG Program requires administration costs to gather input, prepare plans, and oversee the grants with the bid processes, inspections, and close-outs. It is an integral part to an effective CDBG Program for the City.
	Basis for Relative Priority	Administration has to exist. Basis for relative priority is that you can't operate the program without administration costs necessary to operate the program.

Narrative (Optional)

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	The City does not plan to use CDBG funds for Tenant Based Rental Assistance.
TBRA for Non-Homeless Special Needs	The City does not plan to use CDBG funds for Tenant Based Rental Assistance.
New Unit Production	The City does not plan to use CBG funds for new production. We do plan to use CDBG funds on land and infrastructure improvements, however.
Rehabilitation	Cost burden is a major housing problem within the City of Bentonville. We are looking holistically at this issue to provide services for which the cost burden can be reduced on our low-to-moderate income individuals, freeing up budget for them along with supporting local organizations with plans to rehabilitate their facilities.
Acquisition, including preservation	The City does not plan to use CDBG funds for acquisition, including preservation.

Table 49 – Influence of Market Conditions

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

The following table shows the Community Development Block Grant (CDBG) Program resources expected to be available in Year One of the Consolidated Plan to address priority needs and specific objectives identified in the Strategic Plan. The table also includes prior year resources the City will use to implement our identified priority needs. Expected amount available during the remainder of the Consolidated Plan are future estimates that will be amended as those year's funding is identified.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	320,831	0	0	320,831	1,283,324	All funds will be used to improve public infrastructure and provide public services to low-to-moderate-income individuals. All expected CDBG funds in the Consolidated Plan will come from CDBG funding.

Table 50 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the non-profits applying for CDBG funding receive funding from other areas to make their programs work. The City and its partners leverage local, state, foundation and private resources. The City will use its projected $320,831 from the United States Department of Housing & Urban Development's (HUD) CDBG Program to address the needs listed in the Action Plan. The City funds the salary for the administrative position and will partner with local organizations and non-profits on its service projects.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There is no known land available for acquisition at this time; however, the City will work with banks to make vacant property available for affordable housing, economic development, and open space use.

Discussion

The amount of available funding through CDBG will not be adequate to meet the housing and/or public service needs in Bentonville. The City continues to work with our partners to leverage all available resources to meet our needs.

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
City of Bentonville	Government	Home Ownership Assistance	Jurisdiction
Habitat for Humanity of Benton County	Non-profit organizations	Homelessness Non-homeless special needs public services	Jurisdiction
NWA Continuum of Care	Continuum of care	Homelessness	Jurisdiction
Boys and Girls Club of Benton County	Non-profit organizations	Non-homeless special needs public services	Jurisdiction
Helen Walton Children's Enrichment Center	Non-profit organizations	Non-homeless special needs public services	Jurisdiction

Table 51 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

Our strength is the ability of the City and local agencies to work together to address the needs of the City. The biggest gap would be the lack of funding available to meet all the needs.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X	X	
Mortgage Assistance	X	X	
Rental Assistance	X	X	
Utilities Assistance	X	X	
Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X	X	
Child Care	X	X	
Education	X	X	
Employment and Employment Training	X	X	
Healthcare	X	X	
HIV/AIDS	X	X	
Life Skills	X	X	
Mental Health Counseling	X	X	
Transportation	X	X	
Other			

Table 52 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

The Community Development Block Grant (CDBG) Administrator will continue to work closely with entities to further enhance the needs of our community and to improve CDBG Program delivery. We are working to become a member of the Northwest Arkansas Continuum of Care which helps keep us aware of the many needs of our community. We are fortunate in this area that we have many non-housing services available to address basic and essential needs of people experiencing homelessness.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The City of Bentonville is working to strengthen and expand its existing public, private, and non-profit sectors and identify and build partnerships to provide for the City's special population groups. The City's existing public and private sectors provide a great service in providing for the economic development in the City. We continue to pursue funding opportunities to assist with children who are dealing with physical, mental, and developmental problems.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Home Ownership Assistance	2023	2024	Affordable Housing	City of Bentonville	Home Ownership Assistance	CDBG: $1,115,331	Direct Financial Assistance to Homebuyers: 25 Households Assisted
2	Public Services	2023	2027	Public Services	City of Bentonville	Public Services	CDBG: $203,824	Public service activities other than Low/Moderate Income Housing Benefit: 945 Persons Assisted
3	Decent Housing	2023	2027	Affordable Housing	City of Bentonville	Housing Rehabilitation	CDBG: $125,000	Homeowner Housing Rehabilitated: 20 Household Housing Unit
4	Administration	2023	2027	Administration	City of Bentonville	Administration	CDBG: $160,000	Public service activities for Low/Moderate Income Housing Benefit: 10 Households Assisted

Table 53 – Goals Summary

Goal Descriptions

1	Goal Name	**Home Ownership Assistance**
	Goal Description	The City will use CDBG funding to address high priority home ownership assistance needs with a Home Ownership Assistance Program to help with down payment and closing costs. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing costs assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. The program will be administered by Bentonville Planning.
2	Goal Name	**Public Services**
	Goal Description	The City will use its public services funding to several of our local organizations to assist in childcare via tuition assistance, as well as, outreach and assessment services for our homeless population. We will provide funding to Helen R. Walton Children's Enrichment Center, which will allow for free, high-quality, early childhood education, access to therapy, case management, and support services to mobilize the family to move out of poverty, creating a foundation for multi-generational change by impacting both the parent (or grandparent/guardian) and the young child. Funding for the Northwest Arkansas Continuum of Care will assist with outreach and focus on the individuals/families who are experiencing homelessness within the city limits of Bentonville. Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be distributed. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities. Funding will be used for the Boys and Girls Club After School and Summer Scholarship Program for low-income children and their families. This allows their parent(s) to work and not have to worry about where their children are or how they are going to pay for childcare. This program provides to all member bases for males and females ages 6-18 and racial and ethnic demographics closely match that of the Bentonville population.

3	Goal Name	**Decent Housing**
	Goal Description	Funding will be provided to Habitat for Humanity of Benton County to assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is decent, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.
4	Goal Name	**Administration**
	Goal Description	The project funding will be used to pay for marketing/promotional materials about each program/project being funded, disply ads for future Action Plans, CAPER, and Consolidated Plans. it will also cover any membership fees associated with the CDBG Program.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

The City does not receive HOME funds. Community Development Block Grant funds can be used for housing rehabilitation and purchase of property to build affordable housing. The City will continue to work with local organizations to research housing rehabilitation opportunities. At this time, there is no land available the City could purchase with their CDBG funds for building affordable housing.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The City of Bentonville does not handle public housing for Bentonville. That is all done through the Public Housing Authority at Siloam Springs, Arkansas.

Activities to Increase Resident Involvements

As stated earlier, the City does not have public housing, but is committed to address the housing needs of our citizens and to provide supporting involvement where we can. The closest public housing authority is Siloam Springs, Arkansas.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the 'troubled' designation

N/A

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

Using the Affordable Housing Workgroup members, City staff, developers, and the public, six major barriers preventing affordable housing were identified:

Total development cycle time. An analysis of development and approval cycle times was provided by City staff to the workgroup. When shared with developers, the Pre-Approval Conference and the Pre-Construction periods were identified as the biggest pain points, leading to a complete cycle time of four years for both single-family and multi-family units (Fig. 14). Developers have risked losing millions of federal dollars by not being able to finish within the federally mandated time period of two years. Other developers choose not to bring projects to Bentonville. These issues point to looking at a redesign of the development cycle with staff, planning commission, and local developers to reduce time.

Figure 14: Average Development Cycle Time (Bentonville Planning Department)

Zoning limitations. Zoning options enacted in other cities are currently unavailable in Bentonville. These options would allow for the creation of "Missing Middle" housing, allowing for higher density, single-family owned and occupied options. These options will be important for the City-managed process of affordable housing developments and can also be used for other developments.

Additionally, while the number of units allowed per acre provides a developer a great deal of density (e.g. R4 allows for 52 units/acre), the actual number of units that can go on a piece of land is much lower due City restrictions and requirements (e.g. in reality, R4 is actually closer to 20 units/acre). These factors include parking requirements, right of way and easement dedications, height limits, etc.

Regulatory infrastructure, permit costs, and fees. Impact/permit fees, combined with limited cost sharing by the City all add costs to development projects. Fair market rate projects face significant hurdles in this area, but adding these costs to projects that are attempting to be affordable only pass these costs on to the potential buyers. Affordable developments are being assessed under the same guidelines as fair market rate projects, de-incentivizes the creation of the former.

Land costs. Affordable developments are less likely to be pursued due to the higher initial investment developers must make on simply acquiring land. This is due, in part, to the limited number of financing options available to developers.

Lack of access to affordable options. As discussed, many affluent households are renting or purchasing housing below their means (i.e. significantly less than 30% of income, including utilities). This squeezes out workforce households in the three targeted income tiers, who have to choose between becoming rent/mortgage burdened with housing above their means or leaving the City to find more affordable housing elsewhere.

Participation in government programs. A significant amount of federal housing subsidies (e.g. Community Development Block Grants) that could be used to address some of the financial hurdles mentioned above have not been used for many years since Bentonville stopped participating in the

program in 2016. There is also lack of education for developers on the existence of this funding and ways in which to access it.

A few key themes emerged from the discussion that were prioritized when developing solutions:

1. Solutions to these barriers should be bundled together so that they are dealt with comprehensively.
2. A tiered system of incentives and barrier removal should be put in place that aligns with the tiered income bands of the target population.
3. Affordable price points, duration of price points, and renter/buyer eligibility should be codified, ensuring that the people who most need affordable housing are able to obtain it.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Another barrier includes the out-of-pocket costs in order to purchase a home. The city plans to use CDBG funds to establish a Home Ownership Assistance Program which addresses the out-of-pocket expenses that is often a barrier to affordable housing. benefits the community by encouraging a long-term investment in Bentonville and helps low to moderate income families lower their housing costs. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment.

To address the total development cycle time, the City will work to investigate and adopt ordinances to allow vertical construction to homes sooner in the single-family construction process, consider creating an administrative approval process for preliminary plats, as well as, work to create a small-scale development cycle. To address zoning limiting affordable development, the City will work to amend existing residential zoning districts to allow for greater mix of housing types and site flexibility by defining and regulating cottage court, stacked duplex, triplex, fourplex and live-work units.

Additional Barrier: Home Purchase Expenses

Bentonville is made up of 45% of renter-occupied housing. Rents in Bentonville have increased from a median rent of $691 in 201 to $978 in 2020, a 42% increase. Nearly 50% of renters are paying more than $1,000 for rent and more than 25% of households are paying more than 30% of their income to rental costs.

The high rents in Bentonville create a challenge for renters to be able to save up for closing costs and 20% down payment to purchase a home. And, if they are unable to meet the 20% down payment, they end up paying for PMI which ultimately increases their overall housing costs.

In 2010, the median home value was $169,400. By 2020, that increased by 52% to $258,300. A snapshot of the market in October 2023, had $300,000 as the lowest listed home price in Bentonville. The combination of high rents making it difficult to save for a home, combine with the significantly increase costs to purchase home, make it difficult for low- and moderate-income families to own homes.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

A Point-In-Time homeless count was conducted in January 2017 to assist in the strategic planning process to end homelessness. Department of Housing & Urban Development (HUD) strongly encourages communities to develop a strategic plan that are expected to not simply propose better ways to manage the problem, but to make serious attempts to end it. We must build better linkages between those who provide services to the homeless and government decision makers. We must redefine organizational successes and make sure the goal is getting people into permanent housing as soon as feasible and keeping them there. We must assist people with restoring and repairing social capital. An essential safety net of emergency and systems prevention must be put in place. We must provide risk prevention services, target areas, provide permanent housing, and reduce chronic homelessness.

The Northwest Arkansas Continuum of Care has taken over the task of homelessness in this region. They will continue to work with public and private stakeholders to address and support development of a coordinated effort to prevent and end homelessness. Their efforts will make a significant impact to identify, provide outreach prevention, have access to shelter, a good working coordinated entry process that will help our homeless move into housing options.

Addressing the emergency and transitional housing needs of homeless persons

Northwest Arkansas has made some significant investments in shelter expansions and support programs, but we do have some gaps in services and housing. Emergency shelter is housing in which a homeless person can access shelter immediately and reside for up to 30 days. An emergency shelter's primary function is to assist individuals in identifying causes of homelessness, accessing mainstream services and securing the next appropriate level of housing. The functioning, structure, rules and support services provided can vary greatly from shelter to shelter. Transitional housing is housing in which homeless persons live for up to 24 months and receive supportive services that enable them to live more independently. The services must include housing placement assistance. The supportive services may be provided by the organization managing the housing or coordinated by them and provided by other public or private agencies. Northwest Arkansas provides both emergency shelters and transitional housing. The Northwest Arkansas Continuum of Care emergency and transitional housing system will accept all populations of individuals and families that are experiencing homelessness because of domestic violence or substance abuse as well as youth and veterans.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Chronic homelessness communities are most often the result of serious mental illness and/or chronic substance abuse. These individuals are often difficult to engage in programs, may be non-compliant with treatment and/or medications and often have an underlying distrust of systems. Their mental illness is often the cause of inappropriate behaviors which, couples with their inability to comply with rules or program requirements, makes them inappropriate for placement in any existing shelter as well as in more traditional mental health or substance abuse residential programs. These individuals are usually those that fall through the cracks of all mainstream services. As a result, the same group of chronic individuals frequently sleeps on the streets, in the parks, and become involved with the criminal justice system and other institutions. These individuals are often released back to the community with inadequate discharge plans. Emergency prevention and outreach efforts are essential to helping homeless persons. The Northwest Arkansas Continuum of Care continues to work hard to ensure our most vulnerable residents are able to stabilize their lives. We know we need more permanent housing. The Continuum of Care is establishing a coordinated entry and referral system that will match people to their housing needs. They are eliminating the multiple application processes. The Continuum of Care Board is resolving many problems that hindered developing name lists, providing case conferencing and compiling housing resources and referral sources. They are using the Vi-SPDAT assessment tool with a goal to target those homeless the longest and most in need. The Continuum of Care will also continue to meet the needs of our veterans experiencing homelessness.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

Homelessness cannot be seriously addressed without developing a comprehensive strategy to prevent homelessness. The City of Bentonville will work to establish membership in the Northwest Arkansas Continuum of Care and provide services and housing rehabilitation funding to help keep people from becoming homeless. The Northwest Arkansas Continuum of Care will continue to consider strategies to improve discharge planning by healthcare institutions, correctional facilities, and mental health treatment programs to reduce the frequency of discharges into homelessness.

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

The City of Bentonville does not currently have its own housing rehabilitation program. We will work with our local organizations to ensure that any rehabilitation projects they pursue meet the State and Federal requirements, making houses lead-safe.

The City of Bentonville will ensure that all single-family dwellings built before 1979 that qualify for rehabilitation will be tested for the presence of lead-based paint before any work is performed. Any material inside the dwelling identified as having lead-based paint will be removed. Material containing deteriorated lead-paint will be removed if feasible. Material not feasible to be removed will either be covered or treated. All lead-based paint work is required to be performed by a contractor certified in lead-paint-safe-work practices. All homes rehabbed with federal funds will have a lead-paint clearance test performed after the rehabilitation work is completed to ensure no lead-paint dusk was left behind.

How are the actions listed above related to the extent of lead poisoning and hazards?

The City of Bentonville will meet with our local organizations involved in housing rehabilitation projects funded by CDBG dollars to ensure any projects deemed a hazard are addressed in accordance with State and Federal requirements, creating a safe environment for our residents.

Dust from lead-based paint and deteriorated lead-based paint is hazardous to children especially those under the age of seven. The primary goal of the actions above is to identify materials containing lead-paint that are above the Department of Housing and Urban Development's regulated level of 1.0mg/cm2 and remove those materials to reduce exposure to lead based paint.

How are the actions listed above integrated into housing policies and procedures?

As stated previously, the City of Bentonville does not currently have its own housing rehabilitation program. We will work with our local organizations to ensure that any rehabilitation projects they pursue meet the State and Federal requirements, making houses lead-safe.

All single-family dwellings built before 1978 and qualified for housing rehabilitation will be tested for the presence of lead-based paint. Any home identified as having lead-paint will require a contractor to be certified in lead-paint-safe-work practices. The Description of Work prepared for each single-family dwelling will have a copy of the Lead-based Paint Inspection Report attached. The report will identify all material and locations of lead-paint.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City's approach to addressing poverty among families involves various jurisdiction goals, programs, and policies. The focus is on stabilizing living conditions through essential public services, infrastructure enhancements, and financial tools. The strategy outlined in the five-year Consolidated Plan and the 2023 Action Plan aims to uplift poverty-stricken residents by ensuring access to public benefits, enhancing educational opportunities for children, offering education on affordable housing opportunities, and bolstering economic security within the community. Through these measures, the City endeavors to empower families in poverty to achieve greater stability and move towards a more secure future.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The City's strategies and programs for those living in poverty are designed to provide a means to stabilize their living conditions. Supportive essential public services and improvements to surrounding infrastructure may also help poverty level families. There are an array of financial tools and services available that can improve living conditions, housing availability, and employment opportunities.

This five-year Consolidated Plan and the 2023 Action Plan have been developed with goals and strategies to help our poverty stricken residents move out of poverty. This can be done with job creation and workforce development, providing essential services to make sure these residents have access to public benefits, to make sure children in these homes reach educational outcomes, provide affordable housing to make our residents secure in their housing, and to assure our community has economic security.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The following table shows the Community Development Block Grant (CDBG) Program resources expected to be available in Year One of the Consolidated Plan to address priority needs and specific objectives identified in the Strategic Plan. The table also includes prior year resources the City will use to implement our identified priority needs. Expected amount available during the remainder of the Consolidated Plan are future estimates that will be amended as those year's funding is identified.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	320,831	0	0	320,831	1,283,324	All funds will be used to provide public services and Home Ownership Assistance to low-to-moderate-income individuals. All expected CDBG funds in the Consolidated Plan will come from CDBG funding.

Table 54 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the non-profits applying for CDBG funding receive funding from other areas to make their programs work. The City and its partners leverage local, state, foundation and private resources. The City will use its projected $320,831 from the United States Department of Housing & Urban Development's (HUD) CDBG Program to address the needs listed in the Action Plan. The City funds the salary for the administrative position and will partner with local organizations and non-profits on its service projects.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There is no known land available for acquisition at this time; however, the City will work with banks to make vacant property available for affordable housing, economic development, and open space use.

Discussion

The amount of available funding through CDBG will not be adequate to meet the housing and/or public service needs in Bentonville. The City continues to work with our partners to leverage all available resources to meet our needs.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Home Ownership Assistance	2023	2024	Affordable Housing	City of Bentonville	Home Ownership Assistance	CDBG: $231,331	Direct Financial Assistance to Homebuyers: 5 Households Assisted
2	Public Services	2023	2027	Public Services	City of Bentonville	Public Services	CDBG: $32,500	Public service activities other than Low/Moderate Income Housing Benefit: 189 Persons Assisted
3	Decent Housing	2023	2027	Affordable Housing	City of Bentonville	Housing Rehabilitation	CDBG: $25,000	Household Housing Unit Homeowner Housing Rehabilitated: 4
4	Administration	2023	2027	Administration	City of Bentonville	Administration	CDBG: $32,000	

Table 55 – Goals Summary

Goal Descriptions

1	**Goal Name**	**Home Ownership Assistance**
	Goal Description	Funding will be used to establish a Home Ownership Assistance Program. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. The program will be administered by Bentonville Planning.
2	**Goal Name**	**Public Services**
	Goal Description	The City will use its public services funding to several of our local organizations to assist in childcare via tuition assistance, as well as, outreach and assessment services for our homeless population. We will provide funding to Helen R. Walton Children's Enrichment Center, which will allow for free, high-quality, early childhood education, access to therapy, case management, and support services to mobilize the family to move out of poverty, creating a foundation for multi-generational change by impacting both the parent (or grandparent/guardian) and the young child.) Funding for the Northwest Arkansas Continuum of Care will assist with outreach will focus on the individuals/families who are experiencing homelessness within the city limits of Bentonville. Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income (zero) and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be handed out. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities. Funding will be used for the Boys and Girls Club After School and Summer Scholarship Program for low-income children and their families. This allows their parent(s) to work and not have to worry about where their children are or how they are going to pay for childcare. This program provides to all member bases for males and females ages 6-18 and racial and ethnic demographics closely match that of the Bentonville population.

3	**Goal Name**	**Decent Housing**
	Goal Description	Funding will be provided to Habitat for Humanity of Benton County to assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is dect, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.
4	**Goal Name**	**Administration**
	Goal Description	Funding will be used to cover costs associated with administering the Community Development Block Grant Program. These costs include supplies, training, educational/promotional materials about the program, as well as, advertisements required in the newspaper.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Bentonville makes their funding allocation decisions based on an application process. Funds are awarded to eligible activities that support the goals, as well as, addressing the priority needs stated in the Consolidated Plan. All allocations awarded to activities are contingent upon the City's receipt of Community Development Block Grant (CDBG) funding in the Program Year. Projects for 2023 and reasons for allocation priorities and obstacles addressing these needs are listed below:

Projects

#	Project Name
2	2023-2 Boy's and Girl's Club
3	2023-3 Helen R. Walton Children's Enrichment Center
4	2023-4 Northwest Arkansas Continuum of Care
6	2023-6 Habitat for Humanity of Benton County
7	2023-7 Administration
8	2023-8 Home Ownership Assistance Program

Table 56 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocation of funds for those activities listed in the 2023 Action Plan are closely aligned with the needs identified in the public hearing and needs assessment survey in the City's 2023-2027 Consolidated Plan via input contributed by stakeholders and citizens who participated in the development of the 2023 Action Plan.

The primary national objective of the CDBG Program is to benefit low-to-moderate-income residents, therefore, the City of Bentonville's CDBG program funds will be targeted to individuals and families that qualify as low-to-moderate-income, as well as, census tracts that meet the 51% threshold of low-to-moderate-income population. Funds will also be targeted to include special needs populations, such as elderly and the homeless. By targeting these groups, we not only provide a benefit to these individuals and families, but we benefit the City as well. The City's objective is to fund programs and services to the greatest extent possible, keeping in mind that service projects are subject to a 15% cap of total funding received. The major obstacle to meeting all of the identified needs is the lack of funding resources. With our 15% cap, we are really limited to the amount we can fund. Services is one of our biggest needs in Northwest Arkansas. There are more opportunities that fall into the services category, potentially serving many more people each year if the service cap was lifted on CDBG funding. The City will continue to identify opportunities to leverage funding to better benefit service opportunities.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	**2023-2 Boy's and Girl's Club**
	Target Area	City of Bentonville
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: $10,000
	Description	This project will provide scholarships for youth in low-to-moderate-income families living in Bentonville who need access to affordable, quality afterschool/summer programming.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	92 individuals from low-to-moderate-income households.
	Location Description	2801 Walker Street Bentonville, AR 72712 is the address of Boys and Girls Club of Benton County (Bentonville Unit). Addresses of the families are not known at this time.
	Planned Activities	Afterschool/summer childcare and programming.

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2	**Project Name**	**2023-3 Helen R. Walton Children's Enrichment Center**
	Target Area	City of Bentonville
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: $10,000
	Description	CDBG funding will allow Helen R. Walton Children Enrichment Center to provide free high-quality early childhood education, access to therapy, case management, and support services to mobilize the family to move out of poverty, creating a foundation for multi-generational change by impacting both the parent (or grandparent/guardian) and the young child.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	42 individuals from extremely low to low incomes
	Location Description	309 NE J Street Bentonville, AR 72712 is the address of Helen R. Walton Children's Enrichment Center. Addresses of the families are not known at this time.
	Planned Activities	HWCEC's Family Services Coordinator connects STP ONE parents to resources such as job placement, financial support, counseling, food assistance, household supplies, clothing, housing, and more to meet the individual needs of the family. STP ONE families also have access to other programs and services offered at HWCEC.

DRAFT

3	**Project Name**	**2023-4 Northwest Arkansas Continuum of Care**
	Target Area	City of Bentonville
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: $12,500
	Description	The NWA Continuum of Care will contract with Diva & Dudes to do community outreach for this grant. Outreach for this grant will begin October 1, 2023 and will run through September 30, 2024. When utilizing these funds, the outreach will focus on the individuals/families who are experiencing homelessness within the city limits of Bentonville. Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income (zero) and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be handed out. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	45 individuals from extremely low to very low incomes
	Location Description	PO Box 3643 Fayetteville, AR 72701 is the address for the NWA Continuum of Care.
	Planned Activities	Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income (zero) and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be handed out. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities.

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4	**Project Name**	**2023-6 Habitat for Humanity of Benton County**
	Target Area	City of Bentonville
	Goals Supported	Decent Housing
	Needs Addressed	Housing Rehabilitation
	Funding	CDBG: $25,000
	Description	Funding will be provided to Habitat for Humanity of Benton County to assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is decent, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	Estimate approximately 3 -4 LMI families will benefit from these activities.
	Location Description	1212 N. Walton Boulevard Bentonville, AR 72712 is the address for Habitat for Humanity of Benton County. Addresses of the families are not known at this time.
	Planned Activities	Habitat for Humanity of Benton County will assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is deemed, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.

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5	**Project Name**	**2023-7 Administration**
	Target Area	City of Bentonville
	Goals Supported	Administration
	Needs Addressed	Administration
	Funding	CDBG: $32,000
	Description	Administration costs to administer the CDBG Program
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	Is it estimated that 282 low to moderate income families will receive a benefit from administration of 2023 CDBG funds.
	Location Description	City Hall, where the CDBG Administrator has an office, located at 305 SW A St, Bentonville, AR 72712
	Planned Activities	The project funding will be used to pay for marketing/promotional materials about each program/project being funded, display ads for future Action Plans, CAPER, and Consolidated Plans. It will also cover any membership fees associated with the CDBG Program.

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6	**Project Name**	**2023-8 Home Ownership Assistance Program**
	Target Area	City of Bentonville
	Goals Supported	Home ownership assistance
	Needs Addressed	Home ownership assistance
	Funding	$231,331
	Description	Funds will be used to establish a Home Ownership Assistance Program that will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. The program will be administered by Bentonville Planning. Funding is provided by entitlement grants from the Community Development Block Grant (CDBG) program and is subject to U.S Department of Housing and Urban Development (HUD) guidelines.
	Target Date	10/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	We anticipate we can assist five households with down payment and closing cost assistance.
	Location Description	Homes purchased with the Home Ownership Assistance Program will be located within the city limits of Bentonville, Arkansas. The homes must be single-family, condominum, or townhome and meet HUD Minimum Housing Quality Standards. The home cannot be located in a flood zone. Actual locations will be determined based on staff review of home buyer applications.
	Planned Activities	The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Qualifying for the program begins by making an appointment with the Community and Economic Development Planner and completing the Home Ownership Assistance Program application. The applicant and the home must meet all of the qualification criteria provided below. Applicants may use any licensed real estate professional of choice to find a home. Grant assistance for the buyers' out-of-pocket expenses of closing cost/down payment will be paid directly to the title company. At closing, a lien must be signed stating the buyer will reside in the home and not change title for five years. At the end of the five years, the lien is released, and no funds are owed. Throughout the process, the City's Community and Economic Development Planner works closely with the purchasing realtor, the lender, and the applicant. Funding is limited and will be awarded on a first-come, first-qualified basis.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Bentonville is part of one of the fastest growing regions in America, Northwest Arkansas. Northwest Arkansas is home to three Fortune 500 companies: Wal-Mart, Tyson Foods, and JB Hunt Trucking. It is also home to the University of Arkansas, a recognized research institution of academic excellence. Beaver Lake provides swimming, boating, kayaking/canoeing, fishing, water sports, and hunting amenities with 487 miles of shoreline. Northwest Arkansas is also home to the Ozark Mountains and is becoming a global destination for bike riding.

The City has a well-developed community, expanding employment opportunities, supporting new and existing businesses, and enhancing neighborhood vitality, however, providing affordable housing is still a major need for Bentonville.

The Community Development Block Grant (CDBG) projects proposed for 2023 will have an impact on many residents and families of Bentonville. The service projects and home ownership assistance will benefit low-moderate-income persons/families. The housing rehabilitation projects will benefit low-to-moderate-income individuals/families, as well as, disabled/handicapped persons. It is estimated that almost 100% of our CDBG funds will be allocated to benefit persons who are deemed low-to-moderate-income.

Geographic Distribution

Target Area	Percentage of Funds
Census Tracts (205.04 and 206.04)	
City of Bentonville	

Table 57 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The rationale for the priorities for allocating investments geographically is to meet the primary objective of the CDBG Program which is to benefit low-income and moderate-income residents per the Department of Urban and Housing Development's (HUD) standards. All activities funded will primarily benefit low- and moderate-income persons or household as a direct service, through housing rehabilitation, which helps the low-income homeowner stay in their home, or through infrastructure improvements that benefit low-to-moderate-income census tracts.

Discussion

The City of Bentonville will allocate all funding to our low- and moderate-income residents as well as to our special need individuals.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Affordable housing is one of the most significant needs in Bentonville. The challenge is that new construction is targeting the high-end market homes. The average value of a single-family home permitted in 2022 was $412,798. This is a 39% increase in the home value from 2021. The average size of a new single-family home in 2022 was nearly 3,000 sq. ft. The increasing cost of land prices, the impact of supply chain issues and increasing material costs have only exacerbated the situation. Without some incentives, developers do not choose to provide affordable housing in Bentonville.

Expanding home ownership opportunities to our low- and moderate-income residents will help us move toward that goal. Establishing a Home Ownership Assistance Program benefits the community by encouraging a long-term investment in Bentonville and helps low to moderate income families lower their housing costs. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. Supporting Habitat for Humanity's efforts at housing rehabilitation also assist with allowing low-to-moderate income households to stay in decent, affordable homes.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 58 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	5
Total	5

Table 59 - One Year Goals for Affordable Housing by Support Type

Discussion

The City does not receive funds that can be used for new construction, so we feel the Home Ownership Assistance Program can help address affordable housing by providing some of the out-pocket expenses required to purchase a home.

The City continues to work on zoning reforms and incentives to provide an easier process to get more units built. However, it is difficult to control the affordability of those built. The City will use Community Development Block Grant (CDBG) to support those agencies that help keep our low-income residents in structurally sound homes that are warm, safe, and dry.

AP-60 Public Housing – 91.220(h)

Introduction

There are no public housing facilities or a public housing office in the city limits of Bentonville. The City does not have current plans of seeking public housing within the Jurisdiction. Although, the City will distribute CDBG assistance to those organizations that serve the needs of the extremely low-income, low-income, and moderate-income families residing in the jurisdiction. This includes the Housing Authority, which provides Section 8 tenant vouchers and other organizations.

A Community Development Corporation (CDC) is located within Bentonville. The CDC focuses on the HOME program and focuses on senior housing within the area. The CDC was formed in 1991 by the Bentonville / Bella Vista Chamber of Commerce. The City and the CDC are two separate entities, although the City fully supports the CDC and accommodates the organization.

Actions planned during the next year to address the needs to public housing

The City will distribute CDBG assistance to those organizations that serve the needs of the extremely low-income, low-income, and moderate-income families residing in the jurisdiction.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The City will look for opportunities to support existing programs that provide education on homebuying and home owners and other programs that support homeownership.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Without a PHA, there is no designation of being troubled. However, the City will continue to support the needs of the CDC.

Discussion

While the City does not have current plans of seeking public housing within the Jurisdiction, we will distribute CDBG assistance to those organizations that serve the needs of the extremely low-income, low-income, and moderate-income families residing in the jurisdiction.

DRAFT

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City of Bentonville is beginning its partnership with the Northwest Arkansas Continuum of Care to address the needs of the homeless. The purpose of this coalition is to reduce and/or end homelessness in Northwest Arkansas. There are several organizations in this area that serve families or persons who are homeless or at risk of becoming homeless. The University of Arkansas conducted the point-in-time count in January 2023. This headcount provides specific information regarding the various services and programs, a listing of the number of beds available, and the number, reasons and costs-involved in housing the homeless as well as placement of the homeless. Specific subpopulations targeted include individuals and families who are chronically homeless, individuals and families at risk of homelessness, veterans and their families, individuals and families who are experiencing domestic violence, individuals living with HIV/AIDS and unaccompanied youth 18-24 years old.

Currently, the Continuum of Care provides emergency shelters, transitional shelters and safe havens in Northwest Arkansas to meet the needs of our homeless. The Continuum of Care provides the leadership, coordination, planning, and mobilization of resources to make homelessness rare, brief and non-reoccurring in Northwest Arkansas. They will provide homelessness prevention and diversion, emergency, transitional and rapid rehousing, permanent supportive housing, case management, supportive services, and emergency response. The Continuum of Care has adopted a Coordinated Entry and Assessment-Based Housing Referral System that will maximize the housing resources by matching people to housing based on needs. They will continue to locate and engage individuals living on the streets and encourage them to accept services, treatment, and housing.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Bentonville will work with the Northwest Arkansas Continuum of Care and other local nonprofit organizations to assist in identifying needs. One of the key strategies is to address chronic homelessness and provide outreach in this prevention. The Northwest Arkansas Continuum of Care is represented by agencies that specifically target the homeless and assist individuals with accessing mainstream mental health and chemical dependency services. Part of this outreach is education of both the service providers and the communities to assist in eradicating homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons

There is a continuing need for additional emergency shelters and transitional housing with support services in Bentonville. Safe havens are also needed in this area. The City will continue to be involved with and support agencies that provide this service. We want to make sure the needs of individuals and families experiencing homelessness, including women and families fleeing domestic violence and unaccompanied youth are met. The City receives no emergency shelter grants, but we are aware that emergency housing provides short-term accommodations for individuals and families that have immediate housing needs, assess level of need, and provide case management assistance in obtaining appropriate housing. Transitional housing helps households move toward self-sufficiency by providing supported semi-independent living for a period of up to 24 hours.

Northwest Arkansas has emergency and transitional housing programs specifically designated for survivors of domestic violence as well as housing programs dedicated to youth experiencing homelessness. Veterans also have options for emergency shelters and transitional housing.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

City staff does not have the necessary resources to address these issues, therefore, will rely on the expertise and experience of the Northwest Arkansas Continuum of Care to meet these needs. The City will provide CDBG funding to the Continuum of Care and other agencies that assist in these areas. The Continuum of Care is committed to identifying and prioritizing the most vulnerable for housing placement.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City of Bentonville will continue to work through the recommendations of the Affordable Housing Work Group to increase the number of affordable housing units in Bentonville. Our Continuum of Care has developed and implemented policies around discharge planning from healthcare institutions to keep anyone being discharged to become homeless. We will continue to provide service funding for agencies who provide much needed services, beyond housing, for the homeless.

Discussion

The Northwest Arkansas Continuum of Care is the primary agency for addressing the needs surrounding homelessness. The mission of the Continuum of Care is to coordinate resources to build a collaborative system that addresses core issues of homelessness and poverty. The Continuum of Care is designed to assist individuals (including unaccompanied youth) and families experiencing homelessness and to provide the services needed to help such individuals move into transitional and permanent housing, with the goal of long-term stability. More broadly, the program is designed to promote community-wide planning and strategic use of resources to address homelessness; improve coordination and integration with mainstream resources and other programs targeted to people experiencing homelessness; improve data collection and performance measurement tailoring its program to the particular strengths and challenges within the community. Membership in the organization is open to homeless persons or formerly homeless persons, service providers, governmental representatives, civic organizations, and others committed to increasing the availability and quality of services to persons or families who are experiencing or who are near homelessness. The Northwest Arkansas Continuum of Care is governed by a Board of Directors who formulates, implements, and monitors the policies of the organization in order to carry out its purpose. It is the policy of the Board to comply with all municipal, state, and federal regulations regarding the operations of the Northwest Arkansas Continuum of Care and the Board.

DRAFT

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Barriers to affordable housing can lie in several things, displacement of residents due to economic pressures, lack of public investment in specific neighborhoods, including services and amenities, deteriorated vacant structures and land, location and type of affordable housing, inability to access existing housing, location and access to proficient schools, lack of income, lack of savings for down payment and closing costs, availability of affordable units in a range of sizes, lack of communication between residents and those who develop, residential foreclosures, residential evictions, age and condition of housing, and lack of fair housing outreach and enforcement. All of these things are due to banking, finance and industry regulations, socio-economic situations, neighborhood conditions, and policy legislation and enforcement.

One specific issue is the out-of-pocket expenses required to purchase a home. Bentonville is made up of 45% of renter-occupied housing. Rents in Bentonville have increased from a median rent of $691 in 201 to $978 in 2020, a 42% increase. Nearly 50% of renters are paying more than $1,000 for rent and more than 25% of households are paying more than 30% of their income to rental costs.

The high rents in Bentonville create a challenge for renters to be able to save up for closing costs and 20% down payment to purchase a home. And, if they are unable to meet the 20% down payment, they are required to pay for private mortgage insurance which ultimately increases their overall housing costs.

In 2010, the median home value was $169,400. By 2020, that increased 52% to $258,300. A snapshot of the market in October 2023 had $300,000 as the lowest listed home price in Bentonville. High rents making it difficult to save up to buy a home combined with the significant increasing cost of a home make it difficult for low- and moderate-income families to own homes.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Offering a down payment assistance program encourages long-term investment in Bentonville and helps low to moderate income families lower their housing costs. Using CDBG funds, the city will establish a Home Ownership Assistance Program. Establishing this program benefits the community by encouraging a long-term investment in Bentonville and helps low to moderate income families lower their housing costs.

The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville.

Assistance comes in the form of a grant of up to 50 percent of the lender required down payment.

From a policy perspective, the City of Bentonville created a housing affordability workgroup to identify possible solutions to remediate barriers to affordable housing that were identified. Two of these barriers for the City to address are total development cycle time and zoning that limits affordable development. To address the total development cycle time, the City will work to investigate and adopt ordinances to allow vertical construction to homes sooner in the single-family construction process, consider creating an administrative approval process for preliminary plats, as well as, work to create a small-scale development cycle. To address zoning limiting affordable development, the City will work to amend existing residential zoning districts to allow for greater mix of housing types and site flexibility by defining and regulating cottage court, stacked duplex, triplex, fourplex and live-work units.

Discussion:

The City of Bentonville supports provisions for affordable housing and the Home Ownership Assistance Program is one approach to beginning to address this issue. We have established an Affordable Housing Work Group to explore solutions that will address housing inventory for low-to-moderate-income persons and households. Additionally, we will work with agencies that provide solutions for supportive housing.

DRAFT

AP-85 Other Actions – 91.220(k)

Introduction:

Using the identified priorities determined for the City of Bentonville, strategies will be implemented to meet underserved needs, foster and maintain affordable housing, reduce the cost burden placed on low-to-moderate-income residents, and enhance coordination between public and private housing initiatives. The City will partner with other city agencies, regional and state agencies, fair housing advocates, service providers, lender, funders, and investors.

Actions planned to address obstacles to meeting underserved needs

One of the biggest obstacles to meeting underserved needs is the 15% cap on service projects. Due to the development pattern of Bentonville over the last decade, rents and home prices have increased dramatically, which has in turn increased the cost burden all around. Items that fall under services have a large impact on reducing the overall cost burden on families that fall in the low-to-moderate-income bracket. We have to be very careful on who we can provide a service to as our cap eliminates us from helping everyone that applies and qualifies for help. Even raising the cap to 20% would give us the additional funds we need to provide a larger scope of underserved needs of our community. The City will plan to, when feasible, work with area non-profits to leverage the City's Community Development Block Grant (CDBG) funding. We also know where other agencies might have funds available where we can send people to those agencies to seek help when funding is not available through the City of Bentonville.

Actions planned to foster and maintain affordable housing

The City is taking action to foster new affordable rental and homeownership housing opportunities in Bentonville. The Community Development Block Grant (CDBG) Administrator is working with the Planning Department and the finding from the City's Affordable Housing Workgroup on ways we can make it easier for the development of affordable homes through partnerships and offering incentives for the developer to be profitable in building affordable housing.

Actions planned to reduce lead-based paint hazards

The City of Bentonville does not currently have its own housing rehabilitation program. We will work with our local organizations to ensure that any rehabilitation projects they pursue meet the State and Federal requirements, making houses lead safe.

Actions planned to reduce the number of poverty-level families

The City of Bentonville knows that to reduce the number of poverty-level individuals and families, we must increase the opportunities for the low-to-moderate-income by creating jobs and workforce development as well as providing essential services, educational outcomes, housing security and

affordability, and economic security. Using our CDBG funding we will work to build programs that promote a stable living environment and reduce dependency. We know housing is a significant financial burden. We will work to provide assistance to help the low-to-moderate-income remain in their homes through various means. The City will continue to work to maximize program dollars and opportunities in neighborhoods with the greatest number of low-to-moderate-income residents. The City will also work to provide services such as transportation assistance, and child care to our low-income individuals and families.

Actions planned to develop institutional structure

The City of Bentonville is the lead administrative agency for the CDBG Program. The Mayor, Finance Department, and CDBG Administrator provide fiscal and regulatory oversight of all CDBG funding sources and their federal grant. The Administrator is responsible to see that all reports are submitted timely. These reports include HUD-272, Federal Cash Transaction Report, HUD-2516 and 2516-A, Contract and Subcontract Activity, HUD-471, Semi-Annual Labor Standards Enforcement Report, and Section 3, Summary Report. The Section 3 is submitted with the Consolidated Annual Performance Review (CAPER) each year. The City of Bentonville also acts as the final authority for the appropriation of funds for Annual Action Plan activities following recommendations to the Bentonville City Council. Within each of the funding areas where the City is partnered with a non-profit agency, all activities will be completed and managed with those agencies involved.

Actions planned to enhance coordination between public and private housing and social service agencies

Public and private agencies are collaborated with in developing the City's Consolidated Plan. City department heads, Mayor, and City Council are also involved in the Consolidated Plan development. The City of Bentonville is limited in resources to address all the priorities identified. Because of this collaboration will be important to be most efficient in meeting the needs of our citizens. The City will continue to build on and leverage partnerships for future program years.

Discussion:

The City is committed to continuing its participation with Federal, State, and local agencies, as well as local organizations to reach the needs of low-to-moderate-income individuals and families in the City of Bentonville. The City will continue to work to support improvements and services for our low-to-moderate-income residents.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

DRAFT

Attachments

DRAFT

Citizen Participation Comments

Form v1.17

NWA media

A WEHCO MEDIA COMPANY

Account #: NWCL5337126
Company: CITY OF BENTONVILLE-LEGALS
Client: CITY OF BENTONVILLE-LEGALS/ JASON MARTHERS
Ad number #: 293659
PO #:
Matter of: CDBG Consolidated & AAP

AFFIDAVIT • STATE OF ARKANSAS • COUNTY OF WASHINGTON

I, Carla Gardner, do solemnly swear that I am the Finance Director of the **Northwest Arkansas Democrat Gazette**, a daily newspaper printed and published in said county, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement in the matter of :

CDBG Consolidated & AAP

Pending in the court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County, that said newspaper had been regularly printed and published in said county, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

And that there is due or has been paid the **Northwest Arkansas Democrat Gazette** for publication the sum of $85.12. (Includes $0.00 Affidavit Charge).

NWA Democrat Gazette 06/04/23; NWA nwaonline.com 06/04/23

[redacted]
Finance Director

[redacted]
NOTARY PUBLIC

CATHERINE STAGGS
MY COMMISSION # 12402772
EXPIRES: February 28, 2025
Washington County

City of Bentonville

Notice of Publication of CDBG Consolidated and Annual Action Plan

In accordance with the City of Bentonville's Citizen Participation Plan and the requirements of the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program (CDBG). The following notice is to provide the public an opportunity to review and comment on the proposed draft of the 2023-2027 Consolidated Plan and 2023 Annual Action Plan.

The Consolidated Plan and Annual Action Plan will be available for citizen review on our website at www.bentonvillear.com and at the City Hall building located at 305 SW "A" Street between the hours of 8:00 AM and 4:30 PM Monday through Friday.

The public has thirty (30) days to comment on the proposed, draft, Consolidated and Annual Action Plans. All comments received for the report submission by any individual, group, or agency, in writing or orally by July 4, 2023 will be considered by the City of Bentonville before the submission to the Consolidated and Annual Action Plan to HUD. Submit comments to Christopher Hyatt, Planner, 305 SW "A" Street, Bentonville, AR 72712. Phone: (479) 271-3122. Email: chyatt@bentonvillear.com. June 4, 2023 293659

Appendix - Alternate/Local Data Sources

1	**Data Source Name** 2020 ACS
	List the name of the organization or individual who originated the data set. U.S. Census Bureau
	Provide a brief summary of the data set.
	What was the purpose for developing this data set?
	Provide the year (and optionally month, or month and day) for when the data was collected.
	Briefly describe the methodology for the data collection.
	Describe the total population from which the sample was taken.
	Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed.

DRAFT

RESOLUTION NO. _____

A RESOLUTION AMENDING THE ADOPTED 2023-2027 CONSOLIDATED PLAN FOR COMPLIANCE WITH PARTICIPATION IN THE HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville adopted the 2023-2027 Consolidate Plan and Annual Action Plan on July 11, 2023 and submitted to HUD for review;

WHEREAS, a letter from HUD dated September 1, 2023, identified several deficiencies in the plan;

WHEREAS, staff has amended the plan to address the deficiencies and published notice for a thirty-day review period in accordance with the City of Bentonville Citizen Participation Plan; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the Consolidated Plan as amended be approved and that said amended plan be adopted.

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

Section 1: That the 2023-2027 Consolidated Plan as amended, attached as Exhibit "A", is herein established by the Planning Commission and City Council and is hereby adopted by reference as though it were copied herein fully in compliance for participation in the Community Development Block Grant (CDBG) Program;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

Consent Agenda Item

For the Planning Commission meeting on November 13, 2023

Details

Upon review of the ETJ Ordinance, the Code Review Committee recommends the ordinance be adopted as presented for the following considerations:

1. Large-scale developments that would be at a scale to warrant design standards will likely need access to public infrastructure. Should any proposed large-scale development in the ETJ gain access to City infrastructure, through either annexation or out-of-town service agreements, needed design standards may be enforced.

2. Building typologies and uses commonly found in the County, including barns, chicken coops, and other agricultural uses; campgrounds and other recreational uses; sawmills, concrete plants, and other industrial uses; and home-based or small businesses; among other buildings and uses, would be overly burdened by design standards considering their practical designs, intended societal function, and appropriateness in being located in rural and undeveloped areas.

3. As evidenced by the large number of remnant properties that are surrounded by the City of Bentonville but not yet annexed in, there is no inevitability that any of the properties in the ETJ will subsequently become part of the City in the near term. Some existing remnant properties have been surrounded by the City's boundary for decades.

4. Lastly, consider what benefit or service, or lack thereof, that property owners in the ETJ are receiving back from the City for providing structures at the same design standards and cost as structures within the City limits, which benefit from City infrastructure and are located in highly developed areas.

While the committee agrees that it is important to plan for the future development of the City into the ETJ, this can adequately be accomplished through the enforcement of subdivision regulations and other site criteria such as access and stormwater management in addition to utilizing out-of-town service agreements to add in design standards where necessary. This ordinance would be codifying our existing practices and would support planning efforts at a broader, rather than granular, scale in the ETJ.

Development in Planning Boundary

PC Date: 9/5/2023
Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Land Development Code
Section(s)	Sec. 700; Sec. 1100.21
Recommendation	APPROVAL

Issue Statement

Bentonville Municipal Code Appendix B Land Development Code does not specify the review process for large-scale development in the planning boundary. Clear delineation of when and what process is applied to development in the planning boundary is necessary for enforcement purposes.

History

Arkansas State Statute 14-56-413 Territorial Jurisdiction authorizes municipalities to designate areas within its territorial jurisdiction for which it will prepare plans, ordinances and regulations. This area is known as the Planning Boundary. Bentonville's most recent Planning Boundary was adopted on July 12, 2022 with Resolution No. 2-12-22A and the attached Planning Area Map which is on file with the Benton County Clerk's Office.

The applicability regarding subdivision is clear within the Land Development Code but is not clearly stated regarding large scale development.

Proposed Changes

In the Land Development Code the following amendments are proposed:

- Require a large-scale development in the Planning Boundary.
- Allow administrative approvals for all development types in the Planning Boundary.
- Development in the Planning Boundary must meet Benton County requirements for a building permit.
- Exempt large-scale developments in the Planning Boundary from Sec. 1100.21 Large-scale Development Design Standards.

The Code Review Committee has reviewed and supports the proposed amendment.

ORDINANCE NO. _____

AN ORDINANCE AMENDING BENTONVILLE MUNICIPAL CODE APPENDIX B LAND DEVELOPMENT CODE, SEC. 700 AND 1100 TO IDENTIFY REGULATIONS APPLICABLE IN THE CITY'S PLANNING AREA; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas State Statute 14-56-413 Territorial Jurisdiction authorizes municipalities to designate areas within its territorial jurisdiction for which it will prepare plans, ordinances and regulations; this area is known as the Planning Boundary;

WHEREAS, the statute requires the planning commission to designate this Planning Boundary and file with the city clerk and county clerk;

WHEREAS, Bentonville's most recent Planning Boundary was adopted on July 12, 2022 with Resolution No. 2-12-22A and the attached Planning Area Map which is on file with the Benton County Clerk's Office; and

WHEREAS, Bentonville Municipal Code Appendix B Land Development Code does not specify the review process for large-scale development in the planning boundary.

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

Section 1: That Bentonville Municipal Code, Appendix B Land Development Code should be and is hereby amended with *Att. A: Development in Planning Boundary*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by reference as though it were copied herein fully;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

Sec 700.01 Applicability Of Large-Scale Development Regulations

(a) *Plan required.* In the city limits and within the planning area, a large scale development plan shall be submitted to the planning commission for all developments, building construction, parking lots, and trail construction regardless of zone and for all additions and improvements to existing developments, buildings, parking lots or trails regardless of zone. Single-family and duplex residential construction is specifically exempted from this requirement. Trails and parking lots constructed as part of an approved large-scale development or preliminary plat shall not be required to submit separate large-scale development application. This shall not apply to interior remodels or general upkeep and maintenance of an existing structure.

(b) *Approval required.* No building permit shall be issued and no temporary or permanent connection to city utilities shall be allowed until the development plan has been approved as set forth in this article. No permanent connection to city utilities shall be allowed until the chief building inspector has certified compliance with the approved development plan.

Sec 700.04 Review And Approval Of Large-Scale Developments

(a) *Administrative approval*.

(1) *Applicability*. The director may administratively approve:

a. *Residential*. Any residential development not exceeding four (4) family units;

b. *Nonresidential*. Any nonresidential alteration or extension not exceeding 50% of the gross floor area of the existing structure. Only one (1) such alteration or extension to a structure may be approved by the director.

c. *Trails*. Any trail proposed to be constructed that is not part of an existing large-scale development.

d. *Parking lots*. Any parking lot proposed to be constructed or existing gravel parking lots to be paved.

e. *Planning Boundary*. Any residential development exceeding four (4) units or nonresidential development within the Planning Boundary.

(2) *Staff action*. Within ten (10) days of receipt of the complete development, landscape and construction plans, the Director shall approve, disapprove or approve with conditions said plans, after all reviewing departments have approved the plans.

a. *Approved*. If the director approves the plans, the applicant may apply for a building permit. If the project is located within the Planning Boundary, the applicant may apply for necessary permits with Benton County.

b. *Approved with conditions*. If the plans are approved with conditions, the conditions shall be set forth in written form to the developer. The signature of the developer on the form setting forth the conditions of approval shall be deemed his agreement to comply with said conditions.

c. *Disapproved*. If the plans are disapproved, the reasons for such action shall be reduced to written form and supplied to the developer.

(3) *Additional review*. If the director determines that there is a necessity of transmitting the plans to outside sources for additional comment or in-depth study, he shall notify the developer in writing within the ten-day period that a decision will not be made within the ten-day period, what the reasons are for the delay and the date at which a decision can be expected. A copy of said letter shall be sent the chairman of the planning commission. If the developer objects to such an extension, said objection shall be heard as a priority item at the next regular planning commission meeting.

(4) *Approval signatures*. All staff approvals to any development plan shall be signified by the signature of said staff member upon the development plan.

Sec 700.07 Expiration Of Large-Scale Development Approval

(a) *Expiration*. The approved development plan is conditioned upon the applicant accomplishing the following tasks within one year from the date of approval:

(1) Receive a building permit;

(2) Pour footing; and

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

(b) *Extension*.

(1) *Originally approved by Planning Commission.* For large-scale development plans originally approved by the Planning Commision an applicant may request the planning commission extend the period to accomplish the task by up to six (6) additional months. The request for an extension must be made prior to expiration, The applicant has the burden to show good cause why the task could not be reasonably completed within the normal time limit.

(2) *Originally approved administratively. For development plans originally approved administratively,* an applicant may request the Planning Director extend the period to accomplish the task by up to six (6) additional months. The request for an extension must be made prior to expiration. The applicant has the burden to show good cause why the task could not be reasonably completed within the normal time limit.

Sec 700.09 Requirements For Building Permit Application

Upon approval or conditional approval of the large-scale development plan, the applicant may submit an application for a building permit. The applicant shall provide the following documents prior to issuance of the building permit.

(a) Grant of all dedications proposed;

(b) A 36-month replacement guarantee from the supplier or property owner on all live plant material used in the landscape plan; and

(c) Any Large-Scale Development that has over $20,000.00 of sewer infrastructure, as determine by the engineer of record that is to be dedicated to the City of Bentonville shall provide a maintenance letter of credit in accordance with the requirements in Section

300.09, Maintenance letter of credit and a warranty in accordance with the requirements in Section 300.10, Guarantee of installation.

(d) For projects in the Planning Boundary, the applicant must meet all requirements of Benton County for a building permit.

Sec 1100.21 Large-Scale Development Design Standards

(a) *Purpose and intent*. The design standards in this section are intended to implement the city's vision for commercial and multifamily development as set forth in the city's Community Plan. The intent of these standards is to improve the overall quality of development with surrounding land uses and enhance pedestrian safety and walkability.

(b) *Applicability*. The provisions of this section shall apply to all developments requiring large scale development approval. Agriculture and industrial zoned properties shall only be required to meet the standards for the side(s) facing a street frontage or clearly visible from a public right-of-way. The standards in this section and in Sec. 1100.23 Downtown (D) districts design standards shall apply in the DC, Downtown Core and DE, Downtown Edge zoning districts.

(c) *Exemptions*.

(1) *Downtown Neighborhood (DN) districts*. Development that is subject to the design standards for the Downtown Neighborhood (DN-1, DN-2, DN-3, and DN-4) zoning districts, which have specific site and architectural design standards established in Section 1100.22, Downtown Neighborhood (DN) districts design standards, shall be exempt from this section.

(2) *Downtown (DC and DE) districts*. Development that is subject to the design standards for the Downtown Core and Downtown Edge zoning districts, which have specific site and architectural design standards established in Section 1100.23 Downtown (D) districts design standards, shall be exempt from the site amenities requirement in subsection (r).

(3) *Municipal airport*. Development subject to the design standards for the Bentonville Municipal Airport, which have specific site and architectural design standards established in Section 1100.24, Municipal Airport design standards, shall be exempt from this section.

(4) *Existing structures*. When a large-scale development is only an addition to an existing structure, the design standards shall only apply to the addition itself.

(5) *Planning Boundary*. All development requiring large scale development approval within the Planning Boundary shall be exempt from this section.

	Lot 15 of Pickens Subdivision **(LS23-0040)**
	John DeShields Boulevard and Northeast Legacy Parkway
	PC Date: 11/7/2023

Staff Report Details

Project Number	LS23-0040
Applicant / Current Owner	Ken Booth/Northwest Arkansas Senior Services Inc
Site Area	+/- 10.08 Acres
Current Zoning	Planned Unit Development (PUD)
Requested Zoning	
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	
Development Type / Use	
Related projects	LS23-0041

Property Description

Lot Split: Lot 15 of Pickens Subdivision, Northwest Arkansas Senior Services, Inc, Northeast John DeShields Boulevard and Northeast Legacy Parkway, PUD, Planned Unit Development, *LS23-0040*

A lot split of existing Lot 8 of Pickens Subdivision, creating new Lot 15 of Pickens Subdivision and dedicating a portion of ROW for Northeast Legacy Parkway to become a public street. A second plat, LS23-0041, on behalf of Crystal Pickes, LLC (Crystal Flats) is on this agenda also, and that plat will dedicate the remainder of the necessary ROW for all of Legacy Parkway to become public. The plat would dedicate utility easements to serve the newly created lots. All requirements of the zoning and Land Development code are being met.

Project Details

There are portions of NE Legacy Parkway, a previously private road, that will be converted to public road with the approval of this Lot Split. This road was built with Legacy Village Phase I, and generally built to City Standards. The applicant for this Lot Split has committed to making the repairs and modifications necessary to bring the road up to current City standards within 1 year.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

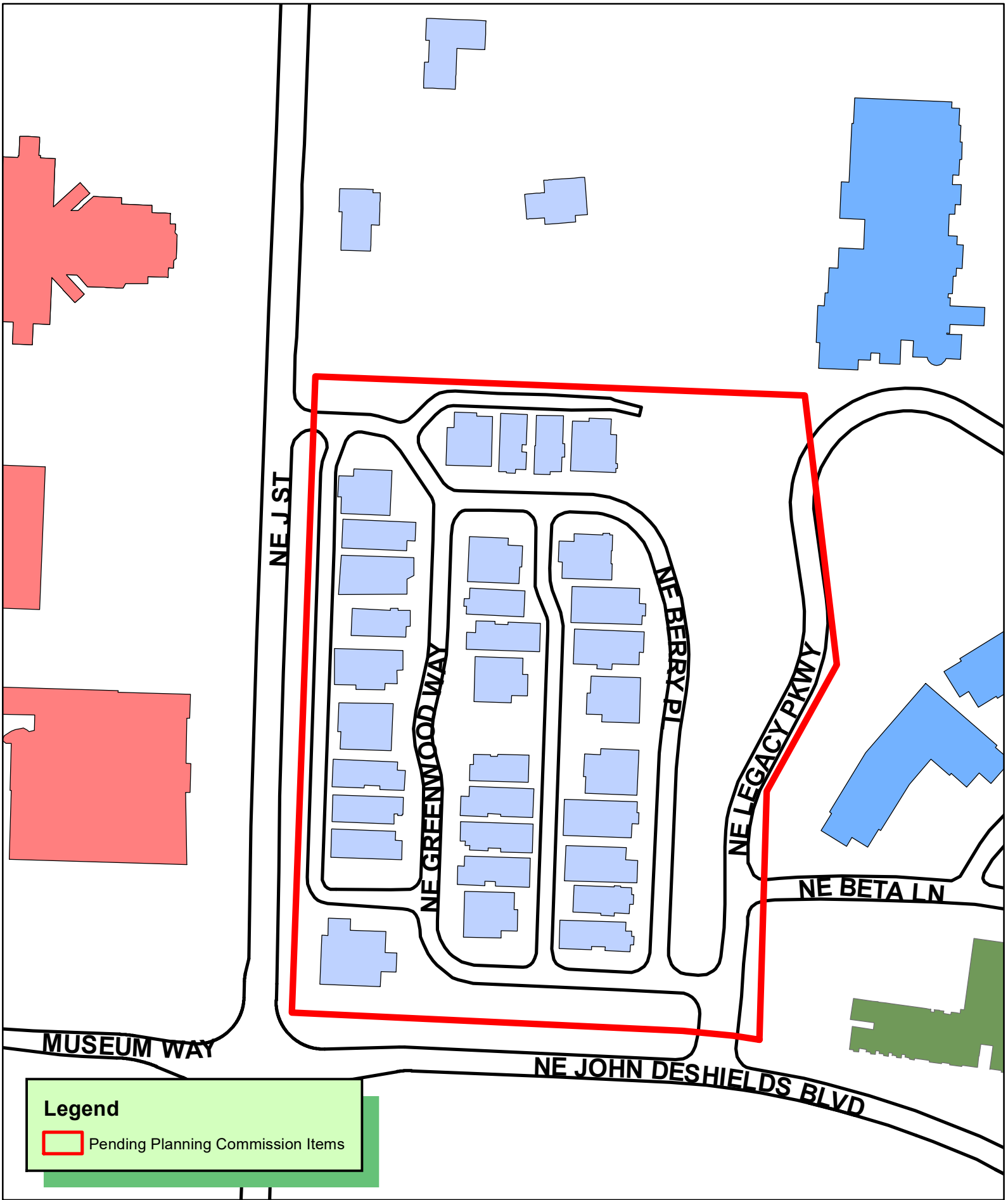
Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

Proposed conditions of approval: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville, and all City approvals must be secured within 1 year of the City Council Approval of the ordinance approving the Lot Split.

Additional Details



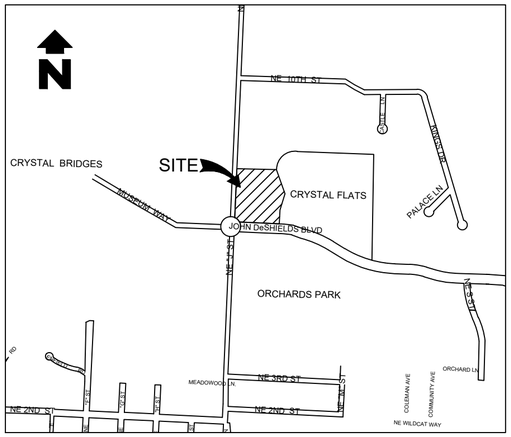
LS23-0040
LOT SPLIT
PICKENS SUBDIVISIOIN
LOT 8 CREATING LOT 15

Lot Split and Right-of-Way Dedication Plat
Lot 8, Pickens Subdivision, Creating Lot 15
NE Legacy Parkway
Bentonville, Arkansas

OWNER: *NWASS, Inc dba*
Legacy Village Garden Homes, L.L.C.
601 NE Greenway Way
Bentonville, AR. 72712
(479) 271-0350
rhboehmler@gmail.com

SURVEY NOTES:

1. The boundary configuration shown on this survey is intended to show the area to be dedicated to the City of Bentonville, Arkansas as public right of way for the existing Legacy Parkway street as constructed and includes the existing sidewalks, above ground utilities and storm structures.
2. Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate:
   Easements, other than easements shown on existing plats; building setback lines; restrictive covenants; subdivision restrictions; zoning, or land-use regulations, or other facts which an accurate and current title search may disclose.
3. No Abstract of Title, nor Title Commitment, nor Results of Title Searches were furnished to the Surveyor. There may exist other documents of record which affect this parcel.
4. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
5. This plat represents the area of the parcel recorded in Deed Record, Book 2004, Page 26742 and Plat 2005-331 both on record at the Recorders Office of Benton County, Arkansas.
6. No construction is planned for this site other than corrections to existing infrastructure, curbs, sidewalks, pavement, etc. as directed by City of Bentonville staff.
7. Basis of Bearings: NAD83, State Plane Grid Coordinates, Arkansas North Zone referencing Bentonville City Control Monument #3 N 751173.73, E 667083.97, Elev. 1292.16', Convergence-1°16'32" (Dated 12-31-2019).
8. Basis of Elevation: NAVD88, Bentonville City Control Monument #3
9. This survey is valid only if the drawing includes the seal and signature of the surveyor.
10. This survey meets current "Arkansas Minimum Standards for Property Surveys and Plats".
11. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
12. The hereon described property is classed Urban.
13. This property is zoned PUD (Residential).
14. Building setbacks for PUD zone are set specifically by the PUD documents.
15. No attempt was made to show building setback lines graphically on the survey. No new buildings are intended as part of this plat.
16. Subsurface and environmental conditions were not examined nor considered a part of this survey.
17. The locations of underground utilities as shown (if shown) hereon are based on such above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
18. No attempt has been made as a part of this survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility.
19. There are no waivers, variances, and/or conditional uses at the time of preparing this plat>
20.



VICINITY MAP
NOT TO SCALE
ATLAS PAGE 362

PARENT TRACT DESCRIPTION:

Lot 8 of Picken's Subdivision as shown on Plat Book 2005, Page 331 as recorded in the Office of the Circuit Clerk of Benton County, Arkansas.

DEDICATED RIGHT-OF-WAY DESCRIPTION:

Part of Lot 8 of Pickens Subdivision as shown on Plat Book 2005, Page 331 as recorded in the Office of the Circuit Clerk of Benton County, Arkansas, and said Lot 8, Pickens Subdivision being the tract of land conveyed to Northwest Arkansas Senior Services, Inc. as described in Deed Book 2004, Page 26742, less and except the tract of land conveyed to the City of Bentonville as described in Deed Book 2004, Page 53710 in the office of the Circuit Clerk of Benton County, Arkansas, and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 8, being a found ⅝" rebar, cap #1636, and being on the northerly right of way of NE John Deshield's Boulevard as shown on Plat 2005-331, thence along said right of way, on a non-tangent curve to the left having a radius of 1150.00 feet, a chord of N83°05'57"W 84.94 feet, and an Arc Length of 84.96 feet to a set ⅝" Rebar with cap #1636; thence leaving said right of way, N02°36'33"E 58.92 feet to a set MAG nail with survey washer #1636 in NW Greenwood Way; thence along the centerline of said NW Greenwood Way, S87°23'27"E 19.79 feet to a set MAG nail with survey washer #1636; thence N07°56'45"E 58.29 feet to a set ⅝" rebar with cap #1636; thence on a curve to the left having a radius of 374.00 feet, a chord of N03°33'10"E 44.26 feet, and an Arc length of 44.28 feet to a set ⅝" rebar with cap #1636; thence N00°09'39"E 66.80 feet to a set ⅝" rebar with cap #1636; thence on a curve to the right, having a radius of 226.00 feet, a chord of N14°11'09"E 109.54 feet, and an Arc Length of 110.64 feet to a set ⅝" rebar with cap #1636; thence N28°12'40"E 106.11 feet to a set ⅝" rebar with cap #1636; thence on a curve to the left having a radius of 174.00 feet, a chord of N09°57'11"E, and an Arc Length of 110.89 feet to a set ⅝" rebar with cap #1636; thence N08°18'18"W 94.42 feet to a set rebar with cap # 1636; thence on a curve to the right having a Radius of 156.00 feet, a Chord of N13°35'19"E 116.34 feet, and an Arc Length of 119.22 feet to a set ⅝" rebar with cap #1636 being on the east line of Lot 8 of said Picken's Subdivision, thence along said east line, S06°45'45"E 291.50 feet to a found ⅝" rebar with cap #1636; thence S28°58'54"W 178.50 feet to a found ⅝" rebar with cap #1636; thence S01°13'15"W 304.93 feet to the POINT OF BEGINNING containing 37,091 square feet or 0.85 acres more or less and subject to any easements of record or of fact.

LOT 15 DESCRIPTION:

Part of Lot 8 of Pickens Subdivision as shown on Plat Book 2005, Page 331 as recorded in the Office of the Circuit Clerk of Benton County, Arkansas, and said Lot 8, Pickens Subdivision being the tract of land conveyed to Northwest Arkansas Senior Services, Inc. as described in Deed Book 2004, Page 26742, less and except the tract of land conveyed to the City of Bentonville as described in Deed Book 2004, Page 53710 in the office of the Circuit Clerk of Benton County, Arkansas, and being more particularly described as follows:

BEGINNING at the northwest corner of said Lot 8, being a set ⅝" rebar with cap #1636; thence along the north line of said Lot 8, S87°59'06"E, 601.58 feet to a found ⅝" rebar with cap #1636 on the east line of said Lot 8; thence along said east line S06°45'45"E, 42.56 feet to a set ⅝" rebar with cap #1636; thence leaving said east line with a non-tangent curve to the left, having a radius of 156.00 feet, a chord of S13°35'19"W, 116.34 feet and an arc length of 119.22 feet to a set ⅝" rebar with cap #1636; thence S08°18'18"E, 94.42 feet to a set ⅝" rebar with cap #1636; thence on a curve to the right, having a radius of 174.00 feet, a chord of S09°57'11"W, 109.03 feet and an arc length of 110.89 feet to a set ⅝" rebar with cap #1636; thence S28°12'40"W,106.11 feet to a set ⅝" rebar with cap #1636; thence on a curve to the left, having a radius of 226.00 feet, a chord of S14°11'09"W, 109.54 feet and an arc length of 110.64 feet to a set ⅝" rebar with cap #1636; thence S00°09'39"W, 66.80 feet to a set ⅝" rebar with cap #1636; thence on a curve to the right, having a radius of 374.00 feet, a chord of S03°33'10"W, 44.26 feet and an arc length of 44.28 feet to a set ⅝" rebar with cap #1636; thence S07°56'45"W, 58.29 feet to a set MAG with washer stamped 1636; thence N87°23'27"W, 19.79 feet to a set MAG with washer stamped 1636; thence S02°36'33"W, 58.92 feet to a set ⅝" rebar with cap #1636 on the northerly right-of-way of NE John DeShields Blvd.; thence along said northerly right-of-way with a non-tangent curve to the left, having a radius of 1150.00 feet, a chord of N86°19'24"W, 44.47 feet and an arc length of 44.47 feet to a set ⅝" rebar with cap #1636; thence N87°25'53"W, 448.02 feet to a set MAG with washer stamped 1636 at the intersection of said northerly right-of-way of NE DeShields Blvd. and the easterly right-of-way of NE "J" Street; thence leaving said northerly right-of-way and along said easterly right-of-way N02°05'36"E, 8.05 feet to a set ⅝" rebar with cap #1636; thence N00°44'02"E, 194.27 feet to a set ⅝" rebar with cap #1636; Thence, N 02° 33' 58" E for a distance of 579.05 feet to the POINT OF BEGINNING containing 439,042 square feet or 10.08 acres more or less and subject to any easements of record or of fact.

OWNER'S CERTIFICATION AND DEDICATION:

We, the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution_____ Signed_____

Date of Execution_____ Signed_____

Printed Owner Name_____

Source of Title: Warranty Deed, Book 2004, Page 26742

State of Arkansas
County of _____
Subscribed and sworn before me this____day of_____20__.

Notary Public _____

My commission expires _____

CERTIFICATE OF APPROVAL:

Pursuant to the Bentonville Land Development Code 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: _____

Signed _____
Planning Commission Chairman

Signed _____
Mayor, City of Bentonville

Signed _____
City Clerk, City of Bentonville

SURVEYOR'S CERTIFICATE:

I, Grant Nevell, hereby certify that this plat correctly represents a boundary survey made by me and all monuments shown hereon actually exist and their location, size, type, and material are correctly shown.

Date of Execution: _____

_____
Grant Nevill
Registered Land Surveyor
State of Arkansas
Registration No. 1636

CITY REQUIRED NOTES:

A. Before any work in the right of way commences, contractor, and or owner, is to obtain right-of-way permit from the City of Bentonville Transportation Department.
B. Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer, and electric.
C. Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.
D. There may not be fences or any other structures built in any drainage easement.
E. Building setbacks shall be per the current Zoning district as stated in the most recent City of Bentonville Planning Code. For more information visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
F. There are no waivers, variances and/or conditional uses at the time of preparing this plat

SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9282

CERTIFICATE OF AUTHORIZATION
SAND CREEK ENGINEERING AND LANDSCAPE ARCHITECTURE, INC.
No.385
ARKANSAS – ENGINEER

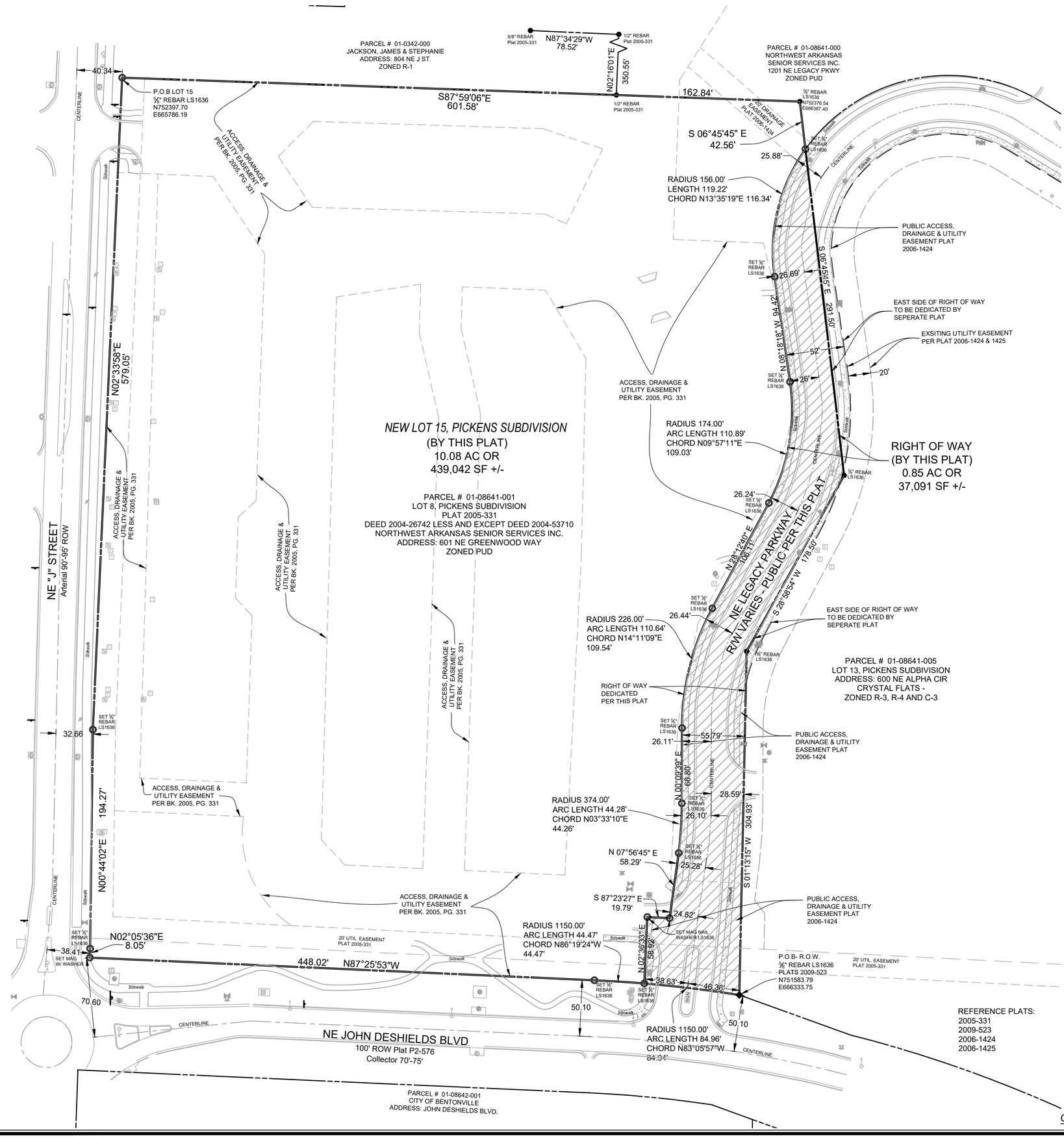
PRELIMINARY

Sheet: 1 of 2

CITY OF BENTONVILLE #LS23-0040

State Filing Code:
500-20N-31W-0-29-102-04-1636

20038.1 LEGACY PARKWAY DEDICATION



N

60' 0 60'

SCALE: 1" = 60'

SITE LEGEND

- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- CENTERLINE OF ROAD
- MONUMENT SET (AS NOTED)
- MONUMENT FOUND (AS NOTED)
- UTILITY POLE
- SIGN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- DRAINAGE MANHOLE
- SANITARY SEWER MANHOLE
- ELECTRICAL RISER
- FIBER OPTIC RISER
- UTILITY & LIGHT POLE
- TELEPHONE RISER
- DEDICATED RIGHT OF WAY

FLOOD STATEMENT:

(BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0090J. Revised date September 28, 2007.

CERTIFICATE OF AUTHORIZATION
SAND CREEK ENGINEERING AND LANDSCAPE ARCHITECTURE, INC.
No.385
ARKANSAS – ENGINEER

CLIENT: NWASS, Inc dba
Legacy Village Garden Homes, L.L.C.
601 NE Greenway Way
Bentonville, AR. 72712
(479) 271-0350
rhboehmler@gmail.com

SHEET: LOT SPLIT / ROW DEDICATION

PROJECT: Lot 8, Pickens Subdivision
Creating Lot 15, Pickens Subdivision
Bentonville, AR

PRELIMINARY

SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9262

PLS:	GN
CAD:	KB
FIELD:	GN/MH
SCE PROJECT #:	20038.1
DATE:	07/07/2023
SHEET:	2 OF 2

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 8 OF PICKENS SUBDIVISION CREATING NEW LOT 15 OF PICKENS SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: LS23-0040)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 8 OF PICKENS SUBDIVISION creating new LOT 15 OF PICKENS SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 7, 2023;

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

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

WHEREAS, at the time of construction of Legacy Village Phase I, the roadway Legacy Parkway was generally built to the City of Bentonville Standard Specifications for Streets, and the applicant for this Lot Split has committed to making the repairs and modifications necessary to meet the City's currently adopted Street Specifications; 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 8 OF PICKENS SUBDIVISION creating new LOT 15 OF PICKENS 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;

Section 3: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville. If the roadway modifications are not completed within one year of the date of this ordinance, this ordinance shall be considered void;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

Lot 16 of Pickens Subdivision
(LS23-0041)

Northeast John Deshields Boulevard

PC Date: 11/7/2023

Staff Report Details

Property Description

Lot Split: Lot 16 of Pickens Subdivision, Crystal Pickens, LLC, Northeast John DeShields Boulevard and Northeast Legacy Parkway, C-3, Central Commercial, R-3, Medium Density Residential, R-4, High-Density Residential and PUD, Planned Unit Development, *LS23-0041*

A lot split of existing Lot 13 Pickens Subdivision, creating new Lot 16 of Pickens Subdivision and dedicating a portion of ROW for Northeast Legacy Parkway to become a public street. A second plat, LS23-0040, on behalf of Legacy Village is going through review that will dedicate the remainder of the necessary ROW for all of Legacy Parkway to be public. The plat would dedicate utility easements to serve the newly created lots. All requirements of the zoning and Land Development code are being met.

Project Details

There are portions of NE Legacy Parkway, a previously private road, that will be converted to public road with the approval of this Lot Split. This road was built with Legacy Village Phase I, and generally built to City Standards. The applicant for this Lot Split has committed to making the repairs and modifications necessary to bring the road up to current City standards within 1 year.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

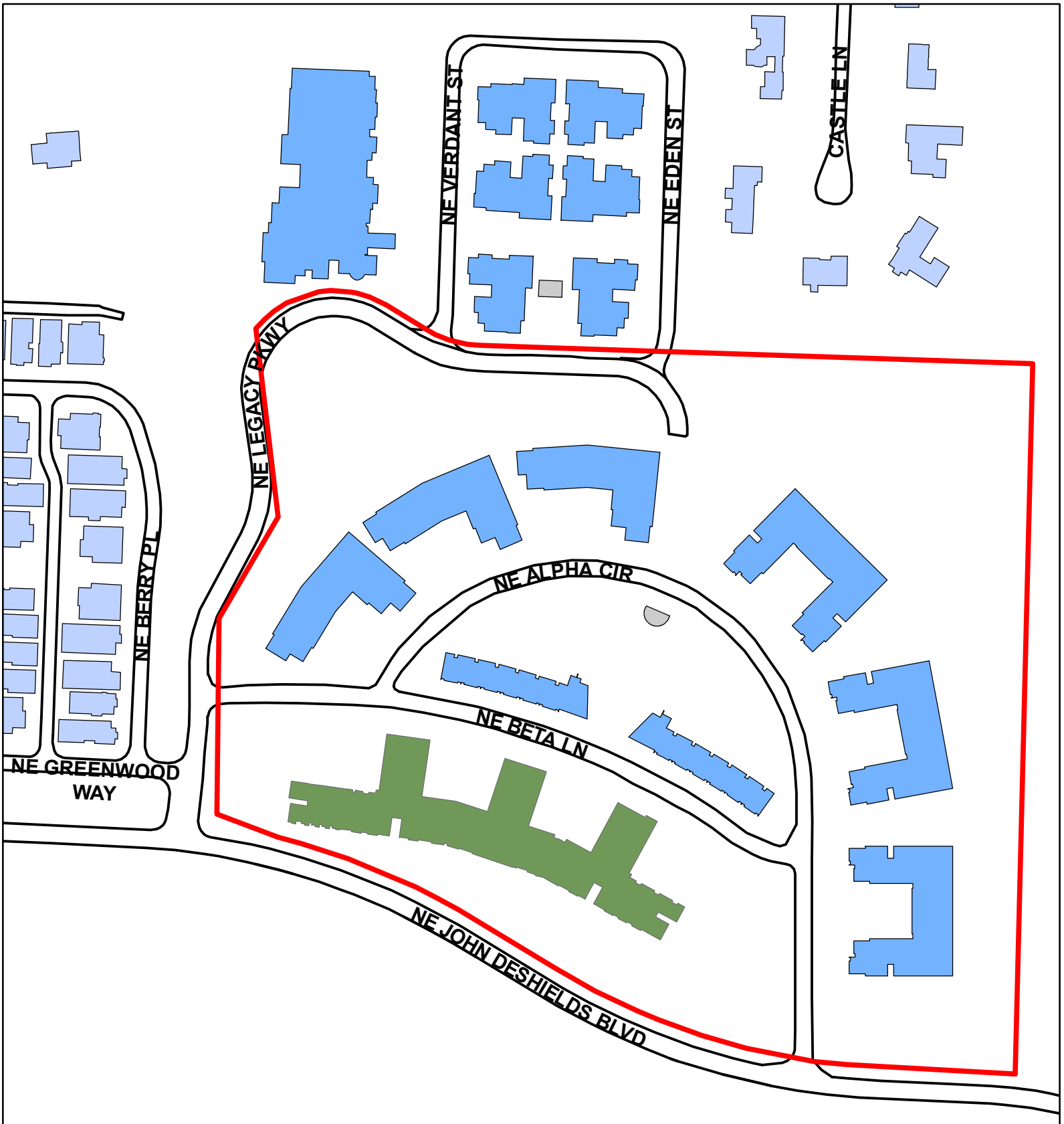
Analysis / Waivers

Conclusion

Conclusion

Proposed conditions of approval: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville, and all City approvals must be secured within 1 year of the City Council Approval of the ordinance approving the Lot Split.

Additional Details



N
W E
S

1 inch = 200 feet

LS23-0041
LOT SPLIT
PICKENS SUBDIVISION
LOT 13 CREATING LOT 16

Lot Split for Lot 13 of Pickens Subdivision
Creating Lot 16 of Pickens Subdivision
Crystal Pickens, LLC

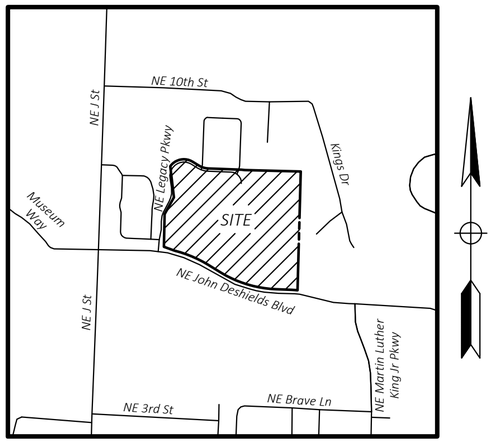
NE John De Shields Blvd.

City of Bentonville, Benton County, Arkansas

REVISION		
NO.	DESCRIPTION	DATE
1	City Comments	07/18/2023
2	City Comments	08/02/2023

GENERAL NOTES:

1. *This survey does not purport to be a proposed tract split or replat, or any other subdivision plat as may be defined by city, county, or state law, The land owner is encouraged to check with the local planning/development authorities for proper platting procedures before proceeding with the development.*
2. *Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than possible easements which were visible at the time of making of this survey; building setback lines, restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.*
3. *This plat represents an Lot Split for Lot 13 of Pickens Subdivision as recorded in Plat Book 2009, Page 523 in the public records of Benton County, Arkansas.*
4. *Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.*
5. *A title search was not conducted by a certified title company. No abstract of title, nor title commitment, nor results of title searches were furnished to the surveyor. All documents were provided by the client/clients and/or researched by CEI Engineering Associates, Inc., and may be subject to record/unrecorded: easements, rights of way, covenants, building setback lines, subdivision restrictions, zoning, land regulations or other facts which an accurate and current title search may reveal. There may exist other documents of record which would affect this parcel.*
6. *Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.*
7. *Basis of Bearings: All bearing and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through OPUS.*
8. *This survey is valid only if the drawing includes the seal and signature of the surveyor.*
9. *This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.*
10. *Subsurface and environmental conditions were not examined nor considered a part of this survey.*
11. *No attempt has been made as a part of this boundary survey to obtain or shown data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.*
12. *The locations of underground utilities as shown hereon are based on above ground structures as were visible at the time of survey. No excavations were made during the progress of this survey to locate underground utilities/structures.*
13. *The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.*
14. *The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.*
15. *By scaled map location and graphical plotting only. This property is located unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.*
    Map Number: 05007C0090J
    Map Revised: September 28, 2007
16. *No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.*
17. *No current zoning report or letter regarding zoning classification was provided to the Surveyor, the following information was obtained from the City of Bentonville GIS map. This property is zoned C-3 (Mixed Use Commercial), R-4 (High Density Residential) and R-3 (Medium Density Residential). Setbacks shall be per the current zoning district as stated in the most recent city of Bentonville zoning code. For more info visit www.bentonvilleplanning.com or call the Planning Department & 479-271-3122.*
18. *There are no waivers, variances and/or conditional uses at the time of preparing this plat.*
19. *No residential lot shall be permitted direct access to a collector or arterial street. All residential subdivision development contiguous to a collector or arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.*
20. *Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.*
21. *Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.*
22. *Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.*
23. *There may not be fences or any other structures built in any drainage easements.*



VICINITY MAP

NOT TO SCALE

Latitude: 36°22'44"N
Longitude: 94°11'33"W

Owner / Developer
Parcel Number #01-08641-005 *Name: Crystal Pickens, L.L.C.* *Property Address: 600 NE Alpha Circle* *Address: PO Box 668* *Bentonville, AR 72712* *Contact Name: Madeline Taylor*

CERTIFICATE OF OWNERSHIP:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____ *Signed:* _____

Name & Address: Crystal Pickens, L.L.C. (Madeline Taylor)

600 NE Alpha Circle (PO Box 668) Bentonville, AR 72712

Print Name: _____

Source of Title: Inst. No. L201810307

Subscribed and sworn before me, this _____ *day of* _____, 20_____.

_____ _____

Notary Public *My Commission Expires*

CERTIFICATE OF APPROVAL:

Pursuant to the Bentonville Land Development Code and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of said rules and regulations.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

CERTIFICATE OF SURVEYING ACCURACY:

I James Barnett, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met. The field work was completed on [M], [D], [Year].

Date of Execution: _____

Signed: _____
Registered Land Surveyor
No.1666
State of Arkansas

City of Bentonville Project #LS23-0041

ATLAS PAGE: 362

State Survey Code: 500-20N-30W-0-29-102-04-1666

CIVIL ENGINEERING ▪ LANDSCAPE ARCHITECTURE ▪ LAND SURVEYING ▪ PLANNING

BENTONVILLE | DALLAS | FRESNO | HOUSTON | JACKSONVILLE | MINNEAPOLIS | PHILADELPHIA | PHOENIX

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split for Lot 13 of Pickens Subdivision
Creating Lot 16
Crystal Pickens, LLC
NE John De Shields Blvd.
City of Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	JKB
DESIGNER	TLP
FIELD WORK	KTC
CEI PROJECT NUMBER	33468
DATE	8/3/2023
REVISION	REV-2

Cover Sheet

SHEET TITLE

SHEET NUMBER

1 OF 3

DRAWING LOCATION - S:\33000\33468\DRAWINGS\SURVEY\WORKING\33468EP.DWG -- SAVED BY - TPRIVETT

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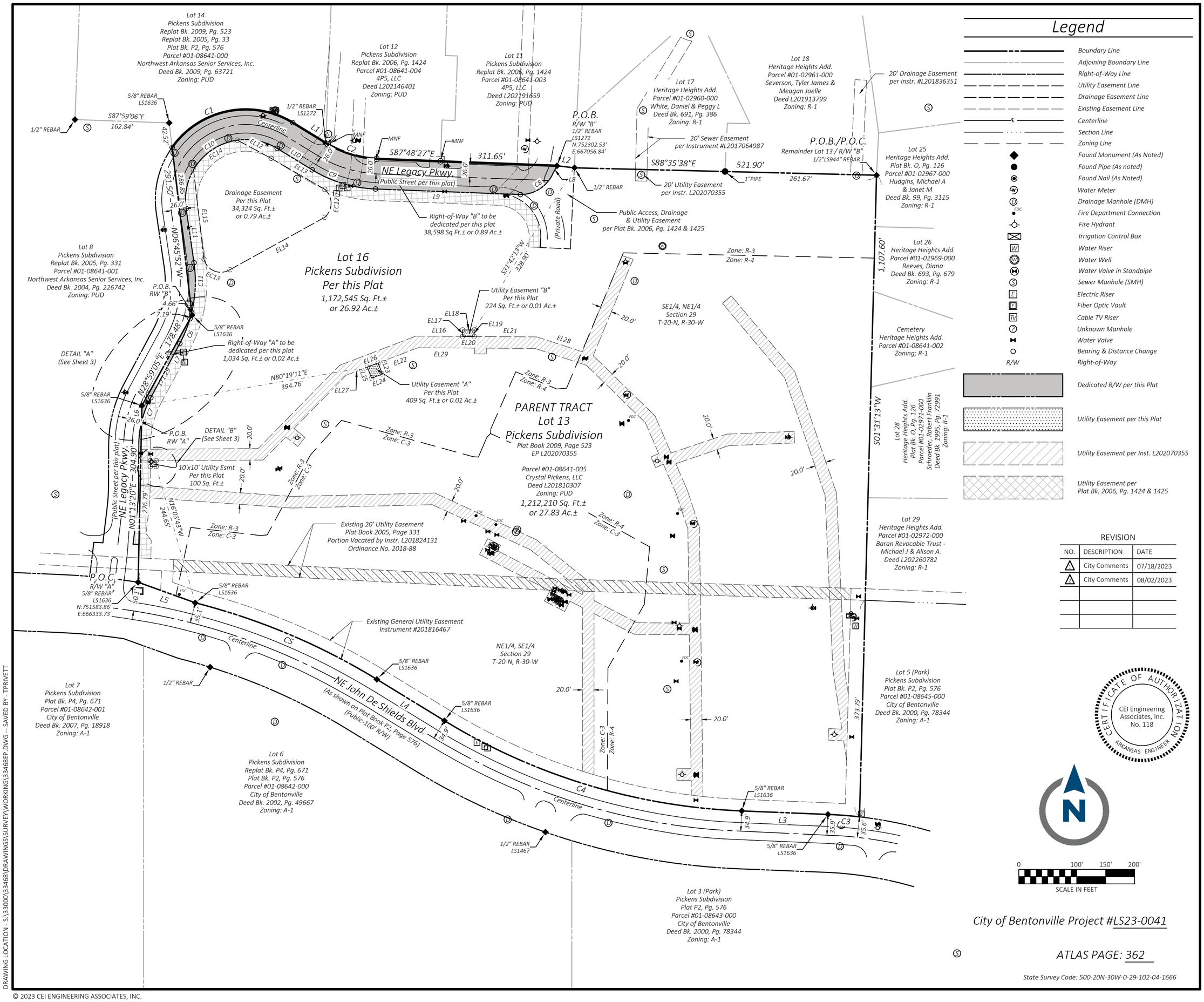

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Lot Split for Lot 13 of Pickens Subdivision Creating Lot 16

Crystal Pickens, LLC
NE John De Shields Blvd.
City of Bentonville, Benton County, Arkansas

Preliminary
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PROFESSIONAL OF RECORD	JKB
DESIGNER	TLP
FIELD WORK	KTC
CEI PROJECT NUMBER	33468
DATE	8/3/2023
REVISION	REV-2

Easement & RW Dedication Sheet

SHEET TITLE

SHEET NUMBER

2 OF 3

DRAWING LOCATION - S:\33000\33468\DRAWINGS\SURVEY\WORKING\33468EP.DWG -- SAVED BY - TPRIVETT

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Property Line Table		
Line #	Direction	Length
L1	S58°34'45"E	71.03'
L2	S83°16'18"E	30.07'
L3	N87°42'15"W	148.95'
L4	N58°32'29"W	136.89'
L5	N70°11'40"W	104.91'

Property Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C1	156.00'	234.00'	85°56'37"	N78°26'56"E	212.67'
C2	174.00'	88.76'	29°13'42"	S73°11'36"E	87.80'
C3	735.00'	54.67'	4°15'42"	N85°34'32"W	54.66'
C4	1065.00'	542.07'	29°09'46"	N73°07'22"W	536.24'
C5	1135.00'	341.33'	17°13'50"	N67°09'24"W	340.05'

Lot Line Table		
Line #	Direction	Length
L6	N01°13'20"E	28.12'
L7	S28°12'40"W	106.11'
L8	N28°01'44"E	14.52'
L9	S87°48'08"E	250.41'
L10	N58°34'26"W	71.03'
L11	S08°18'18"E	94.42'

Lot Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C6	226.00'	46.26'	11°43'38"	N22°20'51"E	46.18'
C7	174.00'	44.78'	14°44'42"	S20°50'19"W	44.66'
C8	61.25'	71.29'	66°41'02"	N56°49'42"E	67.33'
C9	226.00'	115.29'	29°13'42"	S73°11'17"E	114.04'
C10	104.00'	235.48'	129°43'52"	S56°33'38"W	188.31'
C11	226.00'	86.48'	21°55'29"	N2°39'26"E	85.95'

Easement Line Table		
LINE	BEARING	DISTANCE
EL16	S89°37'46"E	80.87'
EL17	N00°06'04"E	11.22'
EL18	S89°53'56"E	20.00'
EL19	S00°06'04"W	11.22'
EL20	N89°53'56"W	20.00'
EL21	N89°38'13"W	108.13'
EL22	S69°01'52"W	73.42'
EL23	N21°00'56"W	20.47'
EL24	N69°01'52"E	20.00'

Easement Line Table		
LINE	BEARING	DISTANCE
EL25	S21°00'56"E	20.47'
EL26	S69°01'52"W	20.00'
EL27	N69°01'52"E	39.22'
EL28	N71°50'40"W	82.60'
EL29	S89°39'32"E	98.24'
EL30	N89°36'55"E	10.00'
EL31	S00°09'39"W	10.00'
EL32	S89°36'55"W	10.00'
EL33	N00°09'39"E	10.00'

Easement Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
EC12	32.00'	54.80'	98°07'15"	S0°06'06"W	48.34'
EC13	30.00'	56.36'	107°38'22"	N67°36'18"W	48.43'
EC14	104.00'	94.59'	52°06'42"	N56°01'01"E	91.36'

REVISION

NO.	DESCRIPTION	DATE
1	City Comments	07/18/2023
2	City Comments	08/02/2023

Parent Tract Description:

Lot 13 of Pickens Subdivisions to the City of Bentonville, according to Plat Book 2009, Page 523 of the public records of Benton County, Arkansas.

Lot 16 Description:

A 26.92-acre tract of land being a part of Lot 13 of Pickens Subdivisions as shown on Plat Book 2009, Page 523 and being the tract of land conveyed to Crystal Pickens, LLC described in Deed L201810307 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

BEGINNING at a 1/2-inch rebar with cap stamped LS944 found at the northeast corner of said Lot 13;
THENCE with the east boundary of said Lot 13, South 01°31'13" West, 1,107.60 feet to the southeast corner of said Lot 13, being a point on a non-tangent curve to the left;
THENCE with the south boundary of said Lot 13, also being the north right-of-way of NE John De Shields Blvd. the following six (6) courses:
1. *Westerly along the arc of said non-tangent curve 54.67 feet, having a radius of 735.00 feet, through a central angle of 04°15'42", and having a chord bearing and distance of North 85°34'32" West, 54.66 feet to a found 5/8-inch rebar with cap stamped LS1636;*
2. *North 87°42'15" West, 148.95 feet to a found 5/8-inch rebar with cap stamped LS1636;*
3. *Westerly along the arc of a non-tangent curve to the right 542.07 feet, having a radius of 1,065.00 feet, through a central angle of 29°09'46", and having a chord bearing and distance of North 73°07'22" West, 536.24 feet to a found 5/8-inch rebar with cap stamped LS1636;*
4. *North 58°32'29" West, 136.89 feet to a found 5/8-inch rebar with cap stamped LS1636;*
5. *Westerly along the arc of a non-tangent curve to the left 341.33 feet, having a radius of 1,135.00 feet, through a central angle of 17°13'50", and having a chord bearing and distance of North 67°09'24" West, 340.05 feet to a found 5/8-inch rebar with cap stamped LS1636;*
6. *North 70°11'40" West, 104.91 feet to a found 5/8-inch rebar with cap stamped LS1636 on the west boundary of said Lot 13;*

THENCE with the said west boundary North 01°13'20" East, 276.79 feet;
THENCE leaving said west boundary, northerly along the arc of a non-tangent curve to the right 44.78 feet, having a radius of 174.00 feet, through a central angle of 14°44'42", and having a chord bearing and distance of North 20°50'19" East, 44.66 feet;
THENCE North 28°12'40" East, 106.11 feet;
THENCE northerly along the arc of a curve to the left 46.26 feet, having a radius of 226.00 feet, through a central angle of 11°43'38", and having a chord bearing and distance of North 22°20'51" East, 46.18 feet to the aforementioned west boundary of said Lot 13;
THENCE along said west boundary North 28°59'05" East, 7.19 feet;
THENCE North 06°45'52" West, 4.66 feet;
THENCE leaving said west boundary, northerly along the arc of a nontanget curve to the left 86.48 feet, having a radius of 226.00 feet, through a central angle of 21°55'29", and having a chord bearing and distance of North 02°39'26" East, 85.95 feet;
THENCE North 08°18'18" West, 94.42 feet;
THENCE northeasterly along the arc of a curve to the left 235.48 feet, having a radius of 104.00 feet, through a central angle of 129°43'52", and having a chord bearing and distance of North 56°33'38" East, 188.31 feet;
THENCE South 58°34'26" East, 71.03 feet;
THENCE easterly along the arc of a curve to the left 115.29 feet, having a radius of 226.00 feet, through a central angle of 29°13'42", and having a chord bearing and distance of South 73°11'17" East, 114.04 feet;
THENCE South 87°48'08" East, 255.26 feet;
THENCE northeasterly along the arc of a curve to the left 70.36 feet, having a radius of 50.00 feet, through a central angle of 80°37'34", and having a chord bearing and distance of North 51°53'05" East, 64.70 feet;
THENCE North 11°34'19" East, 10.32 feet to the north boundary of aforementioned Lot 13;
THENCE along said north boundary the following three (3) courses:
1. *South 87°48'27" East, 5.37 feet to a found 1/2-inch rebar with cap stamped LS1272;*
2. *South 83°16'18" East, 30.07 feet to a found 1/2-inch rebar;*
3. *South 88°35'38" East, passing a 1-inch pipe at 260.23 feet, continuing for a total distance of 521.90 feet to the POINT OF BEGINNING containing 1,172,545 square feet or 26.92 acres, more or less.*

Dedicated Right-of-Way "A" Description:

A 0.02-acre tract of land being a part of Lot 13 of Pickens Subdivisions as shown on Plat Book 2009, Page 523 and being the tract of land conveyed to Crystal Pickens, LLC described in Deed L201810307 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

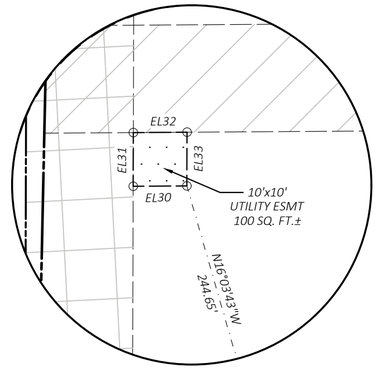
COMMENCING at a 5/8-inch rebar with cap stamped LS1636 found at the southwest corner of said Lot 13;
THENCE along the west boundary of said Lot 13 North 01°13'20" East, 276.79 feet to the POINT OF BEGINNING;
THENCE North 01°13'20" East, 28.12 feet to a found 5/8-inch rebar with a cap stamped LS1636;
THENCE North 28°59'05" East, 171.29 feet to the beginning of a non-tangent curve to the right;
THENCE leaving aforementioned west boundary, southerly along the arc of said curve 46.26 feet, having a radius of 226.00 feet, through a central angle of 11°43'38", and having a chord bearing and distance of South 22°20'51" West, 46.18 feet;
THENCE South 28°12'40" West, 106.11 feet to the beginning of a curve to the left;
THENCE southerly along the arc of a said curve 44.78 feet, having a radius of 174.00 feet, through a central angle of 14°44'42", and having a chord bearing and distance of South 20°50'19" West, 44.66 feet to the POINT OF BEGINNING containing 1,034 square feet or 0.02 acres, more or less.

Dedicated Right-of-Way "B" Description:

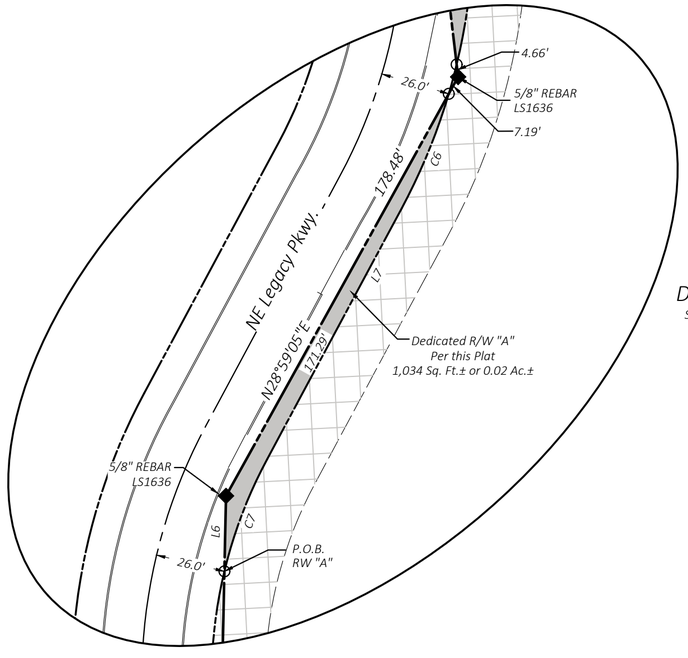
A 0.02-acre tract of land being a part of Lot 13 of Pickens Subdivisions as shown on Plat Book 2009, Page 523 and being the tract of land conveyed to Crystal Pickens, LLC described in Deed L201810307 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at a 1/2-inch rebar with cap stamped LS944 found at the northeast corner of said Lot 13;
THENCE with the north boundary of said Lot 13 the following two (2) courses:
1. *North 88°35'38" West, passing a 1-inch pipe at 261.67 feet and continuing for a total distance of 521.90 feet*
2. *North 83°16'18" West, 30.07 feet to a found 1/2" rebar with cap stamped LS1272 to the POINT OF BEGINNING;*

THENCE leaving said north boundary, South 28°01'44" West, 14.52 feet to the beginning of a curve to the right;
THENCE southwesterly along the arc of said curve 71.29 feet, having a radius of 61.25 feet, through a central angle of 66°41'02", and having a chord bearing and distance of South 56°49'42" West, 67.33 feet;
THENCE North 87°48'08" West, 250.41 feet to the beginning of a curve to the right;
THENCE westerly along the arc of said curve 115.29 feet, having a radius of 226.00 feet, through a central angle of 29°13'42", and having a chord bearing and distance of North 73°11'17" West, 114.04 feet;
THENCE North 58°34'26" West, 71.03 feet to the beginning of a curve to the left;
THENCE southwesterly along the arc of said curve 235.48 feet, having a radius of 104.00 feet, through a central angle of 129°43'52", and having a chord bearing and distance of South 56°33'38" West, 188.31 feet;
THENCE South 08°18'18" East, 94.42 feet to the beginning of a curve to the right;
THENCE southerly along the arc of said curve to the right 86.48 feet, having a radius of 226.00 feet, through a central angle of 21°55'29", and having a chord bearing and distance of South 02°39'26" West, 85.95 feet to the west boundary of aforementioned Lot 13;
THENCE with the west boundary of said Lot 13 the following five (5) courses:
1. *North 06°45'52" West, 286.85 feet;*
2. *Easterly along the arc of a non-tangent curve to the left 234.00 feet, having a radius of 156.00 feet, through a central angle of 85°56'37", and having a chord bearing and distance of North 78°26'56" East, 212.67 feet;*
3. *South 58°34'45" East, 71.03 feet to a found MagNail;*
4. *Easterly along the arc of a non-tangent curve to the left 88.76 feet, having a radius of 174.00 feet, through a central angle of 29°13'42", and having a chord bearing and distance of South 73°11'36" East, 87.80 feet to a found MagNail;*
5. *South 87°48'27" East, passing a found MagNail and continuing for a total of 311.65 feet to the POINT OF BEGINNING containing 38,598 square feet or 0.89 acres, more or less.*



DETAIL "B"
Scale: 1" = 20'



DETAIL "A"
Scale: 1" = 40'

City of Bentonville Project #LS23-0041

ATLAS PAGE: 362

State Survey Code: 500-20N-30W-0-29-102-04-1666

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
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Lot Split for Lot 13 of Pickens Subdivision
Creating Lot 16
Crystal Pickens, LLC
NE John De Shields Blvd.
City of Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	JKB
DESIGNER	TLP
FIELD WORK	KTC
CEI PROJECT NUMBER	33468
DATE	8/3/2023
REVISION	REV-2

Description-Tables-Details Sheet

SHEET TITLE

SHEET NUMBER

3 OF 3

DRAWING LOCATION - S:\33000\33468\DRAWINGS\SURVEY\WORKING\33468EP.DWG -- SAVED BY - TPRIVETT

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ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF EXISTING LOT 13 OF PICKENS ADDITION; CREATING NEW LOT 16 OF PICKENS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: LS23-0041)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of EXISTING LOT 13 OF PICKENS SUBDIVISION creating new LOT 16 OF PICKENS SUBDIVISION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on November 7, 2023;

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

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;

WHEREAS, at the time of construction of Legacy Village Phase I, the roadway Legacy Parkway was generally built to the City of Bentonville Standard Specifications for Streets, and the applicant for this Lot Split has committed to making the repairs and modifications necessary to meet the City's currently adopted Street Specifications; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council for 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 EXISTING LOT 13 OF PICKENS SUBDIVISION, creating new LOT 16 OF PICKENS 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;

Section 3: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville. If the roadway modifications are not completed within one year of the date of this ordinance, this ordinance shall be considered void;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

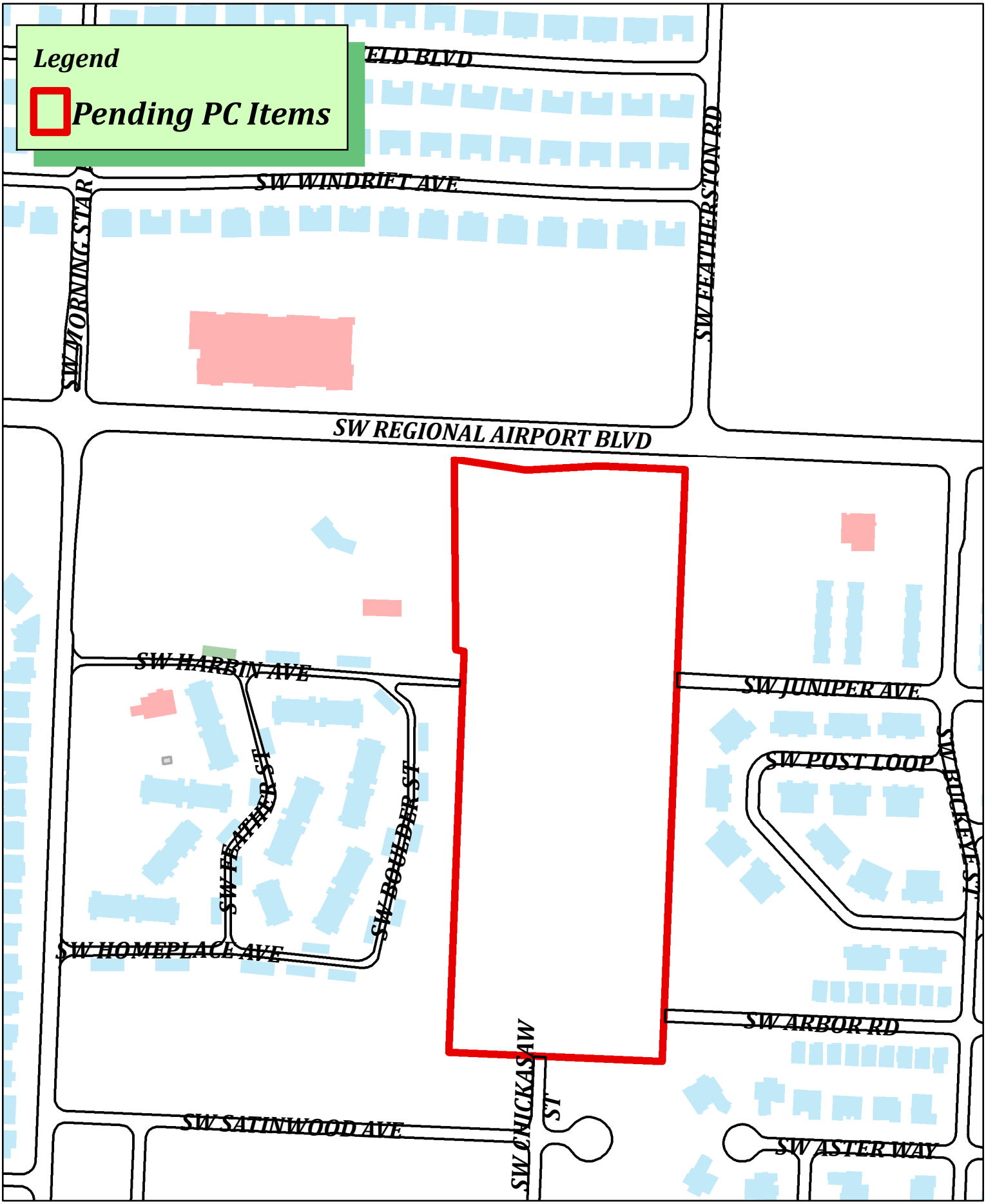
Consent Agenda Item

For the Planning Commission meeting on November 13, 2023

Details

Lot Split: Lots 5 and 6 of Harbin Pointe Addition, Doaba Investment LLC, Southwest Regional Airport Boulevard, PUD, Planned Unit Development, *LS23-0049*

A lot split of existing Lot 3 of Harbin Pointe Addition, creating new Lots 5 (+/- 2.25 acres) and Lot 6 (+/- 11.08 acres) of Harbin Pointe Addition. The plat dedicates various electric easements along with an access easement along Southwest Regional Airport Boulevard to serve the newly created lots.



N
W E
S

LS23-0049
Doaba Investment LLC
Creating Lot 3

THE CITY OF BENTONVILLE

Lot Split of Lot 3, Harbin Pointe Addition, Creating Lots 5 & 6 of Harbin Pointe Addition

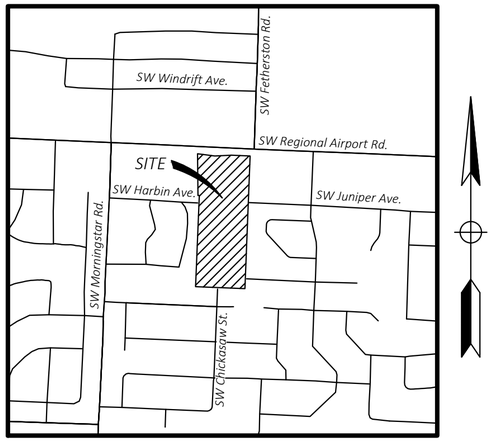
SW Regional Airport Boulevard

Bentonville, Benton County, Arkansas

GENERAL NOTES:

1. *Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other that possible easements which were visible at the time of making of this survey; building setback lines, restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.*
2. *This plat represents a Lot Split of Lot 3 of a Lot Split of Lots 1-4 of Harbin Pointe Addition as recorded in Plat Book 2005, Page 349 in the public records of Benton County, Arkansas.*
3. *Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.*
4. *This survey if based on a limited title search from January 1, 1973 through June 19, 2023 provided by City Title & Closing, LLC, File No.: 23-3592, Effective Date: June 19, 2023.*
5. *Basis of Bearings: All bearing and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through Trimble RTX.*
6. *This survey is valid only if the drawing includes the seal and signature of the surveyor.*
7. *This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.*
8. *Subsurface and environmental conditions were not examined nor considered a part of this survey.*
9. *The locations of underground utilities as shown hereon are based on above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.*
10. *The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.*
11. *The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.*
12. *By scaled map location and graphical plotting only. This property is located unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.*
    Map Number: 05007C0255K
    Map Revised: June 05, 2012
13. *No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.*
14. *No current zoning report or letter regarding zoning classification was provided to the Surveyor, the following information was obtained from the Bentonville GIS map. This property is zoned PUD (Planned Unit Development).*
    Building setbacks for zone PUD are as follows:

    Front: per PUD
    Side: per PUD
    Rear: per PUD
15. *No current zoning report or letter regarding zoning classification was provided to the Surveyor. Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonville planning.com or call the Planning Department @ 479-271-3122.*
16. *Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.*
17. *There may not be fences or any other structures built in any drainage easements.*
18. *Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.*
19. *Owner is to contact New Service coordinator (479-271-3139) to discuss electric service prior to beginning any construction. Failure to contact BEUD prior to construction will result in delays to get electric service.*
20. *All structures must maintain minimum of 20' clearances from all electric lines.*
21. *BEUD's standard practice is to place underground equipment (transformers, secondary pedestals, junction boxes, etc.) on the lot line of a development. Any adjustments to the property line that result in our equipment not being on the lot line require the developer to pay for the cost of BEUD to relocate the equipment to the lot line.*
22. *It is the responsibility of the developer to pay for any cost associated with moving of equipment. This includes but is not limited to any costs associated with loss of equipment (wire and elbows) and labor and material to move the equipment to the new lot line.*
23. *Relocation of any existing electrical facilities shall be at the owner's expense.*
24. *Owner/Developer shall coordinate with all local utilities to insure that each lot has water, sewer and electric service.*
25. *It is the responsibility of the developer to coordinate with the New Service Coordinator @ 479 271-3139 to determine if equipment is in conflict.*
26. *No residential lot shall be permitted direct access to a collector or arterial street. All residential subdivision development contiguous to a collector or arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.*
27. *There are no waivers, variances and/or conditional uses at the time of preparing this plat.*



VICINITY MAP

NOT TO SCALE

Latitude: 36°20'03"N
Longitude: 94°14'45"W

Owner

Parcel Number #01-12833-000
Doaba Investment, LLC
3502 SW Champagne Avenue
Bentonville, Arkansas 72712
Phone: (479) 295-0000

Surveyor:

CEI Engineering Associates, Inc.
3108 SW Regency Parkway
Bentonville, AR 72712
Phone: (479) 273-9472
Fax: (479) 271-0536
Surveyor: Dustin Riley, Arkansas #1618

CERTIFICATE OF OWNERSHIP:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____ *Signed:* _____

Name & Address: Doaba Investment, LLC, 3502 SW Champagne Avenue, Bentonville, Arknasas, 72712

Print Name: _____

Source of Title: Deed Instrument No. L202305245

Subscribed and sworn before me, this _____ *day of* _____, *2023.*

_____ _____
Notary Public *My Commission Expires*

CERTIFICATE OF APPROVAL:

Pursuant to the Bentonville Land Development Code and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of said rules and regulations.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

CERTIFICATE OF SURVEYING ACCURACY:

I, Dustin Riley, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met. The field work was completed on July 13, 2023.
Date of Execution: _____

Signed: _____
Registered Land Surveyor
No.1618
State of Arkansas

ATLAS PAGE: 483

City of Bentonville Project # LS23-0049

State Survey Code: 500-19N-31W-0-11-140-04-1618

CIVIL ENGINEERING ▪ LANDSCAPE ARCHITECTURE ▪ LAND SURVEYING ▪ PLANNING

BENTONVILLE | DALLAS | FRESNO | HOUSTON | JACKSONVILLE | MINNEAPOLIS | PHILADELPHIA | PHOENIX

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split of PArt of Lot 3
SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KTC
CEI PROJECT NUMBER	33049
DATE	9/27/2023
REVISION	REV-0

Cover Sheet

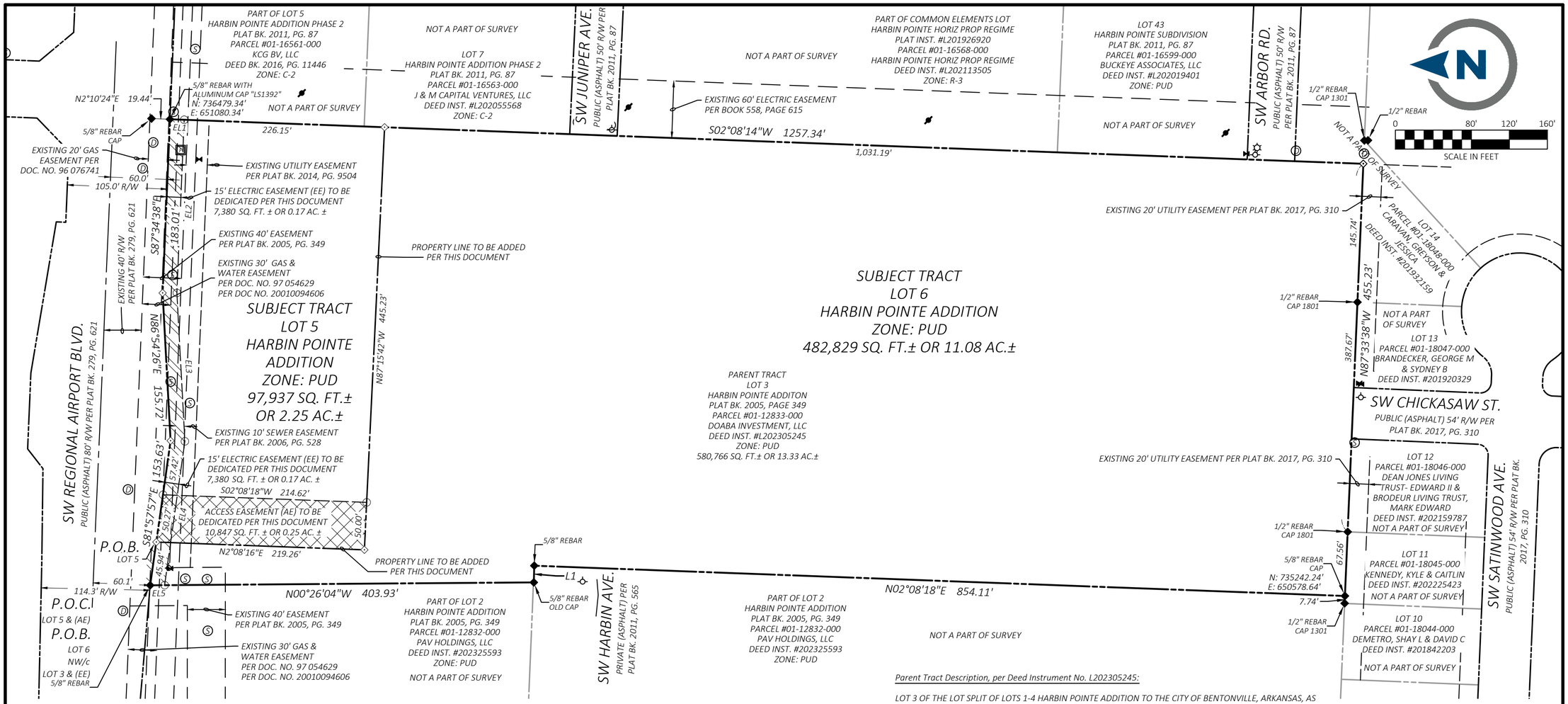
SHEET TITLE

SHEET NUMBER

1 OF 2

DRAWING LOCATION - S:\33000\33049\DRAWINGS SURVEY\SURVEY\WORKING\33049LS.DWG -- SAVED BY - MKETKEORASMY

© 2023 CEI ENGINEERING ASSOCIATES, INC.



Legend

- Boundary Line
- Adjoining Boundary Line
- Right-of-Way Line
- Easement Line
- Centerline
- Bearing & Distance Change
- Drainage Manhole (DMH)
- Fire Hydrant
- Sewer Manhole (SMH)
- Utility Pole
- Electric Riser
- Water Valve
- Light Pole Straight
- Fiber Optic Vault
- Found Monument (As Noted)
- Set 5/8" Rebar "LS#1618"
- Found Nail (As Noted)
- R/W — Right-of-Way
- (AE) — Access Easement
- 15' Electric Easement (EE) to be Dedicated per This Document
- 50' Access Easement (AE) to be Dedicated per This Document

Property Line Table		
Line #	Direction	Length
L1	N88°28'34"W	17.57'

Easement Line Table		
LINE	BEARING	DISTANCE
EL1	S02°08'14"W	15.00'
EL2	N87°34'38"W	182.36'
EL3	S86°54'26"W	156.46'
EL4	N81°57'57"W	152.86'
EL5	N00°26'04"W	15.17'

Lot 5 Description:

A part of Lot 3 of the Lot Split of Lots 1-4, Harbin Pointe Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2005, Page 349, being a portion of land conveyed to Doaba Investment, LLC, described in Deed Instrument No. L202305245 and being described by metes and bounds as follows:

COMMENCING at a 5/8" rebar found at the Northwest corner of said Lot 3;
THENCE along the South right-of-way of SW Regional Airport Boulevard per Plat Book 279, Page 621, South 81°57'57" East, 45.94 feet to a set 5/8" rebar with cap stamped "LS#1618" also being the POINT OF BEGINNING;
THENCE continuing along said South right-of-way the following three (3) courses:
1. South 81°57'57" East, 107.69 feet;
2. North 86°54'26" East, 155.72 feet;
3. South 87°34'38" East, 183.01 feet to a 5/8" rebar with an aluminum cap stamped "LS1392" being the Northeast corner of said Lot 3;
THENCE leaving said right-of-way, South 02°08'14" West, 226.15 feet to a set 5/8" rebar with cap stamped "LS#1618";
THENCE North 87°15'42" West, 445.23 feet to a set 5/8" rebar with cap stamped "LS#1618";
THENCE North 02°08'16" East, 219.26 feet to the POINT OF BEGINNING and containing 97,937 square feet or 2.25 acres, more or less.

Lot 6 Description:

A part of Lot 3 of the Lot Split of Lots 1-4, Harbin Pointe Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2005, Page 349, being a portion of land conveyed to Doaba Investment, LLC, described in Deed Instrument No. L202305245 and being described by metes and bounds as follows:

BEGINNING at a 5/8" rebar found at the Northwest corner of said Lot 3;
THENCE along the South right-of-way of SW Regional Airport Boulevard, South 81°57'57" East, 45.94 feet to a set 5/8" rebar with cap stamped "LS#1618";
THENCE leaving said South right-of-way, South 02°08'16" West, 219.26 feet to a set 5/8" rebar with cap stamped "LS#1618";
THENCE South 87°15'42" East, 445.23 feet to a set 5/8" rebar with cap stamped "LS#1618";
THENCE South 02°08'14" West, 1,031.19 feet to a set 5/8" rebar with cap stamped "LS#1618";
THENCE North 87°33'38" West, crossing a 1/2" rebar with cap stamped "1801" found at a distance of 145.74, and crossing a 1/2" rebar with cap stamped "1801" found at a distance of 387.66 feet, for a total distance of 455.23 feet to a found 5/8" rebar with cap;
THENCE North 02°08'18" East, 854.11 feet to a found 5/8" rebar;
THENCE North 88°28'34" West, 17.57 feet to a found 5/8" rebar with old cap;
THENCE North 00°26'04" West, 403.93 feet to the POINT OF BEGINNING and containing 482,829 square feet or 11.08 acres, more or less.

Parent Tract Description, per Deed Instrument No. L202305245:

LOT 3 OF THE LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN IN PLAT BOOK 2005, PAGE 349 OF THE RECORDS OF BENTON COUNTY, ARKANSAS.

LESS AND EXCEPT: PART OF LOT 3, LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, LOCATED IN THE NW1/4 OF THE SE1/4 OF SECTION AA, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL FOUND AT THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 11; THENCE ALONG THE EAST LINE OF SAID NW1/4 OF THE SE1/4, SOUTH 02°11'01" WEST A DISTANCE OF 45.00 FEET TO THE SOUTHERN RIGHT OF WAY OF HIGHWAY 12 AS ESTABLISHED BY HARBIN POINT ADDITION PHASE 2 RECORDED IN PLAT BOOK 2011, PAGE 87 AS FILED IN BENTON COUNTY; THENCE ALONG SAID SOUTHERN RIGHT OF WAY, NORTH 87°38'54" WEST ALONG SAID SOUTHERN RIGHT OF WAY A DISTANCE OF 25.72 FEET TO THE EAST LINE OF SAID LOT 3 AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST LINE, SOUTH 02°08'59" WEST A DISTANCE OF 14.42 FEET TO THE SOUTHERN RIGHT-OF-WAY OF HIGHWAY 12 AS ESTABLISHED BY AHTD JOB 090251; THENCE ALONG SAID SOUTHERN RIGHT OF WAY THE FOLLOWING BEARING AND DISTANCES: NORTH 87°33"55" WEST A DISTANCE OF 182.95 FEET; SOUTH 86°54;26" WEST A DISTANCE OF 155.72 FEET; NORTH 81°58'01" WEST A DISTANCE OF 153.76 FEET TO THE WEST LINE OF SAID LOT 3; THENCE ALONG SAID WEST LINE, NORTH 00°26'04" WEST A DISTANCE OF 16.73 FEET TO THE SOUTHERN RIGHT OF WAY OF HIGHWAY 12 AS ESTABLISHED BY LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, PLAT BOOK 2005, PAGE 349 AS FILED IN BENTON COUNTY; THENCE ALONG SAID SOUTHERN RIGHT OF WAY SOUTH 87°38'54" EAST A DISTANCE OF 491.73 FEET; THENCE ALONG SAID SOUTHERN RIGHT OF WAY, SOUTH 02°08'59" WEST A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING, AS SHOWN ON AHTD PLANS, REFERENCED AS JOB 090251.

Access Easement Description:

A part of Lot 3 of the Lot Split of Lots 1-4, Harbin Pointe Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2005, Page 349, being a portion of land conveyed to Doaba Investment, LLC, described in Deed Instrument No. L202305245 and being described by metes and bounds as follows:

COMMENCING at a 5/8" rebar found at the Northwest corner of said Lot 3;
THENCE along the South right-of-way of SW Regional Airport Boulevard, South 81°57'57" East, 45.94 feet, to the POINT OF BEGINNING;
THENCE continuing along said South right-of-way, South 81°57'57" East, 50.27 feet;
THENCE leaving said South right-of-way, South 02°08'18" West, 214.62 feet;
THENCE North 87°15'42" West, 50.00 feet;
THENCE North 02°08'16" East, 219.26 feet to the POINT OF BEGINNING and containing 10,847 square feet or 0.25 acres, more or less.

Electric Easement Description:

A part of Lot 3 of the Lot Split of Lots 1-4, Harbin Pointe Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2005, Page 349, being a portion of land conveyed to Doaba Investment, LLC, described in Deed Instrument No. L202305245 and being described by metes and bounds as follows:

BEGINNING at a 5/8" rebar found at the Northwest corner of said Lot 3;
THENCE along the South right-of-way of SW Regional Airport Boulevard the following three (3) courses:
1. South 81°57'57" East, 153.63 feet;
2. North 86°54'26" East, 155.72 feet;
3. South 87°34'38" East, 183.01 feet;
THENCE South 02°08'14" West, 15.00 feet;
THENCE North 87°34'38" West, 182.36 feet;
THENCE South 86°54'26" West, 156.46 feet;
THENCE North 81°57'57" West, 152.86 feet;
THENCE North 00°26'04" West, 15.17 feet to the POINT OF BEGINNING and containing 7,380 square feet or 0.17 acres, more or less.

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

ATLAS PAGE: 483

City of Bentonville Project # LS23-0049

State Survey Code: 500-19N-31W-0-11-140-04-1618

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
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CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split of Part of Lot 3

SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KTC
CEI PROJECT NUMBER	33049
DATE	9/27/2023
REVISION	REV-0

Lot Split Sheet

SHEET TITLE

SHEET NUMBER

2 OF 2

DRAWING LOCATION - S:\33000\33049\DRAWINGS SURVEY\SURVEY\WORKING\33049LS.DWG -- SAVED BY - MKETKEORASMY

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ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 3 OF HARIBN POINT ADDITION CREATING NEW LOTS 5 & 6 OF HARBON POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: LS23-0049)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 3 OF HARIBN POINT ADDITION creating new LOTS 5 & 6 OF HARBON POINTE ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 7, 2023;

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

WHEREAS, the Bentonville Planning Commission considered said lot split 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 3 OF HARIBN POINT ADDITION creating new LOTS 5 & 6 OF HARBON POINTE 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 lot split by certifying said acceptance on the approved lot split;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

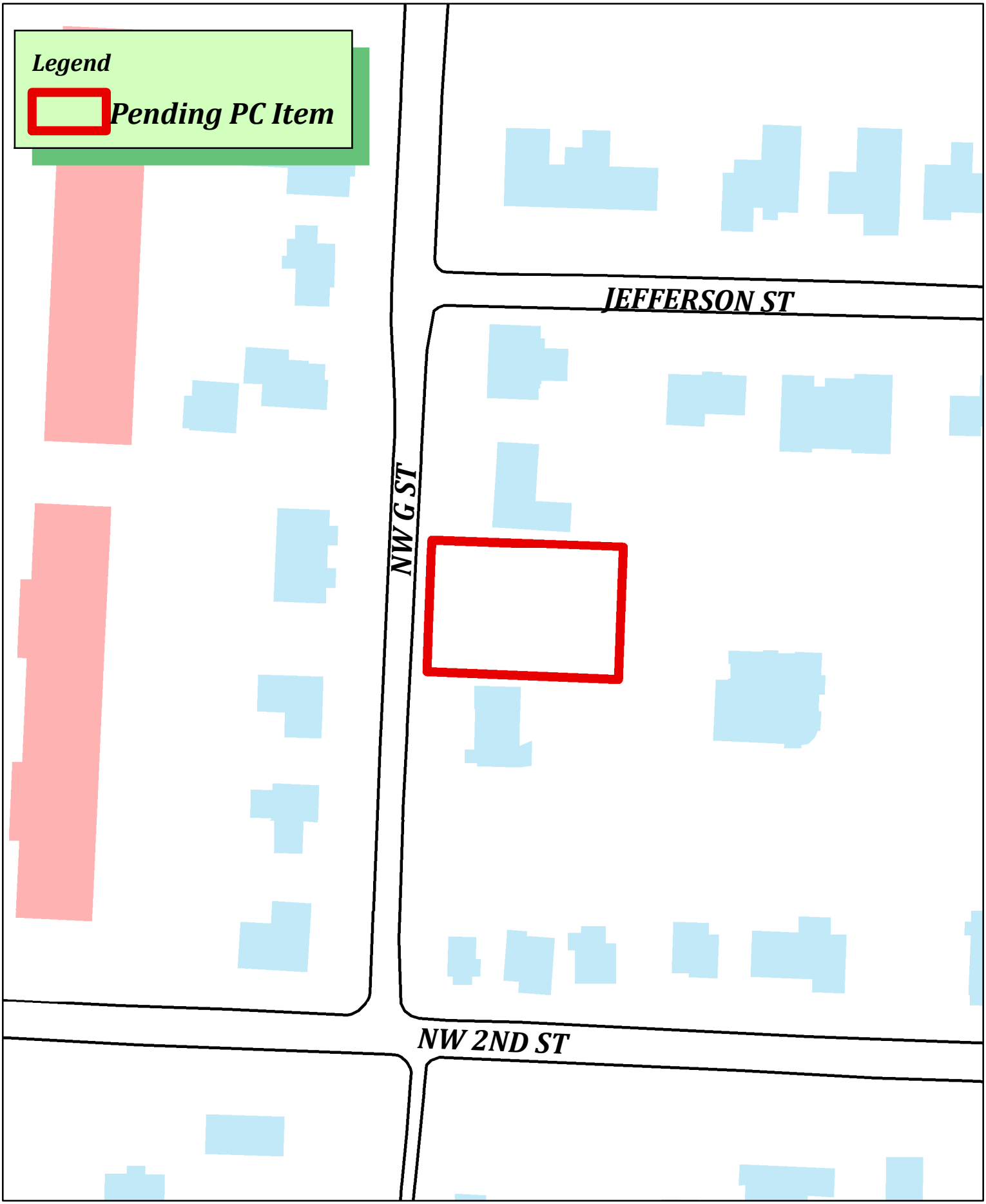
Consent Agenda Item

For the Planning Commission meeting on November 13, 2023

Details

Lot Split: Lots 1 and 2 of Pinnacle Villas LLC Subdivision, Pinnacle Villas LLC, 208 Northwest G Street, DN-1, Downtown Low Density Residential, *LS23-0051*

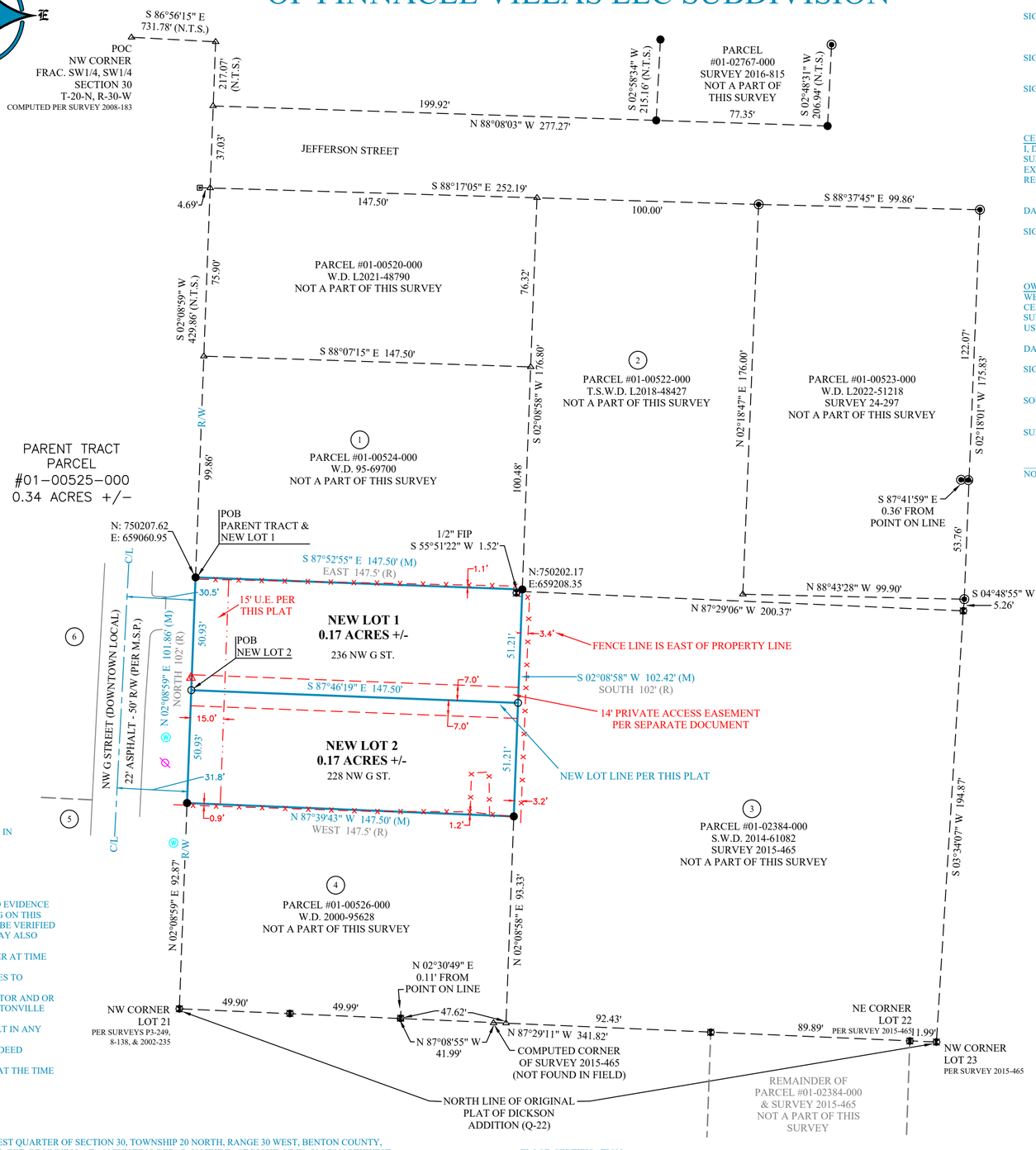
A lot split of Previously Unplatted Land creating Lots 1 and 2 of Pinnacle Villas LLC Subdivision. The plat dedicates a 15-foot utility easement along the western property boundary to provide access to public utilities for the new lots, and a 14-foot-wide private access easement is proposed, to be dedicated per separate document, allowing a shared driveway to serve both lots. The plat is compliant with all requirements of the land development code and adequate right of way exists along NW G Street to satisfy the requirements of the Master Street Plan. Staff recommends approval of this lot split. No variances or waivers are associated with this plat



N
W E
S

LS23-0051
Pinnacle Villas LLC.
Lots 1 and 2 Pinnacle Villas Sub

LOT SPLIT CREATING NEW LOTS 1 & 2 OF PINNACLE VILLAS LLC SUBDIVISION



ADJACENT LAND OWNERS

1) KUYKENDALL, THELMA O
210 NW G ST
BENTONVILLE, AR 72712
PARCEL #01-00524-000
NOT PLATTED
ZONED: R-1
2) GOCIO REVOCABLE TRUST, MARY J
485 N VINSON AVE
FAYETTEVILLE, AR 72701
PARCEL #01-00522-000
NOT PLATTED
ZONED: R-1
3) CLUBINE FAMILY REVOCABLE TRUST
CLUBINE, SCOTT & CLUBINE KATRIN
708 NW 2ND ST
BENTONVILLE, AR 72712
PARCEL #01-02384-000
LOT 22 DICKSONS ADDN.
ZONED: R-1
4) ARAGON, ANA M
206 NW G ST
BENTONVILLE, AR 72712
PARCEL #01-00526-000
LOT 21 DICKSONS ADDN.
ZONED: R-1
5) STARKEY, SHELIA DIANN
205 NW G ST
BENTONVILLE, AR 72712
PARCEL #01-00519-000
NOT PLATTED
ZONED: R-1
6) SH&S PARTNERSHIP
% SIMPSON, PAT
210 N WALTON BLVD STE 30
BENTONVILLE, AR 72712
PARCEL #01-03493-000
LOT A, NEALS CENTER
ZONED: R-O

CONTACT INFO:
BOB BURCKART
bob@burckartcompanies.com
479-273-3339

PROPERTY OWNER / DEVELOPER:
PINNACLE VILLAS LLC
203 SE 22ND ST UNIT 15
BENTONVILLE, AR 72712

FIELD WORK:
JUNE 19-21, 2023

BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
NAD83(2011) HORIZONTAL DATUM

REFERENCE DOCUMENTS:
1) PLAT OF SURVEY FILED IN BOOK 2015 AT PAGE 465
2) FINAL PLAT OF DICKSON'S ADDITION FILED IN BOOK Q AT PAGE 22
3) PLAT OF SURVEY FILED IN BOOK P3 AT PAGE 249
4) PLAT OF SURVEY FILED IN BOOK 2002 AT PAGE 235
5) PLAT OF SURVEY FILED IN BOOK 8 AT PAGE 138
6) PLAT OF SURVEY FILED IN BOOK 2008 AT PAGE 183
7) PLAT OF SURVEY FILED IN BOOK 24 AT PAGE 297
8) EXECUTOR'S DEED FILED IN BOOK 2005 AT PAGE 53128

PROPERTY ZONED:
DN-1

BUILDING SETBACK NOTE:
SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT www.bentonvilleplanning.com OR CALL THE PLANNING DEPARTMENT @ 479-271-3122

PLAT NOTES:
1. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
2. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
3. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
4. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
5. THERE MAY NOT BE ANY FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
6. RECORD (R) BEARINGS & DISTANCES ARE SHOWN PER EXECUTOR'S DEED 2005-53128.
7. THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT.

SURVEY DESCRIPTIONS:

PARENT TRACT:
A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET WHICH IS S86°56'15"E 731.78' AND S02°08'59"W 429.86' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S87°52'55"E 147.50' TO AN EXISTING REBAR, THENCE S02°08'58"W 102.42' TO AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET, THENCE ALONG SAID RIGHT-OF-WAY N02°08'59"E 101.86' TO THE POINT OF BEGINNING, CONTAINING 0.34 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NEW LOT 1:
A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET WHICH IS S86°56'15"E 731.78' AND S02°08'59"W 429.86' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S87°52'55"E 147.50' TO AN EXISTING REBAR, THENCE S02°08'58"W 51.21', THENCE N87°46'19"W 147.50' TO THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET, THENCE ALONG SAID RIGHT-OF-WAY N02°08'59"E 50.93' TO THE POINT OF BEGINNING, CONTAINING 0.17 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NEW LOT 2:
A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET WHICH IS S86°56'15"E 731.78' AND S02°08'59"W 480.79' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S87°46'19"E 147.50', THENCE S02°08'58"W 51.21' TO AN EXISTING REBAR, THENCE N87°39'43"W 147.50' TO AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET, THENCE ALONG SAID RIGHT-OF-WAY N02°08'59"E 50.93' TO THE POINT OF BEGINNING, CONTAINING 0.17 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL #05007C0255K. DATED 06/ 05/ 2012)

BEUD NOTES:
1. OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BEUD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
2. BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
3. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
4. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO COORDINATE WITH THE NEW SERVICE COORDINATOR @ 479-271-3139 TO DETERMINE IF EQUIPMENT IS IN CONFLICT.
5. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PAY FOR ANY COSTS ASSOCIATED WITH MOVING OF EQUIPMENT. THIS INCLUDES BUT IS NOT LIMITED TO ANY COSTS ASSOCIATED WITH LOSS OF EQUIPMENT (WIRE AND ELBOWS) AND LABOR AND MATERIAL TO MOVE THE EQUIPMENT TO THE NEW LOT LINE.

CERTIFICATE OF APPROVAL:
PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE 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: _____

SIGNED _____
BENTONVILLE PLANNING
COMMISSION CHAIRMAN

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

CERTIFICATE OF SURVEYING ACCURACY:
I, DERRICK THOMAS, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR NO. 1642 - STATE OF ARKANSAS

OWNER'S CERTIFICATION:
WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

SIGNED : _____
BOB BURCKART - OWNER PINNCALE VILLAS LLC

SOURCE OF TITLE: DEED BOOK L2023, PAGE 33160

SUBSCRIBED AND SWORN BEFORE ME, THIS ___ DAY OF _____, 2023.

_____
NOTARY PUBLIC

0' 40' 80' 120'
GRAPHIC SCALE (IN FEET)
1 Inch = 40ft.

STATE RECORDING NUMBER:
500-20N-30W-0-30-330-04-1642

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 21ST DAY OF JUNE, 2023.

CERTIFICATE OF AUTHORIZATION
BATES & ASSOCIATES, INC.
#1335
ARKANSAS ENGINEER

REGISTERED
STATE OF ARKANSAS
NO. 1642
SIGNATURE
DERRICK L. THOMAS
PROFESSIONAL LAND SURVEYOR

DRAFT

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

VICINITY MAP

VICINITY MAP NOT TO SCALE

CITY OF BENTONVILLE PROJECT #LS23-0051

RECORDING NUMBER/DATE			
DATE	10-11-23	10-27-23	
REVISION	REVISED PER 1ST SUBMITTAL COMMENTS	REVISED PER 2ND SUBMITTAL COMMENTS	

LEGEND:
THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.
(R) RECORD BEARING & DISTANCE
(M)MEASURED BEARING & DISTANCE
FOUND 5/8" REBAR
FOUND 1/2" REBAR
FOUND PIPE
FOUND NAIL
SET 5/8" REBARCAP
COMPUTED POINT
WATER METER
POWER POLE
GAS METER
BOUNDARY LINE (MEASURED)
PARCEL / LOT LINE
TIE LINE
CENTERLINE OF ROAD
FENCE

Location Map:
R-30-W
30
T-20-N

BATES Engineers · Surveyors
7230 S. Pleasant Ridge Dr.- Fayetteville,Arkansas 72704 - 479.442.3350

BATES & ASSOCIATES, INC. - Copyright 2023
This survey was conducted for the person or persons whose name(s) appear on this plat. This plat is protected by copyright. No one including the person(s) named may reproduce this plat without the written permission of Bates & Associates, Inc. This survey is valid only if a print or electronic image with the original signature and seal is obtained. Bates & Associates, Inc. is not liable for investigation for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other fact which a complete and accurate title search may disclose. Any flood zone information shown hereon is based on graphic scaling and/or visual location and is not to be construed as a guarantee of the actual flood zone. Bates & Associates, Inc. is not liable for the correctness of the hereon cited maps, furthermore the above statement does not represent the opinion of Bates & Associates, Inc. of the probability of flooding.

FOR USE AND BENEFIT OF:
PINNACLE VILLAS, LLC.

ADDRESS:
200 NW G STREET
BENTONVILLE, ARKANSAS

DATE: *10/27/23*
LOCATION:
SECTION: 30
TOWNSHIP: 20 NORTH
RANGE: 30 WEST

SCALE: *1"=40'*
SURVEYED:
DRAFTED: AH
REVIEWED: DT

COA #1335

DRAWING #23-145 SPLIT

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF UNPLATTED SECTION LAND CREATING NEW LOTS 1 & 2 OF PINNACLE VILLAS LLC SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: LS23-0051)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of UNPLATTED SECTION LAND creating new LOTS 1 & 2 OF PINNACLE VILLAS LLC SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 7, 2023;

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

WHEREAS, the Bentonville Planning Commission considered said lot split 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 UNPLATTED SECTION LAND creating new LOTS 1 & 2 OF PINNACLE VILLAS LLC 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;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

Yellow Brick Road, LLC
(RZ23-0075)

503 Southeast A Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0075
Applicant / Current Owner	Yellow Brick Road, LLC
Site Area	+/- [0.39] Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DE, Downtown Edge
Current Future Land Use Map Designation	High Density Residential (HDR)
Requested Future Land Use Map Designation	Downtown Commercial
Development Type / Use	Unknown at the time of this report
Related projects	N/A

Property Description

This property is located at 503 Southeast A Street. It is currently zoned R-3, Medium-High Density Multifamily Residential, and is classified as High Density Residential (HDR) on the Future Land Use Plan. Adjacent properties to the north, east, and west are all currently zoned DE, Downtown Edge, and the property to the south is zoned R-2, Medium Density Two Family, and Townhome Residential. Surrounding Land Use Plan designations are all Downtown Commercial with the exception of the Bentonville Public Library which is designated as Public/Semi-Public.

Project Details

The Future Land Use Plan currently shows this property as High Density Residential (HDR). High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

This property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Bentonville Community Plan. This area highlights reinvestment in urban neighborhoods in and around

Project Details

Downtown Bentonville.

Relationship to the General Plan / Projected Traffic Impact

N/A

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

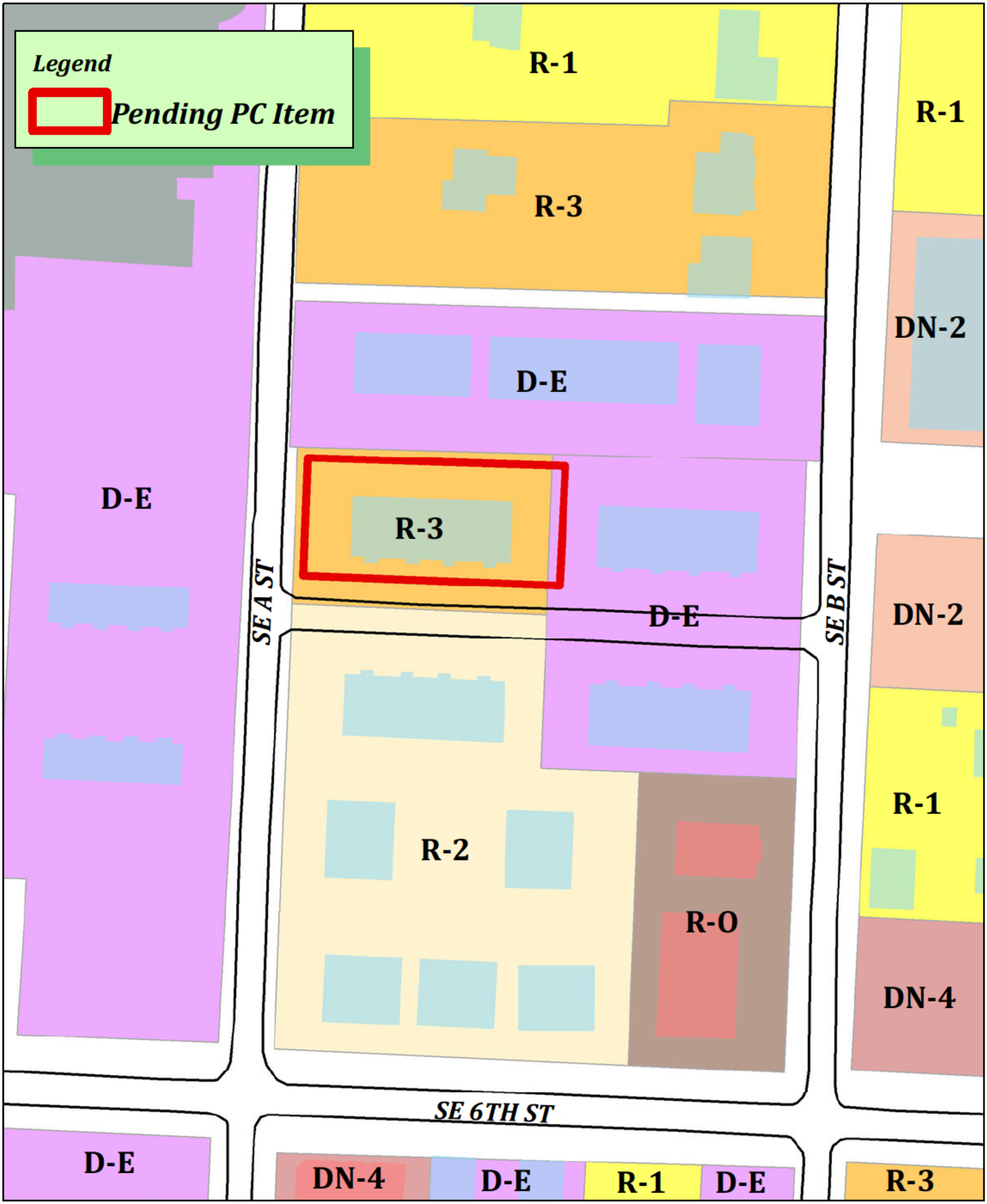
The Downtown Edge creates an area of transition between the Downtown Core with its retail emphasis and the lower density residential neighborhoods on the outskirts of downtown. This is the area of downtown with the greatest potential for infill and redevelopment. The physical form of structures begins to shift from commercial to residential character with flexibility in use, taking on a more service-oriented character for surrounding neighborhoods. The horizontal and vertical mixed use allows retail, commercial, office, and residential uses on all floors. Live/work housing, personal services, and small offices are strongly evident in this district. Buildings are spaced closely but are separated by setbacks.

Conclusion

This request is not consistent with the Future Land Use Plan. However, in the context of the property - considering all adjacent properties being zoned DE, Downtown Edge, and classified as Downtown Commercial on the Land Use Plan, along with the goals of the Community Plan to reinvest in urban neighborhoods in and around Downtown Bentonville, an amendment to the Future Land Use Plan to Downtown Commercial and a rezoning to DE, Downtown Edge would be appropriate.

Should the Planning Commission approve the Future Land Use Plan Amendment, planning staff recommends approval of the rezoning request. Should the Planning Commission deny the Future Land Use Plan Amendment, planning staff recommends denial of the rezoning or the applicant make a request to table the item.

Additional Details



N
W E
S

RZ23-0075
Don Marley R-3 to DE
503 SE A Street

THE CITY OF BENTONVILLE

Crafton Tull

901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

September 25, 2023

Bentonville Planning
305 SW A Street
Bentonville, AR 72712

RE: Project RZ 23-0075, 503 SE A Street Rezoning Application / Narrative

Planning Staff,

Our clients currently own this property, and they have requested that we move forward with a rezoning application on this parcel. The site is currently Zoned R-3, Medium-High Density Multifamily Residential. The request would be to change this current zoning to D-E, Downtown Edge. However, for this to move forward, we would also need to modify the Land Use Plan to achieve the D-E zoning desired. Currently the subject property is High-Density Residential, and we would like to modify this to Downtown Commercial in keeping with many of the surrounding properties. Thus, we would be able to move forward with a rezone to D-E, also in keeping with many of our neighboring parcels.

At this time, we do not have any specifics for the development other than it will be residential in nature.

Please let us know if you have any questions or need additional information. We look forward to working with staff to accomplish our desired goals, and bring a new asset to the City of Bentonville.

[redacted]

Barry R. Williams, RLA
V.P. Landscape Architecture

R23-0075

D +

NOTICE OF INTENT TO REZONE

Yellow Brick Road, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-3, Medium-High Density Multifamily Residential to DE, Downtown Edge

The legal description of the property is as follows:

Lot 7A in a Replat of the North 200 feet of the Lot 7, Block 5, Railroad Addition, to the City of Bentonville, Benton County, Arkansas, as shown on plat record 19 at page 164.

The common description of the property is: 503 SE A Street, Bentonville, AR

The public hearing will be held November 7, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☑ I / we have no objections to the rezoning.
☐ I / we object to the rezoning because:

[redacted]

Signature and Physical Address

Signature and Physical Address

Robert and Karen Been
[redacted]
Rogers, AR 72758

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM HIGH-DENSITY RESIDENTIAL TO DOWNTOWN COMMERCIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0075)

WHEREAS, YELLOW BRICK ROAD LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of HIGH-DENSITY RESIDENTIAL to DOWNTOWN COMMERCIAL, which property is described as follows:

LOT 7A IN A REPLAT OF THE NORTH 200 FEET OF THE LOT 7, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 19 AT PAGE 164;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 at the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present land use classification of HIGH-DENSITY RESIDENTIAL to DOWNTOWN COMMERCIAL on the City of Bentonville Future Land Use Map;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DE, DOWNTOWN EDGE; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0075)

WHEREAS, Yellow Brick Road LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DE, DOWNTOWN EDGE to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 7A IN A REPLAT OF THE NORTH 200 FEET OF THE LOT 7, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 19 AT PAGE 164;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DE, DOWNTOWN EDGE.

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 zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DE, DOWNTOWN EDGE to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

REO Plateau Properties (RZ23-0076)

Northwest Deer Run Avenue

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0076
Applicant / Current Owner	REO Plateau Properties LLC
Site Area	+/- 9.78 Acres
Current Zoning	A-1, Agriculture
Requested Zoning	R-E, Residential Estate
Current Future Land Use Map Designation	Unassigned
Requested Future Land Use Map Designation	Residential Estate
Development Type / Use	
Related projects	

Property Description

This property is located west of the stub of Northwest Deer Run Avenue and is presently zoned A-1, Agriculture. Adjacent zoning districts include R-1, Low-Density Single-Family Residential to the East and A-1, Agriculture and R-3, Medium-High Density Multifamily Residential to the South. To the North and West are unincorporated county. The applicant has assured that access will be maintained through the property to the landlocked property owner to the north.

Project Details

The applicant is proposing this property be rezoned to R-E, Residential Estate with a Future Land Use Map Amendment to Residential Estate. The applicant has stated an intent to subdivide the property some time in the future.

Relationship to the General Plan / Projected Traffic Impact

While this property is not identified in any Priority Area, it is directly adjacent to Priority Area 3: Edge Growth, and would be best considered in that context. The proposed rezoning would meet a couple of the

Relationship to the General Plan / Projected Traffic Impact

intents of Priority Area 3 including being near to existing utilities and infrastructure and maintaining a desirable neighborhood character.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

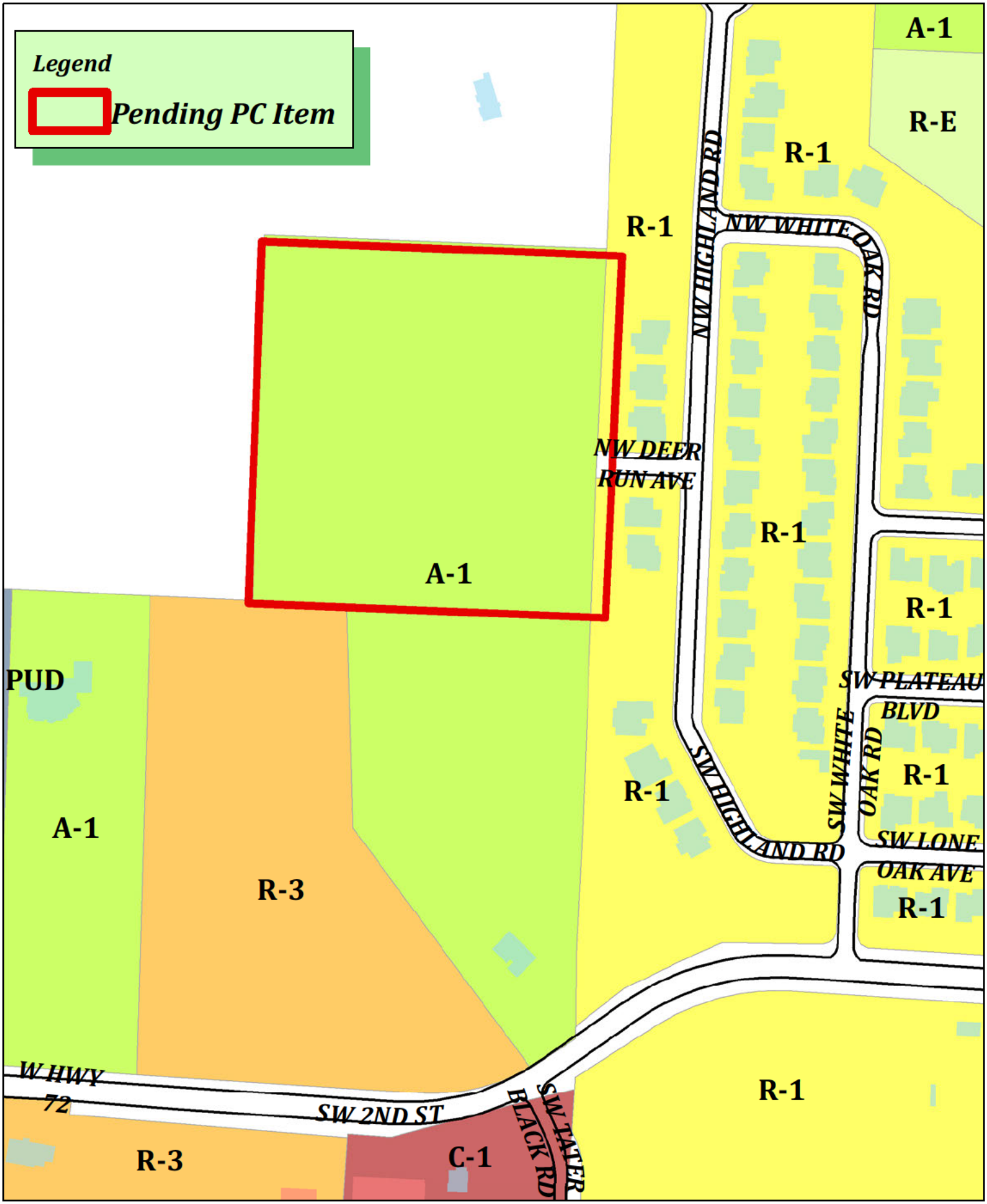
Analysis / Waivers

The proposed rezoning would meet the intent of Priority Area 3 of the Comprehensive Plan. The property is near to existing utilities and would maintain the neighborhood character and development fabric that exists presently.

Conclusion

Staff recommends approval of the rezoning request as it generally meets the intent of the Comprehensive Plan and maintains the character of the immediate area.

Additional Details



RZ23-0076
Reo Plateau Properties LLC.
A-1 to R-1

NW Deer Run Ave Narrative

Current zoning is A1 and proposed zoning is R1. Current owner, Reo Plateau Properties LLC, desires to extend Deer Run Ave with a turn-around area (for fire code) and subdivide into 3-6 lots, preserving much of the wooded beauty of the land and complementing the adjacent White Oak Trails subdivision. Lot sizes would range from 1 -3 acres so the request is for R1 zoning since some lots would be less than 2 acres and not qualify for RE zoning.

Traffic would be limited to the residences on the 3-6 proposed lots plus the current residence of Michael Smith to the North.

Water (8" line) is available at the Eastern property edge along NW Deer Run Ave and sewer (8" line) is located on Highland Rd. The plan is to utilize city water and set the houses back at least 300 ft. from Highland and be on septic.

RZ23-0076
(1)

NOTICE OF INTENT TO REZONE

Reo Plateau Properties LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

A-1, Agricultural to R-1, Low Density Single-Family Residential

The legal description of the property is as follows:

A part of the South Half of the Southeast Quarter of Section 27, Township 20 North, Range 31 West, Benton County, Arkansas, being more particularly described as follows, to-wit: Beginning at the SE corner of said eighty acre tract; Thence North 87°38'21" West, 646.18 feet; Thence North 02°06'40" East, 656.16 feet to a found 1/2" Iron pin; Thence South 87°38'22" East, 651.94 feet; Thence South 02°36'50" West, 656.16 feet to the point of beginning, containing 9.78 Acres, more or less. Subject to easements and right-of-ways of record, also being know as Tract 1 on Survey filed in/as Document No. L201818332.

The common description of the property is: NW Deer Run Ave

The public hearing will be held Tuesday, November 7, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

- [x] I / we have no objections to the rezoning.
- [ ] I / we object to the rezoning because:

If treeline remains mostly intact.

X [redacted]

Signature and Physical Address

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM PREVIOUSLY UNASSGINED LAND TO RESIDENTIAL ESTATE; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0076)

WHEREAS, REO Plateau Properties LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of PREVIOUSLY UNASSGINED LAND to RESIDENTIAL ESTATE, which property is described as follows:

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SE CORNER OF SAID EIGHTY ACRE TRACT; THENCE NORTH 87°38'21" WEST, 646.18 FEET; THENCE NORTH 02°06'40" EAST, 656.16 FEET TO A FOUND 1/2" IRON PIN; THENCE SOUTH 87°38'22" EAST, 651.94 FEET; THENCE SOUTH 02°36'50" WEST, 656.16 FEET TO THE POINT OF BEGINNING, CONTAINING 9.78 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD, ALSO BEING KNOW AS TRACT 1 ON SURVEY FILED IN/AS DOCUMENT NO. L201818332;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 at the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present land use classification of PREVIOUSLY UNASSGINED LAND to RESIDENTIAL ESTATE on the City of Bentonville Future Land Use Map;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-E, RESIDENTIAL ESTATE; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0076)

WHEREAS, REO Plateau Properties LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURAL to R-E, RESIDENTIAL ESTATE to be used in accordance with city zoning laws and state laws, which property is described as follows:

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SE CORNER OF SAID EIGHTY ACRE TRACT; THENCE NORTH 87°38'21" WEST, 646.18 FEET; THENCE NORTH 02°06'40" EAST, 656.16 FEET TO A FOUND 1/2" IRON PIN; THENCE SOUTH 87°38'22" EAST, 651.94 FEET; THENCE SOUTH 02°36'50" WEST, 656.16 FEET TO THE POINT OF BEGINNING, CONTAINING 9.78 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD, ALSO BEING KNOW AS TRACT 1 ON SURVEY FILED IN/AS DOCUMENT NO. L201818332;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURAL to R-E, RESIDENTIAL ESTATE.

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 zoning classification of A-1, AGRICULTURAL to R-E, RESIDENTIAL ESTATE to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

	Bentonville/Bella Vista Trailblazers Association Inc.
	Southwest 8th Street
	PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0077
Applicant / Current Owner	Bentonville/Bella Vista Trailblazers Association Inc
Site Area	+/- [52.55] Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential, and Planned Unit Development (PUD)
Requested Zoning	A-1, Agricultural
Current Future Land Use Map Designation	R-E, Residential Estate, and Office
Requested Future Land Use Map Designation	Agriculture
Development Type / Use	Public Park/Open Space
Related projects	LSD23-0043

Property Description

Four properties are proposed to be rezoned to A-1 Agricultural in this application. These properties are located south of Southwest 8th Street and west of I Street. They are currently zoned R-3, Medium-High Density Multifamily Residential and Planned Unit Development (PUD), and are classified as R-E, Residential Estate, and Office on the Future Land Use Plan. Adjacent properties to the north are currently zoned A-1, Agriculture and Planned Unit Development (PUD). West of the project are County lands and some R-1 and R-3 properties. Both A-1, Agriculture, and Planned Unit Development (PUD) are easterly adjacent. To the the south is A-1, Agriculture, R-3, and R-O. Surrounding Land Use Plan designations are R-E, Residential Estate, Low Density Residential (LDR), Public/Semi-Public and Office.

Project Details

The Future Land Use Plan currently shows these properties as Residential Estate, Office, and Light Industrial.

Residential estate areas include large detached single-family residential properties at least one acre in size. These areas may also include public uses that support residents.

Project Details

Office areas include properties primarily dedicated to professional employment/office uses, but can accommodate accessory commercial uses such as restaurant, service, or convenience uses oriented to serving office tenants. These areas can include stand-alone office buildings or be designed as a multi-building office park or campus. These areas are considered lower-intensity development, relative to other commercial areas.

Light industrial areas include low-impact manufacturing and assembly, large-scale storage, distribution, and warehousing facilities. Light industrial activities are typically characterized as having little or no environmental impact on surrounding properties.

This property is located within Priority Area 2, Infill, as identified in Chapter 4 of the Bentonville Community Plan. These areas support the development of vacant properties already served by infrastructure within the context of existing development.

Relationship to the General Plan / Projected Traffic Impact

N/A

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

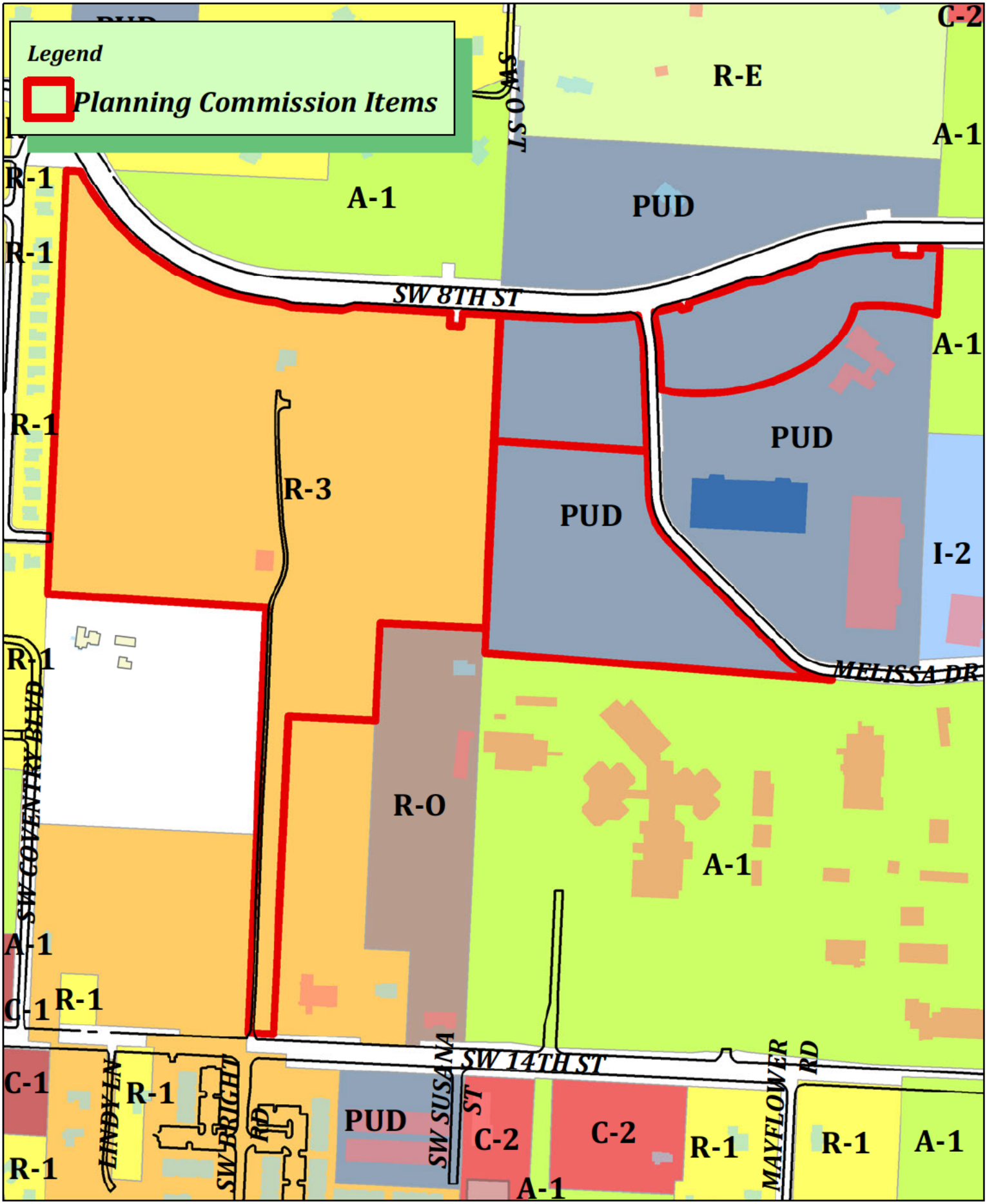
Analysis / Waivers

Community Parks are allowed in the following districts: agricultural, residential estates, commercial and industrial districts. The proposed rezone would allow for a community park to serve the surrounding neighborhoods and community.

Conclusion

The regulations for the A-1, Agricultural District are designed to preserve and protect prime agricultural lands and to protect undeveloped areas from intensive uses and allows for community parks. It has been the City's pattern and practise to locate larger parks in the A-1 zone and therefore staff recommends approval.

Additional Details



RZ23-0077
8th Street Gateway Park
Allen Subdivision South

E | D | G

September 26, 2023

City of Bentonville Planning Commission
Community Development Building
305 SW "A" Street
Bentonville, Arkansas 72712

Re: ***8th St. Gateway Rezoning Request***

To the City of Bentonville Planning Commission:

On behalf of City of Bentonville Parks and Recreation, Ecological Design Group (EDG) is submitting this rezone request for parcels ID: 01-17301-000, 01-05068-002, 01-05068-010, and 01-19577-000.

Parcel ID 01-17301-000 is currently zoned R3: Medium-High Density Multifamily Residential and parcel ID 01-05068-002, 01-05068-010, 01-19577-000 is zoned as PUD: Planned Unit Development. The requested change in zoning for these parcels is to be zoned as an A-1: Agricultural District to allow the property to be developed as a community park. This park will service the surrounding neighborhoods and community. The Bella Vista Trailblazers Association Inc. currently owns all the parcels and will be transferring ownership to the City of Bentonville once the park design is completed.

The community park will span along SW 8th St. from SW I St. to the edge of the neighboring properties along SW Arrowhead Drive for a total of 85.22 acres. The park consists of three main areas: West Park, Park Core, and East Park. The West Park is oriented to the existing neighborhood and will include a small playground, rest station, and running/jogging paths. The Park Core will include a primary pavilion, destination playground, skate park, and park drive off of Melissia Drive and associate parking. The East Park will include a small parking area, small comfort station, asphalt pump tack, multi-paths and bridge over 8th Street, and a large stormwater facility area.

Signage
At this time, no signage is planned beyond signage as allowed by City Code. The design teams will be working with the City of Bentonville to ensure that adequate signage is provided for pedestrian crossings.

Traffic
The properties have access to SW 8th St. which has the capacity to accommodate the traffic generated by the proposed development. In addition, the proposed park will have two parking areas to allow the public easy access to the different areas of the park.

Availability of Water and Sewer
Water mains are located in both Melissa Drive and SW I St. Additionally, this project is proposing a 12" water main from Melissa Drive connecting to an existing 12" water main in SW Arrowhead Drive. The site has an existing sewer main located east of Mellissa Drive and another located in SW I St. This project will be adding a sanitary sewer main extension of approximately 730 LF to serve the West Park, sewer main extension of approximately 1017 LF to serve the Park Core, and a sewer main extension of approximately 496 LF to serve the East Park.

Respectfully submitted,

ECOLOGICAL DESIGN GROUP, INC.

[redacted]

Brahm Driver, PE

10/3/23

R223-0077 +
(1)

NOTICE OF INTENT TO REZONE

Ecological Design Group has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-3, Medium-High Density Multifamily Residential to A-1, Agricultural
PUD: Planned Unit Development

The legal description of the property is as follows:

Please see attached.

30 yrs ago went To A-1 Now now ALL will go To PARK Incl. Geiger STAGE Start date? bar pavr

The common description of the property is: SW 8th Street

The public hearing will be held November 7th, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☑ I / we have no objections to the rezoning.
☐ I / we object to the rezoning because:

[redacted]

Signature and Physical Address

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM RESIDENTIAL ESTATE AND OFFICE TO AGRICULTURE; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0077)

WHEREAS, City of Bentonville duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of RESIDENTIAL ESTATE and OFFICE to AGRICULTURE, which property is described as follows:

TRACT 12, BEING A LOT SPLIT OF TRACT 9, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING FILED FOR RECORD SEPTEMBER 17, 1987 AS PLAT RECORD 11 AT PAGE 266 AND BEING MOR PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID TRACT 9, THENCE N 02°34'08" E 642.87 FEET ALONG THE WEST LINE OF SAID TRACT 9; THENCE S 86°23'39" E 462.14 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MELISSA DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES: S 01°55'36" E 126.66 FEET; 168.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 226.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 23°L7'L4" E AND A DISTANCE OF 164.63 FEET; S 44°38'52" E 490.78 FEET; 161.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 65°07'55" E AND A DISTANCE OF 158.18 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 9; THENCE N 85°36'58" W 1050.87 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 9.54 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD OR FACT.ANDLOT 19, BEING A LOT SPLIT OF TRACT 10 AND 14, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, FILED IN PLAT RECORD 2016 AT PAGES 878 AND 879.ANDA PORTION OF TRACT 10 OF HARDCASTLE ESTATES ACCORDING TO PLAT BOOK 2005, PAKE 1256 & 1257 AND SITUATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST COMER OF TRACT 12, HARDCASTLE ESTATES, PLAT BOOK 2005, PAGE 1256 &1257;

THENCE ALONG THE WEST BOUNDARY LINE OF SAID HARDCASTLE ESTATES, NORTH 02°36'03" EAST, A DISTANCE OF 642.52 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" TO THE SOUTHWEST COMER OF SAID TRACT 10 FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST BOUNDARY OF SAID TRACT 10, NORTH 02°36'03" EAST, A DISTANCE OF 381.38 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE SOUTH RIGHT-OF-WAY OF SW 8TH STREET ACCORDING TO DEED BOOK 2008, PAGE 50480; THENCE ALONG SAID SOUTH-RIGHT-OF-WAY THE FOLLOWING (2) COURSES;SOUTH 86°47'29" EAST, A DISTANCE OF 200.18 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 217.98 FEET, HAVING A RADIUS OF 1,045.00 FEET, THROUGH A CENTRAL ANGLE OF 11°57'05", AND HAVING A CHORD WHICH BEARS NORTH 87°13'16" EAST, A DISTANCE OF 217.59 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE WEST RIGHT-OF-WAY OF MELISSA DRIVE ACCORDING TO DEED BOOK 2008, PAGE 50480;THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:SOUTH 10°03'48" EAST, A DISTANCE OF 63.29 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759";ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 57.15 FEET, HAVING A RADIUS OF 473.76 FEET, THROUGH A CENTRAL ANGLE OF 06°54'41", AND HAVING A CHORD WHICH BEARS SOUTH 05°25'47" EAST, A DISTANCE OF 57.11 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759";SOUTH 01°52'38" EAST, A DISTANCE OF 289.97 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759";THENCE LEAVING SAID WEST RIGHT-OF-WAY, NORTH 86°26'17" WEST, A DISTANCE OF 461.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 172,171 SQUARE FEET OR 3.95 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 at the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present land use classification of RESIDENTIAL ESTATE and OFFICE to AGRICULTURE on the City of Bentonville Future Land Use Map;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL AND PUD, PLANNED UNIT DEVELOPMENT TO A-1, AGRICULTURAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0077)

WHEREAS, City of Bentonville duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and PUD, PLANNED UNIT DEVELOPMENT to A-1, AGRICULTURAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

TRACT 12, BEING A LOT SPLIT OF TRACT 9, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING FILED FOR RECORD SEPTEMBER 17, 1987 AS PLAT RECORD 11 AT PAGE 266 AND BEING MOR PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID TRACT 9, THENCE N 02°34'08" E 642.87 FEET ALONG THE WEST LINE OF SAID TRACT 9; THENCE S 86°23'39" E 462.14 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MELISSA DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES: S 01°55'36" E 126.66 FEET; 168.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 226.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 23°L7'L4" E AND A DISTANCE OF 164.63 FEET; S 44°38'52" E 490.78 FEET; 161.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 65°07'55" E AND A DISTANCE OF 158.18 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 9; THENCE N 85°36'58" W 1050.87 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 9.54 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD OR FACT.ANDLOT 19, BEING A LOT SPLIT OF TRACT 10 AND 14, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, FILED IN PLAT RECORD 2016 AT PAGES 878 AND 879.ANDA PORTION OF TRACT 10 OF HARDCASTLE ESTATES ACCORDING TO PLAT BOOK 2005, PAKE 1256 & 1257 AND SITUATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 30

WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST COMER OF TRACT 12, HARDCASTLE ESTATES, PLAT BOOK 2005, PAGE 1256 &1257; THENCE ALONG THE WEST BOUNDARY LINE OF SAID HARDCASTLE ESTATES, NORTH 02°36'03" EAST, A DISTANCE OF 642.52 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" TO THE SOUTHWEST COMER OF SAID TRACT 10 FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST BOUNDARY OF SAID TRACT 10, NORTH 02°36'03" EAST, A DISTANCE OF 381.38 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE SOUTH RIGHT-OF-WAY OF SW 8TH STREET ACCORDING TO DEED BOOK 2008, PAGE 50480; THENCE ALONG SAID SOUTH-RIGHT-OF-WAY THE FOLLOWING (2) COURSES;SOUTH 86°47'29" EAST, A DISTANCE OF 200.18 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 217.98 FEET, HAVING A RADIUS OF 1,045.00 FEET, THROUGH A CENTRAL ANGLE OF 11°57'05", AND HAVING A CHORD WHICH BEARS NORTH 87°13'16" EAST, A DISTANCE OF 217.59 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE WEST RIGHT-OF-WAY OF MELISSA DRIVE ACCORDING TO DEED BOOK 2008, PAGE 50480;THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:SOUTH 10°03'48" EAST, A DISTANCE OF 63.29 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759";ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 57.15 FEET, HAVING A RADIUS OF 473.76 FEET, THROUGH A CENTRAL ANGLE OF 06°54'41", AND HAVING A CHORD WHICH BEARS SOUTH 05°25'47" EAST, A DISTANCE OF 57.11 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759";SOUTH 01°52'38" EAST, A DISTANCE OF 289.97 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759";THENCE LEAVING SAID WEST RIGHT-OF-WAY, NORTH 86°26'17" WEST, A DISTANCE OF 461.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 172,171 SQUARE FEET OR 3.95 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and PUD, PLANNED UNIT DEVELOPMENT to A-1, AGRICULTURAL.

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 zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and PUD, PLANNED UNIT DEVELOPMENT to A-1, AGRICULTURAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

Sanders Properties LLLP
(RZ23-0078)

205 Northwest 4th Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0078
Applicant / Current Owner	Watkins, Boyer, Gray & Curry PLLC / Sanders Properties LLLP
Site Area	+/- 0.37 Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Current Future Land Use Map Designation	High Density Residential
Requested Future Land Use Map Designation	N/A
Development Type / Use	High Density Residential / Mixed Use
Related projects	N/A

Property Description

This property is located in Downtown Bentonville at 205 Northwest 4th Street, and is currently zoned R-3, Medium-High Density Multifamily Residential. Adjacent zoning districts include R-1, Low Density Single Family Residential to the north and south, in addition to D-E, Downtown Edge to the south, as well as R-3 to the east and west. A four-unit, single story, apartment building and a small storage shed exist on the property today.

Project Details

The applicant has requested to rezone the property from R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential, to align with its Future Land Use Map designation of High Density Residential and to maximize its potential uses granted its proximity to the Downtown core. The intent of the DN-4 district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures. These areas tend to be located in areas of unique activity due to the surrounding context and resulting levels of activity and housing demand. The property in question has access to all public utilities, including water, sewer and electric service, and sits just to the north of many commercially zoned properties in the downtown core, making this an appropriate and feasible location for high-density mixed-use development.

Relationship to the General Plan / Projected Traffic Impact

This property is located in Priority Area 1: Downtown Intensification, with a future land use map designation of High Density Residential. Chapter 4 of the Bentonville Community Plan (2018) recommends that development within this priority area highlights reinvestment in existing urban neighborhoods in and around Downtown Bentonville. The Bentonville Community Plan describes areas designated for High Density Residential Future Land Use as including: "apartments, condominium buildings, senior housing,and special types of group living." These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses. According to the Future Land Use Map and Zoning District Alignment Policy, DN-4 is the most compatible zoning district for this property given it's future land use designation and its location within Priority Area 1. Development of this property under the proposed DN-4 zoning would allow a higher density of dwelling units to be constructed which could increase the amount of vehicular traffic on nearby local streets. These impacts may be mitigated by the property's close proximity to downtown services and amenities, such as a grocery store and pharmacy, which can be accessed by bicycle or on foot via the adjacent sidewalk network.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

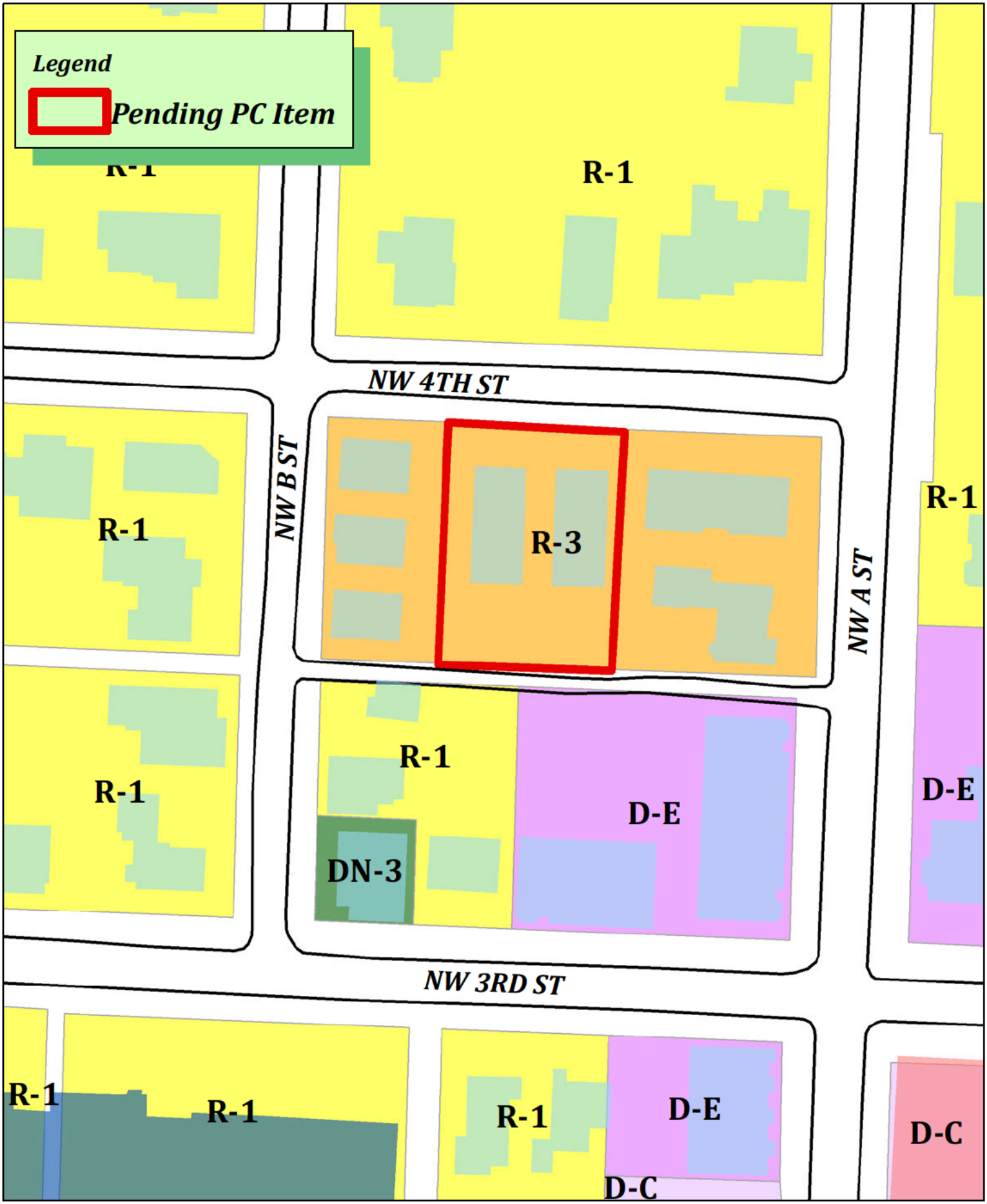
Analysis / Waivers

The intent of the DN-4 district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures. These areas tend to be located in areas of unique activity due to the surrounding context and resulting levels of activity and housing demand.

Conclusion

The requested rezoning is compatible with the property's Future Land Use Map designation of High Density Residential and supports the goals for Priority Area 1 outlined in chapter 4 of the 2018 Bentonville Community Plan. The close proximity of this property to Downtown Bentonville also lends support to the requested DN-4 zoning. For these reasons staff recommends approval of the rezoning request.

Additional Details



RZ23-0078
Sanders Properties LLP R-3 to DN4
205 NW 4th St

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER (OF COUNSEL)
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILLIAM A. KELLSTROM
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

September 29, 2023

City of Bentonville
Planning Department
305 SW A Street
Bentonville, Arkansas 72712

RE: Rezoning Parcel No. 01-02174-000 from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Sanders Properties, LLLP with respect to this rezoning request. The applicant is requesting that the property, Parcel No. 01-02174-000 (hereinafter "the Property"), be rezoned from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential.

The applicant would like to rezone the property to align it with the Bentonville Future Land Use Map, and to maximize its potential uses granted its proximity to the core of Downtown Bentonville. The Property is adjacent to R-3, to the East and West, R-1 to the North and, D-E to the South. The Future Land Use Map designates this property as "High Density Residential" which allows for both DN-3 and DN-4 zoning. Notably, this property is right on the fringes of the downtown square, which is largely designated as "Downtown Commercial" on the Future Land Use Map. Because of this Property's proximity to downtown, it is logical that this Property would be a prime candidate for being rezoned to DN-4 under its current Future Land Use Designation instead of DN-3. Rezoning this property to DN-4 would serve as a logical transition from Downtown Edge-zoned properties to DN-3-zoned properties which are more interior to the neighborhood.

The applicant is not contemplating any particular project for this property at the current time. Traffic generated would be similar to other DN-4-zoned properties nearby and likely less, due to the relatively small size of the Property. Lastly, there is an eight inch (8") water line available at the street frontage, and an eight inch (8") sewer line available in the alley.

1106 WEST POPLAR STREET
ROGERS, AR 72756
PH: 479 636 2168
FX: 479 636 6098
WWW.WATKINSLAWOFFICE.COM

REAL ESTATE, CONSTRUCTION & LIEN LAW, LAND USE & PLANNING
CORPORATE & COMMERCIAL LAW, BANKING, BANKRUPTCY
CRIMINAL LAW, FAMILY LAW, GUARDIANSHIPS, LANDLORD TENANT
ESTATE PLANNING, ELDER LAW, PROBATE, TRUST LITIGATION
CIVIL LITIGATION, COMMERCIAL & CONSUMER DEBT COLLECTION

Thank you for considering this request for rezoning. If you have any questions, please contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ *Will A. Kellstrom*

Will A. Kellstrom

WK:
pc:

RZD-0078
D

NOTICE OF INTENT TO REZONE

Sanders Properties, LLLP has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

The legal description of the property is as follows:

See attached.

The common description of the property is: 205 NW 4th St.

The public hearing will be held November 7th, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☒ I / we have no objections to the rezoning.
☐ I / we object to the rezoning because:

[redacted]

Signature and Physical Address

Signature and Physical Address

Scott & Cynthia Cooper

[redacted]

NOTICE OF INTENT TO REZONE

Sanders Properties, LLLP has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

The legal description of the property is as follows:

See attached.

The common description of the property is: 205 NW 4th St.

The public hearing will be held November 7th, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☒ I / we have no objections to the rezoning.
☐ I / we object to the rezoning because:

[redacted]

Signature and Physical Address

Chris W-Sooter

[redacted]

Signature and Physical Address

NOTICE OF INTENT TO REZONE

Esterer Investments, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

The legal description of the property is as follows:

See attached

The common description of the property is: 337 NW A St.

The public hearing will be held November 7th, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☒ I / we have no objections to the rezoning.
☐ I / we object to the rezoning because:

[redacted]
Signature and Physical Address

Chris W. Soofer
[redacted]

Signature and Physical Address

Jon Stanley

From: Connie Bruns [redacted]
Sent: Saturday, November 4, 2023 1:37 PM
To: Tyler Overstreet; Jon Stanley
Subject: Rezone of Property 337 NW A Street, Esterer Investments, LLC

Some people who received this message don't often get email from conniejbo@gmail.com. Learn why this is important

Regarding the rezoning of 337 NW A Street, Esterer Investments, LLC , Bentonville, Arkansas

Rezone request from R-3, Medium High Density Multifamily Residental to DN-4, Downtown Mixed Use Residential

I object to the rezoning because:
N.W. 4th Street and NW A Street have many beautiful expensive homes in this immediate area. To rezone the property in question to DN-4, Downtown Mixed Use Residential which I understand would allow businesses/shopping stores, and eateries(?) , would disrupt the peace and quiet of the now residential area. At the present time there is much traffic along NW4th Street, to rezone this area which allows commercial shops would bring even more traffic and noise. Then, let's consider parking areas. At present uninvited vehicles are parking in private parking areas. As owner of the property at [redacted] I have to keep vigilance on the parking area due to folks randomly parking in the tenant's parking area. I am concerned that the change in rezoning which allows commercial shops or eateries would adversely affect the area. My understanding is that Bars and Eateries could be established under the requested zoning. Such establishments have no noise restrictions or closing hours. This is a residential area, We have a quiet area related to families and residential living. Don't want this disrupted.

In this area of NW, 4th Street and Northwest A Street have little street parking to accommodate commercial parking. ,

I understand the DN-4 type zoning could bring 12 units per acre which could bring 4-5 units for a .37 acre and 2-3 units for the .21 acre. Both letters to staff/planning commission said there wouldn't be much of a traffic change but it could have a small impact due to more people potentially living on the block and any traffic for the potential commercial space that would eventually be on the property. The parking for the units/any commercial space would be a challenge, please think that through.

I have another building concern. My property at [redacted] has an easement for the sewer line which connects at the alley. (My understanding it runs beneath or along the Sanders Property.) I purchased the property from Conley Austin and this was related to me by Mr. Austin)

Respectively submitted,

Connie J. Bruns, [redacted] entonville AR [redacted]

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DN-4, DOWNTOWN MIXED-USE RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER:RZ23-0078)

WHEREAS, Sanders Properties, LLLP duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 3 AND ALL OF LOT 4 EXCEPT 14 FEET OF THE WEST SIDE THEREOF IN BLOCK 9, DEMING'S ADDITION TOBENTONVILLE, ARKANSAS.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL.

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 zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

Esterer Investments, LLC
(RZ23-0079)

337 Northwest A Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0079
Applicant / Current Owner	Esterer Investments, LLC
Site Area	+/- [0.21] Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Current Future Land Use Map Designation	High Density Residential (HDR)
Requested Future Land Use Map Designation	N/A
Development Type / Use	Unknown at the time of this report
Related projects	N/A

Property Description

This property is located at 337 Northwest A Street. It is currently zoned R-3, Medium-High Density Multifamily Residential, and is classified as High Density Residential (HDR) on the Future Land Use Plan. Adjacent properties to the north and west are both currently zoned R-3, Medium-High Density Multifamily Residential, while the property to the south is zoned DE, Downtown Edge, and the properties to the east are zoned DE, Downtown Edge, and R-1, Low-Density Single-Family Residential. The surrounding Land Use Plan designations are all High Density Residential (HDR) with the exception of the property to the south which is designated as Downtown Commercial.

Project Details

The Future Land Use Plan currently shows this property as High Density Residential (HDR). High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

This property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the

Project Details

Bentonville Community Plan. This area highlights reinvestment in urban neighborhoods in and around Downtown Bentonville.

Relationship to the General Plan / Projected Traffic Impact

This property is located in Priority Area 1: Downtown Intensification, with a future land use map designation of High Density Residential. Chapter 4 of the Bentonville Community Plan (2018) recommends that development within this priority area highlights reinvestment in existing urban neighborhoods in and around Downtown Bentonville. The Bentonville Community Plan describes areas designated for High Density Residential Future Land Use as including: "apartments, condominium buildings, senior housing,and special types of group living." These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses. According to the Future Land Use Map and Zoning District Alignment Policy, DN-4 is the most compatible zoning district for this property given it's future land use designation and its location within Priority Area 1. Development of this property under the proposed DN-4 zoning would allow a higher density of dwelling units to be constructed which could increase the amount of vehicular traffic on nearby local streets. These impacts may be mitigated by the property's close proximity to downtown services and amenities, such as a grocery store and pharmacy, which can be accessed by bicycle or on foot via the adjacent sidewalk network.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

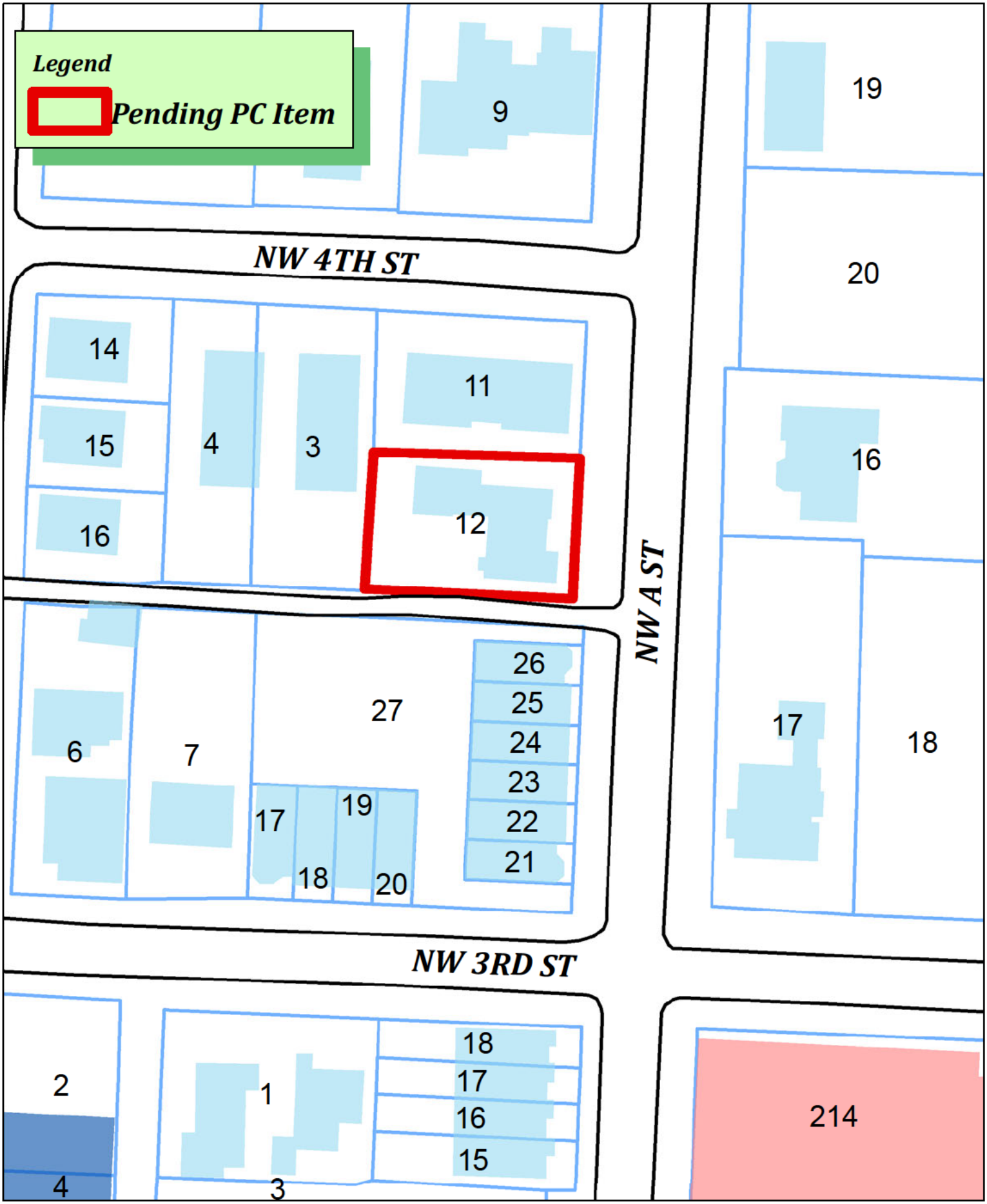
Analysis / Waivers

The intent of the DN-4 district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures. These areas tend to be located in areas of unique activity due to the surrounding context and resulting levels of activity and housing demand.

Conclusion

The requested rezoning is compatible with the property's Future Land Use Map designation of High Density Residential and supports the goals for Priority Area 1 outlined in chapter 4 of the 2018 Bentonville Community Plan. The close proximity of this property to Downtown Bentonville also lends support to the requested DN-4 zoning. For these reasons staff recommends approval of the rezoning request.

Additional Details



N
W E
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RZ23-0079
Esterer Investments Inc R-3 to DN4
537 NW A St.

THE CITY OF BENTONVILLE

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER (OF COUNSEL)
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILLIAM A. KELLSTROM
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

September 29, 2023

City of Bentonville
Planning Department
305 SW A Street
Bentonville, Arkansas 72712

RE: Rezoning Parcel No. 01-02173-000 from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Esterer Investments, LLC with respect to this rezoning request. The applicant is requesting that the property, Parcel No. 01-02173-000 (hereinafter "the Property"), be rezoned from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential.

The applicant would like to rezone the property to align it with the Bentonville Future Land Use Map, and to maximize its potential uses granted its proximity to the core of Downtown Bentonville. The Property is adjacent to R-3 to the West and North, R-1 and D-E to the East, and D-E to the South. The Future Land Use Map designates this property as "High Density Residential" which allows for both DN-3 and DN-4 zoning. Notably, this property is right on the fringes of the downtown square, which is largely designated as "Downtown Commercial" on the Future Land Use Map. Because of this Property's proximity to downtown, it is logical that this Property would be a prime candidate for being rezoned to DN-4 under its current Future Land Use Designation instead of DN-3. Rezoning this property to DN-4 would serve as a logical transition from Downtown Edge-zoned properties to DN-3-zoned properties which are more interior to the neighborhood.

The applicant is not contemplating any particular project for this property at the current time. Traffic generated would be similar to other DN-4-zoned properties nearby and likely less, due to the relatively small size of the Property. Lastly, there is an eight inch (8") water line available at the street frontage, and an eight inch (8") sewer line available in the alley.

1106 WEST POPLAR STREET
ROGERS, AR 72756
PH: 479 636 2168
FX: 479 636 6098
WWW.WATKINSLAWOFFICE.COM

REAL ESTATE, CONSTRUCTION & LIEN LAW, LAND USE & PLANNING
CORPORATE & COMMERCIAL LAW, BANKING, BANKRUPTCY
CRIMINAL LAW, FAMILY LAW, GUARDIANSHIPS, LANDLORD TENANT
ESTATE PLANNING, ELDER LAW, PROBATE, TRUST LITIGATION
CIVIL LITIGATION, COMMERCIAL & CONSUMER DEBT COLLECTION

Thank you for considering this request for rezoning. If you have any questions, please contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ *Will A. Kellstrom*

Will A. Kellstrom

WK:
pc:

RZ23-0079
①

NOTICE OF INTENT TO REZONE

Esterer Investments, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

The legal description of the property is as follows:

See attached

The common description of the property is: 337 NW A St.

The public hearing will be held November 7th, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☒ I / we have no objections to the rezoning.
☐ I / we object to the rezoning because:

[redacted]

Signature and Physical Address

Signature and Physical Address

Scott & Cynthia Cooper

[redacted]

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DN-4, DOWNTOWN MIXED-USE RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER:RZ23-0079)

WHEREAS, Esterer Investments, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 12, BLOCK 9 OF THE REPLAT OF LOTS 1 AND 2 OF BLOCK 9, DEMINGS ADDITION, BENTONVILLE, ARKANSAS,AS SHOWN ON PLAT RECORD 8, PAGE 73.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL.

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 zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

ATTEST:

_____
Stephanie Orman, Mayor

_____
Kirby Romines, City Clerk

Doaba Investment, LLC
(RZ23-0073)

Southwest Regional Airport Boulevard

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0073
Applicant / Current Owner	Doaba Investment, LLC
Site Area	+/- 13.35 Acres
Current Zoning	Planned Unit Development (PUD) Expired
Requested Zoning	R-3, Medium-High Density Multifamily Residential
Current Future Land Use Map Designation	R-E, Residential Estate
Requested Future Land Use Map Designation	High Density Residential
Development Type / Use	Multi Family Residential
Related projects	RZ23-0074 and LS23-0049

Property Description

This property is located along Southwest Regional Airport Blvd. It is currently zoned PUD, Planned Unit Development. The property is presently undeveloped. Adjacent zonings are PUD, Planned Unit Development to the West and North, R-1, Low-density Single-family Residential to the South, and C-2, Commercial and R-3, Medium-High Density Multifamily Residential to the East.

Project Details

Relationship to the General Plan / Projected Traffic Impact

The Future Land Use Plan depicts this property as RE, Residential Estate. Residential estate areas include large detached single-family residential properties at least one acre in size. These areas may also include public uses that support residents. Surrounding Land Use designations include General Commercial, High-Density Residential, Residential Estate, and Low-Density Residential.

Relationship to the General Plan / Projected Traffic Impact

The applicant has requested that this property be amended from Residential Estate to High-Density Residential. High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

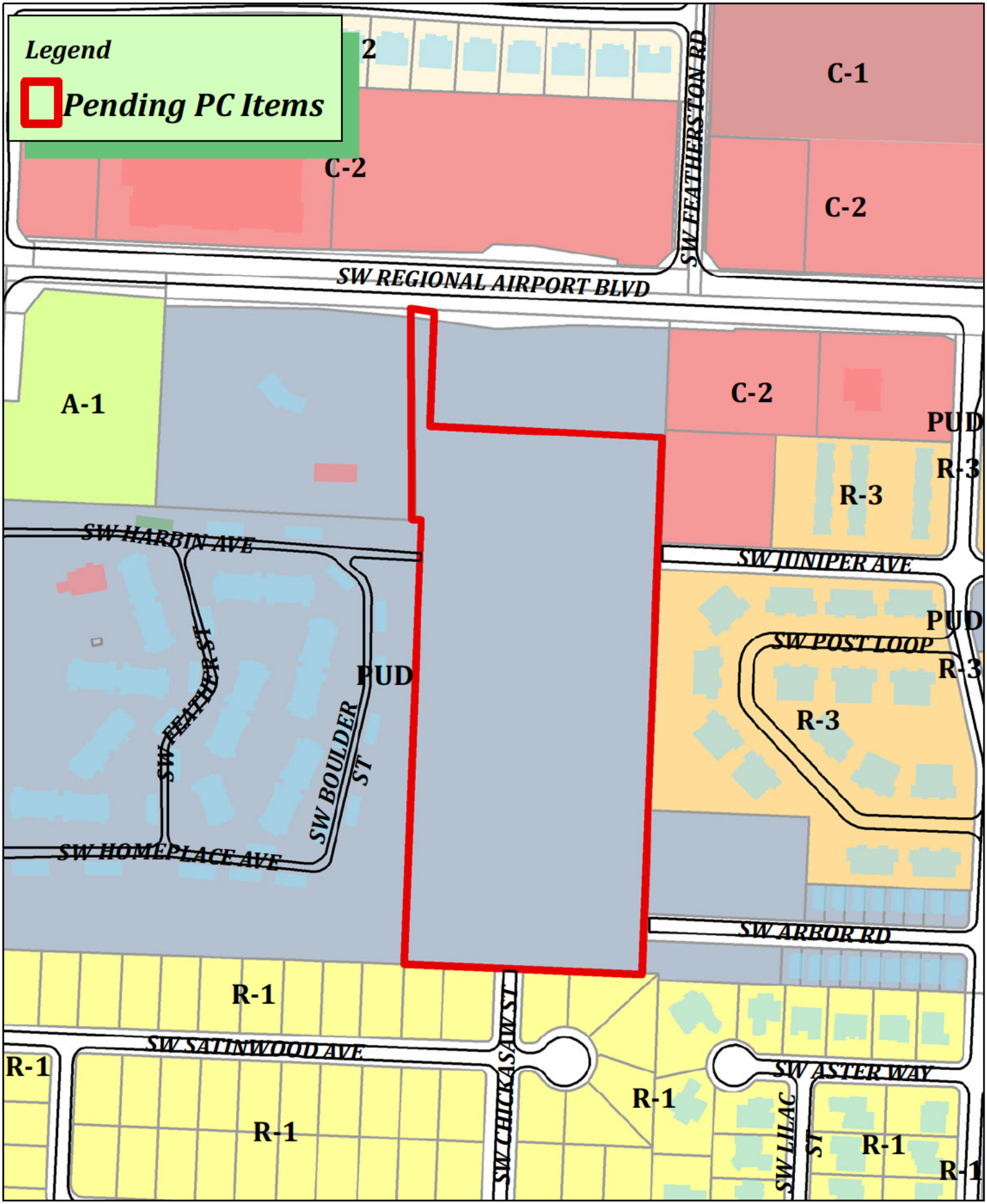
This request is half of a two-part request to rezone all of a single parcel to two separate zoning districts. The Commercial portion of the rezone was approved by the Planning Commission on October 17, 2023. The Planning Commission held the public hearing for the original request for R-4 then tabled the item. The applicant has subsequently modified their application to request a rezone for R-3, Medium-High Density Multifamily Residential.

The proposed zoning is not consistent with the Future Land Use Paln without the approval of the accompanying Land Use Amendment. The proposed zoning and Land Use amendment are both consistent with the existing developed fabric of this corridor, its proximity to both Regional Airport Blvd. and Morningstar Road, both of which are classified as arterials, and the existing density of the east and west neighborhoods.

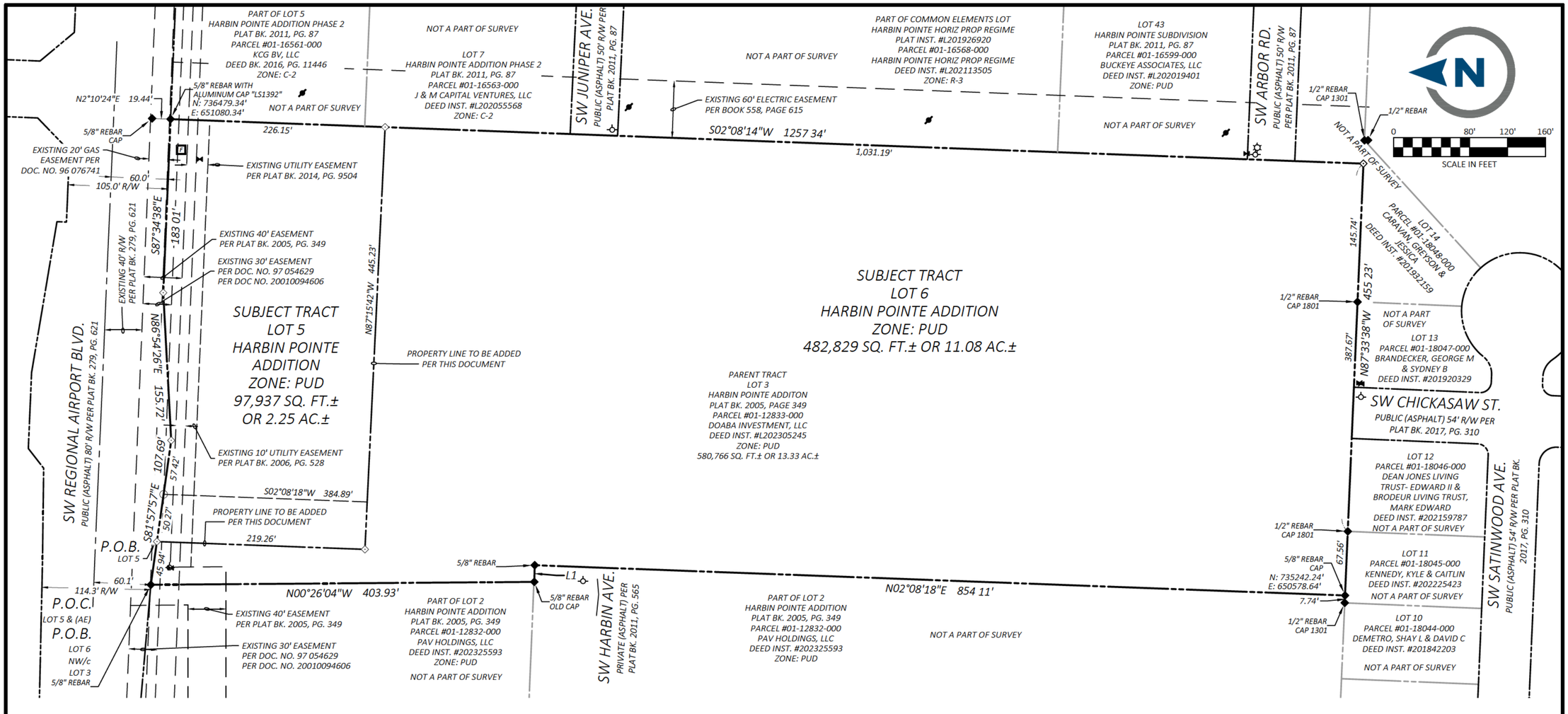
Conclusion

Given the context of the built environment around this proposal, staff recommends approval of both the Land Use amendment and rezoning request.

Additional Details



RZ23-0073
Doaba Investment LLC.
PUD to R-3



Legend

- Boundary Line
- Adjoining Boundary Line
- Right-of-Way Line
- Easement Line
- Centerline
- Bearing & Distance Change
- Drainage Manhole (DMH)
- Fire Hydrant
- Sewer Manhole (SMH)
- Utility Pole
- Electric Riser
- Water Valve
- Light Pole Straight
- Fiber Optic Vault
- Found Monument (As Noted)
- Set 5/8" Rebar "LS#1618"
- Found Nail (As Noted)
- R/W — Right-of-Way
- (AE) — Access Easement

Property Line Table		
Line #	Direction	Length
L1	N88°28'34"W	17.57'

Easement Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
EC1	25.00'	39.01'	89°24'00"	S42°33'42"E	35.17'

Parent Tract Description, per Deed Instrument No. L202305245:

LOT 3 OF THE LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN IN PLAT BOOK 2005, PAGE 349 OF THE RECORDS OF BENTON COUNTY, ARKANSAS.

LESS AND EXCEPT: PART OF LOT 3, LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, LOCATED IN THE NW1/4 OF THE SE1/4 OF SECTION AA, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL FOUND AT THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 11; THENCE ALONG THE EAST LINE OF SAID NW1/4 OF THE SE1/4, SOUTH 02°11'01" WEST A DISTANCE OF 45.00 FEET TO THE SOUTHERN RIGHT OF WAY OF HIGHWAY 12 AS ESTABLISHED BY HARBIN POINT ADDITION PHASE 2 RECORDED IN PLAT BOOK 2011, PAGE 87 AS FILED IN BENTON COUNTY; THENCE ALONG SAID SOUTHERN RIGHT OF WAY, NORTH 87°38'54" WEST ALONG SAID SOUTHERN RIGHT OF WAY A DISTANCE OF 25.72 FEET TO THE EAST LINE OF SAID LOT 3 AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST LINE, SOUTH 02°08'59" WEST A DISTANCE OF 14.42 FEET TO THE SOUTHERN RIGHT-OF-WAY OF HIGHWAY 12 AS ESTABLISHED BY AHTD JOB 090251; THENCE ALONG SAID SOUTHERN RIGHT OF WAY THE FOLLOWING BEARING AND DISTANCES: NORTH 87°33'55" WEST A DISTANCE OF 182.95 FEET; SOUTH 86°54;26" WEST A DISTANCE OF 155.72 FEET; NORTH 81°58'01" WEST A DISTANCE OF 153.76 FEET TO THE WEST LINE OF SAID LOT 3; THENCE ALONG SAID WEST LINE, NORTH 00°26'04" WEST A DISTANCE OF 16.73 FEET TO THE SOUTHERN RIGHT OF WAY OF HIGHWAY 12 AS ESTABLISHED BY LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, PLAT BOOK 2005, PAGE 349 AS FILED IN BENTON COUNTY; THENCE ALONG SAID SOUTHERN RIGHT OF WAY SOUTH 87°38'54" EAST A DISTANCE OF 491.73 FEET; THENCE ALONG SAID SOUTHERN RIGHT OF WAY, SOUTH 02°08'59" WEST A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING, AS SHOWN ON AHTD PLANS, REFERENCED AS JOB 090251.

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

ATLAS PAGE: 483

City of Bentonville Project # _____

State Survey Code: 500-19N-31W-0-11-140-04-1618

DRAWING LOCATION - S:\33000\33049\DRAWINGS\SURVEY\WORKING\33049LS.DWG -- SAVED BY - MKETKEORASMY

© 2023 CEI ENGINEERING ASSOCIATES, INC.

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split of Part of Lot 3

SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KTC
CEI PROJECT NUMBER	33049
DATE	9/8/2023
REVISION	REV-0

Lot Split Sheet

SHEET TITLE

SHEET NUMBER

2 OF 2

RZ23-00703
(1)

NOTICE OF INTENT TO REZONE

CEI Engineering on behalf of Doaba Investment, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

PUD, Planned Unit Development to R-4 High Density Multifamily Residential

The legal description of the property is as follows:

See attached

The common description of the property is: Rear Lot of SW Regional Airport Blvd (Southwest of Featherston Rd)

Proposed land use: High Density Residential

The public hearing will be held October 17, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.).

For more information, you may call the Planning Department at (479) 271-3122.

I/we have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

[redacted]

Bentonville, AR 72713

RZ23-0073

6

NOTICE OF INTENT TO REZONE

CEI Engineering on behalf of Doaba Investment, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

PUD, Planned Unit Development to R-4 High Density Multifamily Residential

The legal description of the property is as follows:

See attached

The common description of the property is: Rear Lot of SW Regional Airport Blvd (Southwest of Featherston Rd)

Proposed land use: High Density Residential

The public hearing will be held October 17, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.).

For more information, you may call the Planning Department at (479) 271-3122.

I/we have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

(1) Safety due to increased traffic from high density housing. (2) Privacy & Quiet Enjoyment – A 25ft setback on a building up to 50ft is not sufficient to maintain privacy. All of our patios back up to property line and were not designed to mitigate against R4 Zoning to the rear. (3) Property Value Impacts (4) Water Flow Disruptions (5) Utilities Strain

[redacted]

Bentonville AR
72713

CEI
Solutions for Land and Life

Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
ceieng.com

October 26, 2023

City of Bentonville
Planning Dept.
305 SW A St.
Bentonville, AR 72712

RE: Bentonville Parcel 01-12833-000 Rezoning Application

Dear Planning Commission:

Please accept this narrative letter to accompany a request by Doaba Investment LLC, owner of real property located in the City of Bentonville, Benton County parcel 01-12833-000 (13.35± acres). The requested rezone is for the southern 11.08± acres of the aforementioned parent tract from PUD *Planned Unit Development* to R-3, *Medium-High Density Multifamily Residential* (See pdf of Rezone Map for proposed lot area). The parcel is on the southwest corner of SW Regional Airport Blvd and SW Featherston Rd. Development of the property is anticipated by the current owner.

Pending approval of this rezoning request, a proposed development plan will be submitted to address details of construction. It will be consistent with the allowable uses under the current city of Bentonville zoning code for the proposed district. Zoning of the subject tract as R-3 uses will be compatible with the surrounding neighborhood as a buffer from C-2 to the north (RZ23-0074) and east along SW Regional Airport Blvd, R-3 townhomes to the east, R-1 subdivision to the south, and a PUD with multifamily to the to the west. The multifamily development intends to provide a transition between the commercial frontage along Airport Blvd and the single family to the south. Multifamily exists on both the east and west sides of the proposed R-3.

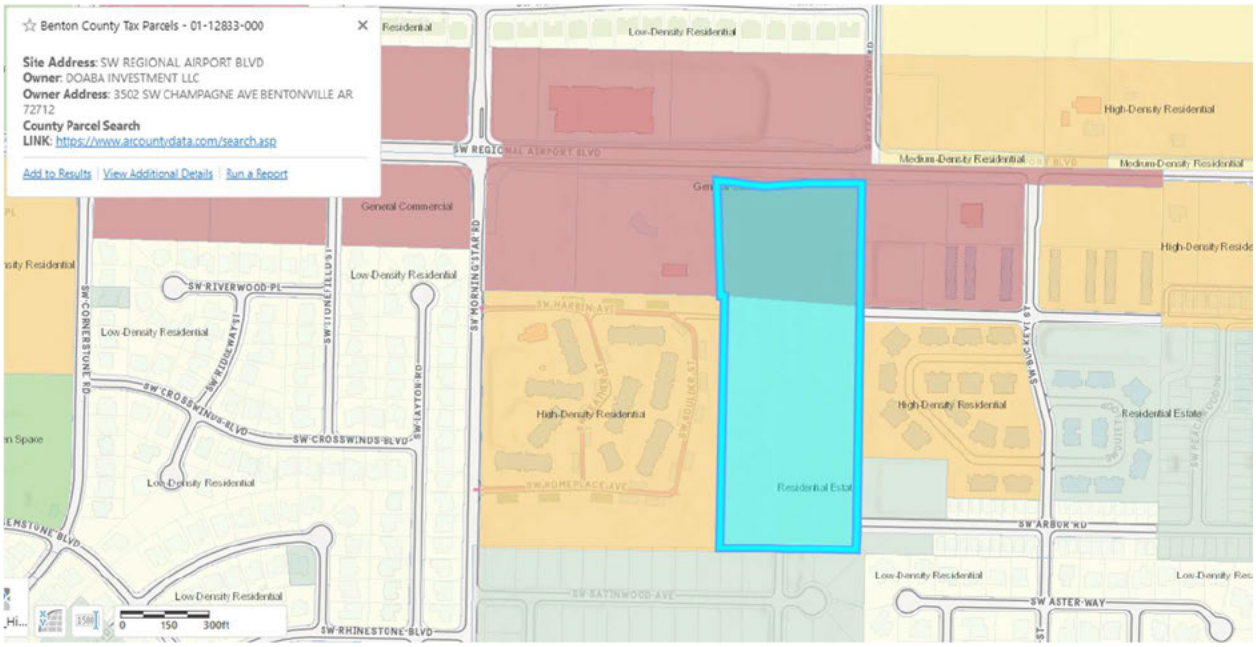
Access to this development will be provided by the existing street network (public connections are available at SW Regional Airport Blvd, SW Juniper Ave, SW Arbor Rd, SW Chickasaw St; private connection at SW Harbin Ave) with parking counts to meet code requirements. An increase of traffic can be expected from the development of the commercial property and apartments, which is being analyzed in a traffic study. All necessary utilities for the proposed development are available with an 18" water line and 12" gravity sewer along Airport Blvd or by existing connections adjacent to the subject tract (four 8" water connections and two 8" gravity sewer connections); a sewer capacity study is also anticipated for the forthcoming development plans. Signage is anticipated for the development.

(*See next page for Land Use Amendment*)

RE: Bentonville Parcel 01-12833-000 Rezoning Application: Land Use Amendment

Dear Planning Commission:

Please accept this narrative letter to satisfy the requirements of Ordinance 2021-94 regarding rezoning requests when such request is inconsistent with the future land use plan map. On behalf of Doaba Investment LLC, CEI has submitted a request for rezoning of parcel 01-12833-000 requesting R-3 Zoning with *High Density Residential* land use where the future land use plan map shows *General Commercial* frontage with *Residential Estate* land use to the south (See pdf of Rezone Map for proposed R-3 / High Density Residential land use area). The property is planned for development by the current owner with commercial frontage along SW Regional Airport Blvd and multifamily to the south – more information is provided in the Rezoning Narrative. If the commission finds the rezoning request in keeping with the highest and best use of the land, we also ask for the land use plan to be amended as noted for consistency with that zoning.



Thank you for your time and consideration in this matter.

Respectfully submitted,
CEI Engineering Associates, Inc.

Chad Caletka, Project Manager

RZ23-0073
(3)

NOTICE OF INTENT TO REZONE

CEI Engineering on behalf of Doaba Investment, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

PUD, Planned Unit Development to R-4 High Density Multifamily Residential

The legal description of the property is as follows:

See attached

The common description of the property is: Rear Lot of SW Regional Airport Blvd (Southwest of Featherston Rd)

Proposed land use: High Density Residential

The public hearing will be held October 17, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.).

For more information, you may call the Planning Department at (479) 271-3122.

I/we have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

Concerned specifically with rezoning to "high density" because of (1) lack of privacy given potential height of building and proximity to my home, (2) increased traffic and noise, and (3) potential storm water runoff risk with paved streets (property already has significant [redacted]

* Note: Would be more open to lower density zoning, as long as there is some separation (eg, Street) between that property and my fence.

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM RESIDENTIAL ESTATE TO HIGH-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0073)

WHEREAS, Doaba Investment, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of RESIDENTIAL ESTATE to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

A PART OF LOT 3 OF THE LOT SPLIT OF LOTS 1-4, HARBIN POINTE ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 2005, PAGE 349, BEING A PORTION OF LAND CONVEYED TO DOABA INVESTMENT, LLC, DESCRIBED IN DEED INSTRUMENT NO. L202305245 AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 5/8” REBAR FOUND AT THE NORTHWEST CORNER OF SAID LOT 3;THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SW REGIONAL AIRPORT BOULEVARD, SOUTH 81°57'57" EAST, 45.94 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE LEAVING SAID SOUTH RIGHT-OF-WAY, SOUTH 02°08'16" WEST, 219.26 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE SOUTH 87°15'42" EAST, 445.23 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE SOUTH 02°08'14" WEST, 1,031.19 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE NORTH 87°33'38" WEST, CROSSING A 1/2” REBAR WITH CAP STAMPED “1801” FOUND AT A DISTANCE OF 145.74, AND CROSSING A 1/2” REBAR WITH CAP STAMPED “1801” FOUND AT A DISTANCE OF 387.66 FEET, FOR A TOTAL DISTANCE OF 455.23 FEET TO A FOUND 5/8” REBAR WITH CAP;THENCE NORTH 02°08'18" EAST, 854.11 FEET TO A FOUND 5/8” REBAR;THENCE NORTH 88°28'34" WEST, 17.57 FEET TO A FOUND 5/8” REBAR WITH OLD CAP;THENCE NORTH 00°26'04" WEST, 403.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 482,829 SQUARE FEET OR 11.08 ACRES, MORE OR LESS.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 at the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present land use classification of RESIDENTIAL ESTATE to HIGH-DENSITY RESIDENTIAL on the City of Bentonville Future Land Use Map;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

_____

ATTEST: **Stephanie Orman, Mayor**

_____

Kirby Romines, City Clerk

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF PUD, PLANNED UNIT DEVELOPMENT TO R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER:RZ23-0073)

WHEREAS, Doaba Investment, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of PUD, PLANNED UNIT DEVELOPMENT to R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

A PART OF LOT 3 OF THE LOT SPLIT OF LOTS 1-4, HARBIN POINTE ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 2005, PAGE 349, BEING A PORTION OF LAND CONVEYED TO DOABA INVESTMENT, LLC, DESCRIBED IN DEED INSTRUMENT NO. L202305245 AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 5/8” REBAR FOUND AT THE NORTHWEST CORNER OF SAID LOT 3;THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SW REGIONAL AIRPORT BOULEVARD, SOUTH 81°57'57" EAST, 45.94 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE LEAVING SAID SOUTH RIGHT-OF-WAY, SOUTH 02°08'16" WEST, 219.26 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE SOUTH 87°15'42" EAST, 445.23 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE SOUTH 02°08'14" WEST, 1,031.19 FEET TO A SET 5/8” REBAR WITH CAP STAMPED “LS#1618”;THENCE NORTH 87°33'38" WEST, CROSSING A 1/2” REBAR WITH CAP STAMPED “1801” FOUND AT A DISTANCE OF 145.74, AND CROSSING A 1/2” REBAR WITH CAP STAMPED “1801” FOUND AT A DISTANCE OF 387.66 FEET, FOR A TOTAL DISTANCE OF 455.23 FEET TO A FOUND 5/8” REBAR WITH CAP;THENCE NORTH 02°08'18" EAST, 854.11 FEET TO A FOUND 5/8” REBAR;THENCE NORTH 88°28'34" WEST, 17.57 FEET TO A FOUND 5/8” REBAR WITH OLD CAP;THENCE NORTH 00°26'04" WEST, 403.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 482,829 SQUARE FEET OR 11.08 ACRES, MORE OR LESS.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 7, 2023 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of PUD, PLANNED UNIT DEVELOPMENT to R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL.

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 zoning classification of PUD, PLANNED UNIT DEVELOPMENT to R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____

ATTEST: **Stephanie Orman, Mayor**

_____

Kirby Romines, City Clerk