

1. Agenda

Documents:

[FEBRUARY 28, 2017 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[FEBRUARY 28, 2017 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, February 28, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, February 28, 2017 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: February 14, 2017**

AGENDA

1. Planning:

1a. **Lot Split: Lots 37 & 38 Commerce Center Subdivision, RT Western Missouri Franchise, LLC, 1402 South Walton Boulevard, C-2, General Commercial.**

(Pages 9-12)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 37 (0.51 acres) and Lot 38 (1.05 acres) of Commerce Centre Subdivision. A 20' wide public utility easement is being dedicated to allow for the future construction of a public sewer main.

1b. **Property Line Adjustment: Lots 1 & 2, Henry C. Browne Addition, Henry C. Brown Limited Partnership, 1004 Phyllis Street, C-2, General Commercial.**

(Pages 13-16)

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that adjusts the common lot line between two existing lots creating two new lots. The new lots will be known as Lot 1 (4.65 acres) and Lot 2 (5.20 acres) of Henry C. Browne

Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Phyllis Street. Public utility easements are also being dedicated with the plat. The new lots will have access to public utilities and a public street.

- 1c. **Property Line Adjustment: Lots 1 & 2, Oscar Deckard Subdivision, Kristen L. Martin , 3 Lindy Lane, R-1, Single Family Residential.**
(Pages 17-21)
The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment creating two new lots from un-platted section land. The new lots will be known as Lot 1 (0.79 acres) and Lot 2 (5.51 acres) of Oscar Deckard Subdivision. Per the requirements of the current Master Street Plan, adequate right-of-way exists along Southwest 14th Street. Public utility easements are being dedicated with the plat. Both new lots will have access to public utilities and a public street.

- 1d. **Property Line Adjustment: Lot 19, Block 1, Smartt's Addition, Main Street Co-Op Property, LLC, 409 & 501 Southwest 'A' Street & 500 South Main Street, DC, Downtown Core.**
(Pages 22-25)
The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will remove the common lot line between three existing lots, creating one new lot. The new lot will be known as Lot 19 (2.30 acres), Block 1, of Smartt's Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Southwest 'A' Street. Adequate right-of-way exists along South Main Street. A public utility easement is being dedicated with the plat. A portion of the public alley in the northwest corner of the site will be vacated by a separate document and listed on the plat once complete. The new lot will have access to public utilities and a public street.

- 1e. **Final Plat: Lots 17-32, Block J Orchard Addition, Tourmaline Urban Lofts, LLC, 503 Southeast D Street, PRD, Planned Residential Development.**
(Pages 26-29)
The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a final plat for 0.86 acres located at 503 Southeast 'D' Street to be known as Lots 17 through 32, Block J of Orchard Addition. Fifteen attached townhome lots and one common area lot will be created with this final plat.

- 1f. **Rezoning: Lonesome Tree Properties, LLC, Southwest 'I' Street, From A-1, Agricultural to C-3, Central Commercial.**
(Pages 30-34)
The Planning Commission voted 6-0, recommending approval.

The C-3, Central Commercial zoning district adjacent to the Bentonville Municipal Airport will allow for the construction of a new Flight Center and the request is consistent with the current Airport Master Plan and the Airport Advisory Board's goals and objectives.

- 1g. **Rezoning: Abraham Harvey & JBJ Properties, LLC, 112 Northeast Park Street, Northeast 'A' Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

(Pages 35-38)

The Planning Commission voted 4-2, recommending approval.

The Future Land Use Plan depicts these properties as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1h. **Rezoning: JBJ Properties, LLC, Northeast 'A' Street, From R-1, Single Family Residential to DN-2, Downtown Medium Density Residential.**

(Pages 39-42)

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1i. **Rezoning: Clifford & Lori Vanderpool, 601 Northwest 'B' Street, From R-1, Single Family Residential to DN-2, Downtown Medium Density Residential.**

(Pages 43-46)

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1j. **Rezoning: Hung T. Nguyen, James K. Smith, David Fredrickson, Daryl Stroud, Kenneth Smith, Scott Rampy, Lisa M. Hall, Larry Vandevor, Doug True, & Angel Floro, 901, 903, 907, 1001, 1005, 1009 Southeast 3rd Street, 112 Southeast 'J' Street, & 900 East Central Avenue, From R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development.**

(Pages 47-55)

The Planning Commission voted 6-0, recommending approval.

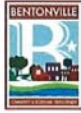
The Future Land Use Plan depicts this property as Downtown High-Density Residential (D-HDR). The PUD, Planned Unit Development zoning is an appropriate zoning district for this designation. The proposed multi-family

housing will help the community achieve several objectives, providing a greater variety of housing, increasing the amount of people living close to jobs and commerce and enhancing access to the downtown.

2. Public hearing and ordinance vacating a Public Access Easement located at 1302 Melissa, Hardcastle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 56-59)**
3. Public hearing and ordinance vacating a Utility Easement located at multiple parcels at Kerelaw Castle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 60-63)**
4. A resolution authorizing the Mayor and City Clerk to enter into an Enterprise License Agreement with ESRI in the amount of \$35,000.00. This is a 2017 budgeted item. **(Pages 64-75)**
5. Approve a resolution to amend the contract with G-Squared to update 261 Maps – Ortho Photography and Planimetric features collection for GIS. This budgeted project will update the map features where change has occurred in our 261 map tiles from new 3-D imagery. This will result in 1”=50’ map accuracy with 1-foot contour lines. This highly accurate and detailed mapping is needed by our City departments to update and replace our current maps. **(Pages 76-88)**
6. Fire Department Staff is asking for Council's approval to the Bentonville Fire Department Standard Operating Guidelines (SOG'S). **(Pages 89-206)**
7. Fire Department Staff recommends Council approve a resolution accepting the Emergency Medical Services (EMS) Agreement with Benton County. Benton County will pay the City of Bentonville \$80,000.00 to provide EMS to the unincorporated area of Benton County. **(Pages 207-211)**
8. Fire Department Staff recommends Council allow the Mayor and City Clerk to enter in to a contract with Emergency Services Group International (ESGI) for continuing education for Active Shooter and Rescue Task Force (RTF) training. **(Pages 212-219)**
9. This is a request to declare certain city properties as surplus items. A complete description of the property is attached and includes (1) out of service police vehicles, (2) aging service weapons, and (3) retired ballistic vests. Included in this attached property description is the proposed disposition for each item. (1) It is important to note that these vehicles can be transferred intact with blue lights or light bar, siren, console, gun rack and other law enforcement specific items still attached. These items would ordinarily require removal prior to any transfer of ownership. Transferring ownership to another law enforcement agency represents a responsible and safe disposition of police equipped vehicles. It also saves the city the costs associated with the removal and proper disposal of law enforcement only equipment that cannot be transferred to another vehicle. Transferring these vehicles also saves the costs associated with prolonged storage while awaiting auction. Additionally, this transfer encourages local partnerships, supports law enforcement and public safety in Northwest Arkansas and provides assistance to our law enforcement training academy (ALETA) and also our neighboring cities. (2) The trade in of aging service

weapons promotes officer and public safety, results in further cost savings to the city, and provides for a responsible disposition of firearms through a federally licensed firearm arms dealer. (3) The transfer of the retired ballistic vests also provides assistance to ALETA. The training academy has a new standard requiring vest protection on the shooting range, and this vest transfer will increase the safety for our own officers and other officers undergoing state mandated firearms training. It is likewise a responsible disposition of these law enforcement specific items. See attached memos and proposals for each receiving party. **(Pages 220-226)**

10. Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an amended and restated land lease agreement with Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, for a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. Said lease amends and restates a lease previously approved by City Council in October 2014. Total leased area is 11,862.75. The Airport Advisory Board unanimously recommended this lease. **(Pages 227-235)**
11. Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an assignment and assumption agreement by and between Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, (assignors) and VBT, LLC (assignee) for a land lease associated with a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. The Airport Advisory Board unanimously recommended this assignment. **(Pages 236-246)**
12. City Council approval of a resolution, authorizing the Mayor and City Clerk to enter into an agreement with Morrison Shipley, for the design, bidding and construction observation of a new parking lot, pavilion and amphitheater stage at Citizens Park. **(Pages 247-253)**
13. Parks and Recreation is requesting approval to enter into an agreement with Challenger Sports facilitate the Camp Soccer summer camp at Citizens Park. The agreement is a one year agreement for 2017 and may be renewed for two additional years in 2018 and 2019. **(Pages 254-257)**
14. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with First Employment Staffing to provide temporary staff for Parks and Recreation and Public Works Maintenance Staff. **(Pages 258-262)**
15. Resolution establishing procedures with regard to meetings. **(Pages 263-268)**



City Council Agenda Items
For City Council meeting of March 14, 2017
From the February 21, 2017 Planning Commission meeting

Lot Split: Lots 37 & 38 Commerce Center Subdivision, RT Western Missouri Franchise, LLC, 1402 South Walton Boulevard, C-2, General Commercial.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 37 (0.51 acres) and Lot 38 (1.05 acres) of Commerce Centre Subdivision. A 20' wide public utility easement is being dedicated to allow for the future construction of a public sewer main.

Property Line Adjustment: Lots 1 & 2, Henry C. Browne Addition, Henry C. Brown Limited Partnership , 1004 Phyllis Street, C-2, General Commercial.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that adjusts the common lot line between two existing lots creating two new lots. The new lots will be known as Lot 1 (4.65 acres) and Lot 2 (5.20 acres) of Henry C. Browne Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Phyllis Street. Public utility easements are also being dedicated with the plat. The new lots will have access to public utilities and a public street.

Property Line Adjustment: Lots 1 & 2, Oscar Deckard Subdivision, Kristen L. Martin , 3 Lindy Lane, R-1, Single Family Residential.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment creating two new lots from unplatted section land. The new lots will be known as Lot 1 (0.79 acres) and Lot 2 (5.51 acres) of Oscar Deckard Subdivision. Per the requirements of the current Master Street Plan, adequate right-of-way exists along Southwest 14th Street. Public utility easements are being dedicated with the plat. Both new lots will have access to public utilities and a public street.

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The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will remove the common lot line between three existing lots, creating one new lot. The new lot will be known as Lot 19 (2.30 acres), Block 1, of Smartt's Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Southwest 'A' Street. Adequate right-of-way exists along South Main Street. A public utility easement is being dedicated with the plat. A portion of the public alley in the northwest corner of the site will be vacated by a separate document and listed on the plat once complete. The new lot will have access to public utilities and a public street.

Final Plat: Lots 17-32, Block J Orchard Addition, Tourmaline Urban Lofts, LLC, 503 Southeast D Street, PRD, Planned Residential Development.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a final plat for 0.86 acres located at 503 Southeast 'D' Street to be known as Lots 17 through 32, Block J of Orchard Addition. Fifteen attached townhome lots and one common area lot will be created with this final plat.

Rezoning: Lonesome Tree Properties, LLC, Southwest 'I' Street, From A-1, Agricultural to C-3, Central Commercial.

The Planning Commission voted 6-0, recommending approval.

The C-3, Central Commercial zoning district adjacent to the Bentonville Municipal Airport will allow for the construction of a new Flight Center and the request is consistent with the current Airport Master Plan and the Airport Advisory Board's goals and objectives.

Rezoning: Abraham Harvey & JBJ Properties, LLC, 112 Northeast Park Street, Northeast 'A' Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.

The Planning Commission voted 4-2, recommending approval.

The Future Land Use Plan depicts these properties as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

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The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Rezoning: Hung T. Nguyen, James K. Smith, David Fredrickson, Daryl Stroud, Kenneth Smith, Scott Rappy, Lisa M. Hall, Larry Vandevor, Doug True, & Angel Floro, 901, 903, 907, 1001, 1005, 1009 Southeast 3rd Street, 112 Southeast 'J' Street, & 900 East Central Avenue, From R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development.

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown High-Density Residential (D-HDR). The PUD, Planned Unit Development zoning is an appropriate zoning district for this designation. The proposed multi-family housing will help the community achieve several objectives, providing a greater variety of housing, increasing the amount of people living close to jobs and commerce and enhancing access to the downtown.

LOT SPLIT STAFF REPORT



Lots 37 & 38 Commerce Centre Subdivision

1402 South Walton Boulevard

PC Date: 2/7/2017

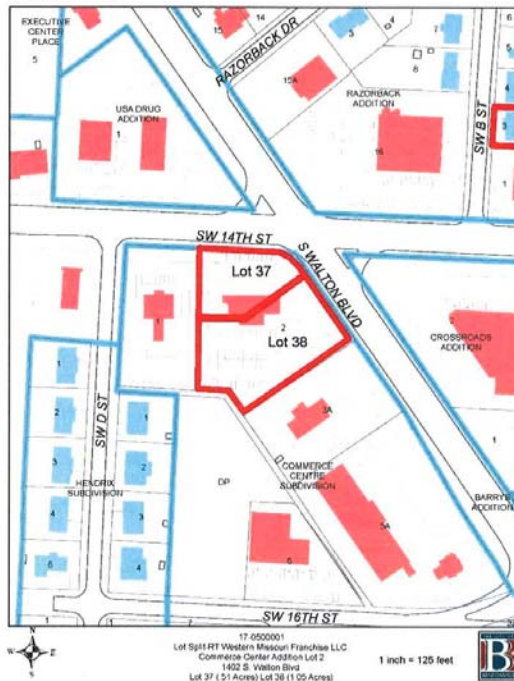
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-0500001
Applicant / Current Owner	RT Western Missouri Franchise, LLC 150 West Church Avenue Maryville, TN 37801
Site Area	1.56 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Commercial (C)

<http://geo.bentonvillear.com/mgweb/PZ/pending/>

Location Map



Property Description

This property is the location of a vacant restaurant.

Project Details

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 37 (0.51 acres) and Lot 38 (1.05 acres) of Commerce Centre Subdivision. Per the current Master Street Plan, right-of-way is adequate for both of the adjacent arterial streets. A 20' wide public utility easement is being dedicated to allow for the future construction of a public sewer main. There is an existing cross access easement in place. Each of the new lots will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split will not adversely affect traffic in the area. The two adjacent arterial streets, Southwest 14th Street to the north and South Walton Boulevard to the east will provide adequate options for ingress and egress for both lots.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

No waivers requested.

Conclusion

This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

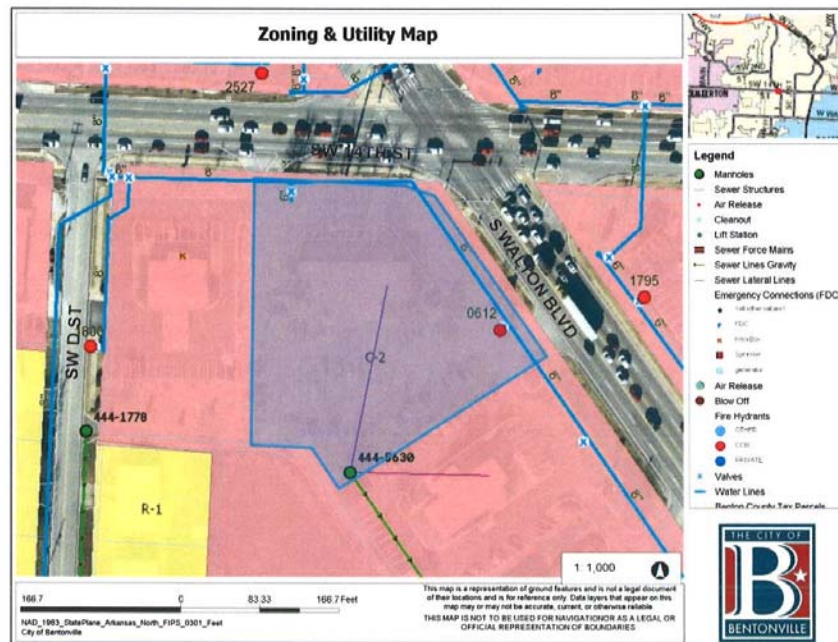
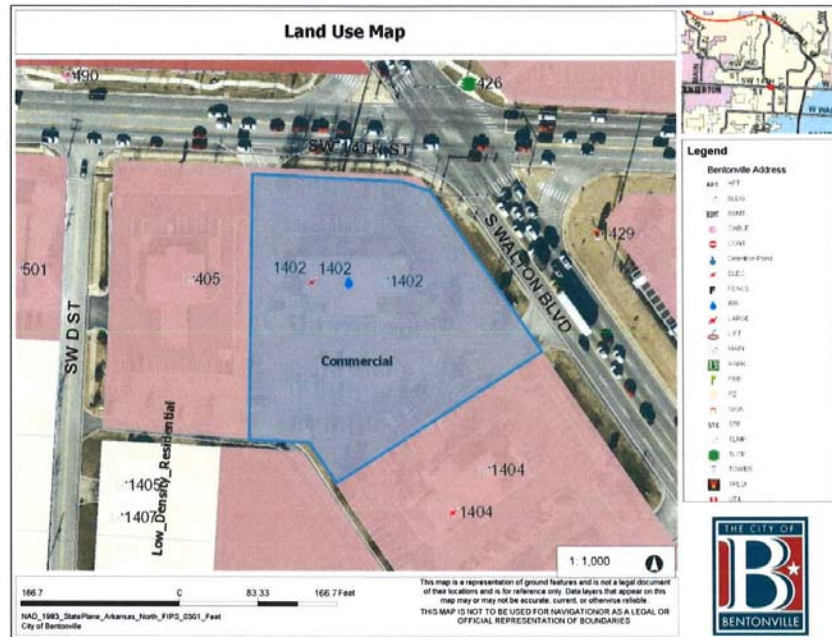
1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Recommendation

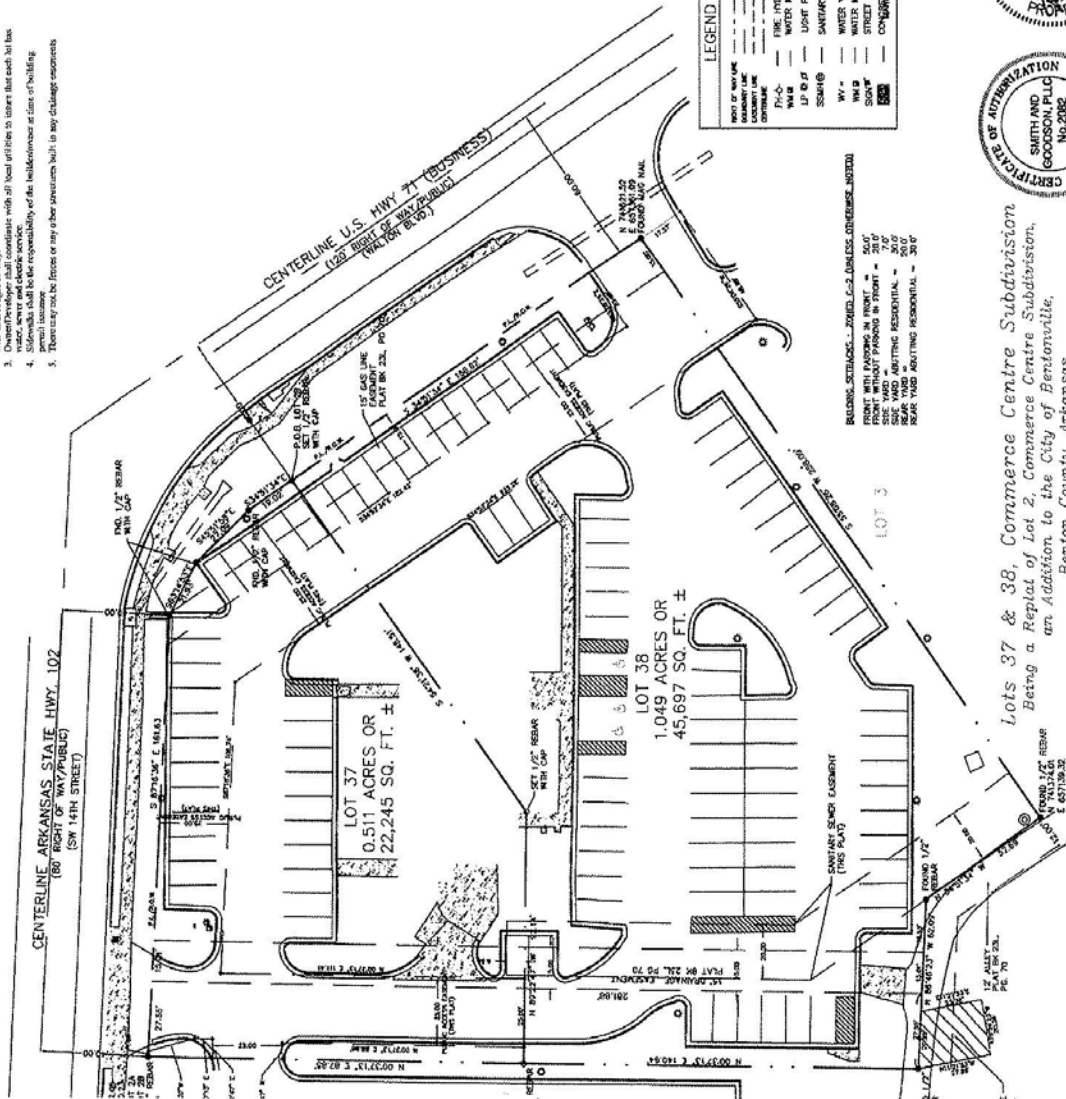
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- Sidewalks. Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.



2. **How does the Right-to-Way easement, Easement and a survey tie to a covenant like City of Portland's Engineering and Transportation Department's Right-to-Way Easement?**
 The Right-to-Way Easement is a legal instrument that grants the City of Portland the right to use the easement for the purpose of engineering and transportation. The Right-to-Way Easement is a legal instrument that grants the City of Portland the right to use the easement for the purpose of engineering and transportation. The Right-to-Way Easement is a legal instrument that grants the City of Portland the right to use the easement for the purpose of engineering and transportation.
3. **What is the Right-to-Way?**
 The Right-to-Way is a legal instrument that grants the City of Portland the right to use the easement for the purpose of engineering and transportation. The Right-to-Way is a legal instrument that grants the City of Portland the right to use the easement for the purpose of engineering and transportation. The Right-to-Way is a legal instrument that grants the City of Portland the right to use the easement for the purpose of engineering and transportation.
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*Lots 37 & 38, Commerce Centre Subdivision,
Being a Replat of Lot 2, Commerce Centre Subdivision,
an Addition to the City of Bentonville,
Benton County, Arkansas.*

*Addition to the City of Benton
Benton County, Arkansas.*



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 37 AND 38
COMMERCE CENTRE SUBDIVISION TO THE CITY OF BENTONVILLE,
ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 37 and 38 Commerce Centre Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on February 7, 2017; and,

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

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 Lots 37 and 38 Commerce Centre Subdivision to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

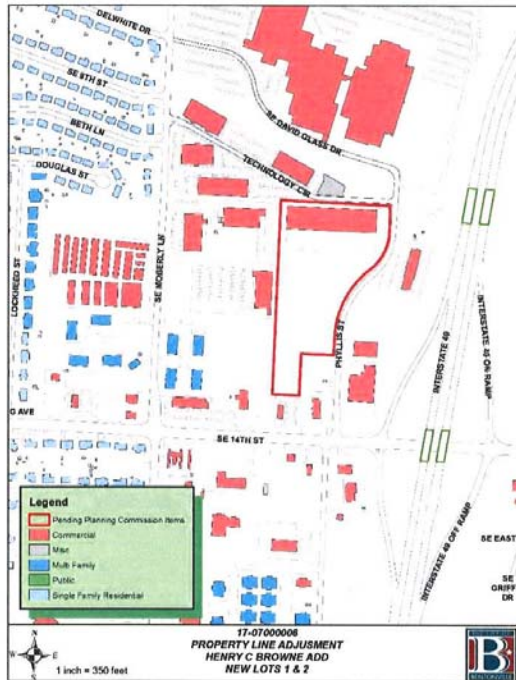
CITY CLERK

PC Date: 2/21/2017

Reviewer: Jon Stanley, Planner

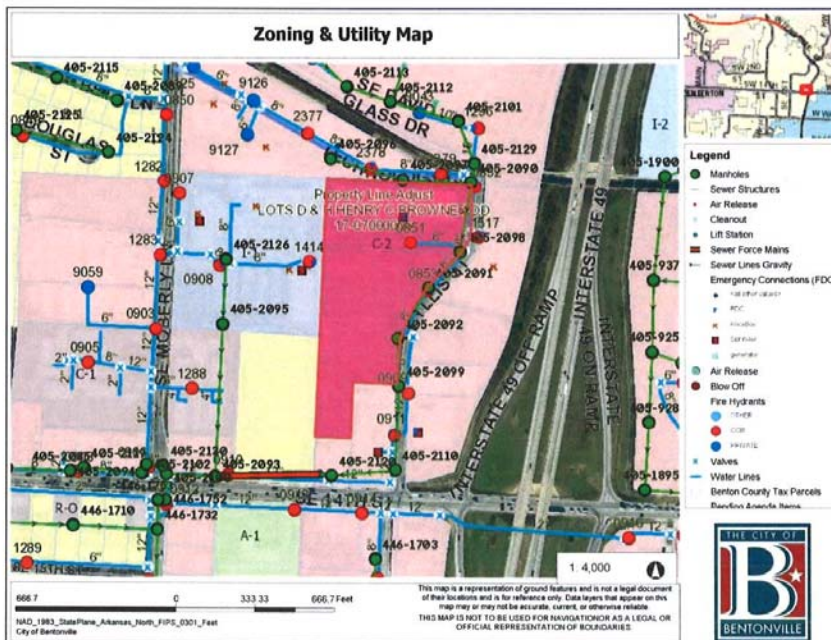
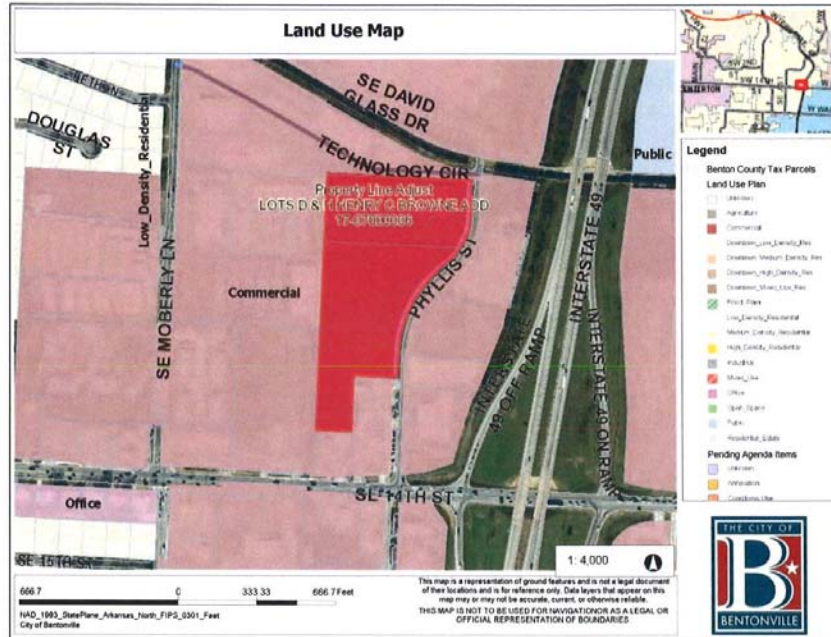
Project Number	17-07000006
Applicant / Current Owner	Henry C. Brown Limited Partnership PO Box 6870 Sherwood, AR 72124
Site Area	9.85 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Commercial (C)

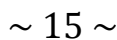
Location Map



- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

PROPERTY LINE ADJUSTMENT STAFF REPORT





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF
LOTS 1 & 2 HENRY C. BROWNE ADDITION TO THE CITY OF
BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment Lots 1 & 2 Henry C. Browne Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 21, 2017; and,

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

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

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council 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 Lots 1 & 2 Henry C. Browne Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PROPERTY LINE ADJUSTMENT STAFF REPORT



Lots 1 & 2 Oscar Deckard Subdivision 3 Lindy Lane

PC Date: 2/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-0700001
Applicant / Current Owner	Kristen L. Martin 3 Lindy Lane
Site Area	6.30 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Low Density Residential (LDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

The property is the location of an existing single-family home in an established low-density single-family neighborhood.

Project Details

The applicant has submitted a property line adjustment creating two new lots from un-platted section land. The new lots will be known as Lot 1 (0.79 acres) and Lot 2 (5.51 acres) of Oscar Deckard Subdivision. Per the requirements of the current Master Street Plan, adequate right-of-way exists along Southwest 14th Street. Public utility easements are being dedicated with the plat. Both new lots will have access to public utilities and a public street.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

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

Waivers

No waivers requested.

Standard Conditions of Approval

1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Conclusion

This property line adjustment does meet the minimum requirements of the subdivision regulations.

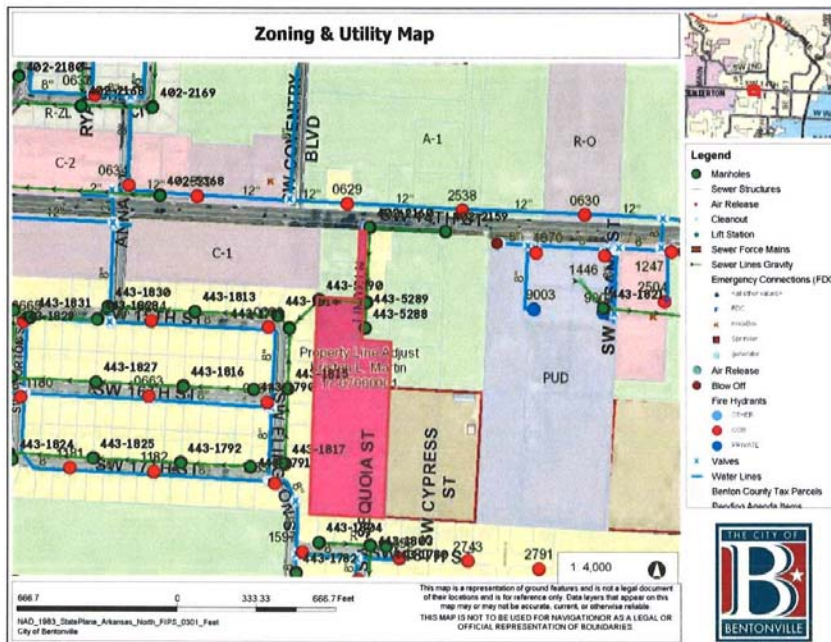
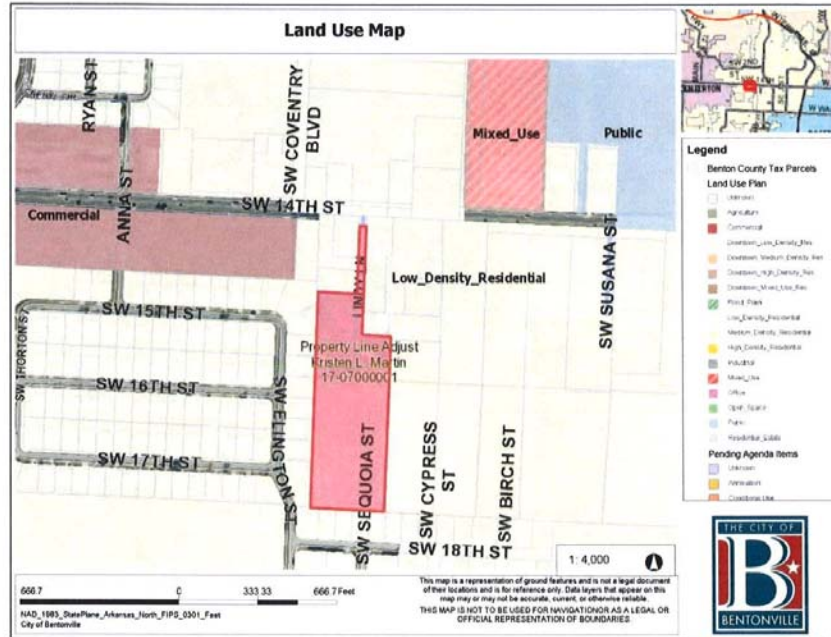
Recommendation

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

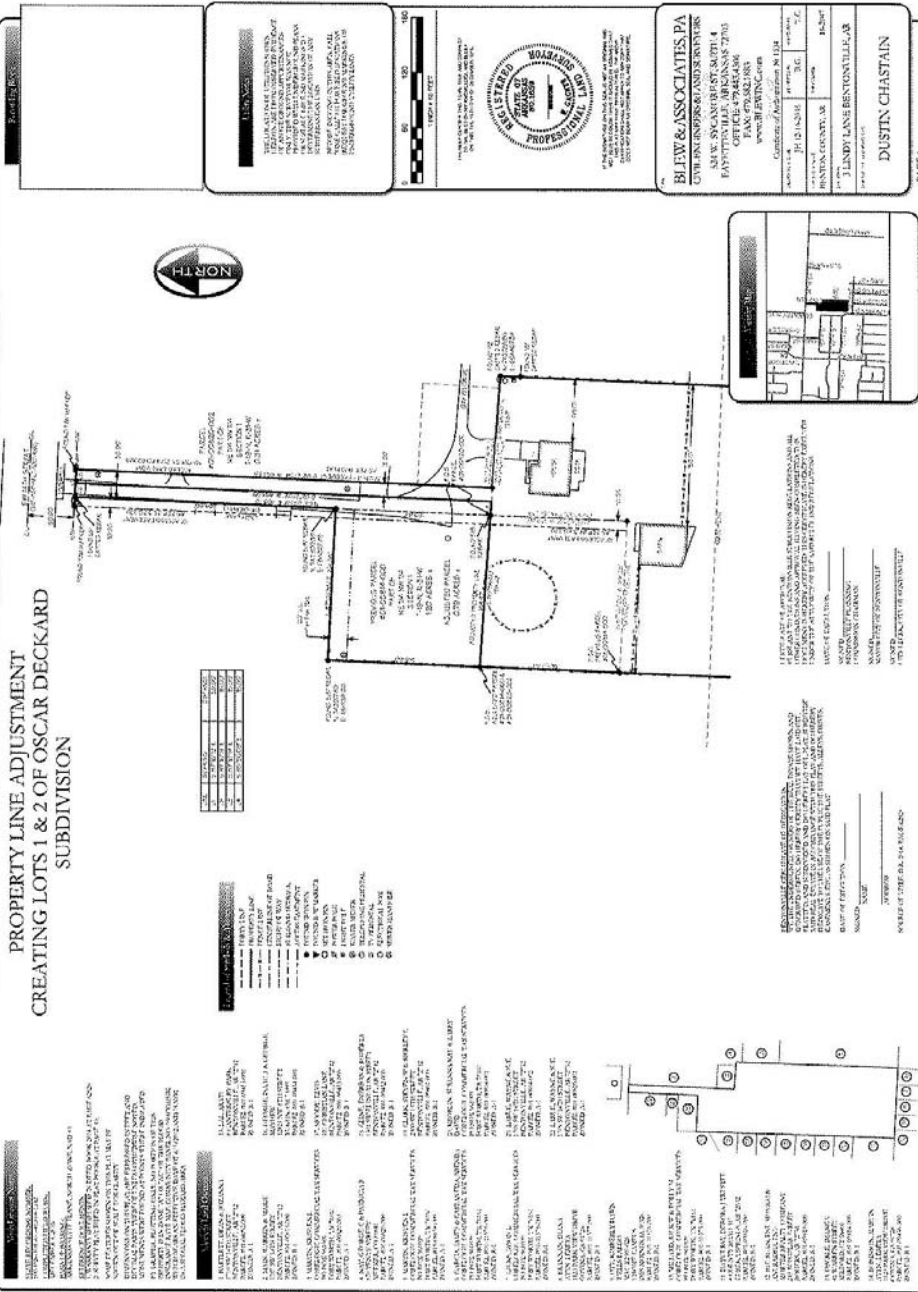
NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

PROPERTY LINE ADJUSTMENT STAFF REPORT



PROPERTY LINE ADJUSTMENT CREATING LOTS 1 & 2 OF OSCAR DECKARD SUBDIVISION



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ATTN: 30
PHONE: 30
FAX: 30
EMAIL: 30

PAGE 2

DUSTIN CHASTAIN

RENDY LANE, BENTONVILLE, AR

DATE	DESCRIPTION	AMOUNT
10/1/01	10/1/01	10/1/01
10/2/01	10/2/01	10/2/01
10/3/01	10/3/01	10/3/01
10/4/01	10/4/01	10/4/01
10/5/01	10/5/01	10/5/01
10/6/01	10/6/01	10/6/01
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ENGINEERS AND SURVEYORS

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INVESTIGATED BY: J. H. GIBSON, JR.
TITLE: VAPOR-FLAME NOISES

[illegible]

DOI: 10.1002/jbm.b

1000

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Bookings

~ 20 ~

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF
LOTS 1 & 2 OSCAR DECKARD SUBDIVISION TO THE CITY OF
BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment Lots 1 & 2 Oscar Deckard Subdivision of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 21, 2017; and,

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

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

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council 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 Lots 1 & 2 Oscar Deckard Subdivision to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PROPERTY LINE ADJUSTMENT STAFF REPORT



Lot 19, Block 1, Smartt's Addition 409 & 501 Southwest 'A' Street & 500 South Main Street

PC Date: 2/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-0700002
Applicant / Current Owner	Main Street Co-Op Property, LLC 1705 South Walton Boulevard Bentonville, AR 72712
Site Area	2.30 acres
Current Zoning	DC, Downtown Core
Future Land Use Map Designation	Mixed Use (MU)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

The property is the location of three existing office/commercial/retail buildings situated between two urban corridors south of the downtown square.

Project Details

The applicant has submitted a property line adjustment that will remove the common lot line between three existing lots, creating one new lot. The new lot will be known as Lot 19 (2.30 acres), Block 1, of Smartt's Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Southwest 'A' Street. Adequate right-of-way exists along South Main Street. A public utility easement is being dedicated with the plat. A portion of the public alley in the northwest corner of the site will be vacated by a separate document and listed on the plat once complete. The new lot will have access to public utilities and a public street.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

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

Waivers

No waivers requested.

Standard Conditions of Approval

1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Conclusion

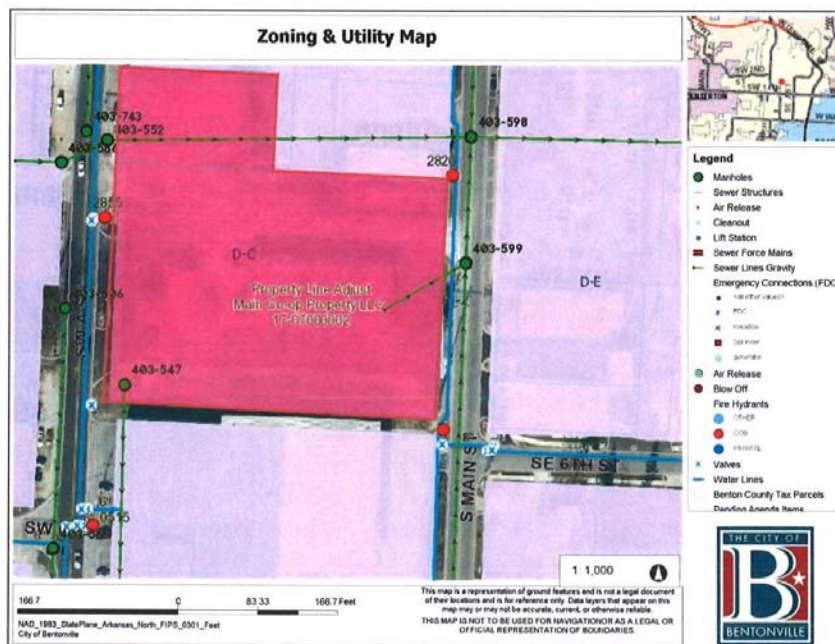
This property line adjustment does meet the minimum requirements of the subdivision regulations.

Recommendation

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

NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF
LOT 19, BLOCK 1, SMARTT'S ADDITION TO THE CITY OF
BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment Lot 19, Block 1, Smartt's Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 21, 2017; and,

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

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

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council 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 Lot 19, Block 1, Smartt's Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

PASSED AND APPROVED this _____ day of _____, 2017.

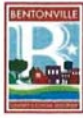
APPROVED:

MAYOR

ATTEST:

CITY CLERK

FINAL PLAT STAFF REPORT



Lots 17-32, Block J, Orchard Addition 503 Southeast 'D' Street

PC Date: 2/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-03000001
Applicant / Current Owner	Tourmaline Urban Lofts, LLC 805 Southeast 'C' Street Bentonville, AR 72712
Site Area	0.86 acres
Current Zoning	PRD, Planned Residential Development
Future Land Use Map Designation	Downtown High-Density Residential (D-HDR)
No. of Lots	16 total lots, 15 buildable
Subdivision Name	Orchard Addition, Block J

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

The property is the location of Tourmaline Urban Lofts, a Planned Residential Development situated in a Downtown High-Density residential zoning district and lies within the Market District of Southeast Downtown.

Project Details

The applicant has submitted a final plat for 0.86 acres located at 503 Southeast 'D' Street to be known as Lots 17 through 32, Block J of Orchard Addition. Fifteen attached townhome lots and one common area lot will be created with this final plat. Public drainage and utility easements and an additional 4' of right-of-way along the public alley are being dedicated with the plat. This final plat establishes lot lines only and does not accept any public assets and or infrastructure. No Certificates of Occupancy will be issued until all final inspection requirements have been satisfied.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

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

Waivers

No waivers requested.

Conclusion

This final plat does meet the minimum requirements of the subdivision regulations.

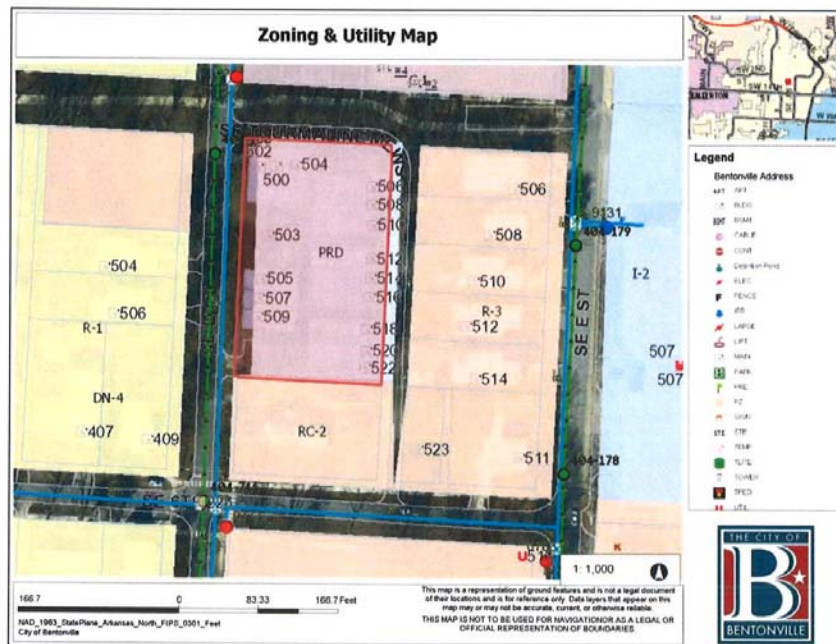
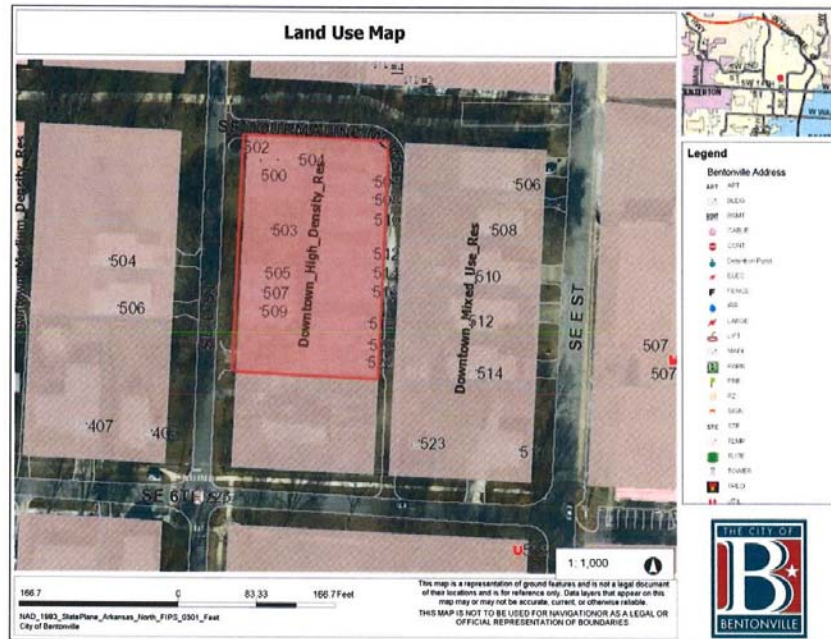
Standard Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Recommendation

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

FINAL PLAT STAFF REPORT



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF LOTS 17-32, BLOCK J, ORCHARD ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the final plat of Lots 17-32, Block J, Orchard Addition, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on February 21, 2017; and,

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

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

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

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

Section 1: That the final plat of Lots 17-32, Block J, Orchard 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 final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

REZONING STAFF REPORT



Lonesome Tree Properties, LLC

Southwest 'I' Street

PC Date: 2/21/17

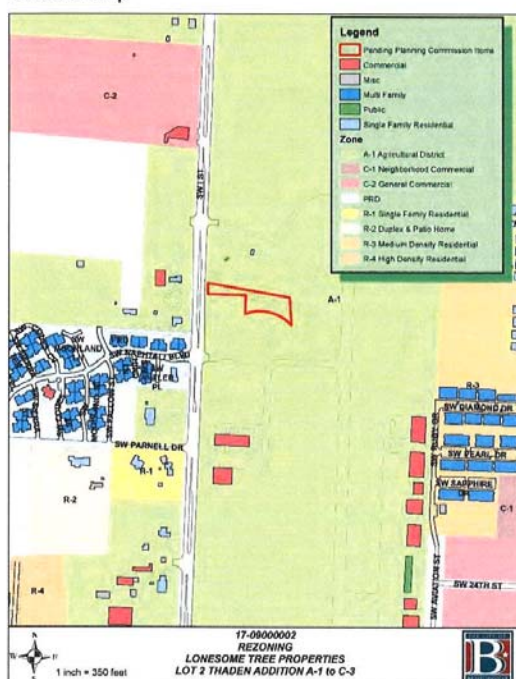
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000002
Applicant / Current Owner	Lonesome Tree Properties, LLC PO Box 1860 Bentonville, AR 72712
Site Area	0.09 acres
Current Zoning	A-1, Agricultural
Requested Zoning	C-3, Central Commercial
Future Land Use Map Designation	Public/Semi-Public

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of a vacant lot adjacent to the west side of the Bentonville Municipal Airport.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has adequate access to a Southwest 'I' Street that is designated as an arterial street on the current Master Street Plan.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at this location.

Relationship to the General Plan

The C-3, Central Commercial zoning district adjacent to the Bentonville Municipal Airport will allow for the construction of a new Flight Center and the request is consistent with the current Airport Master Plan and the Airport Advisory Board's goals and objectives.

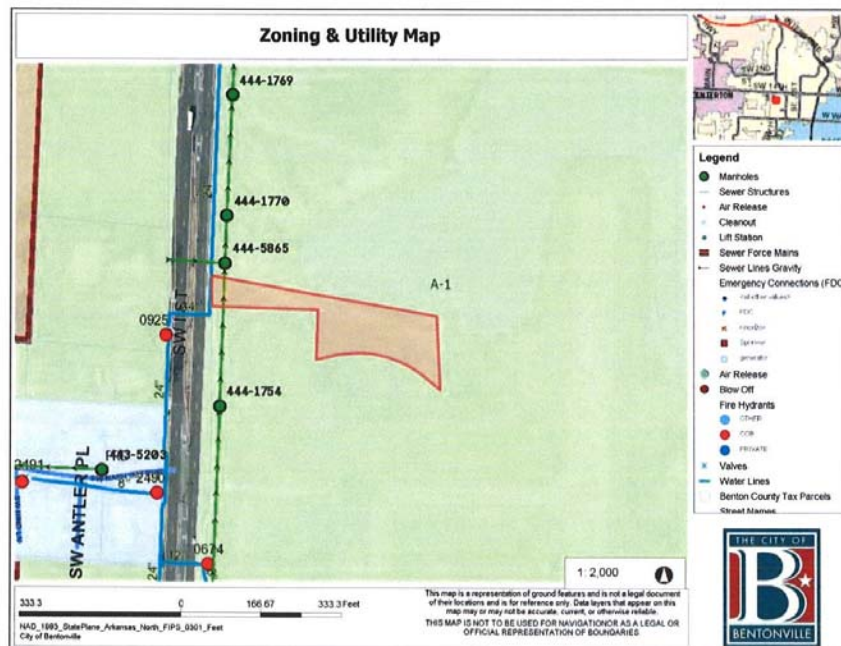
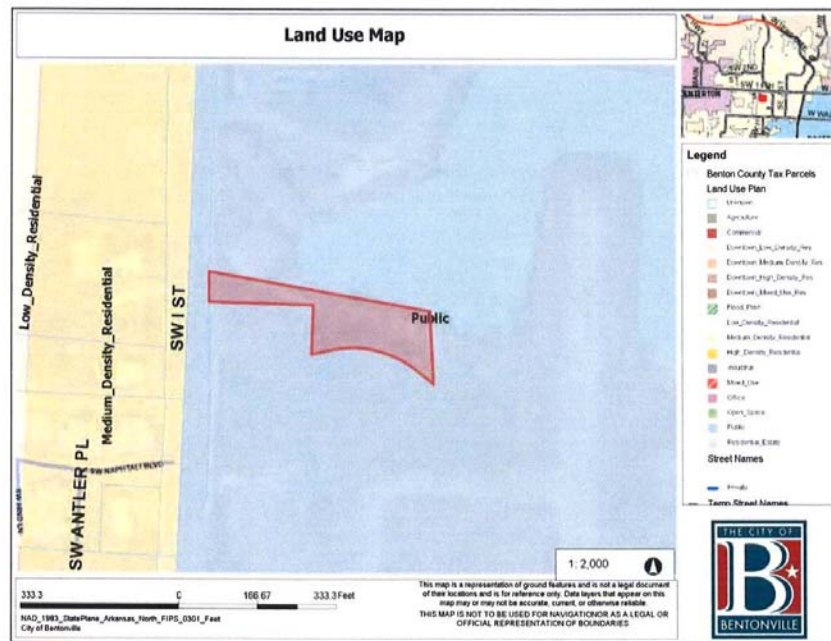
Conclusion

The C-3, Central Commercial zoning designation will allow the necessary setbacks needed for a new Fixed Base Operations building (FBO) to be constructed at the Bentonville Municipal Airport. Patrons of the facility will have the opportunity to experience both aviation and non-aviation uses within one single structure. The rezoning request is consistent with policy PF-40 of the General Plan which states "the City shall regulate land uses.....to protect the functionality and safety of long term airport operations".

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from A-1, Agricultural to C-3, Central Commercial.

REZONING STAFF REPORT



BENTONVILLE FLIGHT CENTER

December 15, 2016

DEVELOPMENT NARRATIVE

LAND LEASE AGREEMENT:

A “*Land Lease Agreement*” with the Bentonville Municipal Airport is being drafted for a unique project that will house an FBO, restaurant, office and conference room spaces. The land lease agreements initial terms are projected to be determined in decades rather than years and will remain in force for the full term length of time with 3-4 five year options to renew and extend the lease.

The Lessee will provide all design and construction services necessary to build this unique project, including site development as presented, where an agreement with lessor and lessee mutually accept to recognize that a single building is necessary and will be constructed over the property footprints of lessor and lessee with no separation at their common property line in order for all operations to be under one roof and share the structure.

At the conclusion of the project, the fixed based operations, currently provided by Summit Aviation for the Bentonville Municipal Airport, will relocate from its present location, to lease and operate out of the area of the project designated FBO. A “line shack” for refueling operations will be built on Lessor land with a similar “*Land Lease Agreement*” away from the FBO and will be completed for the fixed based operations use at the time of substantial completion of the project.

PROJECT SITE DISCRPTION:

The site is comprised of two properties, per 2015-0028 Tract Exhibit prepared by Nevil Surveying, LLC outlined below:

Property 1: Owned by City of Bentonville, leased by Thaden Addition
 Land Use: Fixed Base Operations, Airplane Hangar, Customer Service

Property 2: Lot 2 - Thaden Addition
 Land Use: Restaurant, Office and Conference Space

The ownership of these two adjacent properties are planned to entered into a *long-term land lease agreement* which effectively renders the properties as a single property when considering variances for zoning setbacks and applicable building codes. The building will be constructed as one structure but operated for different uses with an imaginary zero lot line at the FBO area and lobby. This will separate the building uses into “aviation” and “non-aviation” uses per FFA regulations.

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
R-1, SINGLE FAMILY RESIDENTIAL TO C-3, CENTRAL
COMMERCIAL.**

WHEREAS, Lonesome Tree 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 classification of R-1, Single Family Residential to C-3, Central Commercial to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lot 2 Thaden Addition in the City of Bentonville, Benton County, Arkansas as shown on Plat record Book 2016 Pages 952 – 959 as Recorded in the Benton County Clerk's office Benton County, Arkansas.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 21, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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-1, Single Family Residential to C-3, Central Commercial.

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

Section 1: That the above described real property is hereby changed from its present classification of R-1, Single Family Residential to C-3, Central Commercial to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

REZONING STAFF REPORT



Harvey &

JBJ Properties, LLC

112 Northeast Park Street, Northeast 'A' Street

& Northeast Monroe Street

PC Date: 2/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000003
Applicant / Current Owner	Abraham Harvey PO Box 9751 Fayetteville, AR 72703 & JBJ Properties, LLC 615 Prairie Creek Drive Rogers, AR 72756
Site Area	2.63 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

These properties are the location of five vacant residential lots and one occupied single family dwelling in a medium-density residential neighborhood in the downtown area where infill and redevelopment has begun to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely affect traffic in the area. The properties are located within the downtown area and the existing street grid and alley network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at these locations.

Relationship to the General Plan

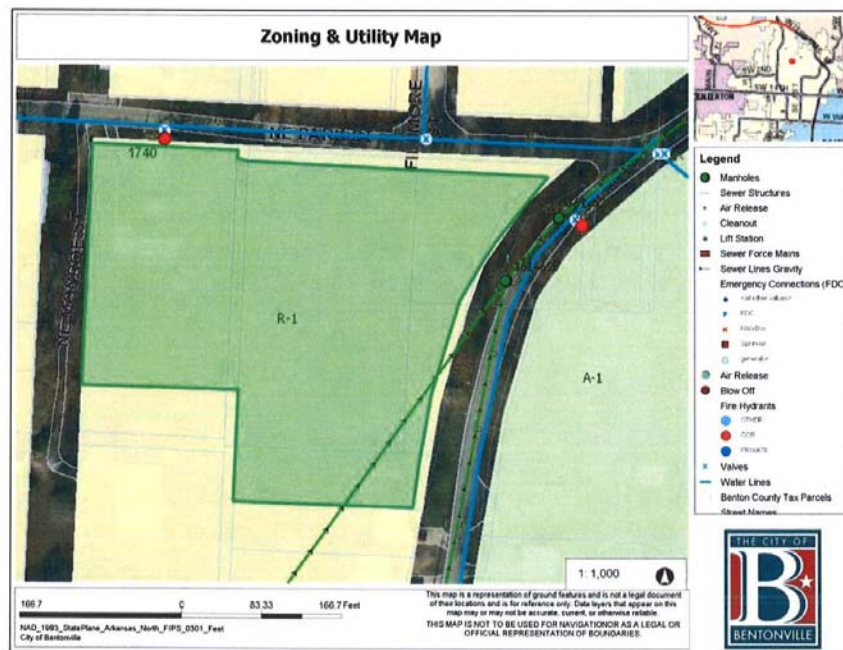
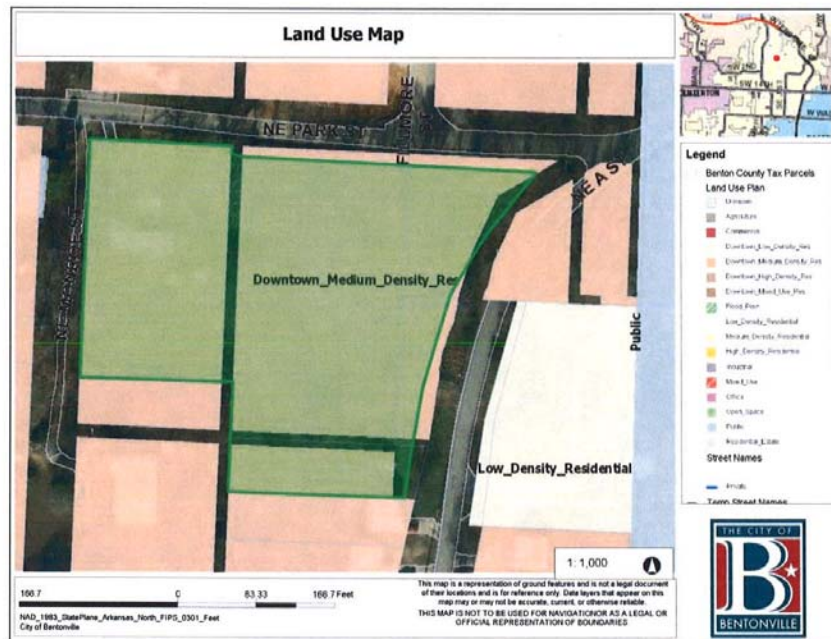
The Future Land Use Plan depicts these properties as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Conclusion

The DN-2, Downtown Medium-Density Residential zoning designation will offer additional housing options and additional density in a redeveloping downtown neighborhood. The existing infrastructure in this area can support the slight increase in density, will allow attached and detached, small-lot, single-family developments to occur, and does specifically allow for block-end townhome clusters.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to DN-2 Downtown Medium-Density Residential.



MARLON BLACKWELL ARCHITECTS

42 East Center Street
Fayetteville, Arkansas 72701
p. 479.973.9121
www.marionblackwell.com

January 12, 2017

Planning Commission
City of Bentonville
305 SW A Street
Bentonville, Arkansas 72712

Re: Rezoning Request Narrative for JBJ Properties, LLC
Lots 8-12 of W.A. Burks Addition, and
Lot 25 of a Replat filed in book 2016 at Page 144
Bentonville Arkansas

Dear Planning Commission,

On behalf of JBJ Properties, LLC, and Bates and Associates, Inc, we are pleased to present a Rezoning Request for Lots 8-12 and 25 along NE Park Street in Bentonville, Arkansas.

The lots are adjoining with a 12' platted alley at the intermediate property line; both properties are owned by JBJ Properties, LLC (Abraham Bennett Harvey is an authorized Member of JBJ Properties, LLC). There are no pending or proposed sales on the property. Both lots are currently zoned as R-1 Residential; we are proposing a change to DN-2, Downtown Medium-Density Residential, in accordance with the newly implemented Downtown Neighborhood Districts Land Use Plan. After rezoning, the owners plan to proceed with a lot line adjustment to combine Lot 12 and 25 into a single lot.

Bentonville has long been a desirable place to live. Access to a high quality of life, good paying jobs, and great community amenities has proven to be an attractor for the many people who are moving to Bentonville. The vision for the property along NE Park Street is to support in that growth by developing a series of townhouse clusters, which are permitted on block-end lots in the DN-2. The development would fit within the DN-2 Maximum Net Residential Density of 16 units per acres.

The owners of the property have high aspirations for this site. They understand that this can and should be a model for how to develop quality in an important area of Downtown Bentonville. They hope to build a unique development that can serve as a model for design quality while fitting into the surrounding residential context of single- and multi-family homes.

The proposed development will have a minimal impact on traffic; no large scale signage is envisioned for the property. 6" Water lines are available along NE Park and A Street; a 10" sewer line runs across the southeast corner of the property.

We look forward to the prospect of developing this site with the quality and care that will meet the high expectations of the City and potential residents alike.

Sincerely,



Marlon Blackwell, FAIA

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
R-1, SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN
MEDIUM-DENSITY RESIDENTIAL.**

WHEREAS, Abraham Bennett Harvey & JBJ 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 classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lot 25 Block 9 as Shown on Plat record Book 2016 Page 144, and Lots 8, 9, 10,
11 and 12, Block 9 as Shown on Plat record Book A Page 81 & 199, in W A
Burk's Addition in the City of Bentonville, Benton County, Arkansas as
Recorded in the Benton County Clerk's office Benton County, AR.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 21, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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-1, Single Family Residential to DN-2, Downtown Medium-Density 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 classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

REZONING STAFF REPORT



JBJ Properties, LLC

Northeast 'A' Street

PC Date: 2/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000004
Applicant / Current Owner	JBJ Properties, LLC 615 Prairie Creek Drive Rogers, AR 72756
Site Area	0.40 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of two vacant residential lots in a medium-density residential neighborhood in the downtown area where infill and redevelopment is beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely affect traffic in the area. The properties are located within the downtown area and the existing street grid and alley network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at these locations.

Relationship to the General Plan

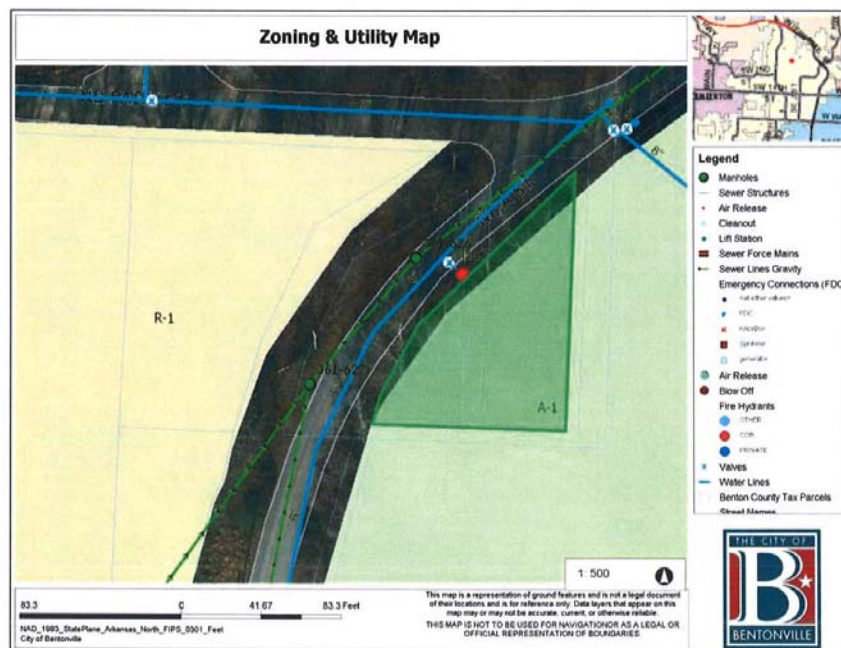
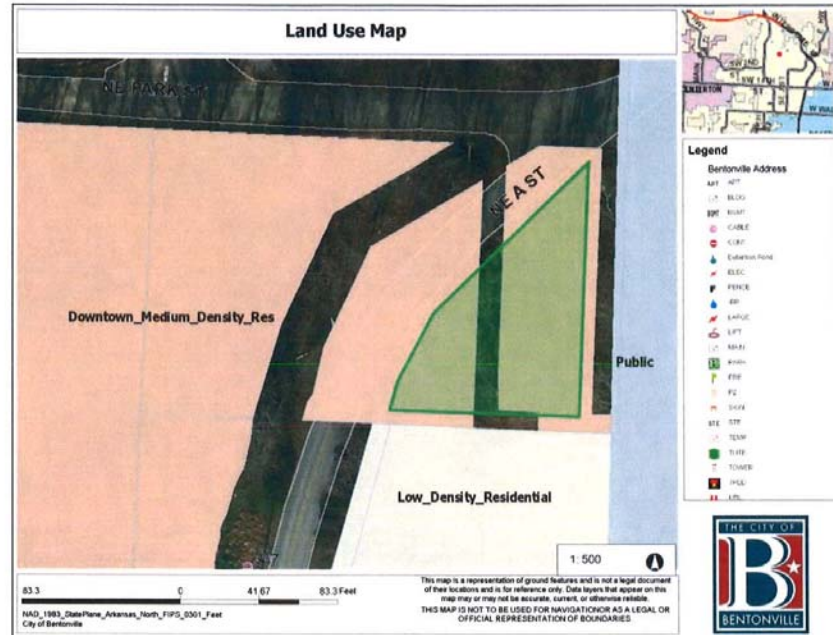
The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Conclusion

The DN-2, Downtown Medium-Density Residential zoning designation will offer additional housing options and additional density in a redeveloping downtown neighborhood. The existing infrastructure in this area can support the slight increase in density and will allow attached and detached, small-lot, single-family developments to occur.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.



MARLON BLACKWELL ARCHTCTS

42 East Center Street
Fayetteville, Arkansas 72701
p. 479.973.9121
www.marlonblackwell.com

January 11, 2017

Planning Commission
City of Bentonville
305 SW A Street
Bentonville, Arkansas 72712

Re: Rezoning Request Narrative for JBJ Properties, LLC
Lots 13, 14, Burks 2nd Addition, Bentonville Arkansas

Dear Planning Commission,

On behalf of JBJ Properties, LLC, and Bates and Associates, Inc, we are pleased to present a Rezoning Request for the property at the intersection of NE A Street and NE Park Street.

The property is currently zoned as A-1 Agricultural; we are proposing a change to DN-2, Downtown Medium-Density Residential, in accordance with the newly implemented Downtown Neighborhood Districts Land Use Plan. The property is owned by JBJ Properties, LLC, and there are no pending or proposed sales on the property.

Bentonville has long been a desirable place to live. Access to a high quality of life, good paying jobs, and great community amenities has proven to be an attractor for the many people who are moving to Bentonville. The vision for the property along NE A Street is to participate in that growth by building a small two-family dwelling in an area close to Downtown and easily accessible to the many amenities Bentonville offers.

The owners of the property have high aspirations for this site. They hope to build a unique dwelling that can serve as a model for design quality while fitting into the surrounding residential context of single- and multi-family homes.

The proposed building will have a minimal impact on traffic; no large scale signage is envisioned for the property. 8" Water and 6" sewer lines are available along NE A Street.

We look forward to the prospect of developing this site with the quality and care that will meet the high expectations of the City and potential residents alike.

Sincerely,



Marlon Blackwell, FAIA

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
R-1, SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN
MEDIUM-DENSITY RESIDENTIAL.**

WHEREAS, JBJ 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 classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lot 13 and Lot 14 except the South 10 feet of Lot 14, Block 13, W.A. Burks
Addition, Bentonville, Benton County, Arkansas, as shown on plat record 'A' at
pages 81 and 119.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 21, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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-1, Single Family Residential to DN-2, Downtown Medium-Density 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 classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

REZONING STAFF REPORT



Vanderpool

601 Northwest 'B' Street

PC Date: 2/21/2017

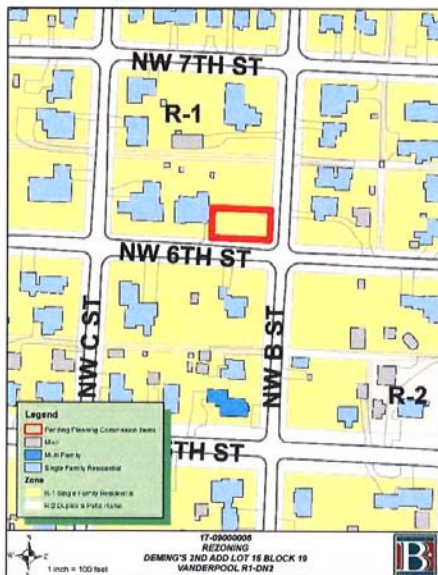
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000006
Applicant / Current Owner	Clifford & Lori Vanderpool 127 Fox Run Circle Centerton, AR 72719
Site Area	0.14 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of a vacant residential lot in a medium-density residential neighborhood in the downtown area where infill and redevelopment is beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely affect traffic in the area. The properties are located within the downtown area and the existing street grid and alley network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at these locations.

Relationship to the General Plan

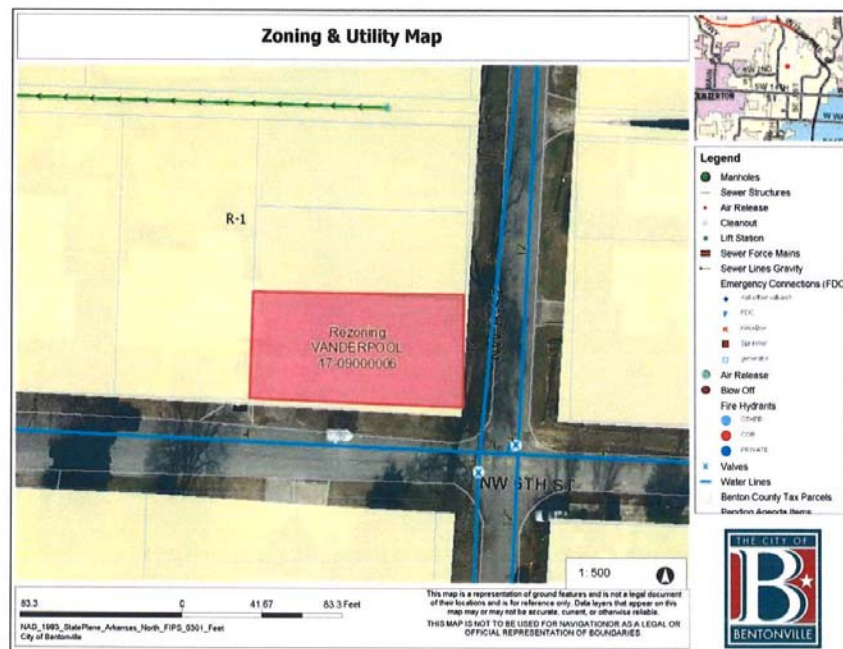
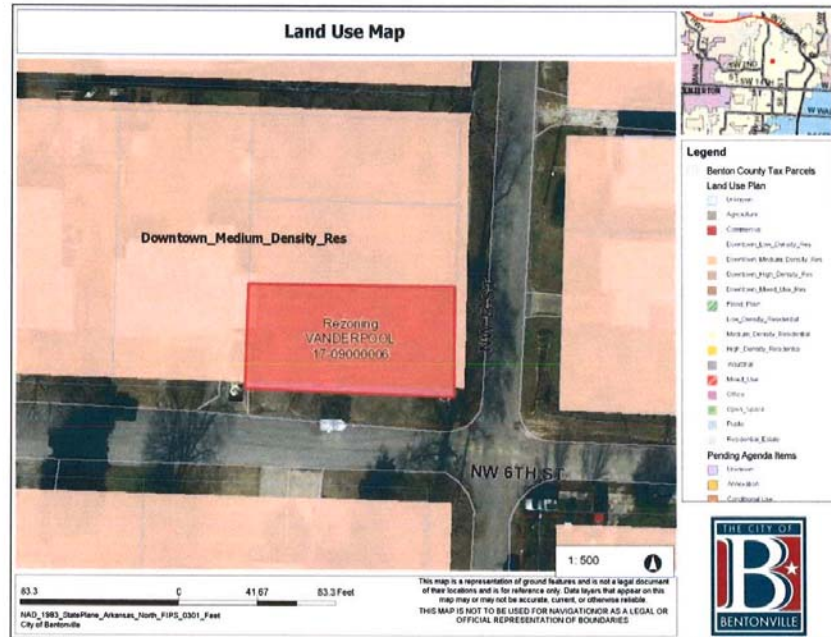
The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Conclusion

The DN-2, Downtown Medium-Density Residential zoning designation will offer additional housing options and additional attached and detached single-family density in an established downtown neighborhood. The existing infrastructure in this area can support the slight increase in density and will allow infill development to occur.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.



Legal Description:

Part of lots 11 and 12 and part of the east 10 feet of lot 10 in block 19, Demming's 2nd Addition to the city of Bentonville, Benton County, Arkansas as shown on plat record "B" at page 24 and more particularly described as follows:

Beginning at a found 5/8" rebar at the southeast corner of said lot 12, Thence N 87°31'40" W 110.00 Feet to the Southeast Corner of Lot 9a as shown on plat record 26L at page 68. Thence N 02°46'59" E 56.87 feet, thence S 87°32'57" E 110.00 feet, thence S 02°46'59" W 56.91 feet, to the point of beginning and containing 0.14 acres more or less and subject to any and all easements of record or fact.

Proposed Land Use:

This rezoning is for a Single Family Home for the Vanderpool's. They are requesting a reduction of the set back to allow for a front porch for their home. The front porch is a major architectural detail for their home and allows their home to merge seamlessly with the appearances of the surrounding homes in Downtown Bentonville. Front porches are important to encourage community, allowing for families like the Vanderpool's to sit out in the evening and greet their neighbors. The City staff is encouraging lot owners in this area to put in the DN2 (Downtown Medium Density Residence) Zoning. The Vanderpool home fits right in with the new city zoning plan for Downtown Bentonville.

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
R-1, SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN
MEDIUM-DENSITY RESIDENTIAL.**

WHEREAS, Clifford & Lori Vanderpool duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lot 15 Block 19, Deming's 2nd Addition in the City of Bentonville, Benton County, Arkansas as shown on Plat record Book 2015 page 251 in Benton County.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 21, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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-1, Single Family Residential to DN-2, Downtown Medium-Density 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 classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

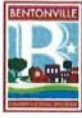
APPROVED:

MAYOR

ATTEST:

CITY CLERK

REZONING STAFF REPORT



J3 PRD

(Specialized Real Estate)

901, 903, 907, 1001, 1005 1009 SE 3rd Street

112 SE 'J' Street & 900 East Central Avenue

PC Date: 2/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-13000001
Applicant / Current Owner	Hung T. Nguyen 900 E. Central Ave. Bentonville, AR 72712 James K. Smith 903 & 901 SE 3rd Street Bentonville, AR 72712 David Fredrickson 907 SE 3rd Street Bentonville, AR 72712 Daryl Stroud 1001 SE 3rd Street Bentonville, AR 72712 Kenneth Smith 1005 SE 3rd Street Bentonville, AR 72712 Scott Rampy 1009 SE 3rd Street Bentonville, AR 72712 Lisa M. Hall 1013 SE 3rd Street Bentonville, AR 72712 Larry Vandevor 632 W. Lancashire Blvd. Bella Vista, AR 72715 Doug True 9540 True Road Bentonville AR, 72712 Angel Floro 14143 Rolling Hills Dr. Bentonville, AR 72712
Site Area	11 +/- acres
Current Zoning	R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential
Requested Zoning	PUD, Planned Unit Development
Future Land Use Map Designation	Downtown High-Density Residential (D-HDR)

<http://geo.bentonville.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of nine single-family residences and three undeveloped parcels, all of which are located in area that is designated for Downtown High-Density Residential.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is bordered to the north by East Central Avenue which is a collector street, to the east by SE 'J' Street which is designated as an arterial street and to the south by SE 3rd Street which is designated as a local street. SE 3rd Street will be improved with the proposed development. Each of these streets and the surrounding street grid will provide adequate options for ingress/egress to the proposed project. The proximity to employment and entertainment centers will further reduce the impact on the city's transportation network while the development encourages alternative transportation modes.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at this location. Water and sewer is available along each street network. Multiple taps are being considered to reduce the impact on any one particular line.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown High-Density Residential (D-HDR). The PUD, Planned Unit Development zoning is an appropriate zoning district for this designation. The proposed multi-family housing will help the community achieve several objectives, providing a greater variety of housing options, increasing the amount of people living close to jobs and commerce and enhancing access to the downtown.

Conclusion

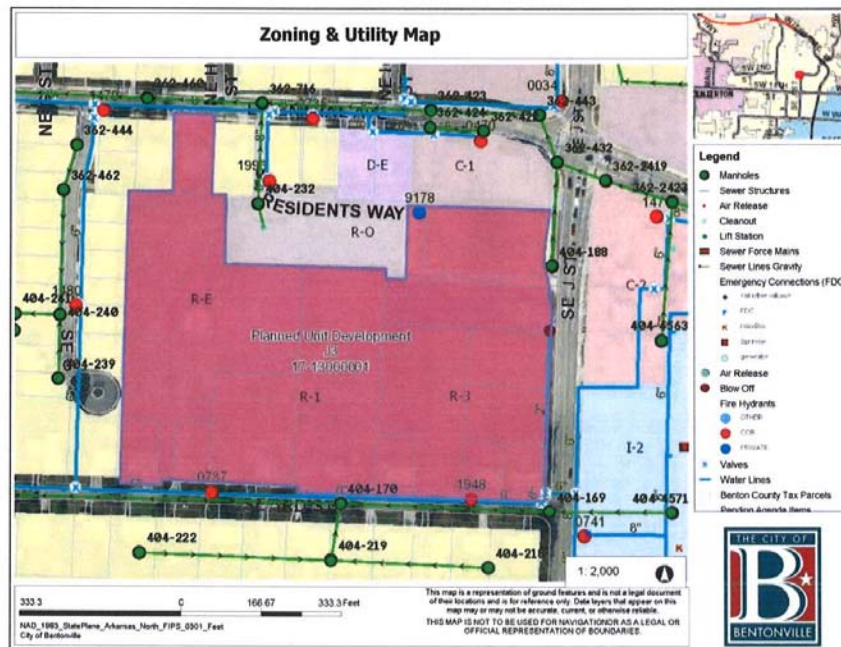
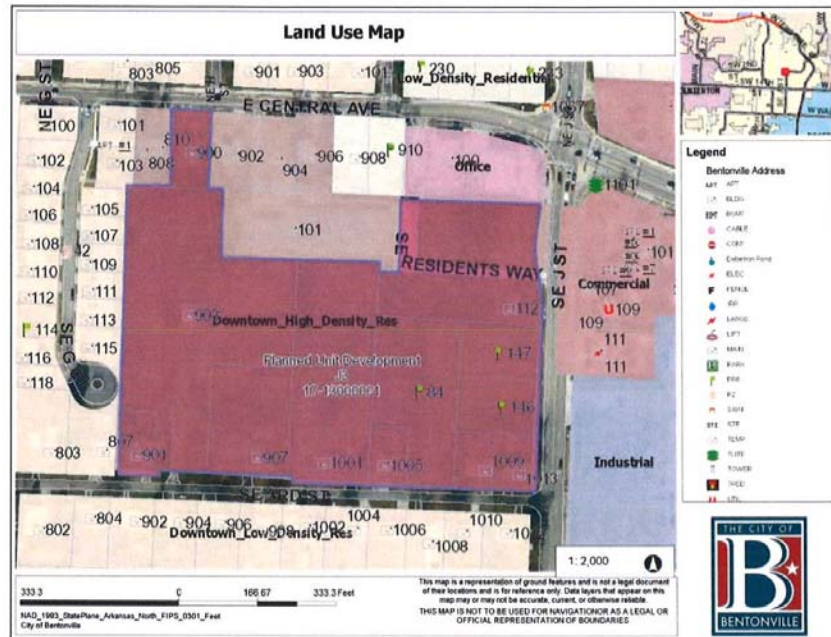
The PUD, Planned Unit Development zoning designation will implement Smart Growth strategies while providing a mix of uses and housing near the downtown square and will allow greater flexibility in design and use of the land while being compatible with adjacent uses. Ultimately, the PUD will provide a housing type that is needed for the downtown area to grow, prosper, and allow residents to live and work in the same area. The development will take advantage of an existing street network while utilizing utilities that provide adequate capacity. The proposed multi-family units will add validity to existing downtown commercial uses while increasing the need for additional services. These additional services may be provided onsite within the second phase or within the downtown core. The mix of uses will add to the fabric of downtown Bentonville ensuring sustainable growth for the future. The PUD will comply with all screening, buffering and lighting requirements as set-fourth in the subdivision code.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single-Family Residential, R-O, Residential Office, R-E, Residential Estate & R-3, Medium-Density Residential to PUD, Planned Unit Development.

City of Bentonville, Arkansas | Community & Economic Development Department

Troy Galloway, AICP, Community & Economic Development Director | 305 SW A Street, Bentonville, AR | (p) 479-271-3122 | (f) 479-271-5906



WRITTEN DESCRIPTION

1 Planned Unit Development Intent

Specialized Real Estate Group, Modus Studio, and Morrison-Shikey Engineers are pleased to submit this mixed-use development as a new Planned Unit Development to the City of Bentonville. We have worked diligently to provide a contextually-sensitive infill development that will positively impact the character of the neighborhood and provide a new, high-quality place to live, work, and play.

As Bentonville continues to grow, new opportunities exist to extend the city's beloved downtown walkable neighborhoods. This project will provide more housing closer to places of employment and entertainment. The character and layout of the project will not only enhance the quality of walkable urban life in and around the downtown Bentonville, but also serve as a local neighborhood center with new commercial services and park space.

This PUD is located on an approximately 11 acre site bound by J Street on the east, 3rd Street on the south, G Court on the west, with a new connection to Central Avenue to the north. The site has great proximity to many amenities but has a current Walkscore of 36 (Car-Dependent). This is a far cry from the goals of Bentonville's downtown, including recent adoption of zoning, development, and future land-use codes. In order to fulfil the desires of the area, residents and visitors need a safe, pleasurable walking and biking environment. With a recalibrated residential streetscape along SE 3rd Street and an exciting mixed-use edge to SE J Street, this project will be a gateway for entry to downtown for pedestrian activity -- providing patrons to local businesses, restaurants, and retailers as well as a new destination for neighbors.

2 Description of Land-Uses

PUD - Zone 1: +/-60% of proposed PUD

The western 7.22 acres of the PUD will consist of predominantly three story walk-up apartment buildings. Select third floor units will have "lofts" where views are desirable. These views will be focused on spaces internal to the site, such as the pocket park or mixed use area.

PUD - Zone 2: +/-40% of proposed PUD

The eastern 3.89 acres of the PUD will consist of four story mixed-use buildings (neighborhood commercial/ office/ etc.). Parking will be provided on-site and adjacent to these buildings.

Neighborhood Amenities Provided

Community Park and Tree Preserve

The community park is a nearly half an acre of open space in the center of the site

that anchors residential activity. This park will be constructed around specimen trees, two with a diameter over five feet! The park will be a great community amenity by offering passive recreational uses. It will consist of a lawn as well as water quality control measures and be adjacent to the clubhouse and pool courtyard.

SE 3rd Street Corridor

SE 3rd Street will become a modified "urban collector" with on-street parking, multipurpose path, and street trees. The parallel and 45 degree parking stalls will act as traffic-calming measures, slowing through-traffic as it enters downtown.

Site Connectivity

The site plan provides plenty of connectivity on all sides by creating an internal street running east-west. This street will provide drainage and water quality services, as well as provide access to Central Avenue (one connection), SE J Street (two connections), and SE 3rd Street (two connections).

Trail Connections

A private spur of the trail will be provided on the western portion of the site. This path will provide bicycle access from SE 3rd Street to Central Avenue for residents as well as the general public to use.

Community Gardens

Community gardens will be provided to residents within the site as part of healthy living goals.

PUD SUMMARY

total acreage 11.22

density

PUD - Zone 1

PUD - Zone 2

building height

PUD - Zone 1

PUD - Zone 2

percentage of open space

283 units, 348 bedrooms (36 units/acre max)
40 units/acre max (25% commercial minimum of total area in zone 02)
3 story w/ 4th floor lofts
4 story mixed-use
minimum 2.24 acres
20% of total acreage

WRITTEN DESCRIPTION

(continued)

site buffers

J street
3rd street
west rear yard
north side yard

15'-0" from right of way
0'-0" from right of way
15'-0" from property line
12'-0" from property line
(site parking setback 5'-0")
or the width of the easement whichever is greatest.

parking distribution

PUD - Zone 1
distribution
total

1 per unit
263

PUD - Zone 2
distribution

1 per 300 sq ft net for office
1 per 300 sq ft net for neighborhood commercial
1 per residential unit

PUD - Zone 1 and 2
surface spaces provided
(private)

On street parking will be provided along 3rd street
approximately 30 spaces.

compact spaces

30% (8'-0" x 15'-0")
compact spaces to be supplemented with on-site
alternative transportation facilities (i.e. bike racks) outside
of right of way.

public streets

3rd Street

70' - ROW
35' from existing center line for this property

Modified Urban Collector
(see cross section included in packet)
on-street parking: 45 degree and parallel

J Street

90' - ROW
(45' from existing center line for this property)

Description of Compliance with PUD Criteria (Art 401.13.D)

Vegetation and Screening

Parking

Tree islands will be provided in parking lots as per the City of Bentonville's landscape code.

Screening

North Side Yard

Existing wood privacy fence to remain. New trees will be placed along perimeter buffer. Tree spacing will meet type A screen per the City of Bentonville's landscape code.

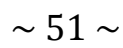
West Rear Yard

Existing trees to remain within 15'-0" buffer. New trees will be placed along perimeter easement to infill where existing tree screening is thin or non-existent. New tree quantity will meet or exceed the City of Bentonville's landscape code. In addition to tree screening, carports with green screens will be provided at three locations along the perimeter. All open areas between carports will have a privacy fence. See plan for details.

Phasing

For the purposes of the PUD zoning submission, PUD - Zone 1 and PUD - Zone 2 are used. A phasing plan will be developed as part of the Large Scale Development submission.

CENTRAL AVENUE



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL, R-O, RESIDENTIAL OFFICE, R-E, RESIDENTIAL ESTATE, R-3, MEDIUM DENSITY RESIDENTIAL TO PUD, PLANNED UNIT DEVELOPMENT.

WHEREAS, Hung T. Nguyen, James K. Smith, David Fredrickson, Daryl Stroud, Kenneth Smith, Scott Rumpy, Lisa M. Hall, Larry Vandevor, Doug True, and Angel Floro duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development to be used in accordance with city zoning laws and state laws, which property is described as follows:

Tract 3 of a Lot Split of Lot 2, East Acres Addition to Bentonville, as shown on Plat Record 28 at page 167; Lots 7, 8 and 9, East Acres Addition to Bentonville, as shown on Plat Record 2005 at page 1198; Lot 4 of East Acres, a subdivision of Lots 1, 2, 5, 6, 7, 8, 11 and 12 of McReynolds Addition to Bentonville, as shown and designated in Plat Record A at page 104; part of Lot 3, Angel Floro Subdivision to the City of Bentonville, as shown on Plat Record 2003-130; Tracts 1 and 2, and part of Tract 3, H&H Walker Subdivision, as shown in Plat Record 14 at page 178; part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section 32, Township 20 North, Range 30 West; and Lot 16 of a replat of Lot 11, Howard's Addition, as shown on Plat Record P4 at page 191; all in Benton County, Arkansas, the perimeter of these combined tracts being more particularly described as follows:

BEGINNING at the Southwest Corner of said Tract 3 of a Lot Split of Lot 2, East Acres Addition. Thence by bearing and distance (basis of bearing, Grid North), North 01°29'49" East along the west line of said Lot Split a distance of 609.23 to the south line of Howard's Addition; thence South 87°21'17" East a distance of 91.84 feet to the Southwest Corner of Lot 16, Howard's Addition; thence North 01°28'23" East a distance of 164.95 feet to the Northwest Corner of said Lot 16; thence South 87°19'54" East a distance of 82.50 to the Northeast Corner of said Lot 16; thence South 01°28'23" West a distance of 164.92 feet to the Southeast Corner of said Lot 16; thence South 87°21'17" East a distance of 30.58 feet to the Northwest Corner of Lot 2, Angle Floro Subdivision, as shown in Plat Book 2003 at page 130; thence South 02°14'54" West a distance of 140.42 feet to the Southwest Corner of said Lot 2; thence South 87°40'42" East a distance of 336.47 feet; thence South 02°02'48" West a distance of 18.48 feet;

thence South 87°34'26" East a distance of 39.72 feet to the Southeast Corner of said Lot 2; thence North 02°19'23" East a distance of 156.86 feet to said south line of Howard's Addition; Thence South 87°21'20" East along said south line a distance of 294.01 feet to the west right-of-way line of SE "J" Street, as it now exist; thence South 05°44'39" West along said west right-of-way line a distance of 93.74 feet; thence South 05°30'39" East continuing along said west right-of-way line a distance of 62.75 feet; thence South 09°43'03" East continuing along said west right-of-way line a distance of 43.81 feet; thence South 02°25'49" West continuing along said west right-of-way line a distance of 404.67 feet to the north right-of-way line of SE 3rd Street; Thence leaving said west right-of-way line, North 88°01'51" West along said north right-of-way line a distance of 160.00 feet; thence North 87°58'00" West continuing along said north right-of-way line a distance of 181.00 feet; thence North 87°30'00" West continuing along said north right-of-way line a distance of 173.08 feet; thence North 02°49'01" East continuing along said north right-of-way line a distance of 14.41 feet; thence North 88°15'39" West continuing along said north right-of-way line a distance of 246.15 feet; thence North 87°59'00" West continuing along said north right-of-way line a distance of 35.00 feet; thence South 01°29'51" West continuing along said north right-of-way line a distance of 10.84 feet; thence North 88°01'31" West continuing along said north right-of-way line a distance of 83.00 feet to the Point of Beginning.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 21, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development.

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

Section 1: That the above described real property is hereby changed from its present classification of R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Travis Matlock

Department

Engineering

Phone

271-5941

ACTION REQUIRED:

Public hearing and ordinance vacating a Public Access Easement located at 1302 Melissa, Hardcastle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

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



PLEASE RECYCLE



ORDINANCE NO. _____

AN ORDINANCE VACATING A PUBLIC UTILITY EASEMENT LOCATED AT 1302 MELISSA WITHIN HARDCASTLE ESTATES SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS.

WHEREAS, a petition was filed by 1302 Melissa, LLC, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a Public Access Easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

A thirty (30) foot wide shared access easement running along the Eastern and Northern boundaries of Tract 13 and the Northern Boundary of Tract 14, Hardcastle Estates, Bentonville, Arkansas, as per the plat of same recorded January 22, 2007, in plat book 2007 at pages 64 and 65.

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

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

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

A thirty (30) foot wide shared access easement running along the Eastern and Northern boundaries of Tract 13 and the Northern Boundary of Tract 14, Hardcastle Estates, Bentonville, Arkansas, as per the plat of same recorded January 22, 2007, in plat book 2007 at pages 64 and 65.

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

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2017, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

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

BOB MCCASLIN, Mayor
City of Bentonville, Arkansas





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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Travis Matlock

Department

Engineering

Phone

271-5941

ACTION REQUIRED:

Public hearing and ordinance vacating a Utility Easement located at multiple parcels at Kerelaw Castle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



ORDINANCE NO _____

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED AT KERELAW CASTLE SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS.

WHEREAS, a petition was filed by RC Stoneburrow, LLC, with the City Council of Bentonville, Arkansas, asking the City Council to vacate a Utility Easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

A 15' WIDE SEWER EASEMENT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 122; THENCE ALONG THE WEST LOT LINE OF SAID LOT 122, NORTH 02°10'59" EAST A DISTANCE OF 23.94; THENCE NORTH 69°14'41" EAST A DISTANCE OF 21.72 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°10'59" EAST A DISTANCE OF 16.29 FEET; THENCE NORTH 69°14'41" EAST A DISTANCE OF 386.93 FEET; THENCE SOUTH 59°16'06" EAST A DISTANCE OF 19.17 FEET; THENCE SOUTH 69°14'41" WEST A DISTANCE OF 405.21 FEET TO THE POINT OF BEGINNING. CONTAINING 5941 SQ. FT. MORE OR LESS.

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

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

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

A 15' WIDE SEWER EASEMENT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 122; THENCE ALONG THE WEST LOT LINE OF SAID LOT 122, NORTH 02°10'59" EAST A DISTANCE OF 23.94; THENCE NORTH 69°14'41" EAST A DISTANCE OF 21.72 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°10'59" EAST A DISTANCE OF 16.29 FEET; THENCE NORTH 69°14'41" EAST A DISTANCE OF 386.93 FEET; THENCE SOUTH 59°16'06" EAST A DISTANCE OF 19.17 FEET; THENCE SOUTH 69°14'41" WEST A DISTANCE OF 405.21 FEET TO THE POINT OF BEGINNING. CONTAINING 5941 SQ. FT. MORE OR LESS.

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

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2017, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

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

BOB MCCASLIN, Mayor
City of Bentonville, Arkansas





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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Jonathan Rogers

Department

Administration

Phone

271-5911

ACTION REQUIRED:

A resolution authorizing the Mayor and City Clerk to enter into an Enterprise License Agreement with ESRI in the amount of \$35,000.00. This is a 2017 budgeted item.

COST TO CITY:

Cost of this Request: \$35,000

Additional Budget Amount

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$	35,000
Funds Expended to Date		
Remaining Budget		35,000
Budget Adjustment		-
Remaining After Adjustment	\$	35,000

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



MEMORANDUM

DATE: February 13, 2017

TO: Denise Land

FROM: Jonathan Rogers

RE: esri ELA

Denise,

Attached is the esri Enterprise License Agreement. The Agreement has a three-year term, but includes a non-appropriation clause. The cost is \$35,000.00 per year, and allows the City access to unlimited quantities of esri core software applications. With the current direction of GIS there will be a significant increase in the number of users that will take advantage of the esri software. The agreement not only allows us to extend the core applications to the users, but also gives us access to Server and Developer Tool to further expand our GIS offering to citizens and City employees.



ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.
St Louis Regional Office, 3060 Little Hills Expressway
St Charles, MO 63301
Phone: (636) 949-6620 Fax: (636) 949-6735
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 01/26/2017 To: 04/26/2017*

Quotation # 20501191

Date: January 26, 2017

Customer # 203043 Contract #

City of Bentonville
GIS Information Technology Dept
305 SW A St
Bentonville, AR 72712

ATTENTION: Jonathan Rogers
PHONE: (479) 271-5911
FAX: (479) 271-5916

Material	Qty	Description	Unit Price	Total
110036	1	Populations of 25,001 to 50,000 Small Government Term Enterprise License Agreement - Year 1	35,000.00	35,000.00
110036	1	Populations of 25,001 to 50,000 Small Government Term Enterprise License Agreement - Year 2	35,000.00	35,000.00
110036	1	Populations of 25,001 to 50,000 Small Government Term Enterprise License Agreement - Year 3	35,000.00	35,000.00
Item Total:				105,000.00
Subtotal:				105,000.00
Sales Tax:				0.00
Estimated Shipping & Handling(2 Day Delivery) :				0.00
Contract Pricing Adjust:				0.00
Total:				\$105,000.00

ArcGIS Software, Version 10, is provided via electronic download. Media is available upon request and will involve a shipping charge.

PURCHASE ORDER: Send your digital, faxed, or original signed purchase order to Customer Service for processing. Faxes may be sent toll-free to (800) 330-7053. Please include a copy of the quote showing the items being ordered. You do not need to fax back the Terms & Conditions.

CREDIT CARD: If you would like to purchase the items on the quotation via credit card, please call (800) 447-9778 and reference this quotation.

If you have any questions regarding this quotation, please contact me via telephone at (636) 949-6620, Ext. 8526, or you may email me at jjeannotte@esri.com. If you have questions following placement of your order such as order confirmation, ship date, etc., please contact Customer Service in Redlands, CA, toll free at (888) 377-4575.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Jean Jeannotte	Email: jjeannotte@esri.com	Phone: (636) 949-6620 x8526
The items on this quotation are subject to the terms set forth herein and the terms of your signed agreement with Esri, if any, or, where applicable, Esri's standard terms and conditions at www.esri.com/legal, which are incorporated by reference. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Acceptance is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's products and services.		
<i>If sending remittance, please address to: Esri, File No. 54630, Los Angeles, Ca 90074-4630</i>		

JEANNOTTEJ

This offer is limited to the terms and conditions incorporated and attached herein.



ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.
St Louis Regional Office, 3060 Little Hills Expressway
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Phone: (636) 949-6620 Fax: (636) 949-6735
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*To expedite your order, please attach a copy of
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City of Bentonville
GIS Information Technology Dept
305 SW A St
Bentonville, AR 72712

ATTENTION: Jonathan Rogers
PHONE: (479) 271-5911
FAX: (479) 271-5916

If you have made ANY alterations to the line items included in this quote and have chosen to sign the quote to indicate your acceptance, you must fax Esri the signed quote in its entirety in order for the quote to be accepted. You will be contacted by your Customer Service Representative if additional information is required to complete your request.

If your organization is a US Federal, state, or local government agency; an educational facility; or a company that will not pay an invoice without having issued a formal purchase order, a signed quotation will not be accepted unless it is accompanied by your purchase order.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy, GSA, BPA) on your ordering document.

BY SIGNING BELOW, YOU CONFIRM THAT YOU ARE AUTHORIZED TO OBLIGATE FUNDS FOR YOUR ORGANIZATION, AND YOU ARE AUTHORIZING ESRI TO ISSUE AN INVOICE FOR THE ITEMS INCLUDED IN THE ABOVE QUOTE IN THE AMOUNT OF \$_____, PLUS SALES TAXES IF APPLICABLE. DO NOT USE THIS FORM IF YOUR ORGANIZATION WILL NOT HONOR AND PAY ESRI'S INVOICE WITHOUT ADDITIONAL AUTHORIZING PAPERWORK.

Please check one of the following:

☐ I agree to pay any applicable sales tax.

☐ I am tax exempt, please contact me if exempt information is not currently on file with Esri.

Signature of Authorized Representative

Date

Name (Please Print)

Title

The quotation information is proprietary and may not be copied or released other than for the express purpose of system selection and purchase/license. This information may not be given to outside parties or used for any other purpose without consent from Environmental Systems Research Institute, Inc. (Esri).

Any estimated sales and/or use tax reflected on this quote has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state tax directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Jean Jeannotte

Email: jeannotte@esri.com

Phone: (636) 949-6620 x8526

The items on this quotation are subject to the terms set forth herein and the terms of your signed agreement with Esri, if any, or, where applicable, Esri's standard terms and conditions at www.esri.com/legal, which are incorporated by reference. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Acceptance is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's products and services.

If sending remittance, please address to: Esri, File No. 54630, Los Angeles, Ca 90074-4630

JEANNOTTEJ

This offer is limited to the terms and conditions incorporated and attached herein.



ESRI QUOTATION TERMS AND CONDITIONS

Esri, 380 New York St., Redlands, CA 92373-8100 USA • TEL 909-793-2853 • FAX 909-793-5953

All quotations are valid for ninety (90) days unless otherwise stated on the quotation form. These prices and terms are valid only for items purchased for use and delivery within the United States.

This quotation information is proprietary and may not be copied or released other than for the express purpose of the current system selection and purchase. This information may not be given to outside parties or used for any other purpose without written consent from Environmental Systems Research Institute, Inc. (Esri).

To expedite your order, please reference the quotation number on your purchase order.

ORDER PROCESS

The order process is initiated when Esri receives an original purchase order or some form of advance payment. Several additional documents (e.g., Master License Agreement, credit application, Tax Exemption Certificate) may be required to complete the order process. Generally, the need for these documents varies by the type of software, data, web-enabled services, subscriptions, professional services, or other products ordered, which is determined upon receipt of the purchase order (or advance payment). If delivery must be expedited, please contact your marketing representative for assistance.

IMPORTANT! Collectively, these documents contain the authorizations and information necessary to ship proper versions of the software or data on the correct media or to initiate web-enabled services, subscriptions, or professional services. Please return them promptly to avoid unnecessary delays in shipping or delivery. Please return all documents to Esri Customer Service, or as otherwise directed.

Please show the following remittance address on your purchase order:

Esri, File No. 54630, Los Angeles, CA 90074-4630

ESRI LICENSE AGREEMENTS

All Esri software, data, web-enabled services, and subscriptions offered in this quotation are commercial off-the-shelf items developed at private expense and subject to Esri commercial license terms. You may have a signed license agreement on file that covers this order. If so, please reference the license agreement number on your purchase order. Unless a signed license is on file with Esri, Esri software, data, web-enabled services, and subscriptions are subject to the Esri License Agreement included with the deliverable item as an online or click-through agreement. A copy is enclosed. Certain software or data requires a Master License Agreement signed by both parties. Professional services agreements may also include license terms.

Some Esri software is copy protected with a software keycode or hardware key, and some software, data, web-enabled services, or subscriptions require registration or a password. You will be given instructions to access the keycode, register, or obtain a password through the Esri website or by other means.

MAINTENANCE

After expiration of any complimentary period of maintenance that may apply to the licensed software, Esri will quote maintenance payable annually in advance. A reinstatement fee applies when maintenance has lapsed.

DATA AND ONLINE SERVICES DISCLAIMER

Data and Online Services may contain some nonconformities, defects, errors, or omissions. THE DATA AND ONLINE SERVICES ARE PROVIDED "AS-IS" WITHOUT WARRANTY OF ANY KIND. Without limiting the generality of the preceding sentence, Esri and its licensors do not warrant that the data and Online Services will meet Licensee's needs or expectations, that the use of the data or Online Services will be uninterrupted, or that all nonconformities can or will be corrected. Esri and its licensors are not inviting reliance on this data or Online Services, and Licensee should always verify actual data or Online Services.

DELIVERY

FOB Redlands, CA, USA

Software: Allow five (5) days from Esri's receipt of purchase order, signed Software License Agreement(s), and other documents, as required.

Hardware: Manufacturer's terms apply. Lead times depend on make/models purchased.

Note: Standard delivery method is ground or two (2)-day air for software and surface carrier for hardware. Actual delivery method may vary depending on weight. Other services are available for an additional fee (e.g., overnight delivery).

PAYMENT TERMS

Net thirty (30) days, on approved credit. Orders less than eight hundred dollars (\$800) require prepayment by check or credit card unless your organization is a government agency, university, college, or Fortune 500 company.

TAXES

This quote includes applicable sales or use taxes for the prices quoted as required by law. The tax amount may change depending on the time lapse between this quote and your order to us. Esri will include applicable sales or use taxes on your invoice unless you provide proof with your order that your organization or use of the product is tax exempt.



Esri, 380 New York St., Redlands, CA 92373-8100 USA • TEL 909-793-2853 • FAX 909-793-5953

Esri Use Only:

Cust. Name _____

Cust. # _____

PO # _____

Esri Agreement # _____

**SMALL ENTERPRISE AGREEMENT
COUNTY AND MUNICIPALITY GOVERNMENT
(E214-2)**

This Agreement is by and between the organization identified in the Quotation ("Licensee") and **Environmental Systems Research Institute, Inc. ("Esri")**.

This Agreement sets forth the terms for Licensee's use of Products and incorporates by reference (i) the Quotation and (ii) the License Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the License Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Licensee is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

**Table A
List of Products**

Uncapped Quantities

Desktop Software and Extensions

ArcGIS Desktop Advanced
ArcGIS Desktop Standard
ArcGIS Desktop Basic
ArcGIS Desktop Extensions: ArcGIS 3D Analyst,
ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
ArcGIS Publisher, ArcGIS Network Analyst, ArcGIS
Schematics, ArcGIS Workflow Manager, ArcGIS Data
Reviewer

Enterprise Software and Extensions

ArcGIS Enterprise and Workgroup
(Advanced and Standard)
ArcGIS Enterprise Extensions: ArcGIS 3D Analyst,
ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS
Workflow Manager

Enterprise Optional Server

ArcGIS Image Server

Developer Tools

ArcGIS Engine
ArcGIS Engine Extensions: ArcGIS 3D Analyst, ArcGIS
Spatial Analyst, ArcGIS Engine Geodatabase Update,
ArcGIS Network Analyst, ArcGIS Schematics
ArcGIS Runtime (Standard)
ArcGIS Runtime Analysis Extension

Limited Quantities

One (1) Annual Subscription to Esri Developer Network
(EDN) Standard*
Two (2) Esri CityEngine Advanced Single Use Licenses
100 Level 1 ArcGIS Online Named Users
100 Level 2 ArcGIS Online Named Users
17,500 ArcGIS Online Service Credits
100 Level 1 ArcGIS Enterprise Named Users
100 Level 2 ArcGIS Enterprise Named Users
3 Insights for ArcGIS

OTHER BENEFITS

Number of Esri User Conference registrations provided annually	3
Number of Tier I Help Desk individuals authorized to call Esri	3
Maximum number of sets of backup media, if requested**	2
Self-Paced e-Learning	Uncapped
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement (Discount does not apply to Small Enterprise Training Package.)	

*Maintenance is not provided for these items

**Additional sets of backup media may be purchased for a fee

Licensee may accept this Agreement by signing and returning the whole Agreement with a signed sales quotation, purchase order, or other document that matches the Quotation and references this Agreement ("Ordering Document"). **ADDITIONAL OR CONFLICTING TERMS IN LICENSEE'S ORDERING DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri's receipt of Licensee's Ordering Document incorporating this Agreement by reference, unless otherwise agreed to by the parties ("Effective Date").

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Licensee)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

LICENSEE CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the License Agreement, the following definitions apply to this Agreement:

"Deploy", "Deployed" and "Deployment" mean to redistribute and install the Products and related Authorization Codes within Licensee's organization(s).

"Fee" means the fee set forth in the Quotation.

"Case" means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

"License Agreement" means the applicable license agreement for Esri Products incorporated by this reference that is (i) found at <http://www.esri.com/legal/software-license> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri license agreement that supersedes such electronically acknowledged license agreement.

"Maintenance" means Tier 2 Support, Product updates, and Product patches provided to Licensee during the Term of Agreement.

"Product(s)" means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

"Quotation" means the offer letter and quotation provided separately to Licensee.

"Technical Support" means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

"Tier 1 Help Desk" means Licensee's point of contact(s) to provide all Tier 1 Support within Licensee's organization(s).

"Tier 1 Support" means the Technical Support provided by the Tier 1 Help Desk.

"Tier 2 Support" means the Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support. Licensee will receive Tier 2 Support from Esri.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Licensee a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the term provided on the first page (i) for the applicable Fee and (ii) in accordance with the License Agreement.

2.2 Consultant Access. Esri grants Licensee the right to permit Licensee's consultants or contractors to use the Products exclusively for Licensee's benefit. Licensee will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Licensee. Access to or use of Products by consultants or contractors not exclusively for Licensee's benefit is prohibited. Licensee may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Licensee locations, except for the purpose of hosting the Software or Data on Contractor Servers for the benefit of Licensee.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Licensee is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Licensee an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate on expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-owned entities, either party may terminate this Agreement before any subsequent year if Licensee is unable to secure funding through the legislative or governing body's approval process.

- 3.5 **Follow-on Term.** If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

- 4.1 **Future Updates.** Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Licensee. Licensee may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Licensee via written notice for incorporation into the Products schedule at no additional charge. Licensee's use of new or updated Products requires Licensee to adhere to applicable additional or revised terms and conditions of the License Agreement.

- 4.2 **Product Life Cycle.** During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <http://support.esri.com/en/content/productlifecycles>. Updates for Products in the mature and retired phases may not be available. Licensee may continue to use Products already Deployed during the Term of Agreement, but Licensee will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <http://www.esri.com/legal>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other than the defined Products will receive Maintenance. Licensee may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Licensee will provide Tier 1 Support through the Tier 1 Help Desk to all Licensee's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.

3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.

4. The Tier 1 Help Desk will be the initial points of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case. The Tier 1 Help Desk may also use any other information and databases that may be developed to satisfactorily resolve the Case.

5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Licensee.

6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Licensee may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.
4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Licensee's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Licensee will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Licensee will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration date of this Agreement, Licensee will provide Esri with a written report detailing all Deployments. Upon request, Licensee will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Licensee and provide Authorization Codes to activate the nondestructive copy protection program that enables Licensee to download, operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee thirty (30) calendar days before the annual anniversary date for each additional year.
- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri's federal ID number is 95-2775-732.
- c. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Licensee acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Licensee will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Licensee to issue a purchase order. Licensee may submit a purchase order in accordance with its own process requirements, provided that if Licensee issues a purchase order, Licensee will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Licensee will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each additional year.

- a. All orders pertaining to this Agreement will be processed through Licensee's centralized point of contact.
- b. The following information will be included in each Ordering Document:
 - (1) Licensee name; Esri customer number, if known; and bill-to and ship-to addresses
 - (2) Order number
 - (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Licensee is a commercial entity, Licensee will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Licensee with or into another corporation or entity; (ii) Licensee's acquisition of another entity; or (iii) a transfer or sale of all or part of Licensee's organization (subsections i, ii, and iii, collectively referred to as "Ownership Change"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1 If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2 If an Ownership Change results in transfer or sale of a portion of Licensee's organization, that portion of Licensee's organization will transfer the Products to Licensee or uninstall, remove, and destroy all copies of the Products.
- 9.3 This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Licensee will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH ESRI
FOR GIS SOFTWARE APPLICATIONS.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Enterprise License Agreement with ESRI for GIS Software Applications in an amount not to exceed \$35,000.00 as set forth in the Proposal attached hereto as Exhibit A.

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

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Jonathan Rogers

Department

Administration

Phone

271-5911

ACTION REQUIRED:

Approve a resolution to amend the contract with G-Squared to update 261 Maps – Ortho Photography and Planimetric features collection for GIS.

This budgeted project will update the map features where change has occurred in our 261 map tiles from new 3-D imagery. This will result in 1"=50' map accuracy with 1-foot contour lines. This highly accurate and detailed mapping is needed by our City departments to update and replace our current maps.

COST TO CITY:

Cost of this Request: \$217,000

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ 217,000
Funds Expended to Date	
Remaining Budget	217,000
Budget Adjustment	-
Remaining After Adjustment	\$ 217,000

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



MEMORANDUM

To: Jonathan Rogers

From: Jim Wheelless

Subject: Planimetric Updates

The 2017 budget includes funding for updated planimetric GIS mapping features.

We last collected planimetric features, such as building footprints, driveways, drainage features, and contour lines, in 2008. The City has experienced a large amount of growth, especially downtown redevelopment and infill, between 2008 and 2016, which has rendered a large amount of this data out-of-date.

This can create problems as we look at development and infrastructure needs such as drainage, water, sewer and electric availability. Drainage patterns and utility coverage aspects can change with redevelopment. Current and accurate data is vital to analyze, predict and plan for these infrastructure needs. Given that the landscape has literally changed, it is very important to have updated and accurate base map data.

The entire community utilizes our mapping systems and depend on us to keep it current. For instance;

1. The Planning & Engineering Department uses this data for general planning, elevation determination for FEMA, general mapping, and conceptual design for public utilities.
2. The Utility Departments use this data for designing new utility lines, and up-grades.
3. The Local Engineering Companies also use it for conceptual site and plan design. NOTE; using our mapping keeps them in the same coordinates and specifications as our cities departments.

Professional photogrammetry is required to maintain the level of base map accuracy that we depend on to serve all departments and the private sector that use our maps.

Our investment in the geodetic control network combined with our GIS mapping has proven to be a very valuable asset to the engineering of our city growth. This data update will ensure that we can continue to provide a high level of quality mapping services.

RESOLUTION NO. 5-12-09G

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AMENDMENT TO THE CONTRACT WITH G SQUARED FOR ADDITIONAL SERVICES RELATED TO MAPPING AND AERIAL PHOTOGRAPHY DATA AND RELATED SERVICES.

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an amendment to the Contract with G Squared for additional services related to the City of Bentonville's mapping and photogrammetric data in an amount not to exceed \$165,000.00 as attached hereto as Exhibit "A".

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

PASSED and APPROVED this 12th day of May, 2009.

APPROVED

ATTEST:

TASK ORDER # 013 TO CONTRACT FOR PROFESSIONAL MAPPING

2017 Update Mapping for City of Bentonville

I. Objective

The objective of this project is to update the existing map features where change has occurred. The map features are listed on Attachment A dated August 1, 2016.

The areas of interest are defined on the index, Attachment B, dated August 1, 2016.

The accuracy statement is defined on Attachment C dated August 27, 2015.

NOTE: The photogrammetry specification has been upgraded to 1" =50' scale to coincide with the United States Geological Survey LIDAR data that is being produced to QL2 standards. This will allow the mapping photography to both update the map features and to provide a quality control and enhancement for the new LIDAR.

II. Scope of Work

G-Squared will acquire high resolution (3" pixels) digital imagery with a DMC 2 Sensor. All imagery will be analytically triangulated to the existing geodetic control established by the City of Bentonville and rectified into orthophotography for the entire 58 sq. mile area of interest (261 full tiles).

G-Squared will update the map features where change has occurred in the 261 full and partial tiles consisting of 46 sq. miles within the coverage area from the 3-D stereo imagery. The base map being updated is 1" =100' and the raw data used for the update will meet 1" = 50' accuracy.

New topographic mapping will be produced from the USGS supplied QL2 lidar data and edited with the terrain defining features from the updated mapping. The resulting cartographically correct contour lines will cover the same 46 sq. miles as the updated mapping.

This index outlines the following deliverable areas:

1. 261 tiles – color orthophotography with 3" pixel resolution rectified to the USGS QL2 lidar data to produce 1" =50' accuracy.
2. 261 tiles – all existing 1" =100' planimetric features will be updated from the 2016 aerial mission. Those features that have changed will be updated with 1" =50' accuracy.
3. 261 tiles – new cartographically correct contour lines at 1-foot interval will be produced from the QL2 LIDAR data obtained from the USGS along with terrain defining features compiled from the 2016 aerial mission.

August 1, 2016

III. Deliverables

Digital imagery and map files will be delivered in client specified ESRI format.

IV. Schedule

Aerial mission will be complete by March 30, 2017. The update mapping and contour production will be complete and deliver by December 15th, 2017.

V. Fees and Payments

This task order is based on the current professional service agreement with the City of Bentonville September 1st, 2016 GSQ shall invoice monthly based upon percent complete. Payment is due in 30 days of receipt and acceptance of the invoice.

Total for this task not to e

xceed.....\$217,500

City of Bentonville Representative

G-Squared Authorized Representative

By: _____
Authorized Representative
City of Bentonville

By: _____
Lindsey Galyen, Jr.
G-Squared

Dated : _____

Dated: _____

ATTACHMENT A
Bentonville, Arkansas - GIS MAPPING PROJECT
Photogrammetric Update Compilation Criteria
1" = 100'

For the purposes of this project, every code must be collected on the ground unless otherwise noted. Wherever a code number has (DTM) under it, then it carries a z-value coordinate and is as important as ridge & drain and scan points are for generating contours and/or rectifying digital ortho imagery.

TRAVELWAYS	TRAVELWAYS	TRAVELWAYS
------------	------------	------------

- | | | |
|---|---|--|
| <p>1000 - PAVED ROAD / PAVED ROAD WITH CURB (POLYGON) (ex-pave) (continuous line type)
 (DTM) Used to show the location of the edge of pavement for a road. In some instances, this code will define the edge of pavement at the edge of concrete along a curb pan (gutter) or at the flow line of the curb.</p> | <p>2000 - PAVED ROAD OVER BRIDGE / PAVED ROAD WITH CURB OVER BRIDGE (CONTINUATION OF ROAD POLYGON) (ex-pave-ob) (hidden line type)
 Used to show the location of the edge of pavement for a road over a bridge. This code does not carry DTM so features on a bridge can be described without affecting the contours underneath. In some instances, this code defines the edge of pavement at the edge of concrete along a curb pan (gutter).</p> | |
| <p>1001 - PAVED ROAD WITHOUT CURB (POLYGON) (ex-pave-woc) (continuous polyline)
 (DTM) Used to show the location of the edges of pavement for a road where there is no visible curb pan (gutter).</p> | <p>2001 - PAVED ROAD WITHOUT CURB OVER BRIDGE (CONTINUATION OF ROAD POLYGON) (ex-pave-wc-ob) (hidden line type)
 Used to show the location of the edges of pavement for a road where there is no visible curb pan (gutter) over a bridge.</p> | |
| <p>1002 - PAVED ROAD CENTERLINE (LINE) (ex-pave-cl) (continuous line type)
 Used to show the location of the center of a paved road. CAPTURE CENTER OF TRAVELED WAY ON MULTI-LANE ROADS. CAPTURE ALL DETACHED ROADS.</p> | | |
| <p>1016 - UNPAVED ROAD (POLYGON) (ex-unpaved) (continuous line type)
 (DTM) Used to show the location of the travel way (drivable surface) of a dirt or gravel road that has a minimum of two lanes or is at least 20 feet wide to allow traffic in both directions; can be graded or ungraded; has public access; and is maintained with public funds. Since unpaved roads frequently do not have well defined edges, this code should be considered approximate.</p> | <p>2016 - UNPAVED ROAD OVER BRIDGE (CONTINUATION OF ROAD POLYGON) (ex-unpaved-ob) (hidden line type)
 Used to show the location of the travel way (drivable surface) of a dirt or gravel road over a bridge that has a minimum of two lanes or is at least 20 feet wide to allow traffic in both directions; can be graded or ungraded; has public access; and is maintained with public funds. Since unpaved roads frequently do not have well defined edges, this code should be considered approximate.</p> | |
| <p>1018 - UNPAVED ROAD CENTERLINE (LINE) (ex-unpaved-cl) (continuous line type)
 Used to show the location of the center of an unpaved road. CAPTURE CENTER OF TRAVELED WAY ON MULTI-LANE ROADS. CAPTURE ALL DETACHED ROADS</p> | | |
| <p>1028 - DRIVEWAY (POLYGON) (ex-driveway) (continuous line type)
 Generic driveway code. Used to show the location of the edges of all private travel ways leading from streets to houses or garages when the project does not require that the surface type be specified. > 25' IN LENGTH.</p> | | |
| <p>1040 - BRIDGE (POLYGON) (ex-bridge) (continuous line type)
 Used to show the location of the edges of a structure built over a depression or an obstacle (such as a road, river or railroad) for use as a passageway. The outermost edges of the structure are collected. ROAD BRIDGES ONLY.</p> | | |

BUILDINGS / STRUCTURES**BUILDINGS / STRUCTURES****BUILDINGS / STRUCTURES****1102 - RESIDENTIAL** (POLYGON)(ex-footprint-res) (continuous line type)

Used to show the location of the "footprint" of a residential dwelling. The corners of the structure are collected at the edge of the roof because the corners of the foundation usually cannot be seen. Awnings, decks, small bay windows, carport covers, etc. are not collected. **> 15' ON A SIDE.**

1104 - COMMERCIAL / PUBLIC BUILDING (POLYGON)(ex-footprint-com) (continuous line type)

Used to show the location of the "footprint" of a building whose primary use is commercial such as a mall, store, food service, gas station or bank. Churches are not considered commercial buildings. The corners of the structure are collected at the edge of the roof because the corners of the foundation usually cannot be seen. **> 15' ON A SIDE.**

1108 - MISCELLANEOUS BUILDING (POLYGON)(ex-footprint-misc) (continuous line type)

Used to show the location of the "footprint" of a building other than residential or commercial and are greater than 100 square feet. The corners of the structure are collected at the edge of the roof because the corners of the foundation usually cannot be seen. **DETACHED GARAGES ARE COLLECTED HERE. > 15' ON A SIDE.**

1115 - TRAILER HOME (POLYGON)(ex-footprint-mh) (continuous line type)

Used to show the location of the "footprint" of a trailer home which is a private residence. The corners of the structure are collected at the edge of the roof because the corners of the foundation usually cannot be seen. **If additional dwelling structures have been connected to the trailer home collect the entire roof print.** Awnings, decks, small bay windows, carport covers, etc. are not collected. **> 15' ON A SIDE.**

1120 - TANK (POLYGON) (ex-water tank) (continuous line type)

Used to show the location of water tanks specified by the City. **The City will provide the coordinates** for the locations of these tanks. Horizontally place the polygon of the elevated tanks over the center of the elevating structure.

PLANIMETRY**PLANIMETRY****PLANIMETRY****1200 - RAILROAD CENTERLINE** (LINE)(ex-railroad-cl) (continuous line type)

Used to show the location of the centerline of a railroad track.

1202 - RAILROAD BRIDGE (POLYGON)(ex-railroad-bridge) (continuous line type)

Used to show the location of the edges of a bridge built to carry a railroad. The outermost edges of the structure are collected. Contours are shown beneath the bridge but not on top of the bridge. All features plus Ridge & Drain are carried through underneath a bridge.

1209 - RETAINING WALL (LINE) (ex-retain wall) (continuous line type)

Used to show the location of a wall that retains earth. **CAPTURE TOP EDGE OF WALL.**

1212 - FENCE (LINE)(ex-fence) (continuous line type)

Used to show the location on the ground of a barrier intended to prevent escape or intrusion or to mark a boundary. Only fences that show property lines (not fences that separate front yards from back yards, dog runs, gardens, corrals, etc.) are collected unless otherwise specified for project. **>75' IN LENGTH.**

1242 - RUNWAY (POLYGON)(ex-airport-runway) (continuous line type)

(DTM) Used to show the location of the edges of paved areas **OF THE RUNWAY ONLY** at airports.

1243 - AIRFIELD OTHER (POLYGON)(ex-airport-misc) (continuous line type)

(DTM) Used to show the location of the edges of paved areas at airfields with the exception of runways.

1275 - DOUBLE POST SIGN (BILLBOARD) (LINE)(ex-billboard) (continuous line type)

Used to show the location of a multiple post sign. Located in right-of-ways along public roads. **CLIENT WILL PROVIDE A COORDINATE LIST.**

1290 - PARKING LOT (POLYGON)(ex-parking) (continuous line type)

(DTM) Generic parking lot code. Used to show the location of the edges of a parking lot when the project does not require that the surface type be specified. **>5000 SQUARE FEET. INCLUDES ENTRANCE.**

1291 - PARKING LOT ISLAND (POLYGON)(ex-parking-island) (continuous line type)

(DTM) Used to show the location of the edges of a parking lot island.

HYDROLOGY

HYDROLOGY

HYDROLOGY

1400 - DRAIN (LINE)(ex-hydro-drain) (continuous line type)

(DTM) Used to show the location of the center of a natural and/or manmade drainage feature that has a width that is less than 5% of the final map scale (e.g. - 5% of a 1" = 100' map = 5'). Collected in a down-stream direction.

1401 - HYDRO CONNECTOR (LINE)(ex-hydro-connector) (dashed line type)

Used to show connectivity of hydrological features when an actual drain/river code is inappropriate. Connects ponds, lakes, and drains to existing hydro lines through objects such as dams and culverts. When displayed with other hydrologic features, it shows a continuous and connected drainage pattern.

1410 - WATER BODIES (POLYGON)(ex-hydro-waterbodies) (continuous line type)

(DTM) Used to show the location of the edges of a body of water that is greater than 5 acres in area at water level (1 acre $\approx$ 205' x 205'). The elevation of the body of water is labeled with 1830 code using the following format: WATER EL. 724.8.

1412 - RIVER (POLYGON) (ex-hydro-river stream) (dashed line type)

(DTM) Used to show the location of the edges of any drain containing water that is greater than 5% of final map scale (e.g. - 5% of a 1" = 100' map = 5'). Collected in a down-stream direction.

1416 - ISLAND (POLYGON)(ex-hydro-island) (dashed line type)

(DTM) Used to show the location of the edge of an island in a body of water. The edges of islands in lakes are collected at the same elevation as the lake and the edges of islands in rivers are collected in a down-stream direction with the elevations on each side being the same as the elevations on the river banks opposite the island.

1420 - DITCH (LINE)(ex-hydro-ditch) (dashed line type)

(DTM) Used to show the location of the center of an irrigation ditch that is less than 5% of final map scale (e.g. - 5% of a 1" = 100' map = 5'). An irrigation ditch will frequently be connected to an irrigation canal. Collected in a down-stream direction. **OVER 100' IN LENGTH. PAVED OR UNPAVED.**

1421 - DITCH (POLYGON)(ex-ditch) (dashed line type)

(DTM) Used to show the location of the edges of a ditch that is greater than 5% of final map scale (e.g. - 5% of a 1" = 100' map = 5'). Collected in a down-stream direction. **OVER 100' IN LENGTH. PAVED OR UNPAVED. COLLECT AT TOP OF SHOULDER.**

1450 - CULVERT (LINE or POLYGON) (ex-culvert) (hidden line type)

Used to show the location of the edges of a "drain crossing under a road or railroad". Water features are snapped to the culvert. Polygons are preferable and single lines are only acceptable for very narrow or hard to see culverts or as stated by the project specifications.

CONTOURS / SPOT ELEVATIONS

CONTOURS / SPOT ELEVATIONS

CONTOURS / SPOT ELEVATIONS

1520 - INDEX CONTOUR (LINE)(ex-contour-index) (continuous line type)

Used to collect string contour lines for elevations that are used as counting markers (e.g. - 0', 5', 10', etc. for 1' contour intervals; 0', 10', 20', etc. for 2' contour intervals).

1522 - INTERMEDIATE CONTOUR (LINE)(ex-contour-inter) (continuous line type)

Used to collect string contour lines for elevations that are between the counting markers (e.g. -1', 2', 3', 4', 6', etc. for 1' contour intervals; 2', 4', 6', 8', 12', etc. for 2' contour intervals).

1524 - DEPRESSION INDEX CONTOUR (LINE)(ex-contour-depress) (continuous line type)

Used to collect string contour lines in depressions for elevations that are used as counting markers (e.g. - 0', 5', 10', etc. for 1' contour intervals; 0', 10', 20', etc. for 2' contour intervals).

1526 - DEPRESSION INTERMEDIATE CONTOUR (LINE)(ex-contour-depress-inter) (continuous line type)

Used to collect string contour lines in depressions for elevations that are between the counting markers (e.g. -1', 2', 3', 4', 6', etc. for 1' contour intervals; 2', 4', 6', 8', 12', etc. for 2' contour intervals).

1528 - OBSCURED INDEX CONTOUR (LINE)(ex-contour-obscured) (hidden line type)

Used to collect string contour lines in obscured view areas for elevations that are used as counting markers (e.g. - 0', 5', 10', etc. for 1' contour intervals; 0', 10', 20', etc. for 2' contour intervals).

1530 - OBSCURED INTERMEDIATE CONTOUR (LINE)(ex-contour-obscured-inter) (hidden line type)

Used to collect string contour lines in obscured view areas for elevations that are between the counting markers (e.g. -1', 2', 3', 4', 6', etc. for 1' contour intervals; 2', 4', 6', 8', 12', etc. for 2' contour intervals).

1532 - OBSCURED DEPRESSION INDEX CONTOUR (LINE)(ex-contour-obscured-depress) (hidden line type)

Used to collect string contour lines in depressions that fall in obscured view areas for elevations that are used as counting markers (e.g. - 0', 5', 10', etc. for 1' contour intervals; 0', 10', 20', etc. for 2' contour intervals).

1534 - OBSCURED DEPRESSION INTERMEDIATE CONTOUR (LINE)(ex-contour-obscured-depress-inter) (hidden line type)

Used to collect string contour lines in depressions that fall in obscured view areas for elevations that are between the counting markers (e.g. -1', 2', 3', 4', 6', etc. for 1' contour intervals; 2', 4', 6', 8', 12', etc. for 2' contour intervals).

1580 - SPOT ELEVATION (CENTROID)(ex-spotele)(continuous line type)

Used to provide an accurate reading of the ground at discrete locations.

1582 - SPOT ELEVATION IN A CONTOUR DEPRESSION (CENTROID)(ex-spotele-depress (DTM))

Collected in closed polygon contour depressions (lowest areas only).

1590 - LINE ELEVATION LABEL (TEXT)

Used to identify the elevation of a point or point on a line. For compiler's use only.

UTILITIES

UTILITIES

UTILITIES

1670 - POWER POLE (CENTROID)(ex-powerpole)

Used to show the location of a power pole. A power pole has power lines suspended from it. Collected at the base of the pole.

PHOTO CONTROL

PHOTO CONTROL

PHOTO CONTROL

1800 - CONTROL POINT (CENTROID)(ex-Bentonvillecontrol)

Used to show the location of a control point that is not listed in the control file.

1805 - CHECK POINT (CENTROID)(ex-checkpoint)

Used to show the location of a check point (a paneled point with coordinates not known to Merrick). Used to check the accuracy of the compilation.

1810 - PHOTO CENTER (CENTROID)(ex-photocenter)

Used to show the location of a photo center.

1820 - OBSCURED AREA / MAPPING LIMIT (POLYGON)(ex-obscuredarea)(hidden line type)0

Used to show the location of any area of the model where the view prohibits either seeing the ground or seeing the ground clearly. Obscured view areas are caused by shadows, smoke, overhanging ledges, tall buildings, trees, vegetation, etc. These areas are labeled (e.g. - "DENSE TREES", "HEAVY SHADOW", "OVERHANG"). The 1820 code line is also used to show mapping limits.

5020 - DTM RIDGE & DRAIN (LINE)(ex-breaklines)

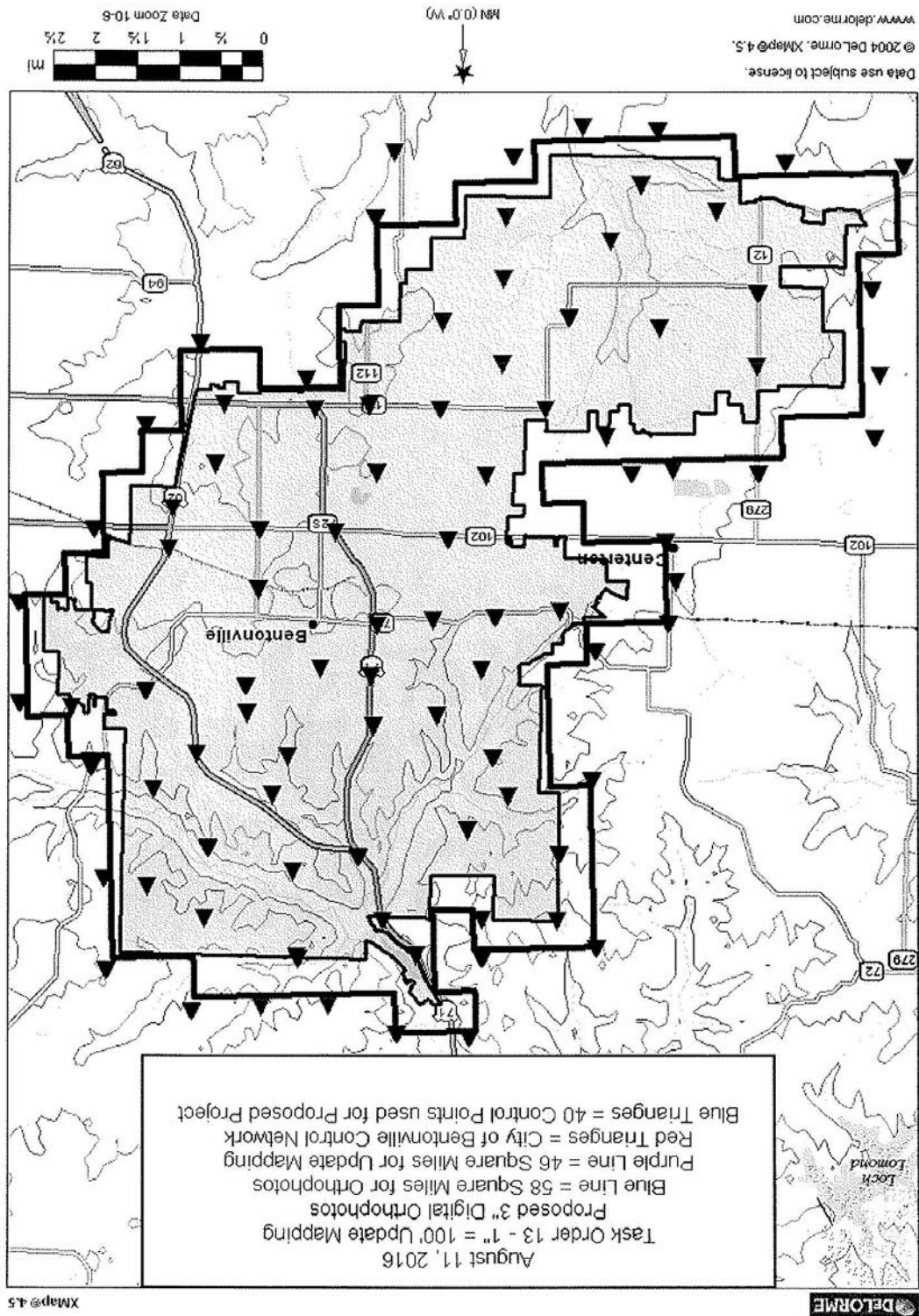
(DTM) Used to described features on the ground that represent "breaks" in the terrain that typically are one fourth or more of the intended final contour interval. These lines are generally collected in pairs (top of the feature and bottom of the feature). Ridge & Drain lines are used in tandem with Scan Points (5305) and feature codes that carry DTM to generate the contour lines on the final map.

5300 - SCAN POINT IN OBSCURED AREA (CENTROID) (ex-obsured area point)

(DTM) See 5305 (Scan Point) for general definition. Sometimes used for collecting scan points that fall inside an area that has been determined as an obscured view area (see 1820 (Obscured Area)). Occasionally, small areas of ground can be seen within an obscured area where a 5300 scan point can be placed.

5305 - SCAN POINT (CENTROID)(ex-masspoints)

(DTM) Points collected on the ground at predetermined intervals based on the final map scale. These points are used in tandem with Ridge & Drain lines (5020) and feature codes that carry DTM to generate the contour lines on the final map.



August 27, 2015

Attachment C

Bentonville – Map Accuracy Statement

The proposed services of LiDAR processing, Orthophotography (new 7cm GSD imagery) and Photogrammetric mapping updates provided by G-Squared will meet the following ASPRS – 2014 Positional Accuracy Standards for Digital Geospatial Data:

- **LiDAR:** QL2 or “Quality Level 2”. This standard based on the ASPRS standard noted above which incorporates the USGS LiDAR Base Specification, version 1.2 and is in accordance with the USGS 3DEP National Mapping program means the LiDAR data will be acquired at a 2 points per square meter density. The 1-foot contour lines, derived from the client provided LiDAR data set, will be positionally correct and cartographically complete and will meet the ASPRS 2014, 10-cm Vertical Accuracy Class (ASPRS 1990 Class 1, 1-foot contour equivalent) and the ASPRS 2014, 15-cm Horizontal Accuracy Class (ASPRS 1990 Class 1, 1” = 50’ scale mapping). The LiDAR derived contours will be checked for change detection against the 2016 imagery prior to final delivery.
- **Orthophotography:** G-Squared will acquire new leaf-off 3-BAND imagery at a 2.75-inch (7cm) GSD pixel resolution. The orthophotography will meet the 3-inch (7.5cm) ASPRS -2014 Orthoimagery positional accuracy standard.
- **Photogrammetric Mapping Updates:** Based on and collected from the new 7cm GSD imagery, the Planimetric mapping updates will meet the ASPRS-2014 15cm Horizontal Accuracy Standard level which equates to the ASPRS 1990 Class 1, 1” = 50’ scale mapping accuracy standard. This data will meet the ASPRS-2014 Vertical Accuracy Class of the 10cm (3.9-inch) level (spot elevations, non-vegetated, hard surfaces).

All services provided by G-Squared are under the direction of an ASPRS Certified Photogrammetrist.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AMENDMENT TO THE
CONTRACT WITH G SQUARED FOR ADDITIONAL
SERVICES RELATED TO MAPPING AND AERIAL
PHOTOGRAPHY DATA AND RELATED SERVICES.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an amendment to the Contract with G Squared for additional services related to the City of Bentonville's mapping and photogrammetric data in an amount not to exceed \$217,000.00 as attached hereto as Exhibit "A".

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Brent Boydston

Department

Fire

Phone

271-5927

ACTION REQUIRED:

Fire Department Staff is asking for Council's approval to the Bentonville Fire Department Standard Operating Guidelines (SOG'S).

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





Inter-office Memorandum

To: Mayor McCaslin and City Council
From: Brent Boydston, Fire Chief
CC: Camille Thompson, Staff Attorney and Denise Land, Finance Director
Date: January 24, 2017
Re: Standard Operating Guidelines

The Fire Department Staff has spent the last year reviewing and adjusting the Standard Operating Guidelines (SOG's) for the fire department.

The Fire Department Staff is asking for Council approval to the changes to the SOG's.



Standard Operating Guideline

Job Description Updates:

Firefighter/Engineer job description updated to say, “See Bentonville Fire Department SOG’s” for job requirements so the job descriptions matched SOG even with future changes.

Fire Captain (Company Officer) job description updated to say, “See Bentonville Fire Department SOG’s” for education and or experience. This is to make the SOG’s match the job description.

Battalion Chief Job description updated to say, “See Bentonville Fire Department SOG’s” for education and or experience. This is to make the SOG’s match the job description.

Deputy Fire Chief Job description updated to say, “See Bentonville Fire Department SOG’s” for education and or experience. This is to make the SOG’s match the job description.

SOG 101	Guideline number changed from 100 to 101.
SOG 103	Guideline number changed from 102 to 103.
SOG 104	Guideline number changed from 103 to 104.
SOG 105	Guideline number changed from 104 to 105.
SOG 106	Guideline number changed from 105 to 106. Details explaining use of vacation positions added.
SOG 108	Guideline number changed from 107 to 108.
SOG 109	A new standard outlining the guidelines for trading shifts with other firefighters.
SOG 110	Guideline number changed from 105 to 110. The Program has been suspended until required training and manpower allows.



Standard Operating Guideline

- SOG 111 A new standard outlining awards given to predetermined actions of heroism, Achievement, and Commendations.
- SOG 113 An updated standard for adjusting the square ft. multiplier for Residential and Commercial buildings for fire loss.
- SOG 114 A new standard outlining a vehicle replacement program for all Fire Department vehicles.
- SOG 115 A new standard outlining requirements for Light Duty.
- SOG 202 An updated standard sets requirements for Promotions and sets the requirements for the testing process.
- SOG 203 Standard updated to provide a medical location that an employee can be receive medical treatment when Occupational Clinic is closed.
- SOG 204 Standard 204.2 updated to establish a requirement for moustaches. Standard updated to have a better understanding of the Tattoo Guideline.
- SOG 307 Standard in 307.3 updated in verbiage to correspond with XNA Verbiage.
- SOG 311 Standard completely re-written due to the Regional Hazmat Team being dissolved. New Standard addresses the Bentonville Fire Departments guidelines in handling all Hazmat responses in and out of the City of Bentonville.
- SOG 315 A new Standard setting operational guidelines for Active Shooter Incidents.
- SOG 401 Standard updated in 401.1 to restructure Class A, B, C and D uniforms.
- 401.8 was a new addition-providing requirement for EMS Bike team uniforms.
- 401.9 added to show placement of awards placed on dress uniforms.



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- SOG 403 Updated standard for hose testing to meet NFPA hose testing requirements.
- SOG 506 Standard updated showing responsibilities of training throughout department.
- SOG 507 A new standard created to give requirements and structure for Driver/Engineer Position.
- SOG 603 A new standard created to establish a guideline for EMS Bike Team.



Standard Operating Guideline

Administration 100

Organization 101

Effective Date: 3-26-2002

Revised Date: 1-01-2017

Purpose: To set forth and establish a standard, written source of departmental policies, procedures, and guidelines which will promote the effective and efficient operation of the Fire Department.

Policy: The Bentonville Fire Department shall establish a Manual of Guidelines and Departmental policies containing written, standardized, operational policies, procedures, regulations, and guidelines. The Manual will be utilized by departmental personnel as the official reference source of written guidelines pertaining to departmental operations.

Authority: This manual has been adopted by ordinance as the official reference source of written guidelines pertaining to Departmental operations by the Mayor and City Council of the City of Bentonville, Arkansas on _____
(Date)

Responsibilities:

It shall be the responsibility of all employees to familiarize themselves with and conform to the policies, regulations, procedures, and guidelines, contained within the Manual of Standard Operating Guidelines and Policies.

It shall be the responsibility of the Fire Department Officers to supervise within the guidelines and philosophies contained within the Manual of Standard Operating Guidelines and Policies.

Guideline:

101.1 Policies in the form of standard guidelines are necessary for the proper operation of any organization. Such policies must be standardized in a workable, readable format which is available to all levels of the organization.

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Standard Operating Guideline

Administration 100

Organization 101

Effective Date: 3-26-2002

Revised Date: 1-01-2017

101.2 Knowledge of these SOG's by Fire Department members is essential for the maintenance of discipline and the development of teamwork and morale.

101.3 The SOG's contained within this manual are intended to be reasonable and workable guidelines of a positive nature.

101.4 This manual of SOG's cannot be expected to provide a solution to every question or problem which may arise in an organization established to provide an emergency service delivery system. It is expected, however, that it will be sufficiently comprehensive to cover, either in a specific or general way, the majority of operational and administrative activities which involve the members of the Bentonville Fire Department.

101.5 The existence of these SOG's is not intended to limit any member in the exercise of judgment or initiative in taking the action a reasonable person would take in extraordinary situations which may arise in the fire service. Much by necessity must be left to loyalty, integrity, and discretion of members.

101.6 Nothing in these SOG's is intended to supersede any part or section of the City of Bentonville Personnel Policy, or any other policy which the City Council or Mayor may legally impose on the employees of the City of Bentonville.

101.7 Memo's issued by the Fire Chief which may change the content or meaning of a particular guideline or policy, will have the same force and effect as an adopted guideline for a period of no more than six months.

(Fire Chief) (Date) (Mayor) (Date)

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Standard Operating Guideline

Administration 100

Home Storage Vehicles 103

Effective Date: 3-26-2002

Revised Date: 1-01-2017

Purpose: To provide guidelines for those members of the Bentonville Fire Department who are assigned a home storage vehicle.

Policy: Nothing in this guideline shall be construed as to override or supersede the vehicle policies of the City of Bentonville except as noted in the city's policies.

Guidelines:

103.1 When assigned a home storage vehicle, BFD personnel are expected to operate the vehicle in a respectful manner, and be responsible for seeing that it is maintained or repaired when needed. Vehicles so assigned shall be kept washed and presentable so as to be a credit to the department and the City of Bentonville.

103.2 Fire department personnel must consider themselves subject to call anytime they are in a fire department vehicle.

103.3 Due to the emergency nature of this department, personnel may use the city vehicle for personal use as long as that use is in good taste.

103.4 Personnel may transport family members or other passengers in the home storage vehicle, and must remember that their passengers' safety is paramount while riding in the city vehicle. Everyone riding in the home storage vehicle must wear seat belts.

103.5 No home storage vehicle may be operated by any department personnel who may be under the influence of drugs prescription or otherwise which may impair an individual's judgment or alcohol.

103.6 Due to the emergency nature of this department, personnel who have a home storage vehicle are expected to respond to some emergencies while off-duty.

103.7 No home storage vehicle may be driven by anyone who is not an employee of the City of Bentonville.

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Standard Operating Guideline

Administration 100

Home Storage Vehicles 103

Effective Date: 3-26-2002

Revised Date: 1-01-2017

103.8 When responding to emergencies, personnel must respond either Code 1 (no lights or siren, and with the flow of traffic, obeying all traffic laws) or Code 3 (with red lights and siren). Do not respond with emergency lights only.

103.9 Periodically, home storage vehicles may be needed to supply transportation for fire fighters traveling for training purposes. In this case, others who have a city vehicle may need to share vehicles while the other vehicle is not available.

103.10 No fire department vehicle shall be used to transport alcohol, or be used while patronizing any liquor store, bar, or any other place where the presence of a department vehicle would bring discredit to the Department or the City. This shall apply inside or outside the City of Bentonville.

103.11 If a home storage vehicle is found to be in need of repair, the person assigned shall go through the department's procedure for requesting the repair, and if the vehicle is not safe, shall place it out of service until repaired.

103.12 Upon arriving at an emergency scene, park the city vehicle in an appropriate place according to the role you will be filling at the scene.



Standard Operating Guideline

Administration 100

Residency Requirement 104

Effective Date: 7-08-2003

Revised Date: 1-01-2017

- Purpose:** To establish a geographic radius within which all part-paid firefighting members of the Bentonville Fire Department must live so as to be more available in case of emergency response, conflagration, or other disaster, whether natural or manmade, to supplement on-duty fire crews.
- Policy:** It shall be the policy of the Bentonville Fire Department that all part-paid firefighting members maintain a residence within a prescribed geographic radius as subsequently defined.

Guideline:

- 104.1.** The prescribed radius shall begin at the location of Fire Station #1 and extend to the furthest point of the city limits of Bentonville. With these points of the radius, a circle is drawn encompassing areas inside and outside the city limits of Bentonville.
- 104.2.** Part-paid members must maintain a residence inside the circle as defined. Full time members are not required to live inside the city limits of Bentonville.
- 104.3.** Any member of the fire department who changes addresses is required to advise their immediate supervisor and the fire administration office of the new address.
- 104.4.** Should a part-paid member move outside the residency radius set forth above, employment with the Bentonville Fire Department shall be terminated.
- 104.5.** Any special circumstances affecting residency shall be decided by the Fire Chief on a case by case basis.
- 104.6.** Fulltime firefighting personnel are encouraged, but not required to live within the prescribed radius.

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Standard Operating Guideline

Administration 100

HIPAA Compliance Officer 105

Effective Date: 7-08-2003

Revised Date: 1-01-2017

Purpose: To appoint the Bentonville Fire Department HIPAA Compliance Officer as required by HIPAA regulations, and to define the responsibilities and attendant authority of the HIPAA Compliance Officer.

Policy: The HIPAA Compliance officer shall promulgate necessary policies and procedures and forms, and he/she shall assure that required HIPAA specific training is had by all BFD personnel so as to ensure the fire department's compliance with applicable HIPAA regulations.

Guidelines:

105.1 As departmental HIPAA compliancy policies and procedures are developed, the Compliance Officer shall obtain approval of the Fire Chief for their implementation, and ensure that department personnel are trained accordingly.

105.2 Communication about HIPAA policies and procedures shall be through the city email system, or any other method the Compliance Officer feels is effective and copies of those policies and procedures shall be entered into the SOG as "Reference" material in the appropriate section of the SOG manuals.

105.3 Reference is hereby made to any and all applicable policies, procedures, and forms which are implemented for the purpose of complying with HIPAA regulations.

105.4 The appointed HIPAA Compliance Officer carries the authority of the Fire Chief in his/her capacity as HIPAA Compliance Officer.

105.5 The HIPAA Compliance Officer will be appointed by the Fire Chief and that appointment will be named in the reference section of the SOG's.

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Standard Operating Guideline

Administration 100

Minimum Staffing 106

Effective Date: 1-25-2005

Revised Date: 1-01-2017

Purpose: To establish the minimum number and type of personnel to be maintained on duty at each station to ensure a safe and effective operation.

Policy: It shall be the policy of the Bentonville Fire Department to maintain an adequate number of shift personnel to ensure safe and effective emergency operations.

Guideline:

106.1 Each shift shall maintain no less than 18 fire personnel on duty.

106.2 There shall be no less than 6 Arkansas certified paramedics on duty, not including the shift commander, having each frontline ambulance staffed with at least one paramedic. New Paramedics that have not been released to work on his/her own, will not be included in the 6 required.

106.3 Station 1 shall maintain a minimum of 6 personnel on duty, not including the shift commander.

106.4 Station 2 shall maintain a minimum of 3 personnel on duty. Stations 3, 4, 5 and 6 shall maintain a minimum of 2 personnel on duty at each station.

106.5 The shift commander is authorized to call back personnel from other shifts to ensure the minimum number of personnel on duty.

106.6 When the need arises, shift commanders shall first attempt to call back personnel who are willing to work an extra shift.

106.7 If no personnel can be hired voluntarily to work, the shift commander is authorized to require personnel to report for duty as needed, starting with the more junior members of the department who have the least seniority, working up the seniority list.

The Fire Chief, Deputy Chief or Battalion Chief may alter these numbers as necessary.

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Standard Operating Guideline

Administration 100

Training Room Usage 108

Effective Date: 1-01-2013

Revised Date: 1-01-2017

Purpose: To establish guidelines for the use of the Fire Department Training Room.

Policy: This policy is to provide basic guidelines to be followed for the Bentonville fire department members, all other City of Bentonville departments and any non-City of Bentonville groups and/or citizens requesting to use the fire department training room.

Guideline:

108.1 Primary use of the Bentonville Fire Department's Training room:

- A. Training for the Bentonville Fire Department personnel.
- B. It is also designated as a secondary Emergency Operations Center (EOC) for the City should the Police Department Building become rendered unusable.

108.2 Secondary Uses:

- A. City related classes or meetings.
- B. All Non city departments of functions may use the training room but only if not-for profit organizations.
- C. Other fire departments or groups approved by the Fire Chief that are sponsored by the Northwestern Arkansas Community College (NWACC) may use the training room if it is not otherwise scheduled.

108.3 No Private, for profit organizations will be allowed to use the facility, unless for taking a safety or other class offered through the fire department.

108.4 When not otherwise scheduled, fire department personnel who serve as instructors for fire or EMS subjects such as CPR, or first aid etc., may utilize the training room in their capacities as fire department members. Any costs associated with the class such as fire department personnel overtime, supplies used, publications, or certification cards, will be billed back to the group for whom the training was held, the exception being for classes held for other City departments.

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Standard Operating Guideline

Administration 100

Training Room Usage 108

Effective Date: 1-01-2013

Revised Date: 1-01-2017

108.5 The Training Room may not be used for the purpose of fundraising, unless specifically approved by the Bentonville City Council, nor for the sale of promotion of goods and services, nor for political campaigns or fundraising, nor for private social functions, birthday parties, dances, or service club meeting.

108.6 If the Training Room usage is to occur after 5:00 P.M., it must be vacated by 10:00 P.M.

108.7 The Training Room will not be made available for any group or organization that promotes discrimination or has a record of discrimination on the basis of race, creed, color, national origin, gender, marital status, sexual orientation, or the presence of any sensory, mental or physical disability.

108.8 Use of the Training Room is to be approved by the Fire Chief, or his designee, and scheduled by the Training Officer.

108.9 The Room may be reserved by calling the fire department at 479-271-3151 for a copy of the reservation form. Reservations may be granted on a first come-first served basis.

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Standard Operating Guideline

General Policies

Shift (Time) Trades 109

Effective Date: 1-01-2017

Revised Date: New

Purpose: To present and explain the Department's voluntary shift trade policy for personnel assigned to shift duty.

Policy: This policy is set forth to provide a basic guideline for all fire department personnel. It is the format of this policy to set a foundation for the responsibility of each firefighter.

Guideline:

109.1 Responsibility and liability for voluntary shift trades, paybacks and initiations, shall be solely that of the individuals involved in the actual work time exchange. When the member who has agreed to work for another member fails to report for duty, that member will not be allowed to participate in the shift trade program for one (1) year from date of incident.

In turn, the Battalion Chief may contact the original on duty member and offer a request to return to work. If that member does not return to work the Battalion Chief may hire overtime if shift is below minimum staffing requirements.

This does not extend the payback time of one (1) year requirement.

109.2 All shift trades must be paid back within one (1) year from the date of the first shift trade. All trades must be approved by the Battalion Chief.

109.3 When the member agreeing to work for another member is unable to report for duty due to illness or injury, that sick or injured member shall attempt to find an acceptable replacement for him/herself. If a firefighter is found to replace the sick or injured member, this replacement must be approved by the Battalion Chief on duty. If the member agreeing to work has made every effort to locate another member to fulfill the shift trade obligation, but is unsuccessful, the Battalion Chief can hire overtime if shift is below minimum staffing requirement.

If the sick or injured member finds a person willing to complete the shift, the sick or injured member now enters into a trade contract with the person coming in. The sick or

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Standard Operating Guideline

General Policies

Shift (Time) Trades 109

Effective Date: 1-01-2017

Revised Date: New

injured member will be required to pay back the time that is covered. No obligation will be extended to the other original trade member.

109.4 When a shift trade member is unable to work due to sickness of himself or family member, an approved medical evaluation or Dr. note may be requested by BC.

109.5 In the event the member agreeing to work for another member becomes ill during a shift trade, then he/she will be required to find an acceptable replacement that is approved by the Battalion Chief. If no replacement can be found, the Battalion Chief may hire overtime if shift is below minimum staffing.

109.6 The privilege of shift trades may be revoked at any time for abuse of the privilege.

109.7 Requests for all trades must be completed no less than 24 hours before trade shift or request may be denied.

109.8 Trades can only be between members of same rank or higher qualifications unless approved by the involved Battalion Chiefs.

109.9 All shift trades will be required to be entered into the scheduling software. No paper documentation will be accepted.

109.10 If at any time one of the members involved in a trade leaves the Bentonville Fire Department before his agreed trade can be completed, the remaining member of the trade will have no action and the trade is void whether any time is still owed in the trade or not.

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Standard Operating Guideline

Administration 100

Juvenile Firesetter Intervention Program 110

Effective Date: 7-08-2003
Revised Date: 1-1-2016

Purpose: To assess Juvenile Firesetters, develop intervention, referral and education program in accordance with Arkansas Children's Hospital Burn Center, Juvenile Firesetter Program.

Guideline:

110.1 It shall be the policy of the Bentonville Fire Department to refer suspected juvenile firesetters to the members of this Department who are trained as juvenile firesetter counselors.

110.2 Anytime a juvenile is suspected of being a firesetter, refer the juvenile to the trained member on your respective shift. In the absence of a trained member, obtain all vital information, such as the child's name, address, phone number, names of parents or guardians, so that a trained member can contact them as soon as possible. If a trained member is readily available, such as on duty, contacting that member immediately would greatly increase relations between child and counselor.

110.3 In the event there is no trained member available due to vacation, school and or illness, obtain all vital information as stated in 110.2 so that a trained member can contact them as soon as possible. In the event that all BFD juvenile firesetter counselors are absent for more than 24 hours, refer the child to the Benton County Juvenile Firesetter Task Force by calling Mark Trollinger or current County Fire Marshal at 271-1004. The juvenile will be referred to the closest trained juvenile firesetter counselor.

Bentonville Fire Department Trained Counselors:

<u>Name</u>	<u>Phone Number</u>	<u>Alt. Number</u>
Rod Hughes	479-531-8429	479-271-3151
Jake Feemster	479-721-2242	479-271-3151
Justin Scantlin		479-271-3151
Jesse Lamborn	479-721-2171	
Ben Snodgrass	479-381-8173	

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Standard Operating Guideline

Administration 100

Awards and Commendations 111

Effective Date: 1-01-2017

Revised Date: New

Purpose: To provide a means whereby deserving fire department members, employees, and members of the general public will receive official departmental and public recognition for outstanding acts of valor or meritorious service to the community and the department.

Guideline:

111.1 Awards shall be issued based on the following process:

1. Nominations will be solicited by email through the office of the Fire Chief.
2. Nominations must include name of nominee and detailed description and/or reason nominee should be considered for an award or commendation and signed by the nominating party.
3. Any relevant documentation, articles, letters of recognition and awards should accompany the nomination.
4. Nominations shall be discussed and recommended by Command Staff.
5. The Fire Chief shall sanction the award based on the guidelines provided in this policy.

111.2 Award of Valor

This award is the highest award presented by the Bentonville Fire Department for acts of heroism, bravery or courage involving personal risk or imminent personal danger to life; or saving or attempting to save the life of another with knowledge of the danger inherent to the act beyond at which is expected in the line of duty. This award acts for both on and off-duty members and must meet the following criteria.

- Awarded to a member who, at great risk to his/her life, performs an outstanding act of Valor under extreme adverse conditions
- Must be considered an act performed clearly above and beyond the call of duty

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Standard Operating Guideline

Administration 100

Awards and Commendations 111

Effective Date: 1-01-2017

Revised Date: New

- Member must have acted in the face of extreme personal danger without regard to his/her own personal safety.
- Must be a current fulltime member of the Bentonville Fire Department.
- If the member is killed or succumb to the performance of some outstanding act of heroism above and beyond the call of duty, this award shall be presented posthumously

111.3 Chief's Achievement Award

Presented to any member of the department for performing an act or achievement bringing public acclaim to the department and the fire service through programs to further fire safety or contributions for the advancement of the profession.

111.4 Department Commendation Award:

Presented to any member of the department for an outstanding act and/or achievement that reflects credit to the department member.

111.5 Citizen Service Award:

Awarded when a civilian that assists in an emergency situation or provides services, which may be deemed beneficial to the Bentonville Fire Department.

111.6 Firefighter of the Year*:

Nominees may be nominated by their peers, supervisors or commanding officers on the department. The nomination should include a narrative, signed by the nominating party, detailing the acts of service for the nominee. Any relevant documentation, articles, letters of recognition and awards should accompany the nomination. The criteria are listed in sequence of selection importance.

Selection Criteria

- Preference for the award will be given to any member or company that exhibits an act above his/her normal responsibilities either on or off duty
- Community service programs and/or actions that exemplify the departmental motto of, "Courage, Integrity and Compassion".
- Outstanding dedication to the department and community in handling projects or assignments.

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Standard Operating Guideline

Administration 100

Awards and Commendations 111

Effective Date: 1-01-2017

Revised Date: New

111.7 Years of Service Awards:

Presented to any member of the Bentonville Fire Department that meets the number of years required for the award.

- 20-year pin
Any member that has given 20 years of service with the Bentonville Fire Department.
- 30-year service pin.
Any member that has given 30 years of service with the Bentonville Fire Department.

*Selection Committee

- A selection committee will be comprised of leaders and/or citizens from outside the department. This committee will obtain all documents, articles and information that was sent with the nominations to make a decision on a firefighter best meets the above criteria and will present the decision to the Fire Chief.



Standard Operating Guideline

Administration 100

Estimating Dollar Loss 113

Effective Date: 1-25-2005

Revised Date: 1-01-2017

- Purpose:** To provide a guideline for establishing an estimated dollar loss of a structure and its contents following a structure fire.
- Policy:** This guideline will provide all firefighters completing fire reports a standard to refer when completing the estimated dollar loss section of the report.

Guideline:

The dollar loss will be estimated by figuring a dollar amount per square foot for the loss of the structure. The loss of the contents will be figured by taking a percentage of the structure loss. The location, the condition of the structure, and the type of building materials used should be considered when estimating cost per square foot.

105.1 The estimate to be used on a residential structure fire is **\$85-\$115** a square foot for the structure.

105.2 The estimate to be used on a commercial office structure fire is \$150-\$300 a Square foot for the structure.

105.3 The content loss will be figured as 75% of the structure loss amount.

105.4 The combined loss of the structure and its contents will be the total loss estimate.

105.5 The estimate to be used on a storage building fire is **\$50-\$100** a square foot for the structure. The content loss should be estimated by a chief officer.

105.6 Refer commercial manufacturing, industrial and any other unaccounted for fire loss estimates to your chief officer or the inspection division.

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Standard Operating Guideline

Administration 100

Estimating Dollar Loss 113

Effective Date: 1-25-2005

Revised Date: 1-01-2017

105.7 Example

1. A 2,000 square foot house burns to the ground. If you are estimating it to be worth \$100 a square foot, the structure loss would be \$200,000. The content loss would be 75% of the \$200,000 structure loss. This figure would be \$150,000. The total loss of the structure and contents would be \$350,000.

105.8 The figures used in these calculations should be periodically updated to reflect current market values in the City of Bentonville.

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Standard Operating Guideline

Administration 100

Vehicle Replacement criteria 114

Effective Date: 7-21-2016

Revised Date: 1-01-2017

Purpose: To establish the minimum standard criteria for replacement of all Bentonville Fire Department vehicles.

Policy: It shall be the policy of the Bentonville Fire Department to maintain a reliable and safe fleet of emergency vehicles.

Guideline:

114.1 This SOG is a guideline to provide vehicle assessment criteria to be used towards setting vehicle replacements.

114.2 Criteria-based replacement plans generate the timing of replacement discussions. Some of these criteria are mileage, hours of operation, age, new technology, safety, fuel usage, quality of the preventive maintenance program, number of "calls," manufacturer quality, driver skills, components used, parts availability, and current condition. Mileage, hours of operation and age are easy to quantify; however, new technology, safety, fuel, and maintenance efficiencies are more difficult to quantify because these criteria suggest future improvements.

Age Criteria

Apparatus Type	Front Line Years	Reserve Years	Total Years
Admin/Utility	7-10	3	10-13
Ambulance	5-7	2-3	7-10
Pumper	10-12	3	13-15
Aerial	15	3	18

Age criteria are based upon Government-Fleet recommendations and current city replacement guidelines.



Standard Operating Guideline

Administration 100

Vehicle Replacement criteria 114

Effective Date: 7-21-2016

Revised Date: 1-01-2017

114.3 Additional replacement criteria include, mileage, hours of operation, average number of calls, annual operational cost, repair cost and current condition.

Mileage or Hours of Operation

Apparatus Type	Mileage	Hours of Operation
Admin/Utility	50,000-75,000	2000-3000
Ambulance	50,000-75,000	2000-3000
Pumper	100,000-125,000	4000-5000
Aerial	100,000-125,000	4000-5000

Hours of operation are calculated off a 25 mile per operational hour standard.

114.4 NFPA 1911, "Standard for the Inspection, Maintenance, Testing and Retirement of In-Service Apparatus", and NFPA 1912, "Standard for Fire Apparatus Refurbishment", should be referred to and used as additional criteria towards vehicle replacement decisions.



Standard Operating Guideline

Administration 100

Light Duty 115

Effective Date: 1-01-2017

Revised Date: New

Purpose: The purpose is to establish policy for temporary light duty assignments and the procedures for granting temporary light duty to eligible fire department personnel within the Bentonville Fire Department.

Scope: Bentonville Fire Department Personnel.

Background:

Temporary light duty assignments, as available and appropriate, may be given to employees in this department who, due to injury, illness, other disability or pregnancy, are temporarily unable to perform their regular assignments. Light duty assignments may be made available due to either job-related or non-job-related injuries or illnesses. Employees with disabilities covered by the Americans with Disabilities Act ("ADA") may require reasonable accommodations other than, or in addition to, light duty assignments.

Use of temporary light duty can provide eligible employees with an opportunity to remain productive while convalescing, as well as, provide a work option for personnel who may otherwise risk their health or safety, or the safety of others, by remaining on duty when physically or mentally unfit for their regular assignment. Eligible personnel shall be given a reasonable opportunity to work in temporary light duty assignments as appropriate and available.

Definitions:

A. Light Duty

1. Any assignment that involves less than the full range of normally assigned duties and activities. The assignment may be for full-time or part-time hours.
2. Typically, this assignment is less stressful and less physically demanding either specifically or generally.
3. Light duty assignments are not intended for short-term (fewer than three calendar days) injuries, illnesses or conditions. Sick leave, annual leave, and compensatory time should be used for these absences.

B. Light Duty Eligible Personnel

Any regular employee of this department experiencing a medically certified illness, injury or disability requiring treatment of a health care provider or pregnancy ("eligible condition"), and who, because of this eligible condition, is temporarily unable to perform their regular assignment or is temporarily at

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Standard Operating Guideline

Administration 100

Light Duty 115

Effective Date: 1-01-2017

Revised Date: New

heightened risk of increased disability, injury or error, but is capable of performing alternative, less physically demanding assignments within the Department.

C. Light Duty Coordinator

Person responsible to the Deputy Chief for the day-to-day management of personnel while on light duty. The allowable positions would include the Deputy Chief, Battalion Chief, Division Chief and Captains. Responsibilities include scheduling, project management oversight, and administrative management during light duty status. The employee in the role of Light Duty Coordinator may change from time to time.

Policy:

115.0 General

1. Employees may request a light duty assignment when an eligible condition prohibits them from performing their normal job functions at full capacity. Light duty assignments may be requested for on-the-job or off-the-job injuries, illnesses or conditions.
2. Light duty requests shall be in writing using the "Request for Light Duty Form" with a "Physician's Capability Form" attached and routed from the requesting employee to the Deputy Chief. The Deputy Chief will be responsible for identifying the appropriate Light Duty Coordinator for the employee while he/she is on light duty.
3. Under most circumstances, light duty assignments will be granted for a work-related injury once the treating physician indicates that an employee may perform light duty tasks and all appropriate paperwork has been received and approved.
4. All light duty assignments must meet department needs and may require approval by the department of Human Resources. Case management is the responsibility of the Deputy Chief.
5. The department will make a determination (approval, denial, defer) on a case-by-case basis, weighing the needs of the department against the capabilities of an affected employee, and on whether or not the needs of the department can be met by assigning light duty status.
6. The department is under no obligation to provide "busy work" if no valuable work is available.

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Standard Operating Guideline

Administration 100

Light Duty 115

Effective Date: 1-01-2017

Revised Date: New

7. The number and duration of light duty assignments will be evaluated and considered on a case-by-case basis by the Deputy Chief or his/her designee, and may include discussion with Human Resources.
8. If there are not enough light duty jobs available, the order of preference shall generally be:
 - I. Work-related illness or injury
 - II. Pregnancy
 - III. Non-work-related illness or injury
- a) Upon being medically released to full duty, light duty personnel will immediately notify the Light Duty Coordinator and submit a completed "Physician Capability Form" to the Light Duty Coordinator. The Deputy Chief may extend the light duty status of an employee at his/her discretion. The employee is responsible for providing weekly updates (or some other regularly agreed upon time interval) from his/her physician and for scheduling and attending the required appointments for medical evaluation and treatment. These updates should be sent to the Light Duty Coordinator on the "Physician's Capability Form."
- b) Approval of a physician is required to return to full duty. This return must be documented on the "Physician's Capability Form."
- c) At the discretion of the Fire Chief, in consultation with Human Resources, a full medical physical and/or physical ability test may be required prior to returning to full duty. The City of Bentonville may also seek a second medical opinion as to the "fitness for duty" of the employee; these expenses would be incurred by the City.
- d) The Light Duty Coordinator shall be notified of case-management issues as updates are provided to the appropriate Deputy Chief, such as from the employee, the doctor or Human Resources.
- e) All requirements of the Family Medical Leave Act ("FMLA") will be followed. If the employee is eligible and approved for FMLA, any hours not worked while on light duty, including time off for doctor visits will be designated as FMLA leave and count towards their FMLA threshold. An employee can attend training, including continuing education classes or recertification courses, when training can be attended within the guidelines of the written restrictions

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Standard Operating Guideline

Administration 100

Light Duty 115

Effective Date: 1-01-2017

Revised Date: New

provided by the employee's physician. The employee is responsible for keeping the Light Duty Coordinator informed of any training approved by the Deputy Chief. An employee will keep up with the required training/continuing education that is possible based on Light Duty requirements.

- f) In order to maintain physical conditioning, employees will be permitted to perform physical training, if approved by their treating physician. Schedule arrangements must be made with the assigned Light Duty Coordinator.
- g) At no time shall a Light Duty employee place him/herself in a situation where it may be necessary to perform their regular job as if in regular capacity.
- h) An employee in management/supervision shall have the duties of Light Duty Coordinator to coordinate the day-to-day assignments of personnel to light duty jobs. The Light Duty Coordinator shall have procedures established with regards to:
 - i. Schedule and time sheet
 - ii. Appropriate clothing
 - iii. Regular medical status reports to the Deputy Chief
 - iv. Return to work procedures
- i) Leave accrual –The Deputy Chief shall use his/her discretion to transition light duty employees to 2080 annual hours in the payroll system to correspond to the 40-hour work schedule, usually depending on the anticipated length of time on light duty. Leave accruals will then reflect the 40-hour work schedule.

115.2 Pregnancy

1. Firefighters are encouraged to consult with their personal physicians concerning maternity safety physicians to determine whether a light duty assignment should be considered.
2. Light duty assignments for pregnancy may be granted for periods both before and after the birth of the child, including lactation, under doctor's orders.
3. An employee may be assigned to light duty in accordance with section A above when:

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- a) The employee makes the request due to pregnancy or lactation; or
 - b) The employee is no longer capable of safely and competently performing all assigned emergency response duties.
4. No employee will be discriminated against on the basis of pregnancy, childbirth, or related conditions, including an employee on probationary status.

115.3 Return to Work Process

- 1. The employee provides the Fire Chief a completed "Capability/Release Form" signed by the treating physician.
- 2. The Fire Chief and Human Resources review the documentation and ensure that additional medical examination and/or physical ability testing is not warranted.
- 3. If additional medical or physical ability testing is not warranted, the Fire Chief will notify the Deputy Chief, that the employee has been cleared for full duty. The Deputy Chief shall ensure that documentation is submitted to payroll to change the employee's leave and hour's status if it was previously modified due to light duty.
- 4. Regardless of the length of time of the light duty, the department reserves the right to require a physical agility test and/or skills assessment. It is likely that if the light duty exceeds six months some sort of testing may be required. In addition, if the employee is required to undergo testing, he/she may be placed in non-minimum staffing for a period of time.
- 5. Supervisors must not allow employees to return to work until they have received official notification from the Deputy Chief or his/her designee.
- 6. A copy of all related forms and paperwork will be forwarded to Human Resources for inclusion in the employee's personnel and/or confidential medical file.

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Standard Operating Guideline

Personnel 200

Promotional Policy 202

Effective Date: 3-26-2002

Revised Date 1-01-2017

Purpose: To establish minimum qualifications for advancement in rank, and to establish guidelines for promotional processes.

Policy: It's the department's policy to provide a fair and equitable process for all department members who seek promotional opportunities.

Guideline:

202.1 Every effort shall be made to fill promotional positions from current Bentonville Fire Department Members. However, if there are only 2 or fewer applicants for a specific job vacancy, the Fire Chief may open the promotional examination to currently qualified applicants who meet the requirements or to the outside if no qualified candidates apply from within the department. All candidates for promotional positions are required to meet basic firefighter requirements of this department, to include EMT, Fire Fighter I and II, and Haz-mat Operations level.

No person shall be eligible for examination for advancement from a lower rank to a higher rank until that person has served at least (1) year in the lower rank. (),(**)*

202.2 Testing

A promotional exam will be administered on a scheduled (as needed) time frame. The promotional exam will be capped at the top four spots and those candidates will remain on the list for a period not to exceed 12 months from the date of the exam. In the event more than four spots become available in this period, a new test shall be administered in order to get the most qualified person(s) to fill the vacated position(s). The Fire Chief retains the right to promote any person from the exam list.

202.3 Eligibility Service Requirements

A Bentonville Fire Department employee serving in an eligible classification as listed in Chart 1 shall be eligible to compete in the promotion process for Fire Engineer, Fire

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Standard Operating Guideline

Personnel 200

Promotional Policy 202

Effective Date: 3-26-2002

Revised Date 1-01-2017

Lieutenant, Fire Captain, Battalion Chief and Deputy Chief if the employee satisfies the minimum service requirements listed below:

CHART 1
ELIGIBILITY SERVICE REQUIREMENTS

Eligibility to Compete for Promotion to:	Eligible Classification	Minimum Service In Eligibility Classification
Engineer*	Firefighter	1 year BFD service
Lieutenant	(Future use)	(Future use)
Captain	Engineer	5 years' Full Time** service with 3 being at BFD.
Battalion Chief	Captain	5 years' Full Time** service with 2 years supervisory with one being at BFD as a Captain.
Deputy Chief	Battalion Chief	5 years' Full Time** service with 2 years supervisory with one being at BFD as Battalion Chief.

(*) A Bentonville Fire Department employee that has full time experience with another department or has been an active member, and in good standing on the Bentonville Fire Department Part-Paid Company, may be allowed to test for advancement to engineer before he completes one year full time service at the Bentonville Fire Department with approval of the Fire Chief.

(**) Full Time is defined as a career fire department comparable in size, manning and responses to the Bentonville Fire Department..

202.4 Eligibility Education requirements

A Bentonville Fire Department employee serving in an eligible classification as listed in Chart 2 shall be eligible to compete in the promotion process for Fire Engineer, Fire

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Personnel 200

Promotional Policy 202

Effective Date: 3-26-2002

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Lieutenant, Fire Captain, Battalion Chief and Deputy Chief if the employee satisfies the minimum education requirements listed below as set forth by the Bentonville Fire Department. Each candidate promoting to a rank must possess the qualifications of all previous rank requirements. These requirements must be completed and documented with the training division prior to the date formal applications are due.

CHART 2

ELIGIBILITY EDUCATION REQUIREMENTS

Rank	Requirements
Firefighter	Firefighter 1 and 2, EMT or Paramedic. ICS-100, 200, 700, 701, 702, 703, 706 & 800 will be required before the end of a Firefighter's 1st year with BFD.
Engineer	IFSAC or AFA approved Driver/Operator Course, AFA Pump Operations, ICS-100, 200, 700, 701, 702, 703, 706 & 800. EMT or Paramedic
Lieutenant	(Future use)
Captain	IFSAC/AFA approved Driver/Operator Course, AFA Pump Operations, IFSAC (or NFA) Officer 1, IFSAC (or NFA) Officer 2, NFA MCTO Series, NFA Leadership Series, IFSAC Fire Instructor 1 (or NFA Instructional Methodology) ICS-100, 200, 300, 400, 700, 701, 702, 703, 706 & 800. NFA Building Construction, BFD Engineer for minimum 1 year. EMT or Paramedic.
Division Chief	IFSAC (or NFA) Officer 1, IFSAC (or NFA) Officer 2, EVOC, NFA MCTO Series, NFA Leadership Series, IFSAC Fire Instructor 1 (or NFA Instructional Methodology), IFSAC Fire Inspector 1 (or NFA Fire Inspection Principles), ICS-100, 200, 300, 400, 700, 701, 702, 703, 706 & 800. NFA Building Construction, Paramedic, College Degree preferred.
Fire Marshal	IFSAC (or NFA) Officer 1, IFSAC (or NFA) Officer 2, EVOC, NFA MCTO Series, NFA Leadership Series, IFSAC Fire Instructor 1, IFSAC Fire Inspector 1 (or NFA Fire Inspection Principles), ICS-100, 200, 300, 400, 700, 701, 702, 703, 706 & 800. NFA Building Construction, EMT, College Degree Preferred.

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Battalion Chief	IFSAC (or NFA) Officer 1, IFSAC (or NFA) Officer 2, EVOC, NFA MCTO Series, NFA Leadership Series, IFSAC/AFA Fire Instructor 1 (or NFA Instructional Methodology), IFSAC/AFA Fire Inspector 1 (of NFA Fire Inspection Principles), ICS-100, 200, 300, 400, 700, 701, 702, 703, 706 & 800. NFA Building Construction, Paramedic preferred, College Degree preferred.
Deputy Chief	IFSAC (or NFA) Officer 1, IFSAC (or NFA) Officer 2, EVOC, NFA MCTO Series, NFA Leadership Series, IFSAC/AFA Fire Instructor 1 (or NFA Instructional Methodology), IFSAC/AFA Fire Inspector 1 (or NFA Fire Inspection Principles), ICS-100, 200, 300, 400, 700, 701, 702, 703, 706 & 800. NFA Building Construction, Paramedic preferred, College Degree preferred.

202.5 Promotional Testing

All requirements mentioned in Chart 1 and 2 will be required at the time a letter of intent is due for promotional testing. All required education will need to be on file in the employees training file and will be the responsibility, of the employee testing, to confirm the file is correct before a letter of intent is due.

202.6 Engineer Testing Requirements

- Upon completion of the firefighters 180 day evaluation, and is in good standing, shall be given his/her "Engineer Book" for which he may begin their required J.P.R requirements so he/she may test after one (1) year of service with the Bentonville Fire Department.(*)(**)
- All Eligibility Education Requirements on Chart 2, must be on file with the Training Officer prior to any test taken.
- The Written Examination will cover the sources (or a portion thereof) specified in the reading list. Procedures shall be implemented to ensure the security of the examination during the test development and test administration process.

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Candidates must pass the test (minimum score is 70%) to be eligible to participate in the remainder of the promotional process.

- A Driving/Pumping Practical will be conducted by a Captain, Training Officer and/or Chief Officer to evaluate your actions, tactics, ideas, strategies and problems solving in a stressful environment.

202.7 Scoring

- | | |
|------------------------------|--|
| 1. Written | (must score a 70% on test to continue) |
| 2. Driving/Pumping Practical | Pass/Fail |

202.8 Lieutenant Testing Requirements

- A "Letter of Recommendation" from the Captain and Battalion Chief will need to be obtained by the applicant. This request must be delivered to both the Captain and Battalion Chief, in email form, no later than 24 hours after letter of intent was submitted to the Fire Chief. These Letters of Recommendation will be submitted directly to the Fire Chief by the applicants Battalion Chief.
- A Firefighter entry Agility Test will be conducted with at pass/fail. If a fail is given the application will not be able to proceed in testing process.
- The Written Examination will cover the sources (or a portion thereof) specified in the reading list that will be disclosed with the announcement of the testing date. Procedures shall be implemented to ensure the security of the examination during the test development and test administration process. Candidates must pass the test (minimum score is 70%) to be eligible to participate in the remainder of the promotional process. Written examination will count as 20% of the total score.

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- A Fire Ground Scenario will be conducted by a panel of Senior Firefighters and/or Chief Officers to evaluate your actions, tactics, ideas, strategies and problems solving in a stressful environment. Fire Ground Scenario will count as 30% of the total score.
- Interview Assessment will count as 20% of the total score.
- Two additional Assessment Scenarios will be required to complete the testing process. If more or fewer stations are presented in the testing process, scoring will be adjusted accordingly. Additional assessment scenarios will count as 15% each: 30% collectively towards the total score.

202.9 Scoring

Scoring will be based on a 100 point system and weigh as follows:

1. Physical Agility	Pass/Fail
2. Written	20% (must score a 70% on test to continue)
3. Fire Ground Scenario	30%
4. Interview	20%
5. Assessment Scenario (1)	15%
6. Assessment Scenario (2)	15%

202.10 Captains Testing Requirments

- A copy of "Captain's Promotional Program Framework" will be required at time the letter of intent is provided to the Fire Chief. This framework can be found at the end of this SOG
- Letter of Recommendations from the applicants Captain and Battalion Chief will need to be obtained by the applicant. This request must be delivered to both the Captain and Battalion Chief, in email form, no later than 24 hours after letter of

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intent was submitted to the Fire Chief. These "Letters of Recommendation" will be submitted directly to the Fire Chief by the applicants Battalion Chief.

- A Firefighter entry Agility Test will be conducted with at pass/fail. If a fail is given the application will not be able to proceed in testing process.
- The Written Examination will cover the sources (or a portion thereof) specified in the reading list that will be disclosed with the announcement of the testing date. Procedures shall be implemented to ensure the security of the examination during the test development and test administration process. Candidates must pass the test (minimum score is 70%) to be eligible to participate in the remainder of the promotional process. Written examination will count as 20% of the total score.
- A Fire Ground Scenario will be conducted by a panel of Senior Firefighters and/or Fire Chiefs to evaluate your actions, tactics, ideas, strategies and problems solving in a stressful environment. Fire Ground Scenario will count as 30% of the total score.
- Interview Assessment will count as 20% of the total score.
- Two additional Assessment Scenarios will be required to complete the testing process. If more or fewer stations are presented in the testing process, scoring will be adjusted accordingly. Additional assessment scenarios will count as 15% each: 30% collectively towards the total score.



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202.11 Scoring

Scoring will be based on a 100 point system and weigh as follows:

1. Physical Agility	Pass/Fail
2. Written	20% (must score a 70% on the test to continue)
3. Fire Ground Scenario	30%
4. Interview	20%
5. Assessment Scenario (1)	15%
6. Assessment Scenario (2)	15%

202.12 Education Points

Education points will be added to the overall final score when testing for the ranks of Fire Captain and Battalion Chief only. These points will only be added after the testing process is complete and applicant has passed all required sections of the test. Chart III illustrated below, contains the distribution of education points. If a testee is a Paramedic, it can be combined with the points from a Fire Science Degree.

Example: Paramedic	0.5
Fire Science Degree	0.5
	1.0 total point

CHART III
EDUCATION POINTS

Paramedic	0.5 (1/2) Point
Fire Science Degree	0.5 (1/2) Point



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202.13 Battalion Chief Testing

- The Written Examination will cover the sources (or a portion thereof) specified in the reading list that will be disclosed with the announcement of the testing date. Procedures shall be implemented to ensure the security of the examination during the test development and test administration process. Candidates must pass the test (minimum score is 70%) to be eligible to participate in the remainder of the promotional process. Written examination will count as 20% of the total score.
- A Fire Ground Scenario will be conducted by a panel of Chief Officers to evaluate your actions, tactics, ideas, strategies and problems solving in a stressful environment. Fire Ground Scenario will count as 40% of the total score.
- Interview Assessment will be based on 20% scoring rate.
- Two additional Assessment Scenarios will be required to complete the testing process. If more or fewer stations are presented in the testing process, scoring will be adjusted accordingly. Additional assessment scenarios will count as 10% each: 20% collectively towards the total score.

202.14 Scoring

Scoring will be based on a 100 point system and weigh as follows:

1. Written	20%	(must score a 70% on test to continue)
2. Fire Ground Scenario	40%	
3. Interview	20%	
4. Assessment Scenario (1)	10%	
5. Assessment Scenario (2)	10%	

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202.15 Education Points

Education points will be added to the overall final score when testing for the ranks of Fire Captain and Battalion Chief only. These points will only be added after the testing process is complete and applicant has passed all required sections of the test. Chart III illustrated below, contains the distribution of education points. If a testee is a Paramedic, it can be combined with the points from a Fire Science Degree.

Example: Paramedic and/or Paramedic Degree	0.5
Fire Science Degree	0.5
	1.0 total point

CHART III
EDUCATION POINTS

Paramedic	0.5 (1/2) Point
Fire Science Degree	0.5 (1/2) Point

202.16 Discipline

At no time will an applicant be able to test for any position if a written reprimand is currently in the applicants file at the time a letter of intent is due. If the applicant receives a written reprimand between the time a letter of intent is due and the testing date, the applicant will not be able to test. If the applicant receives a written reprimand after testing and is one of the top four candidates, he will not be promoted and will be required the test at the next promotional test date. No applicant below the fourth promotional spot will be considered for advancement even if any of the top four positions become available.

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202.17 The Fire Chief has the right to change any part of the testing as needed to better the candidates and serve the citizens of the City of Bentonville.

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Captain Promotional Program Framework		
Minimum Requirements	Date	Evaluator
Full Time Firefighter for at least 5 years		
Rank of Engineer for at least 1 year		
In good standing at BFD for 1 year		
Educational Requirements		
NIMS ICS Core Curriculum Courses	Date	Training Office
ICS- 100 Introduction to the Incident Command System		
ICS- 200 ICS for Single Resources & Initial Actions		
ICS- 300 Intermediate ICS for Expanding Incidents		
ICS- 400 Advanced ICS		
ICS- 700 National Incident Management System, Intro		
ICS- 701 Multiagency Coordination Systems (MACS)		
ICS- 702 Public Information Systems		
ICS- 703 Resource Management		
ICS- 706 Intrastate Mutual Aid		
ICS- 800 National Response Framework, Intro		
IFSAC certification for Fire Instructor I		
IFSAC or NFA certification for Fire Officer I		
IFSAC or NFA certification for Fire Officer II		
Successful completion of NFA course Leadership I		
Successful completion of NFA course Leadership II		
Successful completion of NFA course Leadership III		
Successful completion of NFA course Building Construction		
Successful completion of NFA course MCTO I		
Successful completion of NFA course MCTO II		
Successful completion of NFA course MCTO III		
Job Rotation		
Complete a sixteen (16) hour assignment with each		
Fire Training Division		
Fire Prevention/Inspections		
Dispatch		
	Date	Evaluator

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Working with a Captain for three (3) shifts		
Shift 1: / /		
Shift 2: / /		
Shift 3: / /		
Working as a Captain for three (3) shifts		
Shift 1: / /		
Shift 2: / /		
Shift 3: / /		
Emergency Simulation	Date	Evaluator
1. Show ability to give a proper size-up/take command		
2. Begin the Incident Action Plan process		
3. Assign initial resource assignments		
4. Transfer command/relay information to Batt. Chief		
5. Present of post incident evaluation with your crew		
6. Perform a basic Fire Investigation at a fire scene.		
Training		
1. Develop a training plan for the station crew		
2. Implement the training plan		
3. Review results and give critique to station crew		
Fire Prevention		
1. Perform a pre-incident walk-thru of a structure		
2. Develop a needs assessment on a target structure		
3. Discuss safety concerns about the structure		



Standard Operating Guideline

Personnel 200

Reasonable Suspicion 203

Effective Date: 3-26-2002

Revised Date: 1-01-2017

Purpose: To establish a procedure for handling department members who are believed to be under the influence of alcohol or drugs.

Policy: It is the policy of the Bentonville Fire Department to maintain a safe work environment free from alcohol and drugs.

Guideline:

203.1 When a supervisor believes that reasonable suspicion exists that an employee is under the influence of drugs or alcohol, he/she shall immediately contact the Battalion Chief/Deputy Chief who will then contact the Chief about the situation. The Chief or Deputy Chief will then contact the Staff Attorney, and/or the Human Resources Coordinator to explain the situation and receive any instructions or advice. If neither the Chief nor Deputy Chief can be reached in a timely fashion, the Battalion Chief will contact the Staff Attorney or Human Resources Coordinator. (Keep in mind that time is of the essence so that testing can be done as soon as possible.)

203.2 After contacting the above people, the Battalion Chief/Deputy Chief should transport the employee to the Arkansas Occupational Health Clinic (located in Lowell). Advise the clinic check-in personnel that you are from the City of Bentonville and you have a reasonable suspicion case. Per agreement with the City they will then go through the process of a "breathalyzer" and possibly urine sampling. The Chief Officer who transports the employee will need to request that the employee be observed while the sample is given. In the event that ("the clinic") is closed the employee shall be transported to NWMCBC to have the above mentioned test administered.

203.3 Establish and document a time line for the incident. Times should include the time the employee showed up for work, the time the supervisor first suspected the employee being under the influence, the time the call was made to each of the above-mentioned persons, the time the employee is transported to the clinic, and the time of arrival at the clinic.

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Personnel 200

Reasonable Suspicion 203

Effective Date: 3-26-2002

Revised Date: 1-01-2017

203.4 From this point the Chief or Deputy Chief, or in their absence the Battalion Chief on Duty will take action or return the employee to work based on the findings of the testing, and the advice of the Staff Attorney and/or the Human Resources Coordinator.



Standard Operating Guideline

Personnel 200

Personal Grooming 204

Effective Date: 6-11-2002

Revised Date: 1-01-2017

Purpose: To establish guidelines and standards regarding personal hygiene and grooming for departmental personnel that will allow for safety and a neat and professional appearance at all times.

Policy: Fire Department members shall maintain a high standard of dress and personal appearance, and while on-duty, or while representing the fire department, shall abide by departmental grooming standards.

Guideline:

204.1 It shall be the responsibility of individual officers to enforce the grooming standards set forth in this guideline, and individual members are responsible for abiding by these standards.

204.2 Hair

- A. Hair shall be maintained clean and neat in appearance, and at a length so as not to protrude below or beyond a helmet liner when the head is moved or turned in any direction.
- B. Sideburns shall be maintained at a length and/or configuration that will not come into contact with a breathing apparatus face piece inner seal at any point.
- C. No hairstyles considered by the Fire Chief to be "extreme" shall be worn
- D. Mustaches may be worn, but must be neat in appearance. No facial hair shall interfere with any safety considerations, and/or the seal of an air-pack face piece.
- E. No hair shall be allowed directly below the bottom lip from one corner of mouth to other corner, this includes growths sometimes known as "jazz dots." This restriction shall not affect the growing of neatly trimmed "Fu Manchu"

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Personal Grooming 204

Effective Date: 6-11-2002

Revised Date: 1-01-2017

type moustaches, as long as the moustaches does not protrude below or run across the bottom of the jaw.

- F. Beards and goatees are not permitted.

204.3 Uniforms

- A. Uniforms must be kept neat, clean, and in good condition.
- B. Sleeping in one's uniform shall not be allowed, except that the Department "T" Shirt may be worn for sleeping attire.
- C. Shoes shall be maintained with a shine.
- D. No earrings or body piercing jewelry shall be worn while on duty or while representing the Department.
- E. Other jewelry shall be kept to a minimum, including finger rings, and they shall not interfere with any protective clothing or apparatus a member may need to wear.

204.4 Personal Cleanliness

- A. Members shall keep themselves clean, and good health habits shall be observed.
- B. Members shall be mindful of offensive body odors, and shall make efforts to eliminate them by whatever means necessary, such as using deodorants.
- C. Individuals are expected to shower or bathe when necessary, and to be clean-shaven and well groomed.

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Personal Grooming 204

Effective Date: 6-11-2002

Revised Date: 1-01-2017

204.5 Tattoos

While on duty, tattoos will only be displayed on the arms and legs while in uniform. No other visible tattoos are authorized. No tattoos are allowed on or above the neck line or below the wrist.

The display of ANY unprofessional or offensive tattoo or brand (nudity or violence, sexually explicit or vulgar art, words, phrases; profane language, symbols to incite negative reactions, initials or acronyms that represent criminal or oppressive organizations) regardless of its location, while members are representing the Bentonville Fire Department on or off duty, is prohibited.

At any time, a complaint from the public or coworker of a tattoo that is or is not normally visible, and is of an offensive nature, shall be considered for disciplinary action, which may include termination.



Standard Operating Guideline

Emergency Operations 300

XNA-Dispatch 307

Effective Date: 3-26-2002

Revised Date: 1-01-2017

Purpose: To outline the various duties of dispatch during an aircraft emergency at the XNA Airport.

Policy: To provide standard communication for all dispatchers and responding fire personnel when responding to Northwest Arkansas Regional Airport - XNA

Guideline:

307.1 When an aircraft emergency is declared, CenCom will notify Bentonville Dispatch via telephone, and advise BECC of the Alert Level that is declared.

307.2 The dispatcher shall document the following information:

- A. Alert Level
- B. Number of people onboard
- C. Estimated time of touchdown, or if the aircraft is on the ground.

307.3 Alerts

Alert 1: Minor in-flight difficulty. A crash is not imminent; however, there is an indication of trouble that has the potential of becoming an emergency.

Alert 2: Major in-flight difficulty. A crash may result. The potential exists for a crash, and a crash is likely or imminent.

Alert 3: Actual emergency. A crash of an aircraft exists or is impending.

307.4 Alert 1: Dispatch Procedures:

- Dispatch 2 ambulances, Rescue 1 and Chief Officer from Bentonville.
- Call Springdale 750-8112 or 750-8176 and have them dispatch Lowell FD.

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Emergency Operations 300

XNA-Dispatch 307

Effective Date: 3-26-2002

Revised Date: 1-01-2017

307.5 Alert 2: Dispatch Procedures:

- Dispatch 2 ambulances, Rescue 1 and Chief Officer from Bentonville.
- Call Rogers 621-1234
- Call Springdale 750-8112 or 750-8176 to dispatch Lowell FD and Springdale FD.

307.6 Alert 3: Dispatch Procedure:

- Dispatch 2 ambulances, Rescue 1 and Chief Officer from Bentonville.
- Call Rogers 621-1234
- Call Springdale 750-8112 or 750-8176 to dispatch Lowell FD, Springdale FD and Tontitown FD.

307.7 Other:

- At any time during the incident, more resources may be requested.
- 201, 202, 203 or Battalion 1 may change the response to XNA.
- If any questions arise while units are responding to the airport, contact Chief Officer that is responding. If no Chief Officer is responding, contact with the Captain in the responding unit which the incident is in that stations area.



Standard Operating Guideline Emergency Operations 300

Hazmat 311

Effective Date: 7-08-2003

Revised Date: 1-01-2017

Purpose: To provide a universal and systematic means of notification for the Bentonville Fire Departments Hazmat members, and to offer guidance to our personnel in areas that would require our hazardous materials team.

Policy: All Members of the Bentonville Fire Department.

Guideline:

311.1 Hazmat Team Response

A. Team Request:

1. The local team members should be notified when requested by Bentonville Fire Department personnel, Benton County Fire Protection personnel,
2. Arkansas Department of Emergency Management or Law Enforcement. When a request is made the following information will need to be obtained: agency making the request, type of emergency, location of the emergency, officer/agency in charge of the incident, and a contact number or radio assignment.
3. If any questions remain on the response, those questions can be forwarded to the Hazmat Team Chief, 201, or 202 for clarification.

B. Notification:

1. When the members of the Bentonville team are requested either for a local response or a regional response the teamed members will be notified by fire department pager and text message.
2. The fire department pager will be initiated with an "All Call" tone followed by verbal instructions and the text message will offer a brief description as to location, rally point, or contact number.

C. Team Response:

1. When team members are notified of a response they will notify dispatch by radio or phone to acknowledge that they are responding and their estimated time of arrival.

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2. Each team member will make the decision as to whether they will respond to the scene or to station 1 with the response of Support 1 being the responsibility of the hazmat team members on duty. If a team member responds to station 1, they will be allowed 10 minutes to arrive before Support 1 responds.

311.2 Hazmat Team Training:

1. The training objectives are divided into two parts. Part one consist of minimum training requirements. These requirements are listed according to the applicable OSHA/EPA requirements and should be used to determine work stations. Part two consist of the objectives as listed in NFPA 472; Standard for Professional Competence of Responders to Hazardous Materials Incidents. This part will be used in evaluating and reporting training.
2. All members will at the request of the Bentonville Hazmat Chief, submit information concerning new courses attended (ie. Objectives, student manuals, test results).

311.3 Training Requirements:

- A. **PURPOSE:**
This guideline establishes the minimum training required for personnel involved with HAZMAT incidents, as required by law (OSHA 1910.120), and establishes requirements for maintenance of a personnel list.
- B. **SCOPE:**
These levels of expertise will be used at all incidents with the following exceptions:
 1. The chemical(s) involved are in consumer concentrations and quantities with no special handling or PPE requirements.

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2. The chemical(s) involved present no long or short term hazard to responders. The use of this exception requires positive identification of the product, and consultation with multiple sources (min. 3).
3. The incident involves common fuels and trained fire department personnel are being utilized.
4. There is a verified life safety situation where the benefit substantially outweighs the risk. NOTE: this exception should not be utilized lightly. The Incident Commander must be able to justify his decision - this exception is not for body recovery or unsubstantiated search.
5. In all cases if exceptions are made the decision shall be made by the Incident Commander with concurrence of the Safety Officer.

311.4 MINIMUM REQUIREMENTS

The minimum requirements for each position are addressed under "STAFFING REQUIREMENTS" in the "Incident Functions portion of the SOP. The following guidelines should, also apply:

- A. STAFF
"Technical Advisor" and "Safety Officer" should be at the technician level with specialties in chemistry and incident command. Members of the Research Crew should have specialties in chemistry and computers with the exception of runners and recorders.
- B. HOT ZONE
Members entering the HOT ZONE should be technician level.
- C. WARM ZONE
Members performing DECON should be technician level when vapor tight chemical protective clothing is utilized. In other cases operational level is

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acceptable. When degradation or neutralization of chemicals is being performed at least one member should have specialties in chemistry.

D. COLD ZONE

All personnel involved in the incident who could be exposed to hazardous materials for any reason should be of the awareness level. If not, they should receive a special briefing by the Safety Officer or his representative.

E. PAPERWORK

The Training Officer will maintain up-to-date membership rosters with the members training level and specialties. Sufficient copies of the roster shall be maintained on Support-1.

311.5 Certifying Team Members:

All members shall be trained to meet NFPA 472 "Competencies for Personnel Responding to Hazardous Materials Incidents", First Responder Operational Level, upon appointment to the team. New members shall meet NFPA 472 Technician Level, within two years of appointment to the team. Exceptions shall be made by the Hazmat Team Chief. Exceptions shall be granted for unavailability of courses and circumstances beyond the member's control.

A. TECHNICIAN LEVEL

1. To be certified to the technician level members shall complete the following courses or there equivalent:
2. Firefighter II (after 1992) or Firefighter III
3. Emergency Medical First Responder

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4. Incident Command training (min 12 hrs)
5. Chemistry of Hazardous Materials (NFA)
6. Certified Hazmat Technician class approved by the Bentonville Hazmat Chief.
7. Members shall also complete 40 hrs of additional training in refresher or advanced courses and 36 hrs of team training every two years after certification.

B. SPECIALIST LEVEL

The Training officer will designate members to serve in various specialties using the following guidelines.

1. INCIDENT COMMAND
2. Incident Command System (NFA)
3. Officer I
4. CHEMISTRY
5. Chemistry Specialist II or Chemistry III
6. Completion of a practical examination given by the training officer as to competency in the following areas:
7. Chemical Identification
8. Qualitative Analysis
9. Chemical Compatibilities

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10. Chemical and Physical properties and reactions (neutralization, degradation, dilution, evaporation, etc)
11. COMPUTER - Completion of training as required by the Bentonville Hazmat Chief and the successful completion of a practical examination utilizing team equipment.
12. MEDICAL Certified Ark Paramedic
13. RAILROAD SPECIALIST Completion of a 40 or more hr course on railroad incidents. Completion of a course in rail car emergencies including hands on training.
14. TANK TRUCK SPECIALIST Completion of a course in tank truck emergencies including hands on training and offloading procedures.

311.6 Surcharge For Hazmat Response:

To establish a fee for the use of hazmat response vehicle, equipment and personnel. A surcharge and a mileage fee will be assessed to the shipper, manufacturer, etc. when BFD Haz-Mat Team responds to a hazardous material incident.

1. Surcharge \$ 250.00 per incident per vehicle
2. Mileage - \$ 5.00 per mile per vehicle
3. Manpower - \$ 45.00 per hour per responder

Billing should be submitted as soon as possible following mitigation of the incident.

311.7 Baseline Medical Monitoring

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To establish the frequency and extent of medical monitoring for HAZMAT team personnel.

1. Each team member will be required to complete a physical examination, medical history, and baseline laboratory tests prior to assignment to the team, annually, upon termination, and after exposure to a hazardous material. Each team members medical records will be kept on file by the individuals local jurisdiction for a minimum of thirty (30) years.
2. The medical director will determine if the team member is medically fit to work on the HAZMAT team, able to do the physical activity necessary, able to wear respiratory protective equipment, and function in an encapsulating suit.
3. ELEMENTS OF MEDICAL MONITORING:

Physical Examination, Medical History, Laboratory Test: complete blood count, urinalysis, serum electrolytes, total bilirubin, fasting blood glucose, creatinine, blood urea nitrogen, calcium, cholesterol, triglycerides, uric acid, total protein, albumin, thyroid function, heavy metal poisoning, (minimum - arsenic, lead, mercury), red blood cell count, Chest x-ray, Electrocardiogram, Full Pulmonary Function Test, Audiogram

311.8 Site Safety

These are various guidelines that all personnel should be conversant with. They include some detailed guidelines that may be used by various sector officers in completing their duties listed in SOP 6.

- A. All BFD Hazmat members will be conversant with all tools and equipment on the HAZMAT truck.
- B. All BFD Hazmat personnel will attain the highest level of training possible, and shall strive to keep their training levels up to date.
- C. All BFD Hazmat members will be conversant with Bentonville Fire Department SOG's.

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- D. While responding, obtain a wind speed, direction, and temperature. Look for flags, tree limbs, and other things affected by wind on arrival to verify information.
- E. On arrival, the first BFD Hazmat member will attempt to determine if on scene emergency personnel are "safe" to approach. If not, they shall hold back and contact them via radio, phone, etc.
- F. All other BFD Hazmat members shall remain near their vehicles.
- G. The first BFD Hazmat member in a leadership roll (i.e. HAZMAT Team Chief, Training Officer, Shift Group Leader) will obtain a briefing from the Incident Commander.
- H. BFD Hazmat personnel shall be briefed and position assignments will be made.
- I. Additional resources are summoned as needed.
- J. An initial isolation distance of at least 50 feet should be established and maintained. This is an absolute minimum, and common sense and reference materials may indicate a larger HOT ZONE is needed.
- K. Hot, Warm, and Cold Zones should be established and clearly marked. All personnel on the scene should be told what the zones indicate.
- L. When donning equipment, all entry team and back up team personnel should have a helper.
- M. There will be no eating, drinking, smoking, or other functions which may contribute to the possible contamination of personnel permitted in the Hot, Warm, or Cold Zones. (EXCEPTION: Hydration and re-hydration of personnel working in encapsulated suits)
- N. All personnel at the conclusion of the incident will perform a hygienic shower on himself as soon as possible.

O) SPECIAL CONCERNS FOR ENTRY TEAM PERSONNEL

- 1) A minimum of two entry personnel per team.
- 2) One back up team with two personnel should be used for each entry team in hot zone.
- 3) All personnel who are entering the Hot Zone should be fully briefed on all signs and symptoms of exposure by the Entry Officer.
- 4) If any sign or symptom of exposure presents itself, the operation is to be terminated immediately and personnel should go to DCON.

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- 5) No entry is to be made until DCON is set up and manned.
- 6) All entry and back up personnel will be familiar with the established entry and exit points.
- 7) If protective equipment of anyone has failed, or is suspected of failing, the operation is to be immediately terminated and all personnel should go through DCON.

P) SPECIAL CONCERNS FOR DECONTAMINATION

- 1) Any personnel undergoing DCON who is low on air should notify the DCON Officer, and should be moved to the front of the line.
- 2) All personnel upon completing DCON must immediately go through the medical monitoring station.

SITE SAFETY TABLE

HOT ZONE (EXCLUSION ZONE)

- . Minimum of 100 feet across.
- . Only Technician and Specialist personnel to enter.
- . No one enters until DECON is set up.
- . No one exits without first going through DECON.
- . Only Entry and Back up team inside zone.

WARM ZONE (HAZARD REDUCTION ZONE)

- . Variable size, minimum of 50 feet from edge of Hot Zone to edge of Cold Zone.
- . DECON is set up in Warm Zone.

COLD ZONE (SUPPORT ZONE)

- . Variable size, minimum of 50 feet from edge of Warm Zone to incident perimeter.
- . Access Officer controls access from Cold Zone to Warm Zone. Local Authorities guard incident perimeter.

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Staff Positions that may be located in the Cold Zone: Incident Commander, Technical Advisor, HAZMAT Logistics, Staging, HAZMAT Medical Officer, Research, Entry Officer, Back up Team, Dressing out Crew, Operations Officer, Safety Officer, Access Crew, Data Collection Crew, Aides, all local agencies etc.

NOTE: Zone sizes, and what sectors/officers that will be located in each zone will vary from scene to scene. This is the "minimum" acceptable set up.

311.10 Research

Research

This procedure is designed to identify means to supervise the research, collection, evaluation, and dissemination of information relative to products involved. At the scene as well as selection of detection and monitoring equipment and personal protective equipment. The Research Officer should have experience in the use of a variety of reference media, including the CAMEO database, various reference books and be knowledgeable in the usage of the appropriate forms in order to convey this information to the necessary persons.

- A) The Research Officer shall select a research team from available qualified personnel. A minimum of two people are necessary to make up the team.
- B) The Research Officer shall oversee the actions of the Research Team and ensure that a minimum of three references have been used in gathering and confirming information.
- C) The Research Officer and the Research Team shall compile data and place it on a Product Information Report.
- D) The Research Officer will ensure a checklist has been completed as well as supervising continuing research for new and pertinent information and to ensure its proper dissemination.

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E) He shall assign one person to record all the information to be disseminated.

F) Reference Sources to be Used:

- 1) Initially the DOT Guidebook should be used.
- 2) In addition any hardbound text manuals and the CAMEO database should be utilized.
- 3) MSDS's for the facility should be consulted if they are available.
- 4) Contact the management or technical advisors for the facility in order to utilize their expertise. It may also be necessary to contact the manufacturer of the product, if it is known.

G) Order in which to gather information.

- 1) First and foremost is the identification of the product involved.
- 2) Initial zoning and evacuation distances.
- 3) Any medical information is needed next, including chemical hazards, toxicology, signs and symptoms of exposure as well as emergency treatment.
- 4) Any environmental hazards should be listed.
- 5) Next the selection of Personal Protection Equipment based on the product information.
- 6) DCON information should be collected and passed on to the DECON Officer.
- 7) Finally any disposable information including regulations on the storage, transportation and disposal of the product should be recorded.
- 8) Record pertinent weather information (i.e. wind direction and speed, barometric pressure, temperature, and weather conditions) update weather condition information as necessary.

H) Information Dissemination

- 1) The HAZMAT Incident Commander needs to be kept abreast of all information gathered in order to make informed decisions.
- 2) The HAZMAT Operations Officer also needs a copy of the product information.

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- 3) The DECON Officer, Safety Officer, Entry Officer, and HAZMAT Medical Officer should all be next in line to receive the information gathered by the Research Team.

- I) Research Packet will contain the following:
 - 1) Product Information Sheets
 - 2) Phone List
 - 3) Resource Guide
 - 4) Long Distance Memos
 - 5) Note Pad
 - 6) Scratch Pad
 - 7) Post it Notes
 - 8) Clipboard
 - 9) Fahrenheit to Celsius conversion chart
 - 10) Pencils, Pens, Highlighters

311.11 Emergency Entry

If in the opinion of the Incident Commander on the scene, emergency entry into a HAZMAT scene is warranted, the following steps will be followed. This should only be done to perform a rescue, and after an attempt has been made to identify the product.

- A) Requires a minimum of three people and a pumper.
- B) A review of the procedures.
- C) All three must don full protective clothing and SCBA.
- D) Set up for emergency decontamination.
- E) First person enters scene alone to make the victim recovery. If possible, and without making contact with the product, they may make a quick check for labels, placards, papers. Then he brings the victim out.
- F) Rescuer stops at DECON area and removes all of the victim's clothing.
- G) Second person performs emergency DECON on the first person and the victim(s).
- H) The victim and the rescuer are isolated for possible further DECON before transport if it is warranted.

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In this scenario, the second person is acting as a backup, and will only enter if the first person needs help carrying the victim. If the first entry person passes out while entering the hot zone, this is prima facie evidence that the protective clothing is inadequate and that the back up person may have to remain outside the hot zone. The third person is in gear to assist with DECON as necessary, and should never enter the hot zone.

311.12 Emergency Decontamination

The following procedure is to be used if time is of the essence, and technical DECON would take too long to establish or if technical DECON is not possible for any reason. To facilitate this work, it is recommended that a pre assembled Emergency DECON Kit be carried on all pumpers having at least one brush, one bucket, and some soap. Failing this, water should be used in copious amounts.

- A) A pumper is required.
- B) First step Brush off dry product.
- C) Second step Hose off person.
- D) Third step Wash person with soapy water and brush.
- E) Fourth step Rinse off person with copious amounts of water.
- F) Repeat steps 1 through 4 as necessary.
- G) Remove persons clothing as required.
- H) Repeat steps 1 4 as necessary.

These steps should only take a few minutes. They may be altered as necessary. Remember, that speed may be of the essence, and that if time or equipment deficiency requires it, a thorough washing with water is considered acceptable emergency decontamination.

Until a determination can be made as to whether further DECON is necessary, those people undergoing emergency DECON should be isolated if possible.

311.13 Technical Decontamination

To establish a standardized decontamination procedure for hazardous materials incidents.

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All personnel, clothing, equipment and samples leaving the contaminated area of a site must be decontaminated to remove any harmful chemicals or infectious organisms that may have adhered to them. Decontamination methods either:

1. physically remove contaminants,
2. inactivate contaminants by chemical detoxification or disinfection/sterilization, or
3. remove contaminants by a combination of both physical and chemical means.

PHYSICAL

REMOVAL: In many cases, gross contamination can be removed by physical means involving dislodging or displacement, rinsing, wiping off, and evaporation. Physical methods involving high pressure and/or heat should be used only as necessary and with caution since they can spread contamination and cause burns.

CHEMICAL

REMOVAL: Physical removal should be followed by a wash/rinse process using cleaning solutions. These cleaning solutions normally utilize one of the following methods.(see table 1)

- A) **Dissolving Contaminates** Chemical removal of surface contaminants can be accomplished by dissolving them in a solvent.
- B) **Surfactant** augment physical cleaning by reducing adhesion forces between the contaminants and the surface being cleaned.
- C) **Solidification** Solidifying liquid or gel contaminants can enhance their physical removal.
- D) **Rinsing** rinsing removes contaminants through dilution, physical attraction, and stabilization.
- E) **Disinfection/Sterilization** Chemical disinfectants are a practical means of inactivating infectious agents.

NINE STEP DECON:

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The Nine Step DECON Process (see table 2) will be the format for all DECON procedures. This may be added to or scaled down depending on the hazards of the product and the type of work to be performed by the personnel in the hot zone. Firefighting personnel not trained in technical decontamination WILL NOT be allowed to assume a position in the DECON line before the clothing/equipment removal station.

TRANSPORT TO MEDICAL FACILITIES:

If it is necessary to transport a contaminated patient to a medical facility the receiving hospital MUST be notified in advance of the nature of contamination, in order to make necessary preparations. It may also be prudent to send a team member to the hospital to assist them in preparation.

Preparation of DECON Solution:

DCON SOLUTION A - A solution containing 5% sodium carbonate (Na_2CO_3) and 5% trisodium phosphate (Na_3PO_4). Mix two (2) pounds of commercial grade Na_2CO_3 plus two (2) pounds of commercial grade Na_3PO_4 with each five (5) gallons of water.

DCON SOLUTION B - A solution containing 10% calcium hypochlorite ($\text{Ca}(\text{ClO})_2$). Mix four (4) pounds of $\text{Ca}(\text{ClO})_2$ with each five (5) gallons of water.

DCON SOLUTION C - A solution containing 5% trisodium phosphate (Na_3PO_4). This solution can also be used as a general purpose rinse. Mix two (2) pounds Na_3PO_4 with each five (5) gallons of water.

DCON SOLUTION D - A dilute solution of hydrochloric acid (HCl).

RINSE SOLUTION - A general purpose rinse solution used for both DCON solutions "A" & "B". A solution containing 5% trisodium phosphate (Na_3PO_4). Mix two (2) pounds Na_3PO_4 with each five (5) gallons of water.

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USES FOR DECONTAMINATION SOLUTIONS

Solvent Types

Solvent	Soluble Contaminants
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Water	Low chain hydrocarbons
Inorganic Compounds	
Salts	
Some organic acids and other polar compounds.	

Dilute Acids	Basic (caustic) compounds
Amines	
Hydrazines	

Dilute Bases	Acidic Compounds
Phenols	
(detergents)	Thiols
Some nitro & sulfonic compounds	

Organic Solvents *	Non polar compounds
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(alcohols, ethers,
ketone, aromatic,
straight chain alkanes
like hexane, common
petro products)



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* **WARNING** Some organic solvents can permeate and or degrade protective clothing

311.14 Hydrocarbon Spills

The mitigation of a hydrocarbon leak or spill should be handled in a manner to ensure the safety of citizens and a concern for the environment. As in all incidents good judgement on the part of the Incident Commander is essential. Most hydrocarbon incidents can be properly managed by the use of diking, oil dry, or by simply washing the material into a storm drain. The following criteria should be followed, but circumstances at each incident can be different, therefore, the Incident Commander will have to rely on his best judgement.

1. 1 4 gallons of a hydrocarbon liquid may be washed into a storm drain if the procedure does not create an undue harm to the environment unless local requirements are more restrictive.
2. Amounts exceeding 4 gallons should be removed with an absorbent (i.e. oil dry, sand dirt, etc.) and properly disposed.
3. When diking is required to prevent run off, consideration should be given to covering the liquid with AFFF/F500 foam to help prevent exposure to personnel ignition of the escaping vapors.

To meet the requirements of the Department of Pollution Control and Ecology (DPCE) the contaminated area should be returned to its original visual state. When quantities of a hydrocarbon liquid in excess of 40 gallons are released into the environment the local DPCE or DEM representative should be notified (all notification requirements can be complied with by calling OES at 1-800-322-4012). Also, if any hydrocarbon liquid enters any waters of the State and creates a sheen on the waters surface the DPCE/DEM should be notified

311.15 Emergencies Involving Unknown Substances

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Members of the HAZMAT team are often called to incidents where the substance involved is not easily identified. This protocol is designed to be used in those situations where the product can not be identified from standard recon procedures (labels, papers, containers, etc). Although, most of these incidents are benign in nature, certain precautions and procedures need to be followed.

This protocol will be used when standard identification and recognition methods do not identify the product.

1. Gather as much information about the substance as possible. This may require the interviewing of bystanders. Pay close attention to information received from bystanders who have been in contact with the substance.
2. Isolate the spill: Initially 300' for liquids, 100' for solids, adjust distances for changing conditions (wind, product movement etc).
3. Monitor the perimeter for LEL, ionizing radiation, pH, and any readings that will require the adjustment of safety zones.
4. Establish a 2 man entry team and a 2 man back-up team. Equip entry team with monitoring devices listed in #3 and a sampling kit. Don SCBA and chemical protective clothing as a minimum of PPE. If product is a gas or a liquid with a noticeable vapor or odor, consider encapsulating chemical clothing. The entry team should avoid coming in direct contact with the substance. The entry team should obtain 4 samples of the substance and test the substance with pH paper.

NOTE: If any of the preliminary monitoring devices indicate the material may be hazardous, the entry team should immediately leave the HOT ZONE and a re-evaluation of safety precautions should be determined before other personnel enter the HOT ZONE.

5. Both the entry team and the product samples should be properly decontaminated before leaving the WARM ZONE.

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6. The product identification team should perform the following activities.

Sample #1 - Seal and identify as evidence for any possible legal action.

Sample #2 - Send to lab for positive identification.

Sample #3 - Perform 5 step test method, record all procedures and findings, repeat test to verify findings.

Sample #4 - If the substance is identified as hazardous by the 5 step method, test the substance with the HAZCAT kit for better identification.

Report all findings to Incident Commander.

7. If no hazards are indicated with the testing procedures, zoning distances can be reduced but keep the product contained and isolated. Personnel in vicinity of the unknown substance should continue to wear protective clothing and SCBA.

8. If The testing procedures indicate the substance is hazardous, further identification should be obtained before further action is taken.

311.16 Acid Emergencies

Acids and bases are the second most common chemical emergencies, after flammable liquids. This protocol is intended to offer broad guidelines for the mitigation of small acid spills and as a quick reference for initial operations in larger incidents. In no way should these guidelines be utilized as the required way to handle all acid emergencies.

PRODUCT IDENTIFICATION

No mitigation effort should be attempted on any acid spill until the product is positively identified. This does not preclude defensive actions based on initial information (ie. evacuation, zoning, distant confinement based on placard).

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Obtain the product name, strength and concentration;

Strength is a function of pH and is a chemical property of the type of acid. This applies until extreme dilution occurs. A pH of less than 3.0 is a strong acid.

Concentration is usually described in percent in water (exception lab chemicals). NOTE: A low concentration does not necessarily denote a mild acid, 38% Hydrochloric acid is un-concentrated Hydrochloric acid.

TYPES OF ACIDS

Acids can be divided into three major types:

* Binary Acids Contain hydrogen and another element dissolved in water. Many produce toxic or irritant gases. Rarely do they produce fires. (examples; Hydrochloric Acid (HCl), Hydrofluoric Acid (HF))

* Oxyacids Oxidizing Acids as a general rule contain Oxygen They can be strong oxidizers as well as corrosive. They often react violently with fuels and can produce fires. (examples; Sulfuric Acid (H₂SO₄), Nitric Acid (HNO₃), Perchloric Acid (HClO₄))

* Organic Acids Organic acids are organic derivatives combined with the carboxyl group (COOH). They are generally weak acids, although some can burn the skin. They are almost always toxic and flammable in high concentrations.

Initial Zoning

SMALL SPILLS (55 gallons or less)

Evacuate - 250 ft.

Hot Zone - 150 ft.

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LARGE SPILLS or FUMING ACIDS

Evacuate - 1000 ft.

Hot Zone - 500 ft.

In all cases adjust distances if involved in fire or after further research.

PPE

Level of protection should be based on research information. Where the product has not been positively identified, as a rule of thumb, utilize level "A" for acids producing gases and level "B" for all other acids. Remember some acids are extremely toxic (ie. Hydrocyanic Acid HCN).

Mitigation methods

CONFINEMENT, CONTAINMENT ABSORPTION AND ADSORPTION; Standard procedures (VACUUM pick-up, dike, plug, patch, etc) can be used. Check on compatibility of materials (ie. sand reacts with HF, most strong acids react with metals).

ISOLATION; Effective with acids that off-gas. The acid gas will eventually evaporate with no further ill effects. This is time consuming and the acid gases must be vented to protect personnel and equipment.

NOTE: Before attempting the following methods test with small samples of the acid, look for violent reactions, production of gases, or excessive heat. Calculate the amount of neutralizing agent or solvent required.

NEUTRALIZATION; Adding a weak base (usually Soda Ash NaCO_3 , or Baking soda NaHCO_3) to the acid. Neutralization produces salt, water, and heat. The reaction may also produce gases, and sometimes toxic substances. CAUTION: A full understanding of the reaction being produced is required before beginning.

DILUTION; Adding a solvent (water) until the acid is no longer a hazard. Dilution requires large amounts of water and produces large amounts of runoff. Dilution is used

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in decon-tamination of personnel and victims and with small spills of weak acids. It can be used to weaken an acid in order to make neutralization less violent.

DECON

Hazard reduction is accomplished by one of the three methods previously described; isolation, dilution, neutralization, along with disposal. Acids can damage firefighting protective equipment, therefore, DECON personnel should consider wearing splash suits. **DO NOT USE NEUTRALIZATION ON PEOPLE.**

- Step 1 Equipment drop: tarp/polyethylene, separate grossly contaminated items from clean items (may require 2 tarps).
- Step 2 Gross decontamination: pool, shower/sprayer, check with pH paper attached to pole, diluted acid with water, consider solo DECON, neutralize runoff with soda ash (NaCO_3).
- Step 3 Outer glove, bootie disposal: place in disposal container with liner.
- Step 4 Assisted DECON/neutralization: pool, bucket, brush, DECON solution, sprayer, pH paper, Brush on DECON solution, rinse with water, check with pH paper swipes, neutralize runoff with soda ash (NaCO_3)
DECON solution: 1 qt. soda ash to 5 gals water if organic add 2 lbs. Tri sodium Phosphate Step 5
Final rinse: pool, sprayer pH paper, rinse with water, check runoff with pH paper swipes if not neutral return to step 4, neutralize runoff with soda ash (NaCO_3).
- Step 6 Air supply change: Spare bottles.
- Step 7 Protective equipment drop: provide separate containers for suits, gloves, boots, container liners.
- Step 8 Personal hygiene: For a minimum wash hands with soap and water, check with pH paper, shower as soon as practical (shower immediately if organics are involved and before eating).
- Step 9 REHAB/Medical evaluation:

311.17 Caustic (base) Emergencies

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Acids and bases are the second most common chemical emergencies after flammable liquids. This protocol is intended to offer broad guidelines for the mitigation of small spills and as a quick reference for initial operations in larger incidents. In no way should these guidelines be utilized as the required way to handle every emergency.

PRODUCT IDENTIFICATION

Bases are one of the most dangerous materials commonly encountered, they practically dissolve flesh. They also readily adhere to surfaces and are difficult to remove. Dilute solutions if unattended will evaporate and become stronger.

No mitigation effort should be attempted on any base until the product is positively identified. This does not preclude defensive actions based on initial information (ie. evacuation, zoning, distant confinement based on placard).

Obtain the product name, strength and concentration.

Strength is a function of pH and is a chemical property of the base. Loosely interpreted as the concentration of the hydroxide ion $[OH]^-$. This applies until extreme dilution occurs. A pH greater than 10 is a strong base.

Concentration is usually described by percent in water (exception lab chemicals). NOTE: bases are commonly encountered as salts (solid crystals), contact with water (moisture) will disassociate the hydroxide ion.

COMMON TYPES OF BASES

Hydroxides Identified by the metal OH formula. The strongest bases, especially those of the alkaline metals (Sodium, Lithium, Potassium) with a pH of 14 will cause severe burns to skin and they will react with many substances including water. Hydroxides of alkaline earth metals (Calcium, Magnesium) are less caustic with a pH 12, but they will still cause tissue damage. Hydroxides of other metals are still weaker $Al(OH)_3$ due to their relative insolubility. NOTE: oxides will form hydroxides when combined with water (ie. moisture + Calcium oxide = lime (Calcium hydroxide)).

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COMMON TYPES OF BASES (cont.)

Ammonia NH₃ Produces the hydroxide ion when combined with water. Has a pH of 11. Besides the familiar effects on personnel NH₃ will corrode metal especially sensitive instruments. NH₃ has a love for water making it easy to DCON. Various Amides demonstrate similar basic tendencies.

Weak bases There are a multitude of weak bases. Some commonly used by the team as neutralizing agents are carbonates and bicarbonates (also a weak acid).

INITIAL ZONING

Since most common bases are salts or salts dissolved in water, with no real vapor pressure, zones do not need to be excessively large (Exception: Ammonia). Generally, hot Zones should be large enough to prevent tracking of the chemicals or there runoff.

AMMONIA: Hot Zone - 150 ft. to 300 ft.

Evacuate - 1000 ft. to 1 mi. downwind

PPE

The level of protection should be based on research information. If the caustic cannot be positively identified, as a rule of thumb, utilize level "B".

MITIGATION METHODS

CONFINEMENT, CONTAINMENT: Standard procedures (dike, plug, patch, etc) can be used. Check on compatibility of materials. Covering dry spills is extremely effective and should be undertaken quickly, especially during windy or wet conditions.

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ABSORPTION AND VACUUM RECOVERY: These are the two best mitigation methods and should be used if equipment is available. Check for compatibility of materials and determine if further clean-up of the site will be necessary. This method includes pick-up and recovery of solids.

ISOLATION: Effective with ammonia since it off-gases and will eventually evaporate with no further ill effects. Isolation requires adequate ventilation. Salts dissolved in water will not evaporate, water evaporates leaving a stronger base concentration.

NOTE: Before attempting the following methods test with small samples of the base and look for violent reactions, production of gases, or excessive heat. Calculate the amount of neutralizing agent or solvent required to neutralize or dilute the base.

DILUTION: Adding of a solvent (water) until the base is no longer a hazard. Dilution requires large amounts of water which produces large amounts of runoff. Dilution is the method used in decontamination of personnel and victims.

NEUTRALIZATION: Adding a weak acid (usually Acetic acid, very dilute hydrochloric acid (HCl), liquid carbonic or Baking soda (NaHCO_3)) to the base. Neutralization produces a salt, water, and heat. It may also produce gases, and sometimes toxic substances. A full understanding of the reaction being produced is required before beginning.

DCON

Bases are very difficult to remove, DCON must be meticulous, as a result, personnel may have to spend longer in DCON. Hazard reduction is accomplished by removal, dilution, neutralization, isolation and disposal. Since bases can damage firefighting protective equipment, personnel should wear appropriate splash suits. **DO NOT USE NEUTRALIZATION ON PEOPLE.**

Step 1 Equipment drop: tarp/polyethylene, separate grossly contaminated items from clean items (may require 2 tarps)



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Step 2 Gross decontamination: shuffle box, brush, pool, shower/sprayer, pH paper attached to pole, consider solo DCON. Brush off dry product, dilute base with water, check with pH paper swipes, neutralize runoff with dilute Hydrochloric acid.

Step 3 Outer glove, bootie disposal: disposal container with liner.

Step 4 Assisted DCON/neutralization: (skip for NH₃) pool, bucket/brush/DCON solution, sprayer, pH paper, brush on DCON solution, rinse with water, check with pH paper swipes, neutralize runoff with Hydrochloric acid.

DCON solution: 1 cup Hydrochloric acid to 5 gals water.

Step 5 Final rinse: pool, sprayer, pH paper. Rinse with water, check runoff with pH paper swipes, if not neutral return to step 4, neutralize runoff with Hydrochloric acid.

Step 6 Air supply change: spare bottles.

Step 7 Protective equipment drop: separate containers with liners for suits, gloves, and boots.

Step 8 Personal hygiene: wash hands with soap and water, check with pH paper, shower as soon as possible (immediately if organics are involved and before eating).

Step 9 REHAB/Medical evaluation:

311.18 Poison Gas Incidents

For the purposes of this protocol a poison gas is defined as:

A chemical that at the current ambient temperature has a vapor pressure and has a median lethal concentration (LC50) of 2000 ppm or less.

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RESCUE:

If in the opinion of the Incident Commander there is a potential for a successful rescue the following should be followed:

1. Attempt to have victim(s) rescue themselves by way of instruction with the aid of a PA, bullhorn etc.
2. Establish and inform personnel of the HOT ZONE perimeter.
3. Restrict the number of entry personnel to the bare minimum required to perform rescue.
4. All entry and DCON personnel shall wear SCBA and the maximum protective clothing available.
5. Rapidly remove victim(s) from the HOT ZONE to DCON.
6. If the victim is determined not to be viable, or extrication equipment is needed to rescue the victim, the rescue attempt should be abandoned.

ZONING:

1. Utilize table of Initial Isolation and Protective Action Distances.
2. Consult with manufacturer's product specialist.
3. Utilize ALOHA and CAMEO computer programs.
4. If the product is not specifically identified but is known to be a poison gas, the initial HOT ZONE should be a minimum of 1500 ft. with downwind evacuation extending to at least 5 miles.
5. No one should eat, drink or smoke within any control zone, except for pre-hydration and critical re-hydration.

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PERSONAL PROTECTIVE EQUIPMENT:

1. If the product is absorbed through skin use vapor tight protective clothing (level A).
2. If the product is not absorbed through skin a fully encapsulated splash suit may be used (level B).
3. All DCON personnel should wear fully encapsulated Level "B" suits regardless of the level of suits worn by the entry team.
4. Consult the manufacturer or reference material for proper protection before entering the HOT ZONE.

DECON:

1. Use as a minimum the 9 step method.
2. Mix DCON solutions as recommended by the manufacturer or use 2 lbs. of Calcium Hypochlorite and 2 lbs. of Trisodium Phosphate mixed in 5 gallons of water for the wash solution. For the rinse solution mix 2 lbs of Trisodium Phosphate in 5 gallons of water.
3. If a person is grossly contaminated they should consider self-decontamination.
4. All entry and DCON personnel should immediately take a hygienic shower after removing outer protective clothing.

MEDICAL EVALUATION:

1. All personnel at the scene should be thoroughly evaluated for signs and symptoms of exposure.

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2. As soon as practical a medical follow-up should be scheduled for the entry and DCON team members.

311.19 Poison Incidents (not gas)

For the purposes of this protocol a poison is defined as: A chemical that has a median lethal dose (LD50) of 1000 mg/kg or less. If the product is involved in a fire, treat the incident as a poison gas.

RESCUE:

If in the opinion of the Incident Commander there is a potential for a successful rescue the following should be followed:

1. Attempt to have victims rescue themselves by way of instruction with the aid of PA, bullhorn, etc.
2. Establish and inform all personnel of the HOT ZONE perimeter.
3. Restrict the number of entry personnel to the bare minimum required to perform rescue.
4. All entry and DCON personnel should wear SCBA and non-encapsulating splash protective clothing. The time required to obtain a higher level of PPE is a reasonable reason for lower PPE. However, in all cases SCBA shall be utilized.
5. Rapidly remove victim(s) from the HOT ZONE to DCON.
6. If the victim is determined not to be viable, or extrication equipment is needed to rescue the victim, the rescue attempt should be abandoned. A second rescue attempt may be made after review by the Incident Commander and Safety Officer.

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ZONING:

1. Utilize table of Initial Isolation and Protective Action Distances.
2. Consult with manufacturer's product specialist.
3. Utilize ALOHA and CAMEO computer programs.
4. If the product is not specifically identified but is known to be a poison, the initial HOT ZONE should be 250 ft.
5. No one should eat, drink, or smoke within any control zone, except for pre-hydration and critical re-hydration.

PERSONAL PROTECTIVE EQUIPMENT:

1. If the product is absorbed through skin use vapor tight protective clothing (level A).
2. If the product is not absorbed through the skin a splash suit may be used (level B).
3. All DCON personnel should wear fully encapsulated Level "B" suits regardless of the level of suits worn by the entry team.
4. Consult the manufacturer or reference material for proper protection before entering the HOT ZONE.

DECON:

1. Use as a minimum the 9 step method.
2. Mix DCON solutions as recommended by the manufacturer or use 2 lbs. of Calcium Hypochlorite and 2 lbs. of Trisodium phosphate mixed in 5

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gallons of water for the wash solution. For the rinse solution mix 2 lbs. of Trisodium Phosphate in 5 gallons of water.

3. If a person is grossly contaminated they should consider self-decontamination.
4. All entry and DCON personnel should immediately take a hygienic shower after removing outer protective clothing.

MEDICAL EVALUATION:

1. All personnel at the scene should be thoroughly evaluated for signs and symptoms of exposure.
2. As soon as practical a medical follow-up should be scheduled for the entry and DCON team members.

311.20 Radiological Incidents

This protocol applies to any incident involving a radioactive substance. This includes incidents where no obvious breach of a container occurs. In all cases these incidents shall be Level III incidents.

Incidents can be divided into two major categories:

1. Incidents at fixed sites.
2. Incidents involving materials in transit and mobile testing equipment.

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NOTIFICATION:

The following agencies should be immediately notified:

1. Office of Emergency Services.
2. Any hospital that may receive patients. Even if there are no injuries the patients will be transported for evaluation.
3. Local or State Police; request that the ranking on duty police official respond to the command post.

MONITORING:

Assign two man monitoring teams in the following priority:

1. Hot Zone establishment and perimeter maintenance.
2. Victim evaluation.
3. Staging Area and/or access point.
4. DCON Area.
5. Cold Zone and other areas as determined by the IC.

Monitoring teams should be manned by at least one radiation specialist and equipped with a radiation monitor. All personnel on the scene should be supplied with a dosimeter and/or a film badge. Personal monitoring devices should be assigned by the staging area team.

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If in the opinion of the Incident Commander there is a potential for a successful rescue the following should be followed:

1. Attempt to have the victim(s) rescue themselves (PA, bullhorn, etc.).
2. Isolate the victim(s) into two separate areas and the following sub-categories:

Area 1 Contaminated Victims - patients who may have been in contact with or in close proximity to the materials.

Area 2 Exposed Victims - all other personnel within the Warm Zone perimeter.

Sub-categories:

- (1) Injured requiring immediate medical attention.
 - (2) Injured where medical attention may be delayed for over one hour.
 - (3) Non-injured.
3. Establish and inform personnel of the Hot Zone perimeter.
 4. Restrict entry personnel to a bare minimum that is required to perform rescue. Restrict entry time to 10 minutes maximum. All entry personnel who have been in bodily contact with contaminated patients should be classified as contaminated non-injured.
 5. All entry personnel should wear SCBA and non-absorbent disposable clothing. If the non-absorbent disposable clothing is not available, firefighting clothing is acceptable but may have to be disposed.
 6. Victim(s) should be rapidly removed to DCON. No other actions should be taken by the entry team. If a victim is determined not to be viable the operation should be abandoned.

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7. Contaminated victims with life threatening injuries should be rescued first, emergency DCON'd, wrapped and transported in a striped, plastic lined (if available) ambulance. The hospital should be notified that the patient is radioactive contaminated. All rescue, DCON, and EMS personnel should be treated as contaminated victims. After transporting the patient the ambulance should be placed out of service until it can be properly decontaminated.
8. Exposed victims with life threatening injuries should be rescued, their clothing removed, clothing bagged, and monitored for radiation contamination. If radiological monitoring is not available consider emergency DCON. All personnel involved should be treated as exposed victims and the ambulance placed out of service after transport.
9. All other victims should be DCON'd as per DCON section below injured first.

ZONING

1. Consult with government agencies (OES, DOE, DOD) and/or the site specialist.
2. Utilize ALOHA and CAMEO computer programs.
3. If the product is not identified, the initial HOT ZONE should be 150 feet. If the product is involved in a fire, increase to 1500 feet with a 5 mile downwind evacuation.

PERSONAL PROTECTIVE EQUIPMENT

All personnel within the HOT and WARM zones shall:

1. Wear SCBA.

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2. Wear non-absorbent disposable protective clothing.

3. Wear disposable gloves, bonnets, and booties.

(Firefighting clothing will only be acceptable to be worn by rescue personnel when life threatening injuries are involved)

DCON

On site incidents - DCON should be performed in the site DCON area if practical using trained personnel.

Off site incidents:

1. Three DCON areas may have to be established:

- (1) Emergency
- (2) Contaminated
- (3) Exposed

2. Use DCON solutions as recommended by Research, or a soap solution with a water rinse.

3. Consider self decontamination if grossly contaminated.

4. Immediate hygienic shower for all victims. Consider transport to a facility with a shower for radiological contamination.

5. Contain all runoff, double bag all clothing and equipment.

6. Monitor all personnel after DCON, re-DCON if necessary.

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1. All members should be thoroughly evaluated for signs and symptoms of exposure.
2. All entry and DCON personnel should be transported to a medical facility as contaminated or exposed victims.
3. Copies of all entry records, readings from personal monitoring devices, and hospital records should be supplied to an appropriate medical practitioner. Personnel will be directed to meet with this practitioner for evaluation and/or consultation.

311.21 Clandestine Lab Response

Team Request:

The request for hazmat team response for clandestine labs should be made by the local law enforcement agency or a chief officer of the Bentonville Fire Department. All other request should be cleared through 201, 202, or the Hazmat Team Chief.

Team Notification:

- A. Initial "Bust" Phase: The notification for participation in the initial bust phase on a clandestine lab will be conducted by the First in Station and hazmat team personnel. The notification will be normal station tones for on-duty personnel and an all call and or text message for hazmat team personnel. When possible and if coordination is available it may be acceptable to assemble the hazmat team with advance notice and the need for on-duty personnel and equipment can be avoided.
- B. Breakdown Phase: The lab breakdown phase will be conducted by hazmat team personnel and the notification will be the same.

Team Response:

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- A. Initial "Bust" Phase: The response for the bust phase will require an Engine/Truck and an ambulance to provide fire and EMS standby. The units will respond using normal driving restrictions and stage in a safe area. The hazmat team will assemble at station 1 and will respond to the scene in Engine 1 and Squad 10 with the on-duty hazmat team personnel responding in Support 1.
- B. Breakdown Phase: The hazmat team will assemble at station 1 and respond with Engine 1 and Support 1.

Team Actions:

- A. Initial "Bust" Phase: The actions for the bust phase will be fire/EMS standby, perimeter air quality confirmation, and emergency decon if needed. When possible, the hazmat team will release the on-duty personnel and equipment to return to service when assemblage of the hazmat team is complete and the situation is deemed under control.
- B. Breakdown Phase: The hazmat team will provide air quality verification and monitoring in and around the structures while operations are ongoing and assist with chemical testing when requested by law enforcement. All team actions will be conducted in accordance with the Regional Team Guidelines and accepted practices within their level of training.



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Purpose: To delineate the standing medical orders for Fire/Rescue individuals functioning as members of the Unified Police/Fire response to the active shooter scenario

Definitions: Hot Zone: Any area in the area of operations in which there is a direct an immediate threat to persons or providers. Tactical paramedics will not primarily operate in the Hot Zone, but may be required to operate in this zone as various critical circumstances dictate.

Warm Zone: Any area in the area of operations where there is a potential hostile threat to persons or providers but is not direct and immediate. This is the main zone of operations and for staging for tactical paramedics. The casualty collection point will be located in the Warm Zone.

Cold Zone: Any area within the area of operations where the tactical paramedics, along with the tactical commanders, do not reasonably anticipate a significant danger or threat to the providers or patients. The main, casualty collection points, Command assets, staged non-tactical Fire/EMS personnel and Fire/EMS and police apparatus are located will be located in the Cold Zone.

Active Shooter: Any armed person who uses or has used deadly physical force on other persons and continues to do so while having unrestricted access to additional victims

Patrol Officer: Standard uniformed police officers assigned to monitor specified geographic areas in City of Bentonville.

Contact Team: Initial teams of up to 4 patrol officers who form immediately on arrival to scene of active shooter and immediately deploy into building moving rapidly with the goal of initiating contact to contain/eliminate the active shooter to prevent further injury or loss of life.

TEMS: Tactical Emergency Medical Support team. BFD paramedics who are detailed to work in specifically with Bentonville Police Department in a medical support capacity.

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SRT team: Special Weapons and Tactics team. Bentonville Police officers specially selected and trained to perform high-risk operations that fall outside of the abilities of regular patrol officers.

Guideline:

The designated TEMS medics at the Bentonville Fire Department are not always readily available.

- 1) Adequate medic response in mass casualty ballistic trauma requires multiple teams working at once to avoid delay to any one patient.
- 2) Number of medics are too few to adequately cover large area or number of injured patients
- 3) Medics have a designated role to assist the SRT team with completion with the immediate tactical goal.
 - a) Providing care to large number of injured patients will prevent medics from completing their immediate goal of supporting the Arlington Police SWAT team.

The number and need for immediacy in medical response requires that every street medic in the City of Bentonville be trained to be able to function as an RTF member.

- 1) Similar paradigm shift to new active shooter police response utilizing street patrol officers instead of waiting for SRT.

ALS providers tasked with providing immediate care to injured persons during an active shooter scenario must operate under dangerous conditions with unconventional hazards.

- 2) The purpose of the Rescue Task Force is to mitigate provider risk while rapidly forward deploying stabilizing medical resources to assist in treatment and evacuation of the wounded despite hazardous conditions that might otherwise delay treatment.



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315.1 Eligibility and Responsibilities

- A. Certification as an Arkansas State ALS provider
- B. Completion of BFD training program and operational medical director approval to operate as a medic in the Bentonville Fire Department.
- C. Completion of annual 4-hour CME on Rescue Task Force operations, procedures, and equipment.

315.2 Equipment:

RTF medics will have a full complement of all usual BFD ALS supplies and equipment staged in the external casualty collection point in the "cold" zone.

RTF medics will carry combinations of approved equipment in special packs designed for deployment into "Warm" zones as predetermined and authorized by the BFD operational medical director.

Below is a list of equipment that may be carried including that beyond current BFD Medical Treatment Protocols

- 1) Military Emergency Tourniquet (MET)
- 2) Bolin Occlusive Chest Seal
- 3) Hemostatic granules or impregnated gauze
- 4) 14ga chest decompression needles
- 5) Nasopharyngeal airways
- 6) King LT-D airways
- 7) H-bandage pressure bandage
- 8) Z-pak or other compressed gauze roll

Below is a list of Personal Protective Equipment that each medic on the RTF will be outfitted with prior to deployment into the Warm Zone to mitigate any potential ballistic injury

- 9) Level IIiA Ballistic Tactical Vest with Level IIiA bicep protectors

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10) Level IIIA Ballistic Tactical helmet

315.3 Standard Operating Procedures:

Upon notification of Active Shooter scenario, initial responding patrol officers will form contact teams and enter building to contact and contain the active threat according to current police doctrine.

These contact teams as they move through the building will identify need for the Rescue Task Force by noting and communicating locations and estimated numbers of injured persons

Upon request by the initial contact teams deployed into an active shooter scenario, Rescue Task Force teams will be formed consisting of 2 medics and 2 police patrol officers.

1) Role of the Police Officers

- a) The police officers role is one of security and movement of the team only. They will not assist in lifting, carrying, or treatment of any patient.
- b) One police officer will have 180 degree front security and one officer will have 180 degree rear security.
- c) The front security officer will communicate with Police Command and all movement in the building will be directed by Police Command. This allows for accountability of each RTF team.
 - (1) At no time will the RTF 'freelance' or move outside of their directed destination/area of operation.
- d) At no time will the patrol officers assigned to the team leave the medics further than close direct line of sight.
 - (1) Patrol officers must be able to provide effective defensive fire cover for the team at all times.



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- 2) Role of the BFD Medics
 - a) The RTF medics, when functioning in the WARM Zone, will only provide stabilizing treatment. Standard BFD patient treatment protocols are suspended during RTF operations.

315.4 RTF Ingress and Egress corridors will be designated:

- 3) RTF team will move in and out of the building only through entrances and corridors primarily cleared by the initial contact teams.

315.5 Resupply:

- 4) A resupply depot of RTF supplies and equipment will be established by Fire Command near the entrance through which the RTF teams ingress and egress from the building

315.6 Casualty Collection Points will be designated:

- 1) If appropriate, RTF teams may establish an internal CCP in a hardened area approved by Police Command.
 - a) 1 or 2 RTF teams will be designated to operate this CCP
- 2) A temporary Casualty Collection Point 'way station' will be designated at the location of the external RTF supply depot.
 - a) This is the destination to which RTF teams will evacuate non- ambulatory casualties.
 - b) Non-RTF Fire/EMS personnel will be tasked with immediately evacuating non-ambulatory patients from this temporary CCP to the fixed External CCP in the Cold Zone
- 3) Fire Command will establish an External Casualty Collection Point in the Cold Zone
 - a) Care will be provided by non-RTF BFD medics as well as mutual aid assets.
 - b) Transport assets will be staged at this location



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315.7 Emergency Evacuation Procedures:

- 5) If the Zone in which the RTF is operating changes from Warm to Hot due to a direct and immediate threat, immediate evacuation of the RTF to appropriate cover will occur.
 - a) This may include partial or complete evacuation of the team from the building.
- 6) If any member of the RTF is injured during operations, immediate evacuation of the RTF will occur.
 - a) This may include partial or complete evacuation of the team from the building.

315.8 Standard Medical Treatment Protocols:

Situation(s)- Maintain situational awareness:

- 1) Medic will be aware of surroundings, potential threats such as IEOs, and open routes of rapid egress.
- 2) All patients within a reasonable geographic area, not more than earshot of a quiet voice and direct line of sight from the Patrol officers, should be rapidly triaged using START triage.
- 3) Ambulatory patients should be directed to evacuate area down corridor used for RTF ingress.
- 4) Non-ambulatory patients should be medically stabilized and either evacuated or placed in proper position while awaiting evacuation

• Circulation- Assess for and treat life threatening extremity bleeding

- 1) Direct pressure in the proximal artery, brachial or femoral, should be immediately applied by kneeling on the artery with body weight. This allows for both hands to be free to apply the intervention.
- 2) Tourniquets are to be placed immediately on the following extremity wounds:
 - a) Total or near-total amputations
 - b) Large vessel arterial bleeding
 - c) Massive large vessel venous bleeding

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- d) Any wound that cannot be adequately controlled with a pressure dressing
- e) If any doubt whether the wound requires a tourniquet
- 3) Tourniquets are to be initially placed as proximal as possible on the limb regardless of injury location for rapid control of bleeding; essentially "high and over the clothes."
- 4) Mechanical pressure dressing may be applied for anatomically amenable extremity wounds.
 - a) Deep wounds should be packed with hemostatic agent and gauze to transmit pressure deep into the wound to site of bleeding.

- Airway (A) - Assess for airway patency.
 - 5) Basic airway maneuvers are emphasized
 - 6) Any occluded airway or any patient with altered mental status will have a nasopharyngeal airway placed.
 - 7) Casualty will be allowed to assume any position that best protects the airway, to include sitting up.

- Breathing (B) - Assess for any open or sucking chest wounds.
 - 8) Place the designated occlusive chest seal to any trunk wound anterior or posterior from the umbilicus to the trapezius muscles.

Breathing (B) - Assess for and aggressive treat tension pneumothorax.

- 9) Any patient with known or suspected thoracic injury and any respiratory distress either initially or that develops during care will have a prophylactic needle decompression
- 10) Place needle in the second intercostal space at the mid-clavicular line, ensuring that needle entry is not medial to the nipple line and is not directed towards the heart.
 - a) Catheter will be allowed to vent the intrathoracic space.
- 11) Check tourniquets and pressure dressings for adequacy
- 12) Assess for unrecognized hemorrhage through a comprehensive blood sweep

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- 13) Reassess for respiratory distress and proactively treat if present
- 14) Roll patient and examine posterior for injury
- 15) Place conscious patient in position of comfort and unconscious patient in recovery position while waiting for evacuation

315.9 Evaluate and Evacuate (E) - Communicate with Unified Command team status

- 1) If adequate supplies remain and there are untreated patients further in the building, patrol officers should move team further into building to location of untreated patients
- 2) If no supplies remain or if all patients treated, team should initiate evacuation to available Casualty Collection Point of critically injured according to triage categories.
 - a) Patrol officers escort medics and patient during egress
 - b) Medics evacuate patient using appropriate effective evacuation carry or other evacuation device



Standard Operating Guideline

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Uniforms 401

Effective Date: 3-26-2009

Revised Date: 1-01-2017

Purpose: The purpose of this guideline is to establish proper uniform dress to be followed by the employees of the Bentonville Fire Department.

Policy: Employees of the Bentonville Fire Department should report to their scheduled shift with the approved uniforms. The uniform is a distinctive set of clothing items for the purpose of identifying the individual who wears it as an employee of the Bentonville Fire Department. Uniforms are worn to enhance the professional image of the individual firefighter and thereby the professional image of the entire Bentonville Fire Department and City of Bentonville. Uniforms enable citizens to identify firefighters as the scene of a fire, EMS or at other emergencies, or during non-emergency situation such as inspections and public appearances. Only a Chief Officer can adjust any of the following Uniform SOG's to fit a current situation.

Guideline:

401.1 General Information

- Badges, Insignias shall be furnished by the Bentonville Fire Department when employees are either hired or promoted.
- Upon retirement or death of an employee currently employed with the Bentonville Fire Department, an employee or family shall surrender all protective clothing, badges, insignia and other articles that are property of the City of Bentonville unless deemed by the Chief that certain articles may be kept under certain circumstances.
- Upon resignation or termination, the employee shall surrender all protective clothing, badges, insignias and other articles that are the property of the City of Bentonville.
- All personnel are responsible for the maintenance of their uniforms. Uniforms must be maintained in good and presentable condition. Faded, torn, stained or dirty uniform components will not be accepted and must be replaced with employee's current uniform budget.
- All personnel may wear the official Bentonville Fire Department short/pants as sleeping attire after 1700 hours or when exercising at

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the station. If exercising, you must change back into official uniform immediately after workout.

- At no time shall any employee wear any item issued to them by the Bentonville Fire Department or City of Bentonville, for any other place of employment.
- Of all issued Bentonville Fire Department uniforms, only T-Shirts and hats may be worn off duty with certain considerations, unless representing the Bentonville Fire Department or the City of Bentonville. In this general case appropriate uniform is acceptable.
- Personnel shall wear a high visibility vest while operating on all automobile traffic ways per SOG 504. Alternative high visibility coats may be purchased using uniform allowance that meets or exceeds all Code of Federal Regulations (CFR) Title23, Section 634, and National Fire Protection Association (NFPA) Standard 1500 A.8.7.10.
- Uniform Classifications: All include matching uniform pants.
 - o Class "A"- Includes double breasted suit coat and pants, with Class "B" dress shirt.
 - o Class "B"- Includes White or Navy Dress Shirt with Brass
 - o Class "C"- Includes White or Navy Golf shirt or Sweatshirt with name, rank and emblem embroidery.
 - o Class "D"- Includes Navy Long or Short Sleeve T-Shirt.

401.2 Chief Officers

- Suits

Class "A"- Includes double breasted suit and matching pants to be worn in conjunction with Class "B" white shirt. Dress coat shall also have a full complement of gold brass which includes larger badge on left breast, gold buttons and appropriate collar brass on each lapel. Class "B" white shirt shall also be worn with the required brass. Rank will be distinguished by stripes on both sleeves. Gold Maltese crosses will be placed on the left sleeve and receive 1 cross for every 5 years of service. These crosses will

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run parallel to the cuff or a rank stripe if present. No more than three crosses in a row on the cuff, if more crosses are needed, another row shall be started above the other crosses. As an alternative, if the double breasted coat is not going to be removed, a regular white dress shirt may be worn with required collar brass.

- Two gold stripes on each sleeve shall designate Captain
- Three gold stripes on each sleeve shall designate Battalion Chief or Division Chief.
- Four gold stripes on each sleeve shall designate Deputy Chief.
- Five gold stripes on each sleeve shall designate Fire Chief.

- **Shirts**

Chief Officers may wear either Class "A", "B" or "C" during normal shift activities and Class "D" when in station, physical fitness or at fire scenes.

1. Class "B"- Includes white button down shirts to be worn with a full complement of brass. To be worn during a scheduled event where contact with the Public inside or outside the station will take place.
2. Class "C"- Includes White Golf Shirt or Sweatshirt with name, rank and emblem embroidery. Class "C" shirts are worn during day-to-day operations which includes some public contact where Class "B" will not be needed. This will be the decision of the Chief Officer.
3. Class "D"- Includes Navy Long or Short Sleeve T-Shirt. T-Shirts shall only be worn in station during physical fitness or any other in station activity where no public contact will be initiated or when Firefighting protective gear is donned. At no time shall any other T-Shirt be worn in the place of the primary "Bentonville Fire Department" T-Shirt. Any specialty shirts that are purchased from the approved uniform list or any shirt purchased outside the department are not allowed to be worn on duty unless specifically training for that specialty event.

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- **Pants:**
May either wear option of issued EMS pants or slacks navy in color.
- **Duty Shorts:**
At no time shall Duty Shorts be worn by a Chief Officer.
- **Shoes or Boots:**
Chief, Deputy Chief, Battalion Chief and Division Chiefs will be required to abide by the regulation allowance and purchase any black shoe of choice that holds a shine.
- **Necktie:**
Shall be worn at the discretion of a Chief Officer or when attending a funeral or visitation. To be navy in color.
- **Belt:**
Black basket weave with brass (gold) "D" style type buckle.
- **Socks:**
Dark socks will be worn with any shoe or ankle high boot. If dark socks cannot be worn for medical reasons, the Fire Chief may grant permission to wear white.
- **Cap**
Navy baseball cap with Bentonville Fire Department logo embroidered on the front. Navy or black stocking cap is optional while working in the element of winter. The stocking cap is not to be worn in place of or in conjunction with the protective clothing hood. Under no circumstances shall this cap be used in any situation involving a fire or the potential of a fire situation.

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- **Tactical Coat**
Navy colored Tactical coat that is issued by the Bentonville Fire Department will be worn only when on duty or during a Fire Department event. At no time will the coat be worn while not being in uniform attire. Coats will be worn with full complement of brass which includes coat badge; BFD's or bugles on the collar. A name plate is not required on the Tactical Coats due to the damage that may be caused to the Coat caught when the nameplate is removed. Patches will be a Bentonville Fire Department patch on the left shoulder and an appropriate EMT or Paramedic patch on the right shoulder. In place of a medical certification patch, a "right sleeve" American Flag patch may be worn on the Tactical jacket right sleeve.

401.3 Operations Division.

- **Suits**
Class "A"- Includes double breasted suit and matching pants to be worn in conjunction with Class "B" Navy shirt with full complement of gold or rhodium brass. Dress coat shall also have a full complement of gold or rhodium brass which includes larger badge on left breast, gold or silver buttons and appropriate collar brass on each lapel. Rank will be distinguished by stripes on both sleeves. Gold or Silver Maltese crosses will be placed on the left sleeve and receive 1 cross for every 5 years of service. These crosses will run parallel to the cuff or a rank stripe if present. No more than three crosses in a row on the cuff, if more crosses are needed, another row shall be started above the other crosses.
 - No stripe shall designate Firefighter.
 - One Silver stripe on each sleeve shall designate Color Guard.
 - One gold stripe on each sleeve shall designate Lieutenant.
 - Two gold stripes on each sleeve shall designate Captain.
- **Shirts**
Class "B"- Includes Navy button down shirts to be worn with a full complement of brass. To be worn during a scheduled event where contact with the Public inside or outside the station will take place.

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- Class "C"- Includes Navy Golf Shirt with name, rank and emblem embroidery. Golf shirts will be worn during any scheduled event where contact with the Public inside or outside the station will take place.
- Class "D"- Includes Navy Long or Short Sleeve T-Shirt. T-Shirts shall only be worn in station during physical fitness or any other in station activity where no public contact will be initiated. T-Shirts may be worn in public only when firefighting protective gear is donned for firefighting purposes. At no time will protective equipment be donned just so a T-shirt can be worn in public. A Class "C" shirt will be worn at all times during EMS and Public contact if no fire emergency is present with or without protective gear donned. Only specialty shirts that are purchased from the approved uniform list will be allowed to be worn on duty at the deaccession of the Station Captain.
- Pants
May either wear option of issued EMS pants or slacks navy in color.
- Duty Shorts
Optional navy short purchased only from the Bentonville Fire Department uniform list and may be worn when meeting the following requirements. Duty shorts may only be worn from April 15th thru October 15th with short white or black socks. Black tennis shoes will be required when wearing duty shorts. The Bentonville Fire Department will not supply the black shoes required to wear duty shorts and must be purchased outside the department and the purchaser will not be reimbursed by the City of Bentonville. If black tennis shoes are not available, duty Shorts are not to be worn.
- Shoes or Boots
Black in color, plain toes and made of a material capable of maintaining a shine. Canvas, slippers and deck shoes are not acceptable. Black tennis shoes purchased outside the Bentonville Fire Department can only be used during the wearing of duty shorts or Physical fitness and may not be worn with any other uniform attire.

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- **Necktie**
Shall be worn at the discretion of a Chief Officer or when attending a funeral or visitation and will be navy in color.
- **Belt**
Black basket weave belt with silver "D" style type buckle.
- **Socks**
Dark socks will be worn with any shoe or ankle high boot. If dark socks cannot be worn for medical reasons, the Fire Chief may grant permission to wear white.
- **Cap**
Navy baseball cap with Bentonville Fire Department logo embroidered on the front. Navy or black stocking cap is optional while working in the element of winter. The stocking cap is not to be worn in place of or in conjunction with the protective clothing hood. Under no circumstances shall this cap be used in any situation involving a fire or the potential of a fire situation.
- **Tactical Coat**
Navy colored Tactical coat that is issued by the Bentonville Fire Department will be worn only when on duty or during a Fire Department event. At no time will the coat be worn while not being in Bentonville Fire Department uniform attire. Coats will be worn with full complement of brass which includes coat badge; BFD's or bugles on the collar. A name plate is not required on the Tactical Coats due to the damage that may be caused to the Coat caught when the nameplate is removed. Patches will be a Bentonville Fire Department patch on the left shoulder and an appropriate EMT or Paramedic patch on the right shoulder. In place of a medical certification patch, a "right sleeve" American Flag patch may be worn on the Tactical jacket right sleeve.

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401.4 Part-Paid Personnel.

- **Shirts**
Class "B"- Includes Navy button down shirts to be worn with a full complement of brass. To be worn during a scheduled event where contact with the Public inside or outside the station will take place
- Class "C"- Includes Navy Golf Shirt with name, rank and emblem embroidery. Golf shirts will be worn during any scheduled event where contact with the Public inside or outside the station is required.
- Class "D"- Includes Navy Long or Short Sleeve T-Shirt. T-Shirts shall only be worn in station during physical fitness or any other in station activity where no public contact will be initiated.
- **Pants**
May either wear option of issued EMS pants or slacks navy in color.
- **Duty Shorts**
Optional navy short purchased only from the Bentonville Fire Department and is not a standard issued item for a part-paid firefighter. Duty Shorts may be worn when meeting the following requirements. Duty shorts may only be worn from April 15th thru October 15th with short white or black socks. Black tennis shoes will be required when wearing duty shorts. The Bentonville Fire Department will not supply the black shoes required to wear duty shorts and must be purchased outside the department. If black tennis shoes are not available, Duty shorts are not to be worn.
- **Shoes or Boots**
Black in color, plain toes and made of a material capable of maintaining a shine. Canvas, slippers and deck shoes are not acceptable. Black tennis shoes purchased outside the Bentonville Fire Department can only be used during the wearing of Duty shorts or Physical fitness and may not be worn with any other uniform attire.

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- Necktie
Shall be worn at the discretion of a Chief Officer or when attending a funeral or visitation and will be navy in color.
- Belt
Black basket weave belt with silver "D" style type buckle.
- Socks
Dark socks will be worn with any shoe or ankle high boot. If dark socks cannot be worn for medical reasons, the Fire Chief may grant permission to wear white.
- Cap
Navy baseball cap with Bentonville Fire Department logo embroidered on the front. Navy or black stocking cap is optional while working in the element of winter. The stocking cap is not to be worn in place of or in conjunction with the protective clothing hood. Under no circumstances shall this cap be used in any situation involving a fire or the potential of a fire situation.
- Tactical Coat
Navy colored Tactical coat that is issued by the Bentonville Fire Department will be worn only when on duty or during a Fire Department event. At no time will the coat be worn while not being in uniform attire. Coats will be worn with full complement of brass which includes coat badge; BFD's or bugles on the collar. A name plate is not required on the Tactical Coats due to the damage that may be caused to the Coat caught when the nameplate is removed. Patches will be a

Bentonville Fire Department patch on the left shoulder and an appropriate EMT or Paramedic patch on the right shoulder. In place of a medical certification patch, a "right sleeve" American Flag patch may be worn on the Tactical jacket right sleeve.

401.5 Badges, Hardware and Patches

- Badge
Firefighters will be issued two badges that will be specific to persons rank. One

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badge will be for Class "B" Shirt and on for Tactical Coat.

- Rhodium badge with fire scramble center will be rank of Firefighter.
- Hi-Glo gold badge with single gold bulge scramble shall be rank of Lieutenant.
- Hi-Glo gold badge with two parallel gold bugle scramble shall be rank of Captain.
- Hi-Glo gold badge with 3 crossed gold bugle scramble shall be rank of Battalion Chief or Division Chief.
- Hi-Glo gold badge with 4 crossed gold bugle scramble shall be rank of Deputy Chief.
- Hi-Glo gold badge with 5 crossed gold bugle scramble shall be rank of Chief.
- Hardware

This includes collar insignia such as B.F.D.'s and bugles that are applied on class "B" white or Navy shirts.

 - Silver B.F.D.'s will be worn on both shirt collars at rank of Firefighter.
 - Gold B.F.D. will be worn on left collar and single gold bugle on right collar at rank of Lieutenant.
 - Gold B.F.D. will be worn on left collar and a parallel gold bugle on right collar at rank of Captain.
 - Gold B.F.D. will be worn on left collar and a 3 crossed gold bugles on right collar at rank of Battalion Chief or Division Chief.
 - Gold B.F.D. will be worn on left collar and a 4 crossed gold bugles on right collar at rank of Deputy Chief.
 - Gold B.F.D. will be worn on left collar and a 5 crossed gold bugles on right collar at rank of Chief.
- Patches

Bentonville Fire Department patch will be 1" down from shoulder seam centered on left sleeve. EMS patch will be 1" down from shoulder seam centered on right sleeve.

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- Embroidery
Sweatshirts, Golf shirts, T-shirts, sleep shorts, will be either embroidered or have a screen printed logo located somewhere on the article of clothing. Shirts will contain logo on left chest and name and rank on right chest. Shorts and T-shirts will have screen print on front and or back of clothing.

401.6 Mandatory Uniform

It will be the responsibility of each employee to maintain and keep in stock all uniforms items needed to perform your job. All firefighters should have a minimum set of three shirts, three pants. All Chiefs working five days a week should have a minimum set of five shirts and five pants.

Uniforms Issued

All new full time shift employees will be issued a basic standard list of items as follows:

- 3 Navy Pants (EMS or Slacks)
- 1 basket weave "D" buckle belt (Gold or Silver)
- 1 Class "B" white or Navy Short sleeve shirt.
- 1 Class "B" white or Navy Long sleeve shirt.
- 3 navy or white Short Sleeve Golf Shirts.
- 1 navy tie
- 3 Short sleeve Navy T-shirts.
- 3 Navy, gray or white Sweatshirts (Job Shirt).
- 1 pair black boots of employee's choice that meet SOG requirements.
- 1 navy tactical coat.
- 2 navy ball caps.
- 2 navy sleeping shorts.
- 2 badges of appropriate rank.
- 2 sets of B.F.D.'s, Chief Officers receive 1 set B. F. D's and 1 set bugles.
- 2 gold or silver nametags.

All new full time 40-hour week employees will be issued a basic standard list of items as follows:

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- 5 Navy Pants (EMS or Slacks)
- 1 basket weave "D" buckle belt (Gold or Silver)
- 1 Class "B" white or Navy Short sleeve shirt.
- 1 Class "B" white or Navy Long sleeve shirt.
- 5 navy or white Short Sleeve Golf Shirts.
- 1 navy tie
- 5 Short sleeve Navy T-shirts.
- 5 Navy, gray or white Sweatshirts (Job Shirt).
- 1 pair black boots of employee's choice that meet SOG requirements.
- 1 navy tactical coat.
- 2 navy ball caps.
- 2 navy sleeping shorts.
- 2 badges of appropriate rank.
- 2 sets of B.F.D.'s, Chief Officers receive 1 set B. F. D's and 1 set bugles.
- 2 gold or silver nametags

401.7 Optional Uniforms.

The following optional uniform privileges can be removed from service at any time standards are abused or not met.

- Duty shorts
- Any tools, caps, gloves etc., that are issued or purchased from the City of Bentonville Fire Department website.

401.8 EMS Bike Uniforms.

Specific bike uniforms are allowed for approved members of the Bike Team. The Uniform selected gives the rider higher visibility, safety and comfort while riding. The Uniform may be adapted in circumstances that call for additional clothing and equipment. Circumstances include, but are not limited to; extreme low temperatures, extreme high temperatures and precipitation. Helmets that take direct impact in a crash will be discarded and replaced. At no time will any bike uniforms or equipment purchased by the Bentonville Fire Department or City of Bentonville be worn or used off duty.

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Bike Uniforms and equipment are as follows:

- Helmet (with winter and summer liner).
- High visibility sweat wicking golf shirt.
- Bike shorts.
- Shoes will follow SOG 400.3 for duty shorts (exception for shoes designed for clip-less pedal systems).
- Bike Gloves.
- Bike Pants.
- Eye protection (safety glasses clear or tinted or personally provided equivalent).

Optional equipment:

- Padded bike shorts.
- Cold weather gear for arms and legs and hands.

401.09 Awards/Commendation bars

Any awarded commendation bars will be worn on the class "B" shirt and is considered a permanent part of the uniform brass. The bar is to be centered over the left pocket below the badge, if multiple bars are displayed; they will be centered with a maximum of three bars before a second row is required.

401.10 Uniform Regulations.

- All Uniforms are to be kept neat and clean and to be replaced when starting to look worn. At no time will any other patches or other items be worn on department uniforms. Only articles approved by the Fire Chief may be worn at part of the Bentonville Fire Department uniform.

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- No personnel shall be in Public with anything lower than a Class "C" uniform. This includes inspection, tours and emergency responses. Fire responses or fire training is the only time a Class "D" uniform can be present in Public while on duty.
- At no time will any uniform issued by the City of Bentonville that displays the Bentonville Fire Department name, logo or any other official mark, cannot be worn, displayed or traded in any bar or drinking establishment except for official duty purposes. This includes any place deemed inappropriate by the Bentonville Fire Department or City of Bentonville.
- Duty shorts will be worn only during the proper time of the year as specified. Duty shorts will be worn with no lower than a Class "C" shirt on ambulance responses. When response involves MVA or a possibility of bodily fluids being present, bunker pants must be worn in conjunction with no lower than a Class "C" shirt.
- At no time will work out shorts, sweatpants or any other non-uniform item stated in the SOG be worn outside the firefighter respective station. This includes leaving the property of the respective station in a City of Bentonville vehicle to go to another station. At any time, you have left a station in a city vehicle, you may be required to make contact with the public. If you leave the respective station in workout shorts or sweatpants, protective pants must be in place from time you leave your respective station till you return.

401.11 Surrender of Uniforms

When a city employee leaves the City of Bentonville, including termination, all city issued items that were obtained through the City of Bentonville uniform Portal, or ways there-of, will be returned to the Bentonville Fire Department.

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Hose Testing 403

Effective Date: 7-8-2003

Revised Date: 1-01-2017

Purpose: To establish a standard relating to the testing of fire hose.

Policy: All Members of the Bentonville Fire Department.

Guideline:

403.1 General

- A. All Fire hose shall be maintained according to manufacturer's recommendations and Departmental guidelines.
- B. All fire hose shall be tested annually.
- C. Records shall be kept on each piece of fire hose used by the department.

403.2 Responsibility

- A. The Officer-In-Charge shall insure that proper care and procedures are utilized during the testing of fire hose.
- B. All members shall utilize the proper procedures and provide the proper care when testing fire hose.

403.3 Procedure

- A. Testing
 - 1. Fire Department hose shall be tested annually.
 - 2. Hose will be tested in April starting the first week if possible.
 - 3. After filling the hose, the discharge valves being used should be "choked" down as much as possible to reduce the volume of water that may potentially be released in case of a burst hose line, while still being able to maintain the proper pressure for the test.
 - 4. All Fire Attack hose shall be tested at 300 p.s.i. for three (3) minutes. 5" Supply or other vinyl jacketed supply hose shall be tested at 200 p.s.i. for three (3) minutes. At no time will the test pressure exceed the "Service Test Pressure" marked on hose.

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5. Stretch hose and connect lengths into lines not more than 300 hundred feet long.
6. Tag defective hose, with the designated color tape and notify the testing recorder of the defective hose.
7. Make appropriate entries in Hose Records and Firehouse.

403.4 Fire Hose Numbering

1. All fire hose will be numbered for easy identification regarding the year purchased. The following procedure will be used to identify hoses before they are put into service. Hose will be stamped on both couplings.
 - a. Year purchased and number in order from 01 to 99.
Example: 03-01 is the first hose purchased in 2003.

403.5 Damaged Hose

A. Repairable Damaged Hose Placed out of service.

1. Tag hose at male coupling indicating type and location of damage.
2. Store damaged hose in rolls with male coupling exposed.
3. If hose is to be re-coupled, coordinate with the station 1 Captain.
4. Hose which has been repaired shall be tested and all appropriate information recorded prior to placing back in service.

B. Un-repairable Damaged Hose.

1. Remove from service
2. Tag hose as "un-repairable".
3. Testing officer shall see that both couplings are cut off hose.
4. Hose that fails an annual test may be kept for maintenance use, training or held for the City auction.
5. All fire hose records shall be maintained in Firehouse.

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Standard Operating Guideline

Training/Safety 500

Training 506

Effective Date: 3-26-2002

Revised Date: 1-1-2017

Purpose: To maintain and expand a comprehensive program for training and continuing education for members of the Bentonville Fire Department.

Policy: The Bentonville Fire Department shall provide a regular and continuous standardized training program to its members.

- All Fire Department Operations and Part-Paid personnel shall participate in the departmental training program. If members are found not to participate or do not meet minimum requirements may be subject to termination.

Guidelines:

506.1 Authority and Responsibility:

- A. The authority and responsibility for the adoption and approval of various training requirements shall be vested in the Fire Chief.
- B. The Training Officer shall be responsible for:
 1. Development of a monthly training schedule.
 2. Working in close conjunction with the Battalion Chiefs in matters related to training.
 3. Evaluating continuity of training between Companies'.
 4. Scheduling entry level training.
 5. Arranging for and scheduling special training sessions.
- C. The Battalion Chiefs shall be responsible for:
 1. Evaluating the training needs of their respective personnel.
 2. Coordinating with the Training Officer in matters related to training.
 3. Coordinating with their respective Captains training needs and requirements.
 4. Providing overall management and guidance to their respective shifts in matters related to training.

Bentonville Fire Department
Courage, Integrity and Compassion
1 | Page



Standard Operating Guideline

Training/Safety 500

Training 506

Effective Date: 3-26-2002

Revised Date: 1-1-2017

- D. Captains shall be responsible for:
 - 1. Monitoring training needs of their respective personnel and other personnel who may be assigned to their shift.
 - 2. Coordinating with their Battalion Chief in matters related to training.
 - 3. Scheduling routine daily training sessions and drills for their respective station.
 - 4. Ensuring the monthly training guideline is presented and taught to their respective Company.
 - 5. Ensuring that all training is recorded in the departments Fire House computer program.

506.2 Areas of Training and Requirements

- A. A minimum annual average of twenty hours of training is required per person per month.
- B. At least one hour of company training per shift on unscheduled training days should be held. This will be at the discretion of the station Captains.
- C. Training on weekends is at the discretion of the Battalion Chief or the Training Officer.



Standard Operating Guideline

Training/Safety 500

Driver/Engineer 507

Effective Date: 1-1-2016

Revised Date: New

Scope: This standard identifies the minimum job performance requirements for career and volunteer firefighters and Fire Brigade members who drive and operate fire apparatus.

Purpose: The purpose of this standard shall be to ensure that persons meeting the requirements of this standard who drive and operate fire apparatus are qualified.

Guideline:

507.1 The fire department vehicle driver/operators shall be licensed to drive all vehicles they are expected to operate.

507.2 All driver/operators who drive fire apparatus shall meet the objectives set forth by the Bentonville Fire Department for each type of apparatus they will be expected to operate. It will be set that the requirements for Driver/Operator (Engineer) candidate shall have to meet the following requirements before he/she will be approved to test.

- A firefighter shall only be issued an Engineer study packet no less than 180 days from hire or after his 180 day evaluation with approval of his Battalion Chief.
- The Firefighter is in good standing with the City of Bentonville and the Bentonville Fire Department.
- If any corrective actions have been filed toward the firefighter before or after his/her 180 days, testing will not be allowed until the next testing date.
- IFSAC or AFA approved Driver/Operator course.

507.3 It will be the responsibility of the firefighter that all requirements and training is achieved and is located in the Training Officers files.

507.4 It is solely the firefighter's responsibility to obtain the required study material given out by the Training Officer. The Engineer test will only be administered one (1)

Bentonville Fire Department
Courage, Integrity and Compassion
1 | Page



Standard Operating Guideline

Training/Safety 500

Driver/Engineer 507

Effective Date: 1-1-2016

Revised Date: New

time a year. If your 180 day evaluation falls after the test date, you will be required to wait till the next Engineer test date given.

Testing may or may not include the following topics:

- Preventive Maintenance
 1. Batteries
 2. Braking System
 3. Coolant System
 4. Electrical System
 5. Fuel
 6. Hydraulic Fluids
 7. Oil
 8. Tires
 9. Steering System
 10. Belts
 11. Tools, appliances, and equipment.
- Fire Pump Apparatus
 1. Water tank and other extinguishing agent levels
 2. Pumping systems
 3. Foam Systems
- Aerial Devices Apparatus
 1. Cable Systems
 2. Aerial device hydraulic systems
 3. Slides and rollers
 4. Stabilizing systems
 5. Aerial device safety systems
 6. Breathing air systems
 7. Communication systems
- Wild land Apparatus
 1. Water tank and/or other extinguishing agent levels

Bentonville Fire Department
Courage, Integrity and Compassion
2 | Page



Standard Operating Guideline

Training/Safety 500

Driver/Engineer 507

Effective Date: 1-1-2016

Revised Date: New

2. Pumping systems

3. Foam systems

507.5 To obtain the qualification of Engineer, the following conditions have to be met.

- All required JPR are achieved set forth by the Bentonville Fire Department and complete with a passing grade.
- Complete the written exam with a passing score.
- Complete the practical exam with a passing score.
- IFSAC approved Driver/Operator course.

507.6 Engineer testing will be held yearly.

The Fire Chief reserves the right to change any of these qualifications or requirements as he/she sees fit to better protect the citizens of Bentonville and the Bentonville Fire Department.



Standard Operating Guideline

Emergency Medical Service 600

EMS Bike Team 603

Effective Date: 1-1-2017

Revised Date: New

Purpose: To provide EMS coverage to otherwise difficult areas to access wheather it is an event with large crowds or rugged terrain where motorized vehicles cannot access.

Definitions: EMS bike teams are made up of two off road bicycles that require one Paramedic and EMT to operate. They carry the required supplies to begin basic life support to a Patient till other apparatus and personnel arrive.

Guideline

603.1 The EMS Bike Team is a very high profile unit. All members are to keep this in mind while representing the Bentonville Fire Department. Members should make every attempt to speak to the public and develop a positive relationship with the public while on-duty. Members should be aware that they are objects of intense public attention and should put forth the effort to maintain a professional image.

603.2 Uniform for the Bike Team shall consist of approved garments purchased on Departments Uniform Portal. An approved bicycle helmet and eye protection (safety sunglasses or clear safety glasses) must be worn whenever operating a bike.

603.3 An equipped EMS Bicycle shall not be operated by anyone other than a member of the Bentonville Fire Department EMS Bike Team. Only personnel that have completed the required bike training course are allowed to operate on the EMS Bike Teams. At no time, will a person not having a certificate on file with the Training Officer; be permitted to participate on the EMS Bike Team.

603.4 Every accident involving personal injury or damage to the issued equipment must be reported to a chief officer. If a member of the public is injured due to a collision with a bike team member, contact dispatch to request an ambulance and Battalion Chief to respond to the accident location.

603.5 Upon arrival to a scene, members will place their bicycles between themselves and gathering crowds whenever possible. Notify Dispatch of the exact location of the call to assist additional units with locating you and the patient.

Bentonville Fire Department
Courage, Integrity and Compassion
1 | Page



Standard Operating Guideline

Emergency Medical Service 600

EMS Bike Team 603

Effective Date: 1-1-2017

Revised Date: New

603.6 The requirement that each EMS Bike Team member sign up for a minimum of one EMS Bike Team standby per Calendar year to remain active on the EMS Bike Team.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING REVISED STANDARD
OPERATING GUIDELINES FOR THE CITY OF
BENTONVILLE FIRE DEPARTMENT.**

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

Section 1: That revised Standard Operating Guidelines for the Bentonville Fire Department, as referenced in the attached summary of changes and attached fully hereto as amended, should be and is hereby adopted.

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

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Brent Boydston

Department

Fire

Phone

271-5927

ACTION REQUIRED:

Fire Department Staff recommends Council approve a resolution accepting the Emergency Medical Services (EMS) Agreement with Benton County. Benton County will pay the City of Bentonville \$80,000.00 to provide EMS to the unincorporated area of Benton County.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





Inter-office Memorandum

To: Mayor McCaslin and City Council
From: Brent Boydston, Fire Chief
CC: Camille Thompson, Staff Attorney and Denise Land, Finance Director
Date: February 28, 2017
Re: Emergency Medical Service Agreement with Benton County

Fire Department Staff recommends Council approve a resolution to provide Emergency Medical Services (EMS) for unincorporated Benton County.

Benton County will pay the City of Bentonville \$20,000.00 quarterly for EMS service.

This agreement is for January 1, 2017 through December 31, 2017. If there are no changes to the agreement, the agreement will automatically renew on January 1, 2018.

AGREEMENT FOR EMERGENCY MEDICAL SERVICES

THIS AGREEMENT entered into between Benton County, a political subdivision of the State of Arkansas, and the City of Bentonville, Arkansas, a municipal corporation of the State of Arkansas, hereinafter referred to as "CONTRACTOR", pursuant to ACA § 14-266-101, and for and in consideration of the mutual covenants and agreements herein set forth:

1. In exchange for the consideration to be paid by Benton County described herein, CONTRACTOR agrees to provide area coverage for emergency medical services to an area of unincorporated Benton County described in attachment "A." The services to be provided are as follows:

(a) Emergency response by trained personnel to matters reasonably requiring such response, including but not limited to traffic and other accidents, other incidents resulting in injury to persons, and other emergency medical response.

(b) One-way transportation for emergency medical care by advance life support ambulance (as that term is defined under Arkansas law and/or the regulations of the Arkansas Department of Health) to an emergency medical facility.

(c) Emergency care while en route to the emergency medical facility by qualified medical personnel.

2. Term of Agreement. This Agreement will be for a one year term beginning January, 201 and will automatically renew each following year unless terminated in writing. The provision of this Agreement may be renegotiated annually by the parties.

3. The ability of the County to monitor and evaluate the effectiveness of its EMS delivery system is greatly dependent upon the availability of valid data and statistical analysis that measures system performance including both clinical and financial outcomes. The contractor shall provide detailed and periodic reporting as follows:

A. Operational Reporting Requirements: The contractor shall provide within 30 days after each quarter, reports detailing its performance during the preceding quarter as it relates to emergency medical services provided pursuant to this agreement. At a minimum, the contractor will include the following in its operational quarterly reports:

- Total responses
- Total transports

4. In exchange for the services provided hereunder, CONTRACTOR shall be paid by Benton County the sum of \$80,000.00. Said amount shall be paid in quarterly installments upon CONTRACTOR rendering a bill to Benton County reflecting the amount to be due per quarter.

5. CONTRACTOR may also require payment of user fees by individuals receiving the services contemplated hereunder or their insurers as may be allowed by law. Benton County shall have no liability to CONTRACTOR for any user fees it is unable to collect.

6. CONTRACTOR shall be responsible for all expenses of personnel and materials related to carrying out its obligations hereunder. CONTRACTOR shall pay any and all applicable

taxes regarding its operations, including specifically taxes related to its employees. CONTRACTOR shall also pay for any required insurance for their employees for worker's compensation.

7. CONTRACTOR covenants and agrees to perform the services provided by this agreement to the best of its ability. It may enter into mutual aid agreements with other providers of emergency medical services as it sees fit to carry out this contract in the same manner as the services it provides within its city limits or elsewhere.

8. Either party shall be entitled to terminate this agreement on thirty days written notice.

9. Notwithstanding anything contained in this Agreement for Emergency Medical Services to the contrary, in the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable in any fiscal period for any payments due under the agreement, including any extensions or renewals thereof, Benton County will notify CONTRACTOR of such occurrence and the agreement shall terminate on the last day of the fiscal period for which appropriations were received.

10. This agreement is drawn to be effective in and shall be construed in accordance with the laws of the State of Arkansas. No amendment or variation of the terms of this agreement shall be valid unless made in writing and signed by the party to be charged.

WITNESS the hands and seals of the parties as of the _____ day of _____, 2017.

BENTON COUNTY, ARKANSAS

By: _____
HON. Barry Mochring, Benton County Judge

CITY OF BENTONVILLE, ARKANSAS

By: _____
HON. Bob McCaslin, Mayor

Attest: Linda Spence, City Clerk

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY
CLERK TO ENTER INTO AN AGREEMENT FOR
AMBULANCE SERVICE WITH BENTON COUNTY,
ARKANSAS.**

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

Section 1: That the Mayor and Clerk should be and are hereby authorized to enter into an agreement for ambulance service with Benton County, Arkansas, as attached hereto as Exhibit.

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Brent Boydston

Department

Fire

Phone

271-5927

ACTION REQUIRED:

Fire Department Staff recommends Council allow the Mayor and City Clerk to enter in to a contract with Emergency Services Group International (ESGI) for continuing education for Active Shooter and Rescue Task Force (RTF) training.

COST TO CITY:

Cost of this Request: \$31,740

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





Inter-office Memorandum

To: Mayor McCaslin and City Council
From: Brent Boydston, Fire Chief
CC: Camille Thompson, Staff Attorney and Denise Land, Finance Director
Date: February 28, 2017
Re: Active Shooter and Rescue Task Force (RTF)

Fire Department Staff recommends Council allow the Mayor and City Clerk to enter in to a contract with Emergency Services Group International (ESGI) for training on Active Shooter and Rescue Task Force.

With the help of a grant in 2014, the Bentonville Fire Department and Bentonville Police Department received training from ESGI for Active Shooter and Rescue Task Force.

The Fire Department and Police Department budgeted money in 2017 to have ESGI return for continuing education in Active Shooter and Rescue Task Force (RTF).

ESGI will deliver a three-day course consisting of, Tactical Emergency Critical Care (TECC) and new issues, concerns, challenges for Active Shooter/Violence Response, First Care Provider Course, and Tabletop Exercise for law enforcement and fire department leadership.



ESGI/ Bentonville Arkansas Fire Department
Statement of Work

Version 1.0
February 6, 2017

Presented by:
John Delaney, Partner, ESGI

Time and materials

<i>Client name</i>	Bentonville Arkansas Fire Department
<i>Client's administrator</i>	Chief Brent Boydston
<i>Project name</i>	Bentonville Fire Department – Phase II
<i>Engagement duration</i>	3.0 Business Days
<i>Begin date</i>	April 24, 2017
<i>End date</i>	April 26, 2017

Schedule of rates

<i>Item description</i>	<i>Delivery schedule (Business days)</i>	<i>Cost</i>
Active Violence Response and TECC Training	04/24, 04/25, 04/26	\$ 31,740

Payment terms

<i>Phase</i>	<i>Completion date</i>	<i>Payments due</i>
Enrollment		None
Delivery		None
Course Completion		COB 04/26/2017

Statement of work

Assumptions

ESGI will be primarily responsible for creating, delivering, validating, and auditing training content. Bentonville Fire Department will provide ESGI all related policies, protocols, standard operating procedures related to active violence operations and treatment prior to training.

Course will include:

Day 1- Update for TECC and new issues, concerns, challenges for Active Shooter/Violence Response
Day 2 – Morning -- First Care Provider Course
Day 2 – Afternoon – Tabletop Exercise for LE and FD Leadership
Day 3 – “No-Notice” Drills at various locations throughout the community

Change management process

Feedback from course participants will be evaluated by ESGI for both didactic and practical sessions for course optimization. Modifications to the course curriculum may be offered/executed based upon this feedback at the discretion of ESGI, LLC.

Engagement related expenses

Each party will bear its own costs and liabilities arising out of its obligation and efforts under this Agreement during the entirety of this agreement. Nothing herein shall be construed as providing for the sharing of profits or losses arising out of the efforts of either or both of the parties.

Professional services agreement

Both parties agree that this Agreement does not grant or confer any right, title, or interest in the other's equipment, software, documentation, or other products which may have been provided under this Agreement. Intellectual property ("IP") conceived or created pursuant to the Agreement will remain the property of the originating party. In the event of joint IP, the parties will engage in good-faith negotiations to establish their respective rights. Failing agreement, each party will have equal ownership and rights in such joint IP, without further obligation to the other party.

ESGI and the Bentonville Fire Department agree that they are entering into this Agreement on an exclusive basis for the course "RTF Instruction and Command Tabletop." Both parties agree that ESGI will be the only entity teaching the program. All intellectual property such

as training materials, slides, handouts, or any other materials authored by ESGI will remain the property of ESGI and be used accordingly by the Bentonville Fire/Police Department or other entity taking the instruction subject to the terms herein.

Course Descriptions:

Tactical Emergency Casualty Care Update – this 4 hour course will provide new information, data, procedures, and changes to the guidelines for those already trained in TECC. The course will also provide a refresher on TECC interventions and test the skills and abilities of each participant.

Active Violence/ High Threat Response Update – this 4 hour course will look at the new types of threats, issues and operational challenges facing first responders. The course will look at new TTP being used internationally and nationally by terrorists and criminals that first responders need to take into consideration. The course will review recent incidents and circumstances within those events that pose potential problem for emergency responders; such as, doomed hostages, threats to hospitals and medical infrastructure, operations in and around unexploded IEDs, command considerations, UAVs and fire as a weapon.

First Care Provider Course – in an effort to address the “whole of community” preparedness, this course will provide medical education and training to civilian personnel for application in various emergency situations incidents and environments. The course will give an overview of the history, science and evolution of TECC; types of injuries and applicable TECC interventions to improve survival including developing hands-on proficiency with: Bleeding control, simple airway management and body positioning, recognition and simple management of chest and torso injury, recognition and simple management of shock and prevention of hypothermia, simple wound care and efficient patient movement.

Tabletop Exercise – a facilitated exercise designed for incident commanders from law enforcement and fire to operate in a Unified Command to effectively and efficiently manage an active violence response.

No Notice Exercises – multiple small scale exercises will be conducted at various locations throughout the community. The locations will be actual facilities, businesses or occupancies; such as, church, park, school, business office, private business, community center. The exercise will bring together an ad hoc group of fire fighters and law enforcement officers that will team up and quickly work together to respond to a simulated active shooter/violence incident. These exercises are designed to challenge the patrol officers and fire fighters that are expected to respond to these events.

Acceptance and authorization

The terms and conditions of any previous, current or future **Non-Disclosure Agreement (NDA)** apply in full to the services and products provided under this **Statement of Work**.

This Agreement shall be governed by and construed in accordance with the laws of Virginia, without giving effect to conflict of law rules.

IN WITNESS WHEREOF, the parties hereto each acting with proper authority have executed this Statement of Work, under seal.

Full name

Title

Signature

Date

John Delaney
Full name

Partner
Title

On File
Signature

2/7/17
Date

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
EMERGENCY SERVICES GROUP INTERNATIONAL TO
PROVIDE TRAINING TO THE CITY OF BENTONVILLE
POLICE DEPARTMENT AND FIRE DEPARTMENT.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Agreement with Emergency Services Group International (ESGI) to provide “Active Shooter” training to the Bentonville Police Department and Fire Department as set forth in the agreement attached hereto as Exhibit “A”.

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Jon Simpson

Department

Police

Phone

271-3172

ACTION REQUIRED:

This is a request to declare certain city properties as surplus items. A complete description of the property is attached and includes (1) out of service police vehicles, (2) aging service weapons, and (3) retired ballistic vests. Included in this attached property description is the proposed disposition for each item. (1) It is important to note that these vehicles can be transferred intact with blue lights or light bar, siren, console, gun rack and other law enforcement specific items still attached. These items would ordinarily require removal prior to any transfer of ownership. Transferring ownership to another law enforcement agency represents a responsible and safe disposition of police equipped vehicles. It also saves the city the costs associated with the removal and proper disposal of law enforcement only equipment that cannot be transferred to another vehicle. Transferring these vehicles also saves the costs associated with prolonged storage while awaiting auction. Additionally, this transfer encourages local partnerships, supports law enforcement and public safety in Northwest Arkansas and provides assistance to our law enforcement training academy (ALETa) and also our neighboring cities. (2) The trade in of aging service weapons promotes officer and public safety, results in further cost savings to the city, and provides for a responsible disposition of firearms through a federally licensed firearm arms dealer. (3) The transfer of the retired ballistic vests also provides assistance to ALETa. The training academy has a new standard requiring vest protection on the shooting range, and this vest transfer will increase the safety for our own officers and other officers undergoing state mandated firearms training. It is likewise a responsible disposition of these law enforcement specific items. See attached memos and proposals for each receiving party.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



Surplus Property			
Property Description	Serial/ID Number	Additional Information	Proposed Disposition
2008 Dodge Dur/Unit 2010-69	1D4HB38N78F148270	69,847 Miles, gray	Transfer to Pea Ridge PD
2008 Crown Vic/Unit 2010-71	2FAFP71V18X167415	97,542 Miles, white	Transfer to ALETA
2010 Crown Vic/Unit 2010-84	2FABP7BV1AX127922	98,126 Miles, gray	Transfer to Alpena PD
2010 Crown Vic/Unit 2010-87	2FABP7BV7AX127925	71,156 Miles, white	Transfer to ALETA
Model 23/40 Cal Glock Pistol	EPR885	In Service Date - 2002	Trade-In to Cruse, \$300 credit
Model 23/40 Cal Glock Pistol	EAA717	In Service Date - 2002	Trade-In to Cruse, \$300 credit
Model 22/40 Cal Glock Pistol	EEV628	In Service Date - 2003	Trade-In to Cruse, \$300 credit
Model 22/40 Cal Glock Pistol	1ETZ666	In Service Date - 2003	Trade-In to Cruse, \$300 credit
Model 22/40 Cal Glock Pistol	1ETZ667	In Service Date - 2003	Trade-In to Cruse, \$300 credit
8 Ballistic Vests	None	None	Transfer to ALETA

CRUSE UNIFORMS & EQPT.-SPDL.
1048 S. 48TH STREET - SUITE C
SPRINGDALE, AR 72762
(479) 756-8182 Fax #: 756-1225

02/10/17

GUN TRADE
BENTONVILLE POLICE DEPARTMENT
ATTN: TRAVIS SCANTLING
908 SE 14TH ST.
BENTONVILLE AR 72712
479-271-3173

Dear Sirs:

Please accept this correspondence as our quote on the following:

QUOTE #701140

-- ITEM #	----- DESCRIPTION	----- QTY.	- UNIT PRICE	- EXTENSION -
1 PG22507	GLOCK 22 GEN 4 W/ GNS SIGHTS	4	409.00	1,636.00
2 PG23507	GLOCK 23 GEN 4 W/ GNS SIGHTS	1	409.00	409.00
3 UGUN-300	USED GUN TRADE IN	-2	300.00	-600.00
	Comment: GLOCK 23			
4 UGUN-300	USED GUN TRADE IN	-3	300.00	-900.00
	Comment: GLOCK 22			

Total of lines with quantities only: 5 2,045.00
Estimated Sales Tax on lines with quantities only: (070/.095) 194.28
Thank you for allowing us this opportunity to serve you. 2,239.28
This quote is valid for up to 30 days. Trade Value: - 1,500.00

Sincerely,

Total Due: 739.28

Stephanie Niccum
Store Manager
CRUSE UNIFORMS & EQUIPMENT INC.



GOVERNOR
Asa Hutchinson

STATE OF ARKANSAS

Commission On
Law Enforcement Standards and Training

LAW ENFORCEMENT TRAINING ACADEMY - NW
3424 South Downum Road
Springdale, Arkansas 72762
(479) 361-3410 Fax: (479) 361-3411



DIRECTOR
Jami Cook

Date: 9 February 2017
To: Chief Jon Simpson
Bentonville Police Department
From: Clint Braxton Scrivner
Northwest AR Law Enforcement Training Academy

RE: Vehicles and Vests

Chief Simpson,

First of all, I would like to thank you for your consistent dedication to training excellence in Law Enforcement. Unwavering commitment, such as this, is a testament to the level of professionalism expected of the officers of the State of Arkansas. As always, the Commission on Law Enforcement Standards and Training is in constant need of viable training tools and equipment to maintain our training goals and requirements.

As you know, the operation of emergency vehicles is a vastly important area of training in this profession. In order to effectively train new officers, it is imperative that we have vehicles that are capable of withstanding the rigors of the track. Undoubtedly, the two vehicles that we have discussed would certainly enhance our ability to more effectively train our end users.

Likewise, we have implemented measures at all of our facilities that require all users to wear protective vests when on the firing range. Unfortunately, there are some agencies that are unable to provide vests to their cadets at the time of Basic training. Consequently, it would be an asset to have protective vests on-hand for these cadets. Moreover, we have implemented training that will absolutely be enhanced when the cadets are able to train in the same gear that they will be expected to utilize (including learning to function with the restrictions of the vests).

Again, I appreciate your continual consideration of this agency and its responsibility to all of law enforcement within the state. Please let me know what we can do from our end to assist in facilitating this transfer. Please do not hesitate to contact me at your earliest convenience.

Kindest Regards

Clint Braxton Scrivner
Training Supervisor
Northwest AR Law Enforcement Training Academy
3424 South Downum
Springdale, AR 72762
Office: 479-361-3410
Fax: 479-361-3411
Cell: 479-305-1823
Clint.scrivner@arkansas.gov



ALPENA POLICE DEPARTMENT

Mark Bailey, Chief of Police

P.O. Box 500, Alpena, AR. 72611

Office 870-437-2272 Fax 870-437-2672

Dear Chief Simpson,

My name is Chief Mark Bailey. I am the Chief of Police of Alpena. We are a small department, with a very tight budget. I would appreciate consideration for one of your surplus Ford Crown Victoria's. The car will be used solely for police use, and will be a great asset to our department. Any assistance you can give will be greatly appreciated. Feel free to contact me anytime at 870-365-6509, or 870-480-9305. My e mail is alpenapd@gmail.com.

Thanks,

Chief Mark Bailey

Alpena Police Department

P.O. Box 500

Alpena AR 72611



PEA RIDGE POLICE

Ryan Walker, Chief of Police

187 SLACK STREET
PEA RIDGE, AR 72751
PH: 479-451-8220
FAX 479-451-8456
www.cityofpearidge.com/police



2/9/2017

To: Bentonville Police Department

Attn: Chief Simpson

From: Chief Walker

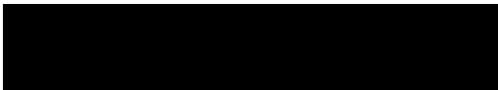
Ref: Surplus 2008 Dodge Durango

Chief Simpson,

I would like to express our need for your departments surplus 2008 Dodge Durango. Our detective is currently driving a very unreliable 2001 Durango with approximately 110,000 miles. We are in desperate need of a replacement vehicle for him to drive and your Durango would be perfect. We understand there is no warranty with this Durango and that it will likely require some repair or maintenance. If received, this Durango will remain in a law enforcement capacity therefore we would be happy to accept it as is, with any previously installed equipment (i.e. siren, lights, etc.). If approved, we hope that this letter will serve as a release for the Bentonville Police Department and the City of Bentonville from any and all possible liability associated with this vehicle after the transfer is complete.

Sincerely,

Chief Ryan Walker



RESOLUTION NO. _____

**A RESOLUTION DECLARING CERTAIN PROPERTY
BELONGING TO THE CITY OF BENTONVILLE POLICE
DEPARTMENT AS SURPLUS PROPERTY.**

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

Section 1: That certain property of the City of Bentonville Police Department, more particularly described in the attached agenda form, is hereby declared to be surplus and the Police Department is authorized to dispose of or exchange such property as authorized by law and more particularly described therein.

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

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Mike Bender

Department

Public Works Dir

Phone

271-6873

ACTION REQUIRED:

Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an amended and restated land lease agreement with Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, for a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. Said lease amends and restates a lease previously approved by City Council in October 2014. Total leased area is 11,862.75. The Airport Advisory Board unanimously recommended this lease.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Mike Bender
CC:
Date: February 17, 2017
Re: Amended and Restated Land Lease and Assignment for Hangar at 2420 SW Aviation Street

This memo addresses two agenda items –

- Amended and Restated Land Lease Agreement with Tony Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust Dated March 24, 2012, for a hangar identified as 2420 SW Aviation Street.
- Assignment and Assumption Agreement by and between Tony Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust Dated March 24, 2012, (assignors) and VBT, LLC (assignee).

The first of these two items amends and restates a lease that was approved by City Council in 2014. In 2011, City Council approved a land lease with Trust & Transit, LLC. In 2014 Council approved assigning said lease to Rex Grimsley (Grimsley), Tony Steele (Steele), and Bill Simon (Simon). With the assignment the lease was to be updated to current lease document which included a 35-year lease with three 5-year extensions. For some reason, the approved 2014 lease was never executed. The assignment was complete but referenced the original 2011 lease. In 2016, Simon assigned his portion to Steele and Grimsley; however, this assignment also referenced the original 2011 lease, not an updated lease.

This lease is intended to correct the current lease agreement to reflect the initial intent previously expressed and approved by Council. The new lease changes the term to a 45-year term which is consistent with current lease documents as FAA recommends lease terms less than 50 years. This lease also corrects signatories of associated parties.

The second item assigns the amended and restated lease to VBT, LLC.

Both items are unanimously recommended by the Airport Advisory Board.
Thank you for your consideration of this request.

BENTONVILLE MUNICIPAL AIRPORT
AMENDED AND RESTATED LAND
LEASE AGREEMENT

THIS AMENDED AND RESTATED LEASE AGREEMENT (the "Lease") entered into this ____ day of _____, 2017, between the **CITY OF BENTONVILLE, ARKANSAS**, hereinafter referred to as "Lessor", and **TONY STEELE and CAROLYN GRIMSLEY, AS TRUSTEE OF THE GRIMSLEY FAMILY REVOCABLE TRUST DATED MARCH 24, 2012**, hereinafter jointly referred to as "Lessee".

WHEREAS, the Lessor does intend to lease certain real property consisting of approximately 11,862.75 square feet marked and identified as 2420 SW Aviation St. and being described as follows (the "Leased Property"):

Legal Description: 11,862.75 S.F. hangar at 2420 SW Aviation Street.

Legal: A part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 6, Township 19 North, Range 30 West, City of Bentonville, Benton County, Arkansas and the beginning more particularly described as:

Commencing at the SE corner of the SW1/4 of the SE1/4 of said section 6; Thence along the East line of said SW1/4 of the SE1/4 N02°24'02"E 100.0 Feet; Thence N87°42'27"W 1322.55; Thence N87°41'53"W 663.99 feet; Thence N02°10'56"E 781.43 feet to the point of beginning; Thence N87°32'26"W 15.41 Feet; Thence S02°14'55"W 10.01 Feet; Thence N87°32'26"W 28.09 Feet; Thence N02°14'55"E 15.89 Feet; Thence N87°32'26"W 95.53 Feet; Thence N02°14'55"E 80.00 Feet; Thence S87°57'43"E 139.06 Feet; Thence S02°14'55"W 86.90 Feet to the point of beginning, containing 11,862.75 Square Feet or 0.272 acres, more or less.

WHEREAS, the Leased Property is the subject of an existing fully executed Lease Agreement between Lessor and Trust & Transit, LLC, as lessee, dated April 12, 2011 (the "Original Lease"), and

WHEREAS, the Original Lease was assigned by Trust & Transit, LLC to Rex Grimsley ("Grimsley"), Tony Steele ("Steele") and Bill Simon ("Simon") on October 31, 2014 (the "Original Lease Assignment"), and

WHEREAS, at the time the Original Lease Assignment was approved, the parties approved, but never executed, an extension of the Original Lease to a 35-year lease with three 5-year extensions, and

WHEREAS, the Original Lease was then further assigned, in part, from Simon to Grimsley and Steele on April 16, 2016, and

WHEREAS, it is the desire of the parties to enter into this Amended and Restated Lease Agreement to reflect the previously expressed intent to extend the term of the Original Lease, as assigned to Grimsley and Steele, and

WHEREAS, in order to meet FAA requirements, the extended lease evidenced by this Lease should be for a term of less than 50 years, and

WHEREAS, a 45 year lease term will be consistent with other current lease agreements on airport property.

NOW, THEREFORE, the Parties hereto agree that the Original Lease Agreement shall be amended and restated by this Lease in its entirety as follows:

LEASEHOLD. The Lessor does hereby grant, demise and lease unto Lessee the Leased Property, consisting of certain premises situated in Benton County, Arkansas, within the boundaries of the Bentonville Municipal Airport, said property being described more particularly as the "footprint" under Building at 2420 S.W. Aviation St as set out in the attached Exhibit A. A "footprint" is defined as the real property located underneath the building which Lessee proposes to erect or has erected.

TERMS AND CONDITIONS. Lessee agrees to comply with and abide by all terms and conditions set forth in this Lease.

TERM. This Lease shall have a term of forty five (45) years (the "**Lease Term**") beginning on the _____ day of _____, _____, and ending at Midnight, _____, unless sooner terminated as herein provided.

LEASE PAYMENT. Lessee shall pay to Lessor the annual rental based on the square foot of total leased ground space. The rate charged per foot shall be \$0.20 per square foot. Leased ground space totals 11,862.75 square feet. Said rental is to be paid in advance in yearly installments on the 1st business day of each year. If the initial calendar year of the Lease Term is less than 12 months the Lessee will pay a pro-rata payment to cover the first partial year at the time of signing this Lease. For each subsequent year during the Lease Term, the rent shall be increased annually in accordance with changes in the Consumer Price Index (CPI) published each September as compared to the previous September, provided, however, that no single annual increase shall exceed two percent (2%). The Consumer Price Index refers to the Consumer Price Index for all urban consumers (CPI-U), U.S. City Average All Items Index.

TAXES. Lessee shall pay all ad valorem taxes and assessments upon the Leased Property and upon all personal property located upon the Leased Property which are assessed during the Lease Term. Lessee shall have the right to contest by appropriate proceedings the amount or validity of any tax or assessment which Lessee is obligated to pay in accordance with the provisions hereof.

ASSIGNMENTS & SUB-LEASES. This Lease, in whole or any part thereof may not be assigned or transferred by Lessee unless such action receives prior approval by the Airport Advisory Board and the Lessor, which such approval can not be unreasonably withheld. Such assignment shall release the original Lessee of its obligations and the new Lessee shall assume all obligations of this Lease in full.

INSURANCE. Lessee shall obtain & maintain property insurance coverage for the repair or replacement of the Leased Property. Lessor will be listed as an additional insured on the policy. Lessee will provide proof of this insurance upon request and keep the policy in effect during the terms of the lease. Lessee acknowledges that it is the Lessee's sole responsibility to maintain insurance on any personal property if desired.

USE OF THE PREMISES. The development and/or use of any of the Leased Property located within the current or future boundaries of the Bentonville Municipal Airport shall be consistent with the most recent Airport Master Plan and Airport Minimum Standards. Lessee agrees that all uses of the Leased Property must be approved by the Airport Advisory Board and shall be predominantly for aviation use. All future structure additions shall be subject to prior approval by Lessor. In the event that Lessee uses the Leased Property for purposes other than the purposes stated above, then Lessee shall be deemed to be in default of this Lease.

UTILITIES. Lessee shall be responsible for utilities to the Leased Property. Initial utility service to the Leased Property will be the responsibility of the Lessee and negotiations for terms of utility provision are a matter between the Lessee and each individual service provider including Lessor. Lessee shall pay all initial tie-in costs and all monthly ongoing fees for such utilities.

REPAIRS, MAINTENANCE AND APPEARANCE.

(a) Lessee shall at all times during the term of this Lease, at Lessee's expense, keep and maintain in good repair and safe condition the Leased Property and Lessee's equipment and appurtenances, both inside and outside, structural and non-structural, extraordinary and ordinary, whether or not necessitated by wear, tear, obsolescence or defects, latent or otherwise. When used herein, the term "repairs" shall include all necessary replacements, renewals, alterations, additions and betterment's. Lessee will at all times keep the Leased Property free and clean of all trash, refuse and any unsightly conditions or fire hazards.

(b) The necessity for and adequacy of repairs to the Leased Property, pursuant to subparagraph (a) hereof, shall be measured by the standard which is appropriate for improvements of similar construction and also shall meet the requirements and standards set out and promulgated by Lessor through its Airport Advisory Board or other governmental agency or entity pursuant to the Lease.

(c) Lessee agrees to reimburse Lessor for all sums and expenses incurred in the repairs or maintenance required or caused to be made pursuant to the regulations and rules of the governing authority

mentioned in subparagraph (b) above as a result of failure by Lessee to maintain or repair the Leased Property as required.

ALTERATIONS AND IMPROVEMENTS. Lessee shall be entitled to make alterations, additions and improvements to the Leased Property necessary and desirable for the operation of the Leased Property. Lessee shall not be entitled to make any significant or material alterations, additions or changes to the exterior of the Leased Property without Lessor's prior written consent. Lessee acknowledges and agrees that all such alterations, additions and improvements, shall become the property of Lessor upon the termination of this Lease.

WAIVER. The waiving of any one or more breaches of the terms or provisions contained herein by the Lessor or Bentonville Airport Advisory Board shall not be deemed a waiver of any other breaches of the terms of provisions.

TIME OF THE ESSENCE. It is understood that time is of the essence of this Lease.

DEFAULT. In the event the Lessee defaults under the terms of this Lease, this Lease may be terminated by Lessor, acting through the Mayor of Bentonville, pursuant to the following:

(a) Lessor shall give written notice by certified mail, return receipt requested, of default simultaneously to Lessee as well as any assignee, any mortgagee or beneficiary of Lessee's leasehold interest in the leased premises and improvements thereon who are known to the Lessor.

(b) No default shall be deemed to exist unless Lessee fails to cure said default within thirty (30) days after receipt of written notice thereof; provided, however, that if Lessee fails to cure same within said thirty (30) days, the mortgagee or beneficiary of Lessee's said leasehold interest shall have an additional twenty (20) days after the end of said thirty (30) days period within which to cure same. As to any curing of a default (other than payment of rent) which would reasonably require a greater period of time for curing than is provided for above, if the lessee shall, within the time stipulated, commence such curing and diligently pursue same, then, the above time period shall be extended to allow Lessee reasonable opportunity to do so.

(c) Lessee shall have the right to contest, in good faith, the existence of any default alleged to have occurred or alleged to exist, and in the event Lessee so elects, the time period for curing any such alleged default shall be extended until thirty (30) days after a final judgment has been entered in a court having jurisdiction over such contest.

(d) Following the period for curing or contesting a default provided above, the Mayor may give written notice by certified mail, return receipt requested, of Lessor's exercise of its right to declare this lease forfeited, terminated, null and void. Upon such notice, Lessee agrees to vacate the premises immediately and to forfeit any and all claims, rights, and property interest in this lease agreement or the improvements mentioned herein. Should it become necessary for Lessor to resort to judicial process to enforce the terms of this agreement, or reclaim possession of the premises, Lessee agrees to pay a reasonable attorney's fee.

TERMINATION OF USE. In the event that the Bentonville Airport facility and property are no longer used for aviation purposes, the City of Bentonville or its assign shall purchase the remaining leasehold interest from Lessee at fair market value.

REVERSION. The structure(s) constructed by Lessee under this Agreement shall be the property of Lessee until the expiration or termination of this Lease, at which time Lessor will have the following options: 1) Take ownership of the improvements, in which case, Lessee shall cooperate in conveying clear title of the improvements to Lessor; or 2) Require that Lessee, at its sole expense, remove the improvements from the Leased Property; or 3) enter into a new lease with Lessee at the fair market value for the Leased Property.

MORTGAGING OF LEASEHOLD. Lessee is hereby given the absolute right without the Lessor's consent to mortgage its interest in the Leased Property, provided that no such mortgage shall extend to or affect the fee, the reversionary interest, or the estate of Lessor in and to the land and building (hangar facility complex) erected thereon.

GOVERNMENTAL REQUIREMENTS GENERALLY. Lessee shall comply with all governmental requirements applicable to Lessee's use and operation of the Leased Property.

INDEMNITY. Lessor shall not be liable for any personal injury to the Lessee or to its officers, agents, employees, invitees, licensees or to any other occupant of any part of the leased premises, or for any damage to any property of Lessee or of any other occupant of any part of the leased premises, irrespective of how such injury or damage may be caused, whether from action of the elements or occupants of adjacent properties. In the event an action, claim or suit is commenced against Lessor as a result of any such personal injury or damage occurring on the leased premises, Lessee agrees to hold Lessor harmless from any liability or responsibility therefor, including attorney's fees or costs of the action.

GRAMMATICAL USAGE. Whenever used herein: The singular number shall include the plural, the plural the singular, and any gender all genders in any place in which the context so requires.

COUNTERPARTS. This Lease may be executed in one or more counterparts, which when taken together, shall constitute a single instrument.

IN WITNESS WHEREOF, the Parties have executed this Amended and Restated Land Lease Agreement effective as of the date set forth above.

LESSOR:
CITY OF BENTONVILLE, ARKANSAS

LESSEE:

By: _____
Bob McCaslin, Mayor

TONY STEELE

ATTEST:

**GRIMSLEY FAMILY REVOCABLE TRUST
DATED MARCH 24, 2012**

Linda Spence, City Clerk

By: _____
Carolyn Grimsley, Trustee

APPROVED:
**BENTONVILLE MUNICIPAL AIRPORT
ADVISORY BOARD**

By: _____
Brian Baldwin, Chairman

State of Arkansas)
) ss.
County of Benton)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ____ day of _____, 2017.

My Commission Expires: _____

State of Arkansas)
) ss.
County of Benton)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, 2017.

My Commission Expires: _____

State of Arkansas) ss.
County of Benton)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ____ day of _____, 2017.

My Commission Expires:

State of Arkansas)
) ss.
County of Benton)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, 2017.

My Commission Expires:

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AND RESTATED LAND LEASE AGREEMENT WITH TONY STEELE AND CAROLYN GRIMSLEY, AS TRUSTEE OF THE GRIMSLEY FAMILY REVOCABLE TRUST DATED MARCH 24, 2012, FOR A HANGAR SITE LOCATED AT THE BENTONVILLE MUNICIPAL AIRPORT.

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

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an Amended and Restated Land Lease Agreement with Tony Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust Dated March 24, 2012 for a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. Total leased area is 11,862.75 square feet.

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

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

Mike Bender

Department

Public Works Dir

Phone

271-6873

ACTION REQUIRED:

Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an assignment and assumption agreement by and between Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, (assignors) and VBT, LLC (assignee) for a land lease associated with a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. The Airport Advisory Board unanimously recommended this assignment.

One time amount

☐ Continuing O and M

COST TO CITY:

Cost of this Request:

Additional Budget Amount

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Mike Bender
CC:
Date: February 17, 2017
Re: Amended and Restated Land Lease and Assignment for Hangar at 2420 SW Aviation Street

This memo addresses two agenda items –

- Amended and Restated Land Lease Agreement with Tony Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust Dated March 24, 2012, for a hangar identified as 2420 SW Aviation Street.
- Assignment and Assumption Agreement by and between Tony Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust Dated March 24, 2012, (assignors) and VBT, LLC (assignee).

The first of these two items amends and restates a lease that was approved by City Council in 2014. In 2011, City Council approved a land lease with Trust & Transit, LLC. In 2014 Council approved assigning said lease to Rex Grimsley (Grimsley), Tony Steele (Steele), and Bill Simon (Simon). With the assignment the lease was to be updated to current lease document which included a 35-year lease with three 5-year extensions. For some reason, the approved 2014 lease was never executed. The assignment was complete but referenced the original 2011 lease. In 2016, Simon assigned his portion to Steele and Grimsley; however, this assignment also referenced the original 2011 lease, not an updated lease.

This lease is intended to correct the current lease agreement to reflect the initial intent previously expressed and approved by Council. The new lease changes the term to a 45-year term which is consistent with current lease documents as FAA recommends lease terms less than 50 years. This lease also corrects signatories of associated parties.

The second item assigns the amended and restated lease to VBT, LLC.

Both items are unanimously recommended by the Airport Advisory Board.
Thank you for your consideration of this request.

**This Instrument Prepared by and,
after recording, to be returned to:**

Jill Grimsley Drewyor, Esq.
MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, P.L.L.C.
5414 Pinnacle Point Drive, Suite 500
Rogers, Arkansas 72758

**ASSIGNMENT AND ASSUMPTION AGREEMENT
(Aircraft Hangar Lease)**

This **ASSIGNMENT AND ASSUMPTION AGREEMENT** is made and entered into effective as of 12:01 A.M. on _____, 2017 (the “**Effective Time**”), by and between each of **TONY STEELE** and **CAROLYN GRIMSLEY, AS TRUSTEE OF THE GRIMSLEY FAMILY REVOCABLE TRUST DATED MARCH 24, 2012** (together, “**Assignor**”), and **VBT, LLC**, a Delaware limited liability company (“**Assignee**”).

RECITALS:

A. The City of Bentonville, Arkansas, as Lessor, (“**Lessor**”) and Assignors together with Bill Simon, as Lessees (“**Lessees**”) are party to a Bentonville Municipal Airport Amended and Restated Land Lease Agreement dated on or about _____, 2017 (the “**Lease**”).

B. The Lease covers certain real property consisting of approximately 11,862.75 square feet marked and identified as 2420 SW Aviation Street, and being more particularly described on Exhibit A hereto (the “**Leased Land**”). Assignor constructed an aircraft hangar on the Leased Land. The Leased Land and the aircraft hangar constructed thereon are together referred to as the “**Premises**”.

C. Pursuant to Lease Sale Agreement dated effective as of 12:01 A.M. on _____, 2017, by and between Assignor and Assignee (the “**Purchase Agreement**”), and subject to the terms and conditions of the Purchase Agreement, Assignor has agreed to assign to Assignee all of Assignor’s right, title and interests in and to the Lease (as amended, modified or extended from time to time), and Assignee has agreed to assume, pay, perform and discharge certain liabilities and obligations of Assignor under the Lease.

D. The City of Bentonville, Arkansas, has consented to Assignor’s assignment to Assignee of Assignor’s right, title, interests, obligations and duties as lessee under the Lease, and Assignee’s assumption of such right, title, interests, obligations and duties under the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in the Purchase Agreement, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor and Assignee hereby agree as follows:

1. Assignor hereby assigns, conveys, transfers and sets over to Assignee all of Assignor's right, title, interests, obligations and duties as Lessee (collectively, the "**Leasehold Estate**") under the Lease, as amended or extended from time to time, together with, all and singular, the right, privileges, advantages, and appurtenances belonging or in any way appertaining to such, including, all buildings, driveways, parking lots, and other improvements located thereon, and all surface rights, privileges, rights of way and easements appurtenant thereto, and Assignee hereby undertakes, assumes and agrees, subject to the limitations contained herein, to perform, pay or discharge all unperformed and unfulfilled obligations which are required to be performed and fulfilled by Assignor under the terms of the Lease, as amended or extended from time to time (collectively, the "**Assumed Obligations**").

2. Notwithstanding anything to the contrary contained herein or in the Purchase Agreement, the Assumed Obligations shall not include any debts, liabilities or obligations of Assignor, direct or indirect, fixed, contingent or otherwise, which are due and payable with respect to periods up to the Effective Time or that relate to a breach or default by Assignor with respect to any of the Assumed Obligations to the extent that such breach or default occurred prior to the Effective time, whether or not known, due or payable as of the Effective Time; *provided*, that Assignee does assume responsibility for all real estate and ad valorem or personal property taxes due and owing on the Premises.

3. Assignor does hereby covenant with Assignee that Assignor will forever warrant and defend the title to the Lease, together with the improvement thereon, and all rights, privileges and appurtenances thereunto belonging.

4. This Assignment and Assumption Agreement is made pursuant to, and subject to the terms of, the Purchase Agreement.

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment and Assumption Agreement effective as of the Effective Time.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

ASSIGNOR:

TONY STEELE

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF BENTON

On _____, 2017, before me, a notary public, personally appeared TONY STEELE, to me well known, and that he had signed, executed and delivered said foregoing instrument for the consideration and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

ASSIGNOR:

**GRIMSLEY FAMILY REVOCABLE TRUST
DATED MARCH 24, 2012**

By: _____
CAROLYN GRIMSLEY, Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF BENTON

On this day personally appeared before the undersigned, a Notary Public within and for the County and State aforesaid, duly qualified, commissioned and acting, the within named **CAROLYN GRIMSLEY**, to me personally well known, who stated that she was the Trustee of the **GRIMSLEY FAMILY REVOCABLE TRUST DATED MARCH 24, 2012**, and stated and acknowledged that she was duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of said Trust and further stated and acknowledged that she had so signed, executed and delivered said foregoing instrument for the consideration and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this ____ day of _____, 2017.

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

ASSIGNEE:

VBT, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF BENTON

On this day personally appeared before the undersigned, a Notary Public within and for the County and State aforesaid, duly qualified, commissioned and acting, the within named _____, to me personally well known, who stated that he/she was the _____ of **VBT, LLC**, a Delaware limited liability company, and stated and acknowledged that he/she was duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of such limited liability company and further stated and acknowledged that he/she had so signed, executed and delivered said foregoing instrument for the consideration and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this ____ day of _____, 2017.

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, the undersigned has consented to the foregoing Assignment and Assumption (Airport Hangar Lease) as of the Effective Date.

CONSENTED TO BY:

CITY OF BENTONVILLE, ARKANSAS

By: _____
Bob McCaslin, Mayor

Attest:

Linda Spence, City Clerk

APPROVED:

**BENTONVILLE AIRPORT ADVISORY
BOARD**

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF BENTON

On this day personally appeared before the undersigned, a Notary Public within and for the County and State aforesaid, duly qualified, commissioned and acting, the within named **BOB MCCASLIN and LINDA SPENCE**, to me personally well known, who stated that they were the Mayor and City Clerk, respectively, of the **CITY OF BENTONVILLE, ARKANSAS**, and stated and acknowledged that they were duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of the city and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this ____ day of _____, 2017.

Notary Public

My Commission Expires:

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF BENTON

On this day personally appeared before the undersigned, a Notary Public within and for the County and State aforesaid, duly qualified, commissioned and acting, the within named _____, to me personally well known, who stated that he/she was the Chairman of the **BENTONVILLE AIRPORT ADVISORY BOARD**, and stated and acknowledged that he/she was duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of the board and further stated and acknowledged that he/she had so signed, executed and delivered said foregoing instrument for the consideration and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this ____ day of _____, 2017.

Notary Public

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION - LEASED LAND

A part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 19 North, Range 30 West, more particularly described as follows:

Commencing at the SE Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 6; thence along the east line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ N 02° 24' 02" E 100 feet; thence N 87° 42' 27" W 1322.55 feet; thence North 87° 41' 53" W 663.99 feet; thence N 02° 10' 56" E 781.43 feet to the Point of Beginning; thence N 87° 32' 26" W 15.41 feet; thence S 02° 14' 55" W 10.01 feet; thence N 87° 32' 26" W 28.09 feet; thence N 02° 14' 55" E 15.89 feet; thence N 87° 32' 26" W 95.53 feet; thence N 02° 14' 55" E 80.00 feet; thence S 87° 57' 43" E 139.06 feet; thence S 02° 14' 55" W 86.90 feet to the Point of Beginning, containing 11,862.75 square feet or 0.272 acres, more or less.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY
CLERK TO ENTER INTO AN ASSIGNMENT AND
ASSUMPTION AGREEMENT FOR A HANGAR LAND
LEASE AT THE BENTONVILLE MUNICIPAL AIRPORT.**

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

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an Assignment and Assumption Agreement by and between Tony Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust Dated March 24, 2012, (assignors) and VBT, LLC (assignee) for a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. Total leased area is 11,862.75 square feet.

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

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of a resolution, authorizing the Mayor and City Clerk to enter into an agreement with Morrison Shipley, for the design, bidding and construction observation of a new parking lot, pavilion and amphitheater stage at Citizens Park.

COST TO CITY:

Cost of this Request: \$20,540

Additional Budget Amount \$0

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$	420,000
Funds Expended to Date		
Remaining Budget		420,000
Budget Adjustment		-
Remaining After Adjustment	\$	420,000

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: April 4, 2016
Re: City Council approval of a resolution, authorizing the Mayor and Clerk enter into an agreement with Morrison Shipley, for the design, bidding and construction observation for a pavilion and parking lot at Citizens Park.

As you know, one of the top priorities of the Parks and Recreation Department is the build-out of Citizens Park. The master plan for this facility includes soccer fields, restrooms, a playground, a grand pavilion, tennis courts and a loop trail. Last year, we completed a new restroom / concession facility. In addition, we began the process of constructing a one-mile trail. This trail is currently in the design / review phase with Arkansas Highway and Transportation Department.

The 2017 budget includes plans to construct a new pavilion, parking lot and amphitheater at the park. Each of these items are included in the overall master plan for Citizens. The plan includes a parking lot of approximately 15 spaces, a new pavilion and small stage in the amphitheater area.

This resolution authorizes the Mayor to enter into agreement with Morrison Shipley to design the work, assistance with bidding and overseeing construction. Morrison Shipley was selected based on their familiarity with the park design and the trail project that could be constructed at the same time as this project. The value of the agreement is \$20,540. If approved, this project could bid in late summer 2017.

If you have any questions regarding this item, please call me at 479.464.7275 or email dwright@bentonvillear.com.

Attachments:
Agreement with Morrison Shipley



February 6, 2017

Mr. David Wright, Director
Bentonville Parks and Recreation
215 SW A Street
Bentonville, AR 72712
(479) 464-7275

**RE: *Proposal to Provide Professional Services
Citizens Park Pavilion, Parking, and Stage
City of Bentonville, Arkansas***

Dear David:

We greatly appreciate the opportunity to continue working with the City of Bentonville on this project. Based on our discussions, we understand that the City is asking Morrison-Shipley to prepare construction documents for a 1,440 SF pre-engineered Pavilion, 15 space parking lot, sidewalks, and a stage near the amphitheater at Citizens Park.

PROPOSED SCOPE OF SERVICES

Morrison-Shipley's services for this project will consist of the following items:

Construction Documents:

1. Prepare construction plans and details needed to construct the Pavilion slab, foundation, and brick column trim, parking lot for pavilion and walks, and a concrete stage with a 2' knee wall with electric receptacles. MSE will gather topographic data of the construction areas and use this information as a basis for our construction plans. MSE will subcontract with a local structural

2407 SE Cottonwood Street | Ste 1
Bentonville, AR 72712
479.273.2209

engineer to design concrete foundations, slabs, and concrete wall around stage, and a Geotechnical Engineer to obtain a soils' report to be used as a basis for the foundation design.

2. Prepare contract documents and technical specifications in a format that is suitable to the City of Bentonville for public bidding.

Bidding Phase:

1. Prepare bidding advertisement and provide to the City of Bentonville for their submittal to local newspaper(s).
2. Coordinate reproduction of plans and specifications and issue same to prospective bidders. MSE will pay for plan and specification reproduction costs for "Issued for Bidding" set and then retain bidders' payments for such documents without refund to the contractors.
3. Receive and answer contractor questions during bidding period and issue addendums, if necessary.
4. Conduct public bid opening on behalf of the City of Bentonville.
5. Prepare bid tabulation, provide recommendation of award letter to the City of Bentonville, and attend City Council meeting for same.
6. Review contract documents submitted by contractor for compliance with contract requirements. If acceptable, issue Notice to Proceed to contractor.

Construction Administration/Observation:

1. Provide up to 40 hours of Construction Phase services (30 hrs. Construction observation @ \$78/hr. and 10 hrs. Principal @ \$170/hr.), including:
 - a. Field observation;
 - b. Office time to prepare reports;

- c. Review of contractor RFI's;
 - d. Review of contractor product submittals;
 - e. Preparation of change orders.
2. Coordinate and perform final inspection with City Staff.
3. Prepare record drawings at the completion of construction based on a redline set provided to us by the contractor.

FEES:

Morrison-Shipley will be paid the following Fees for our services:

Basic Services

Construction Documents (Lump Sum):	\$ 14,800.00
Bidding Phase (Lump Sum):	\$ 1,500.00
Construction Administration/Observation (Hourly budget):	\$ 4,040.00

Reimbursable Expenses (estimated)

Printing (<i>Printing that is not reimbursed by plan sales</i>):	\$ 200.00
--	-----------

Please see the Fee Conditions that follow below.

Fee Conditions:

1. The Maximum amount to be billed for this project, without additional authorization, will be **\$20,540.00**.
2. Reimbursable Expenses will be charged at our direct cost with a zero (0) percent markup.
3. Services not listed in this proposal or any changes to the project scope that are requested by the City of Bentonville or other parties after we have started our work will be billed as ADDITIONAL SERVICES in accordance with our fee schedule that is current when the work is performed.

Mr. David Wright
Citizens Park Trail
Page 4 of 4

4. For project delays that are more than 120 days, which are beyond our control, we reserve the right to request additional compensation.
5. Invoices for our services will be issued on or about the 1st day of each month for work completed to date less previous billings. Payment terms shall be Net 30 days.

EXCLUSIONS:

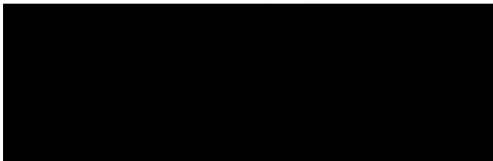
Morrison-Shipley has NOT included the following items in this proposal:

1. Arkansas One-Call locates.
2. Outside agency review fees and permit fees.
3. Newspaper advertising fees.
4. Preparation of SW3P and/or oversight and administration of SW3P during construction, including post-rain inspections, mitigation work, and review of contractor's compliance, among others.

If this Proposal is acceptable to you, please sign below and provide me with a signed copy.

Please call me if you have any questions and thank you for placing confidence in Morrison-Shipley to complete this project!

Sincerely,
Morrison-Shipley Engineers, Inc.



John Wary, P.E.
Sr. Vice President

Agreed to by:
City of Bentonville

Honorable Bob McCaslin Date
Mayor

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
MORRISON-SHIPLEY CONSULTING ENGINEERS FOR
ENGINEERING SERVICES FOR CITIZENS PARK.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Agreement with Morrison-Shipley Consulting Engineers for engineering services associated with certain improvements to Citizens Park, including the design, bidding and construction observation of a new parking lot, pavilion and amphitheater state, as set forth in the agreement attached hereto as Exhibit "A".

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

Parks and Recreation is requesting approval to enter into an agreement with Challenger Sports facilitate the Camp Soccer summer camp at Citizens Park. The agreement is a one year agreement for 2017 and may be renewed for two additional years in 2018 and 2019.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Lee Farmer, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: 2/13/2017
Re: Council approval to enter into contract with Challenger Sports to become the contractor for Camp Soccer.

Parks and Recreation is requesting City Council to approve a resolution, authorizing the Mayor and Clerk to enter into agreement with Challenger Sports to be the contractor for Camp Soccer at Citizens Park Soccer Complex. The agreement is a one-year agreement for 2017, and renewable two additional years in 2018 and 2019.

On January 12, 2017, Parks & Recreation and Purchasing advertised a request for proposal for a Camp Soccer Professional Contractor. Two applicants submitted bids. A selection committee, comprised of members of the Parks and Recreation Staff, reviewed the proposals. The selection committee reviewed the candidate's qualifications, proposed programs and fee structure. Challenger Sports was chosen based on this criteria.

Challenger Sports has a proven track record of providing high-quality, successful soccer camp programs for Bentonville Parks and Recreation at Memorial Park and now Citizens Park. The Challenger Sports organization has dedicated itself to developing participant skill, teamwork, and passion for the game through their soccer camp programs for over 25 years.

As with all of BPR's programs, the contractor's staff members are required to pass criminal background checks.

If you have any questions regarding this item, please let me know. Please call me at 479-969-0210, or email lfarmer@bentonvillear.com.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH CHALLENGER SPORTS FOR THE OPERATION OF A YOUTH SOCCER CAMP FOR THE CITY OF BENTONVILLE PARKS AND RECREATION DEPARTMENT.

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Agreement with Challenger Sports for the operation of a youth soccer camp for the City of Bentonville Parks and Recreation Department as set forth in the attached Exhibit A.

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with First Employment Staffing to provide temporary staff for Parks and Recreation and Public Works Maintenance Staff.

COST TO CITY:

Cost of this Request: \$419,400

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Crant Osborne, Parks and Recreation Maintenance Supervisor
CC: David Wright, Parks and Recreation Director
Date: February 21, 2017
Re: Award Professional Service Contract to 1st Employment Staffing

For several years, the City of Bentonville has utilized temporary services to fill seasonal employee needs. Although in recent years we have reduced the number of hours we rely on the staffing companies, this remains an economically beneficial method to attract seasonal staff. This agreement effects the Parks and Recreation and Public Works Departments.

On January 27, 2015, City Council approved a Professional Services Contract to 1st Employment for this service. The bid award was a one-year contract, renewable two additional years through 2017. This agreement is the third and final installment of the 2015 Bid Award. First Staffing was selected based on statement of qualifications presented to the City of Bentonville to provide temporary employees to supplement our labor needs. In addition, their body of work has been very positive. First Staffing is not immune from challenges presented by the prospering Bentonville and Northwest Arkansas' economy. As we discussed in 2016, there is not an abundance of temporary workers available. However, we are hopeful that by adding four full time staff members in 2016 and reducing the number of hours, we will find a quality temporary team to assist us with parks maintenance in 2017.

The value of the contract is approximately \$419,400.

If you have any questions regarding this item, please call me at 271.6813, or email dwright@bentonvillear.com.

Attachments:

2017 Agreement



January 9, 2017

City of Bentonville
117 West Central Avenue
Bentonville, AR 72712
Attn: Katherine N. Bertschy

Dear Katherine,

Thank you for giving 1st Employment the opportunity to supply employment services to City of Bentonville. We are confident that our team of professionals will work to understand your business needs and provide services that support your staffing objectives.

1st Employment agrees to provide project and screen to hire labor at the rates listed below: provides short-term, project and long-term staff to organizations. Our organization employs these individuals and covers the employee/employer payroll, including the employer portion of payroll taxes as required by law (FICA, FUTA, SUTA and Workers Compensation insurance). We will pay the individuals on a weekly basis for the work performed. At 1st Employment, we screen and select associates based on their skills and match them to the appropriate jobs we receive. During our selection process we verify the eligibility of the employee to work within the United States through E-Verify. All associates working on assignments through our organization have been referenced.

Labor-Parks and Recreation and Public Works Maintenance	Regular Time	Over-Time *
Pay Rate	\$9.00	\$13.50
Mark Up	26.75%	26.75%
Bill Rate	\$11.41	\$17.11
Clerical	Regular Time	Over-Time *
Pay Rate	\$10.00	\$15.00
Mark Up	35%	35%
Bill Rate	\$13.50	\$20.25

*Over-time rates and bill rates apply to employees exceeding 40 hours in a work week.

*1st Employment will honor any time worked for associates through previous company towards eligibility of benefits.

*All rates include safety equipment.

*Rates will include all pre-employment requirements as specified by The City of Bentonville including but not limited to national criminal background check. 1st employment will not assign to The City of Bentonville any employee with felony conviction(s) within the last seven (7) years of completion of sentence.

Non-appropriation clause- to enter into an agreement for a period of one year, renewable for an additional one year period if the City of Bentonville appropriates funding to do so and if both parties agree.

As the employer 1st Employment assumes responsibility for all federal and state payroll taxes (FICA, FUTA, SUTA) as well as worker's compensation coverage. 1st Employment will also provide the following services to The City of Bentonville at no additional charge:

- On-going recruiting programs
- Customized hiring and selection process
- Customer-specific safety orientation

- Vacation & holiday pay
- Direct deposit
- 4-hour guarantee
- Continuous improvement programs

Payment of our service is due upon receipt of our invoice.

1st Employment agrees to provide The City of Bentonville with a copy of both the general liability and workers compensation insurance prior to placing employees' onsite with The City of Bentonville.

1st Employment will provide The City of Bentonville with a copy of W9 prior to placing employees' onsite with The City of Bentonville.

1st Employment provide equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, amnesty, or status as a covered veteran in accordance with all federal, state and local laws.

This agreement shall be constructed under the laws of the state of Arkansas, all rights and remedies being governed by state laws.

All temporary employees assigned to the City of Bentonville are, as defined under the law, solely the "Common Law" employees of 1st Employment.

This agreement is made on the 9th of January 2017, by and between 1st Employment Staffing and The City of Bentonville.



Date: 1/9/2017

Date: _____

Jacqueline Rivera
Director of HR/Risk Management

City of Bentonville

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH FIRST
EMPLOYMENT STAFFING TO PROVIDE TEMPORARY
STAFFING SERVICES FOR THE CITY OF
BENTONVILLE.

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an
Agreement with First Employment Staffing to provide temporary staffing services for City of
Bentonville departments, as set forth in the agreement attached hereto as Exhibit "A".

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 28, 2017

Submitted by:

George Spence

Department

City Attorney

Phone

271-3112

ACTION REQUIRED:

Resolution establishing procedures with regard to meetings.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



MEMORANDUM

TO: City Council, Mayor McCaslin
FROM: George Spence, City Attorney
DATE: February 21, 2017
RE: Resolution on meeting procedures

I have drafted revisions to the 2015 resolution on meeting procedures based on the discussion at the February 13, 2017 Committee of the Whole meeting. In addition to the "as changed" version, I have provided a "redline" version as well so you can easily see the way I have inserted the requested changes.

Two items I want to note:

- 1) Concern was expressed to me that having general public comments before the meeting might cause some time issues. Specifically it was noted that there are often in attendance at Council meetings City staff as well as other individuals there for a particular item – an example might be a property owner, attorney, realtor, or developer there in connection with an annexation, rezoning, easement vacation, or property line adjustment. The Council may want to consider this before adopting the revisions.
- 2) The portion of the resolution concerning the Council placing items on future agendas by vote reflects that it can be accomplished by a majority of the aldermen present at a Council meeting. I had originally drawn it up to require a majority of the whole number of Council members which is what is required to adopt a resolution or ordinance. However, when Alderman Smith reviewed it, he questioned why it was that way instead of simply being a majority of those present. Since this is procedural in nature, I think it is within the Council's discretion to provide it as a majority of the quorum (those needed to be able to conduct business). This could mean as few as three as we can meet with four Aldermen and the Mayor. From a practical point of view, I suspect it does not matter as I think it unlikely putting something on the agenda will be controversial, but I thought I should note it. The version being sent to you is the one requested by Alderman Smith.

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING PROCEDURES WITH
REGARD TO MEETINGS**

WHEREAS, the City Council has determined it would be appropriate to set forth desired procedures with respect to meetings,

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

The City Council shall have the following regular meetings:

Sec. 1. Committee of the Whole Meetings:

- A. The Council shall meet as a Committee of the Whole at approximately 6:00 p.m. on a quarterly basis on the Monday before the second Tuesday in February, May, August, and November. These meetings shall be to allow the Council to meet and informally discuss matters related to the governing of the City. These meetings may also include opportunities to visit and receive education concerning current or planned city facilities.
- B. The Council may meet from time to time as a Committee of the Whole as called by the Mayor to discuss specific matters related to the governing of the City.
- C. If the Mayor determines that a regularly scheduled Committee of the Whole meeting is not necessary, the Mayor should state such to the Council and thereafter, the Council may cancel such meeting by a majority vote of the whole Council.

Sec. 2. Council Meetings:

- A. Council meetings shall begin at approximately 6:00 p.m. on the second and fourth Tuesdays of each month and shall generally have the following agenda:
 - 1. Public Comments ~~concerning the Business Items for this Meeting~~
 - 2. Council Questions/Discussion concerning the Business Items for this Meeting
 - 3. Call Meeting to Order
 - 4. Pledge of Allegiance and Moment of Silence
 - 5. Roll Call
 - 6. Consideration of the Minutes
 - 7. Consideration of the City's Business
 - 8. Announcements/Comments
 - 9. Adjournment

- B. Meeting Agenda – The Mayor shall place items on the agenda concerning the City's business such as to promote the orderly

administration of the City. Items may be added to future agendas by a majority vote of the Alderman present at a council meeting.

B.C. Public Comments –

1. ~~Limited Purpose~~ Public Forum - The Council shall hear public comments, ~~only concerning items on that night's agenda.~~
2. The Council shall hear comments for up to thirty minutes before each Council meeting. Each speaker shall be limited to a total of three minutes.
3. Speakers will be courteous in their language and presentation.
4. A person wishing to make a public comment shall sign up in advance providing their name and address. The sign-up sheet will be available for approximately twenty minutes before the meeting and an announcement will be made shortly before public comments begin to remind those wishing to make comments that they need to sign up to do so.
5. Those wishing to comment will be called in the order in which they have signed up.
6. Those making public comments shall do so from the podium.
7. Public comments shall be made to the Council as a whole.
8. Public comments are just that and a speaker's time is not to be used to attempt to ask questions of the Council, the Mayor, or other persons associated with City government.
9. Speakers should not expect an immediate response to their comments and Council members should not ask questions of those making public comments without seeking permission from the Chair.
10. Those wishing to comment concerning an item for which a public hearing will be held during the business portion of the meeting should do so when the public hearing is opened rather than doing so during the public comment period.

PASSED AND APPROVED, this ____ day of _____, 2015.

Bob McCaslin, Mayor

ATTEST:

Linda Spence, City Clerk

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING PROCEDURES WITH
REGARD TO MEETINGS.**

WHEREAS, the City Council has determined it would be appropriate to set forth desired procedures with respect to meetings,

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

The City Council shall have the following regular meetings:

Sec. 1. Committee of the Whole Meetings:

- A. The Council shall meet as a Committee of the Whole at approximately 6:00 p.m. on a quarterly basis on the Monday before the second Tuesday in February, May, August, and November. These meetings shall be to allow the Council to meet and informally discuss matters related to the governing of the City. These meetings may also include opportunities to visit and receive education concerning current or planned city facilities.**
- B. The Council may meet from time to time as a Committee of the Whole as called by the Mayor to discuss specific matters related to the governing of the City.**
- C. If the Mayor determines that a regularly scheduled Committee of the Whole meeting is not necessary, the Mayor should state such to the Council and thereafter, the Council may cancel such meeting by a majority vote of the whole Council.**

Sec. 2. Council Meetings:

- A. Council meetings shall begin at approximately 6:00 p.m. on the second and fourth Tuesdays of each month and shall generally have the following agenda:**
 - 1. Public Comments**
 - 2. Council Questions/Discussion concerning the Business Items for this Meeting**
 - 3. Call Meeting to Order**
 - 4. Pledge of Allegiance and Moment of Silence**
 - 5. Roll Call**
 - 6. Consideration of the Minutes**
 - 7. Consideration of the City's Business**
 - 8. Announcements/Comments**
 - 9. Adjournment**

B. Meeting Agenda – The Mayor shall place items on the agenda concerning the City’s business such as to promote the orderly administration of the City. Items may be added to future agendas by a majority vote of the Alderman present at a council meeting.

C. Public Comments –

- 1. Public Forum - The Council shall hear public comments.**
- 2. The Council shall hear comments for up to thirty minutes before each Council meeting. Each speaker shall be limited to a total of three minutes.**
- 3. Speakers will be courteous in their language and presentation.**
- 4. A person wishing to make a public comment shall sign up in advance providing their name and address. The sign-up sheet will be available for approximately twenty minutes before the meeting and an announcement will be made shortly before public comments begin to remind those wishing to make comments that they need to sign up to do so.**
- 5. Those wishing to comment will be called in the order in which they have signed up.**
- 6. Those making public comments shall do so from the podium.**
- 7. Public comments shall be made to the Council as a whole.**
- 8. Public comments are just that and a speaker’s time is not to be used to attempt to ask questions of the Council, the Mayor, or other persons associated with City government.**
- 9. Speakers should not expect an immediate response to their comments and Council members should not ask questions of those making public comments without seeking permission from the Chair.**
- 10. Those wishing to comment concerning an item for which a public hearing will be held during the business portion of the meeting should do so when the public hearing is opened rather than doing so during the public comment period.**

PASSED AND APPROVED, this _____ day of _____, 2015.

Bob McCaslin, Mayor

ATTEST:

Linda Spence, City Clerk



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, February 28, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, February 28, 2017 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: February 14, 2017**

AGENDA

1. Planning:
- 1a. **Lot Split: Lots 37 & 38 Commerce Center Subdivision, RT Western Missouri Franchise, LLC, 1402 South Walton Boulevard, C-2, General Commercial.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 37 (0.51 acres) and Lot 38 (1.05 acres) of Commerce Centre Subdivision. A 20' wide public utility easement is being dedicated to allow for the future construction of a public sewer main.

- 1b. **Property Line Adjustment: Lots 1 & 2, Henry C. Browne Addition, Henry C. Brown Limited Partnership, 1004 Phyllis Street, C-2, General Commercial.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that adjusts the common lot line between two existing lots creating two new lots. The new lots will be known as Lot 1 (4.65 acres) and Lot 2 (5.20 acres) of Henry C. Browne

Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Phyllis Street. Public utility easements are also being dedicated with the plat. The new lots will have access to public utilities and a public street.

- 1c. **Property Line Adjustment: Lots 1 & 2, Oscar Deckard Subdivision, Kristen L. Martin , 3 Lindy Lane, R-1, Single Family Residential.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment creating two new lots from un-platted section land. The new lots will be known as Lot 1 (0.79 acres) and Lot 2 (5.51 acres) of Oscar Deckard Subdivision. Per the requirements of the current Master Street Plan, adequate right-of-way exists along Southwest 14th Street. Public utility easements are being dedicated with the plat. Both new lots will have access to public utilities and a public street.

- 1d. **Property Line Adjustment: Lot 19, Block 1, Smartt's Addition, Main Street Co-Op Property, LLC, 409 & 501 Southwest 'A' Street & 500 South Main Street, DC, Downtown Core.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will remove the common lot line between three existing lots, creating one new lot. The new lot will be known as Lot 19 (2.30 acres), Block 1, of Smartt's Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Southwest 'A' Street. Adequate right-of-way exists along South Main Street. A public utility easement is being dedicated with the plat. A portion of the public alley in the northwest corner of the site will be vacated by a separate document and listed on the plat once complete. The new lot will have access to public utilities and a public street.

- 1e. **Final Plat: Lots 17-32, Block J Orchard Addition, Tourmaline Urban Lofts, LLC, 503 Southeast D Street, PRD, Planned Residential Development.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a final plat for 0.86 acres located at 503 Southeast 'D' Street to be known as Lots 17 through 32, Block J of Orchard Addition. Fifteen attached townhome lots and one common area lot will be created with this final plat.

- 1f. **Rezoning: Lonesome Tree Properties, LLC, Southwest 'I' Street, From A-1, Agricultural to C-3, Central Commercial.**

The Planning Commission voted 6-0, recommending approval.

The C-3, Central Commercial zoning district adjacent to the Bentonville Municipal Airport will allow for the construction of a new Flight Center and the request is consistent with the current Airport Master Plan and the Airport Advisory Board's goals and objectives.

- 1g. **Rezoning: Abraham Harvey & JBJ Properties, LLC, 112 Northeast Park Street, Northeast 'A' Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 4-2, recommending approval.

The Future Land Use Plan depicts these properties as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1h. **Rezoning: JBJ Properties, LLC, Northeast 'A' Street, From R-1, Single Family Residential to DN-2, Downtown Medium Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1i. **Rezoning: Clifford & Lori Vanderpool, 601 Northwest 'B' Street, From R-1, Single Family Residential to DN-2, Downtown Medium Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1j. **Rezoning: Hung T. Nguyen, James K. Smith, David Fredrickson, Daryl Stroud, Kenneth Smith, Scott Rampy, Lisa M. Hall, Larry Vandevor, Doug True, & Angel Floro, 901, 903, 907, 1001, 1005, 1009 Southeast 3rd Street, 112 Southeast 'J' Street, & 900 East Central Avenue, From R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown High-Density Residential (D-HDR). The PUD, Planned Unit Development zoning is an appropriate zoning district for this designation. The proposed multi-family housing will help the community achieve several objectives, providing a greater

variety of housing, increasing the amount of people living close to jobs and commerce and enhancing access to the downtown.

2. Public hearing and ordinance vacating a Public Access Easement located at 1302 Melissa, Hardcastle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
3. Public hearing and ordinance vacating a Utility Easement located at multiple parcels at Kerelaw Castle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
4. A resolution authorizing the Mayor and City Clerk to enter into an Enterprise License Agreement with ESRI in the amount of \$35,000.00. This is a 2017 budgeted item.
5. Approve a resolution to amend the contract with G-Squared to update 261 Maps – Ortho Photography and Planimetric features collection for GIS. This budgeted project will update the map features where change has occurred in our 261 map tiles from new 3-D imagery. This will result in 1"=50' map accuracy with 1-foot contour lines. This highly accurate and detailed mapping is needed by our City departments to update and replace our current maps.
6. Fire Department Staff is asking for Council's approval to the Bentonville Fire Department Standard Operating Guidelines (SOG'S).
7. Fire Department Staff recommends Council approve a resolution accepting the Emergency Medical Services (EMS) Agreement with Benton County. Benton County will pay the City of Bentonville \$80,000.00 to provide EMS to the unincorporated area of Benton County.
8. Fire Department Staff recommends Council allow the Mayor and City Clerk to enter in to a contract with Emergency Services Group International (ESGI) for continuing education for Active Shooter and Rescue Task Force (RTF) training.
9. This is a request to declare certain city properties as surplus items. A complete description of the property is attached and includes (1) out of service police vehicles, (2) aging service weapons, and (3) retired ballistic vests. Included in this attached property description is the proposed disposition for each item. (1) It is important to note that these vehicles can be transferred intact with blue lights or light bar, siren, console, gun rack and other law enforcement specific items still attached. These items would ordinarily require removal prior to any transfer of ownership. Transferring ownership to another law enforcement agency represents a responsible and safe disposition of police equipped vehicles. It also saves the city the costs associated with the removal and proper disposal of law enforcement only equipment that cannot be transferred to another vehicle. Transferring these vehicles also saves the costs associated with prolonged storage while awaiting auction. Additionally, this transfer encourages local partnerships, supports law enforcement and public safety in Northwest Arkansas and provides assistance to our law enforcement training academy (ALETA) and also our neighboring cities. (2) The trade in of aging service weapons promotes officer and public safety, results in further cost savings to

the city, and provides for a responsible disposition of firearms through a federally licensed firearm arms dealer. (3) The transfer of the retired ballistic vests also provides assistance to ALETA. The training academy has a new standard requiring vest protection on the shooting range, and this vest transfer will increase the safety for our own officers and other officers undergoing state mandated firearms training. It is likewise a responsible disposition of these law enforcement specific items. See attached memos and proposals for each receiving party.

10. Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an amended and restated land lease agreement with Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, for a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. Said lease amends and restates a lease previously approved by City Council in October 2014. Total leased area is 11,862.75. The Airport Advisory Board unanimously recommended this lease.
11. Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an assignment and assumption agreement by and between Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, (assignors) and VBT, LLC (assignee) for a land lease associated with a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. The Airport Advisory Board unanimously recommended this assignment.
12. City Council approval of a resolution, authorizing the Mayor and City Clerk to enter into an agreement with Morrison Shipley, for the design, bidding and construction observation of a new parking lot, pavilion and amphitheater stage at Citizens Park.
13. Parks and Recreation is requesting approval to enter into an agreement with Challenger Sports facilitate the Camp Soccer summer camp at Citizens Park. The agreement is a one year agreement for 2017 and may be renewed for two additional years in 2018 and 2019.
14. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with First Employment Staffing to provide temporary staff for Parks and Recreation and Public Works Maintenance Staff.
15. Resolution establishing procedures with regard to meetings.