BENTONVILLE CITY COUNCIL AGENDA

Note – Due to health concerns related to COVID-19, some of all of the members of the City Council, as well as City staff members, may attend this meeting by phone or other remote means. Those who attend should observe the CDC recommendations concerning hygiene, the use of masks or other facial coverings, and social distancing (keeping at least 6 feet away from other persons present at the meeting). No one should attend this meeting if they are experiencing any type of illness involving a fever, sneezing or coughing, or shortness of breath. Those attending the meeting in person may be screened before being allowed to enter by having their temperature taken and by being asked a series of questions focusing on possible exposure to COVID-19. Those wishing to make public comments who cannot or do not want to attend the meeting may do so by email submitted to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting and those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make "live" public comments orally in the event they cannot or do not feel comfortable attending the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to cc.comments@bentonvillear.com by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

Committee of the Whole **Monday, January 11, 2021 6:00 p.m.**
Bentonville Community Center **1101 Southwest Citizens Circle**
BCC Community Rooms

***If the public would like to attend virtually, please register at the following link by 4:00 p.m. on January 11, 2020:**
https://us02web.zoom.us/webinar/register/WN_5U0RH8bUQbaTnxQrFE6sog

Regular City Council Meeting **Tuesday, January 12, 2021 6:00 p.m.**
Bentonville Community Center **1101 Southwest Citizens Circle**
BCC Community Rooms

***If the public would like to attend virtually, please register at the following link by 4:00 p.m. on January 12, 2021:**
https://us02web.zoom.us/webinar/register/WN_sFI1-TlORmqemW_WmiK3yQ

Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from City Council Members on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: December 8, 2020

AGENDA

1. Administration of the Oath of Office to members of the Council. **(Monday Night Only)**

2. Briefing from City Attorney – FOIA, Council Procedures, including selection of the Chairman of the Committee of the Whole. **(Monday Night Only)** **(Pages 8-11)**

3. Master Street Plan Update – Dennis Birge, Transportation Director. **(Monday Night Only)**

4. Bond Presentation. **(Monday Night Only)**

5. Request that the City Council adopt a formal resolution to recognize, commend, and congratulate Detective Corporal Tracy Brown on his retirement from the City of Bentonville Police Department, effective January 15, 2021. This resolution recognizes Tracy Brown for than 22 years of dedicated and decorated service to the Bentonville Police Department. This resolution also wishes Tracy Brown much health, happiness, and continued success in all of his future endeavors. See attached resolution. **(Pages 17-18)**

6. Planning:

6a. **Ordinance accepting a lot split of Lots 1-2 of Joyner Addition, David Joyner, Phillips Cemetery Road, A-1, Agricultural.**

(Pages 19-21)

The Planning Commission voted 7-0, recommending approval.

A lot split of previously unplatted land, creating Lot 1 (+/- 19.2 acres) and Lot 2 (+/- 5.01 acres) of Joyner Addition. Right-of-way is being dedicated along Phillips Cemetery Road. An existing 60-foot access and utility easement runs along the eastern property line of proposed Lot 1 to allow access to proposed Lot 2.

6b. **Ordinance accepting a property line adjustment of Lot 27 of Huffman's Addition, Jeff & Abby England, 205 NW D Street, R-1, Single Family Residential.**

(Pages 22-24)

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lot 12, creating new Lot 27 (+/- 0.42 acres) of Huffman's Addition. The plat dedicates right-of-way to meet the requirements of

the Master Street Plan. An additional utility easement along NW D Street is also being dedicated with the plat.

6c. **Ordinance accepting a property line adjustment of Lot 26, Block 17 of Deming's Second Addition, Lyle & Marie Clapper , 412 NW 5th Street, R-1, Single Family Residential.**

(Pages 25-27)

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of existing Lots 12 and 13, Block 17, creating new Lot 26 (+/- 0.33 acres), Block 17 of Deming's Addition. The plat dedicates additional right-of-way to meet the requirements of the Master Street Plan.

6d. **Ordinance accepting a final plat of Lots 1-6 of Walmart Layout Subdivision.**

(Pages 28-36)

The Planning Commission voted 7-0, recommending approval.

A final plat to create Lots 1-6 of Walmart Layout Subdivision. The plat dedicates multiple utility easements of varying widths per the Walmart Layout Center Large Scale Development. The plat dedicates additional right-of-way for the constructed portions of SE Martin Luther King Junior Parkway and SE 5th Street.

6e. **Resolution to adopt the Master Street Plan.**

(Pages 37-42)

The Planning Commission voted 7-0, recommending approval.

A resolution adopting the Master Street Plan, consisting of the Master Street Plan map and typical cross sections, of the City of Bentonville. The Master Street Plan is adopted to provide for the orderly growth and development of the City of Bentonville through the development of a roadway system that provides internal circulation within the city while connecting to other population centers in Northwest Arkansas.

6f. **Ordinance changing real estate from A-1, Agricultural to C-2, General Commercial, Clearwater Investments, LLC, 2903 SW 14th Street.**

(Pages 43-46)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as General Commercial. The Bentonville Community Plan describes General Commercial areas to include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged, but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping.

The proposed rezoning request does align with the Future Land Use plan, surrounding uses and zoning districts, and may justify the rezoning request to C-2, General Commercial. Staff recommends approval of the rezoning request.

6g. **Ordinance changing real estate from A-1, Agricultural to R-1, Single Family Residential, Highland, LLC, 4800 S Vaughn Road.**

(Pages 47-51)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Agriculture. These areas include larger properties used primarily for the raising of crops or livestock. These properties may also include single-family residences and other farming related structures.

Staff recommends approval of the rezoning request due to the site's compatibility with current development in the area, as well as surrounding uses and zoning districts.

6h. **Ordinance changing real estate from DE, Downtown Edge to DC, Downtown Core, Emma Partners, LLC, 310 S Main Street.**

(Pages 52-54)

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 1, Downtown Intensification. The Plan notes that supporting redevelopment downtown allows the community to take advantage of current market capacity, increasing housing options, and increase the amount of people living close to jobs and commerce (p. 46). In addition, the property is depicted in the South Gateway Downtown Character Area. The plan recommends continued support of S Main Street as a secondary entry into downtown, with a mix of commercial and residential uses.

The Future Land Use Map currently depicts this property as Downtown Commercial. These areas typically include vertical, mixed-use developments with a focus on design character and pedestrian access.

The Future Land Use Plan, the Downtown Character Area Plan, and surrounding zoning districts lend credence to the rezoning applications. Staff recommends approval.

6i. **Ordinance changing real estate from DE, Downtown Edge to DC, Downtown Core, Emma Partners, LLC, S Main Street.**

(Pages 55-57)

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 1, Downtown Intensification. The Plan notes that supporting redevelopment downtown allows the community to take advantage of current market capacity, increasing housing options, and increase the amount of people living close to jobs and commerce (p. 46). In addition, the property is depicted in the South Gateway Downtown Character Area. The plan recommends continued support of S Main Street as a secondary entry into downtown, with a mix of commercial and residential uses.

The Future Land Use Map currently depicts this property as Downtown Commercial. These areas typically include vertical, mixed-use developments with a focus on design character and pedestrian access.

The Future Land Use Plan, the Downtown Character Area Plan, and surrounding zoning districts lend credence to the rezoning applications. Staff recommends approval.

6j. **Ordinance changing real estate from A-1, Agricultural to R-3, Medium Density Residential, Seven HB Real Estate, LLC, 3302 SE L Street.**

(Pages 58-62)

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 2, Infill of the Community Plan. The Plan describes how currently vacant and agricultural acreage could accommodate a population increase of approximately 31,000 residents within the Infill Priority Area (p. 48). The plan states that most of the development needed to accommodate Bentonville's anticipated growth can be accommodated with urban opportunity sites that exist within developed areas of the city.

The Future Land Use Plan currently depicts this property as High-Density Residential. These areas include a variety of housing types, such as multi-family or dense single-family, typically with integrated amenities for residents.

The Future Land Use Plan and Land Use and Strategic Growth Chapter of the Community Plan lends credence to this rezoning request. Staff recommends approval.

6k. **Ordinance changing real estate from A-1, Agricultural to R-1, Single Family Residential, Shasta Properties, LLC, 3905 S Vaughn Road.**

(Pages 63-67)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Agriculture. These areas include larger properties used primarily for the raising of crops or livestock. These properties may also include single-family residences and other farming related structures.

Staff recommends approval of the rezoning request due to the site's compatibility with current development in the area, as well as surrounding uses and zoning districts.

6l. **Ordinance changing real estate from A-1, Agricultural to R-1, Single Family Residential, Cristi Gaffney, S Morningstar Road.**

(Pages 68-72)

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 3, Edge Growth of the Community Plan. The Plan cautions against rezoning requests located more than a quarter of a mile from existing public water, sewer, and storm water infrastructure. In the case of this property, Aurora Subdivision is located less than 1,000 feet to the north, which will allow for a connection to existing city infrastructure.

The Future Land Use Plan currently depicts this property as Agricultural. These areas include larger properties used for the raising of crops of livestock. The lots may include residential structures.

The Bentonville Community Plan Land Use and Strategic Growth Chapter and surrounding development patterns lend credence to the rezoning request. Staff recommends approval.

6m. **Ordinance accepting a lot split of Lots 1-2 of St. Mary's Addition, Mercy Health Systems of NWA, Inc., 3101 SE 14th Street, C-2, General Commercial.**

(Pages 73-75)

The Planning Commission voted 7-0, recommending approval.

A lot split of Tract B of St. Mary's Addition, creating new Lots 1 (+/- 3.83 acres) and 2 (+/- 14.03 acres). The plat dedicates utility easements of varying widths for the existing sanitary sewer service.

6n. **Ordinance accepting a final plat of Clarendon Heights Subdivision.**

(Pages 76-80)

The Planning Commission voted 7-0, recommending approval.

A final plat of a 74-lot subdivision to be known as Clarendon Heights Subdivision. Right-of-way is being dedicated along Highway 112, as well as for all public streets within the development. Various utility and drainage easements are also being dedicated with this plat.

7. Appointment of Grant Cottrell to fill the vacancy in Position 2 on the Public Art Advisory Committee (PAAC). The position was vacated by Dylan Turk who relocated outside of Bentonville. Mr. Cottrell holds a Bachelor's Degree in Fine Art and Graphic Design. Mr. Cottrell's first term, completing the unfulfilled term of Position 2, will expire on Oct. 31, 2021. **(Pages 81-85)**

8. Mayor recommends appointment of Tim Robinson to the City of Bentonville's Advertising and Promotion Commission. **(Pages 86-87)**

9. Appointment of Aniruddha Marathe to a recently vacated term on the Bentonville Utility Board. This is his first term, effective January 12, 2021 to December 31, 2021. This will fill the position vacated by Rinky Singh. **(Pages 88-92)**

10. Resolution for City Council approval recommended by Staff of an Inter-agency Service Agreement for the Operation of the Benton County Convenience Center Program. The funds to support the Benton County Solid Waste District convenience centers for the 2021 calendar year was approved in the 2021 budget. **(Pages 93-104)**

11. Budget adjustment in the amount of $1500.00, to recognize receipt of a grant from the Arkansas Alternative Dispute Resolution Commission for the Bentonville District Court mediation program. **(Pages 105-107)**

12. Resolution allowing an Amendment to the City of Bentonville's current contract with Tyler Technologies, Inc. which would provide for the implementation of Incode Court Suite, a case management software for use at the Bentonville District Court. **(Pages 108-171)**

13. Resolution requesting approval of Memorandum of Understanding for the MS4 Jurisdictions of Northwest Arkansas and the Northwest Arkansas Regional Planning Commission for $22,960.63. **(Pages 172-176)**

14. Resolution setting a public hearing for January 26, 2021 for a Street Right of Way Vacation at 407 W Central (VAC20-0032). **(Pages 177-181)**

15. Resolution setting a public hearing for January 26, 2021 for a Utility Easement Vacation requested for 4100 North Rainbow Farm Road (VAC20-0033). **(Pages 182-185)**

16. Resolution setting a public hearing for January 26, 2020 for a Utility Easement Vacation requested for 1005 Museum Way (VAC20-0034). **(Pages 186-189)**

17. Resolution setting a public hearing for January 26, 2021 for an Alley Right-of-Way Vacation of Petticoat Lane (VAC20-0035). **(Pages 190-193)**

18. Staff recommends that the Mayor and City Council approve the final payment and reconciliation change order for ARDOT 090473 – Hwy. 102 SW I St. Inters. Impvts. (Bentonville) (S). This Reconciliation Change Order reduces the overall contract by $5,011.65 and adds 290 additional days to the project. **(Pages 194-206)**

19. Budget Adjustment to recognize and accept funds totaling $4,500.00 from a Walmart Stores Inc. Local Grant (Neighborhood Mkt. on SW Regional and Supercenter on S. Walton in the amount of $2,500.00 and $2,000.00 respectively), and also funds from a private donation ($250.00) to be utilized to purchase two e-bikes and equipment for the Police Bike Team. All funds were received in December 2020. **(Pages 207-208)**

20. City Council approval of Mayor Orman's recommendation to appoint Ryan Hollingsworth to the Parks and Recreation Advisory Board and the reappointment of Cortney Carlson and Dan Grover for their second terms. **(Pages 209-218)**

21a. City Council approval of Bid Award IFB-20-74, in the amount of $540,881.00, to 81 Construction for the park improvements and renovation for the Old Tiger Track. **(Pages 219-221)**

21b. City Council approval of Budget Adjustment, in the amount of $335,782.00, to recognize $317,891.00 in revenue from Visit Bentonville's Parks Fund, and $17,891.00 in City Fund Balance to be used for renovations for the Old Tiger Track Project. **(Pages 222-224)**

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Administration**
Submitted by	**George Spence**
Phone	**(479) 273-2777**

Item Type: (*Check All That Apply*)

☐ Budget Adjustment	☐ Change Order	☑ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action (***Enter recommendation in space below***)**:**

Briefing from City Attorney – FOIA, Council Procedures, including selection of the Chairman of the Committee of the Whole.

Estimated Cost	**$**
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded (*briefly explain in space below*)**:**

RESOLUTION NO. 2-12-19E

A RESOLUTION ESTABLISHING PROCEDURES WITH REGARD TO MEETINGS - 2019

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 six dates dispersed through the year, as scheduled by the Mayor after consultation with the Council. 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 previously 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. Other Business/Announcements/Comments
9. Adjournment
10. Public Comments concerning matters of City-related business

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. Limited Purpose Public Forum - The Council shall hear public comments before the meeting is called to order only concerning items on that night's agenda. After the meeting is adjourned, the Council shall hear public comments concerning any item of City-related business. Any interested party is invited to make comments before a meeting on matters included in that night's agenda, but the comment period after the meeting is adjourned is limited to residents of the City of Bentonville.
   2. The Council shall hear comments for up to thirty minutes before each Council meeting and for up to thirty minutes after each Council meeting. Each speaker shall be limited to a total of three minutes. No speaker shall speak twice on the same subject at a single meeting.
   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, address, and the subject they plan to address in their comment. 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 at the beginning of the meeting 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 12th day of February, 2019.

[redacted]
Stephanie Orman, Mayor

ATTEST:

[redacted]
Linda Spence, City Clerk



Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Police Department**
Submitted by	**Jon Simpson**
Phone	**(479) 271-3173**

Item Type: ***(Check All That Apply)***

☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

Request that the City Council adopt a formal resolution to recognize, commend, and congratulate Detective Corporal Tracy Brown on his retirement from the City of Bentonville Police Department, effective January 15, 2021. This resolution recognizes Tracy Brown for than 22 years of dedicated and decorated service to the Bentonville Police Department. This resolution also wishes Tracy Brown much health, happiness, and continued success in all of his future endeavors. See attached resolution.

Estimated Cost	
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**

City of Bentonville
State of Arkansas

RESOLUTION

DETECTIVE CORPORAL

Tracy Brown

WAS BORN IN WEST MEMPHIS, ARKANSAS AND GRADUATED FROM MOUNTAIN HOME HIGH SCHOOL IN 1990; AND

WHEREAS, DETECTIVE CORPORAL TRACY BROWN BEGAN HIS 31 YEAR LAW ENFORCEMENT CAREER FIRST SERVING IN THE UNITED STATES AIR FORCE AS A MILITARY POLICE OFFICER IN 1990, STATIONED IN THE REPUBLIC OF KOREA UNTIL HIS HONORABLE DISCHARGE IN 1994, AND CONTINUED HIS LAW ENFORCEMENT CAREER IN BENTONVILLE, ARKANSAS AS A BENTON COUNTY SHERIFF'S OFFICE DETENTION DEPUTY IN 1995 AND AS A FIELD DEPUTY IN 1996; AND

WHEREAS, DETECTIVE CORPORAL TRACY BROWN JOINED THE CITY OF BENTONVILLE POLICE DEPARTMENT AS A PATROL OFFICER ON JANUARY 4, 1999, LATER TO BE ASSIGNED TO THE OPERATIONS DIVISION AS A TRAFFIC ENFORCEMENT OFFICER AND ACCIDENT RECONSTRUCTIONIST IN 2006, BEFORE EARNING THE TITLE OF A NARCOTICS DETECTIVE IN THE CRIMINAL INVESTIGATIONS DIVISION IN 2013, ULTIMATELY USING HIS COLLECTION OF EXPERIENCE AND SKILLS TO ASSUME THE ROLE AND RESPONSIBILITY OF THE DEPARTMENT'S CRIME SCENE INVESTIGATOR AND CUSTODIAN OF ALL PROPERTY AND EVIDENCE IN 2019, A CAPACITY IN WHICH HE FAITHFULLY SERVED WITH THE PRESENT RANK OF DETECTIVE CORPORAL, UNTIL HIS RETIREMENT; AND

WHEREAS, DETECTIVE CORPORAL TRACY BROWN, SPECIALIZED IN NARCOTICS UNDERCOVER INVESTIGATIONS NOT ONLY AS A BENTONVILLE POLICE DETECTIVE BUT ALSO SERVING AS A FEDERAL TASK FORCE OFFICER WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, WHERE HE LED NUMEROUS FEDERAL AND STATE NARCOTICS RELATED INVESTIGATIONS; AND

WHEREAS, DETECTIVE CORPORAL TRACY BROWN DEMONSTRATED ENFORCEMENT AND INVESTIGATIVE SKILLS THAT WERE SECOND TO NONE, AND UTILIZED THESE SKILLS TO IMPROVE THE SAFETY AND SECURITY OF OUR COMMUNITY, AND EARNED MANY SPECIALIZED CERTIFICATIONS INCLUDING THAT OF A CRISIS NEGOTIATOR, ACCIDENT RECONSTRUCTIONIST, NARCOTICS OFFICER, AND CRIME SCENE INVESTIGATOR; AND

WHEREAS, DETECTIVE CORPORAL TRACY BROWN APPROACHED ALL OF HIS DUTIES AS ASSIGNED WITH AN UNCOMPROMISING LEVEL OF INTEGRITY AND CARE THAT DEFINE THE BEST STANDARDS OF THE CITY OF BENTONVILLE, THE PROFESSION OF LAW ENFORCEMENT, AND PERSONAL INDIVIDUAL CHARACTER; AND

WHEREAS, DETECTIVE CORPORAL TRACY BROWN THROUGH HIS COUNTLESS DUTIES AND ACCOMPLISHMENTS, DELIVERED TO THE BENTONVILLE POLICE DEPARTMENT AND THE CITIZENS OF BENTONVILLE AN UNPARALLELED LEVEL OF PROFESSIONALISM AND SERVICE.

NOW THEREFORE, BE IT RESOLVED THAT BY THE ADOPTION OF THIS RESOLUTION, THE CITY COUNCIL OF BENTONVILLE HEREBY COMMENDS AND CONGRATULATES DETECTIVE CORPORAL TRACY BROWN FOR HIS MANY CONTRIBUTIONS, HIS REPUTATION FOR ACCURACY, QUALITY, ALWAYS BEING STRAIGHTFORWARD AND WITHOUT BIAS, AND HIS 22 PLUS YEARS OF DEDICATED SERVICE TO THE BENTONVILLE POLICE DEPARTMENT AND THE CITIZENS OF BENTONVILLE, AND WISHES HIM HEALTH, HAPPINESS, AND CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

GIVEN THIS 12th day of January 2021, in Bentonville, in the Great State of Arkansas, in the United States of America.

[redacted]

Stephanie Orman, Mayor

[redacted]

City Council Agenda Items

For City Council Meeting of January 12, 2021
From the January 5, 2021 Planning Commission Meeting

a. Ordinance accepting a lot split of Lots 1-2 of Joyner Addition, David Joyner, Phillips Cemetery Road, A-1, Agricultural.

The Planning Commission voted 7-0, recommending approval.

A lot split of previously unplatted land, creating Lot 1 (+/- 19.2 acres) and Lot 2 (+/- 5.01 acres) of Joyner Addition. Right-of-way is being dedicated along Phillips Cemetery Road. An existing 60-foot access and utility easement runs along the eastern property line of proposed Lot 1 to allow access to proposed Lot 2.

b. Ordinance accepting a property line adjustment of Lot 27 of Huffman's Addition, Jeff & Abby England, 205 NW D Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lot 12, creating new Lot 27 (+/- 0.42 acres) of Huffman's Addition. The plat dedicates right-of-way to meet the requirements of the Master Street Plan. An additional utility easement along NW D Street is also being dedicated with the plat.

c. Ordinance accepting a property line adjustment of Lot 26, Block 17 of Deming's Second Addition, Lyle & Marie Clapper , 412 NW 5th Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of existing Lots 12 and 13, Block 17, creating new Lot 26 (+/- 0.33 acres), Block 17 of Deming's Addition. The plat dedicates additional right-of-way to meet the requirements of the Master Street Plan.

d. Ordinance accepting a final plat of Lots 1-6 of Walmart Layout Subdivision.

The Planning Commission voted 7-0, recommending approval.

A final plat to create Lots 1-6 of Walmart Layout Subdivision. The plat dedicates multiple utility easements of varying widths per the Walmart Layout Center Large Scale Development. The plat dedicates additional right-of-way for the constructed portions of SE Martin Luther King Junior Parkway and SE 5th Street.

e. Resolution to adopt the Master Street Plan.

The Planning Commission voted 7-0, recommending approval.

A resolution adopting the Master Street Plan, consisting of the Master Street Plan map and typical cross sections, of the City of Bentonville. The Master Street Plan is adopted to provide for the orderly growth and development of the City of Bentonville through the development of a roadway system that provides internal circulation within the city while connecting to other population centers in Northwest Arkansas.

f. Ordinance changing real estate from A-1, Agricultural to C-2, General Commercial, Clearwater Investments, LLC, 2903 SW 14th Street.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as General Commercial. The Bentonville Community Plan describes General Commercial areas to include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged, but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping.

The proposed rezoning request does align with the Future Land Use plan, surrounding uses and zoning districts, and may justify the rezoning request to C-2, General Commercial. Staff recommends approval of the rezoning request.

g. Ordinance changing real estate from A-1, Agricultural to R-1, Single Family Residential, Highland, LLC, 4800 S Vaughn Road.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Agriculture. These areas include larger properties used primarily for the raising of crops or livestock. These properties may also include single-family residences and other farming related structures.

Staff recommends approval of the rezoning request due to the site's compatibility with current development in the area, as well as surrounding uses and zoning districts.

h. Ordinance changing real estate from DE, Downtown Edge to DC, Downtown Core, Emma Partners, LLC, 310 S Main Street.

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 1, Downtown Intensification. The Plan notes that supporting redevelopment downtown allows the community to take advantage of current market capacity, increasing housing options, and increase the amount of people living close to jobs and commerce (p. 46). In addition, the property is depicted in the South Gateway Downtown Character Area. The plan recommends continued support of S Main Street as a secondary entry into downtown, with a mix of commercial and residential uses.

The Future Land Use Map currently depicts this property as Downtown Commercial. These areas typically include vertical, mixed-use developments with a focus on design character and pedestrian access.

The Future Land Use Plan, the Downtown Character Area Plan, and surrounding zoning districts lend credence to the rezoning applications. Staff recommends approval.

i. Ordinance changing real estate from DE, Downtown Edge to DC, Downtown Core, Emma Partners, LLC, S Main Street.

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 1, Downtown Intensification. The Plan notes that supporting redevelopment downtown allows the community to take advantage of current market capacity, increasing housing options, and increase the amount of people living close to jobs and commerce (p. 46). In addition, the property is depicted in the South Gateway Downtown Character Area. The plan recommends continued support of S Main Street as a secondary entry into downtown, with a mix of commercial and residential uses.

The Future Land Use Map currently depicts this property as Downtown Commercial. These areas typically include vertical, mixed-use developments with a focus on design character and pedestrian access.

The Future Land Use Plan, the Downtown Character Area Plan, and surrounding zoning districts lend credence to the rezoning applications. Staff recommends approval.

j. Ordinance changing real estate from A-1, Agricultural to R-3, Medium Density Residential, Seven HB Real Estate, LLC, 3302 SE L Street.

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 2, Infill of the Community Plan. The Plan describes how currently vacant and agricultural acreage could accommodate a population increase of approximately 31,000 residents within the Infill Priority Area (p. 48). The plan states that most of the development needed to accommodate Bentonville's anticipated growth can be accommodated with urban opportunity sites that exist within developed areas of the city.

The Future Land Use Plan currently depicts this property as High-Density Residential. These areas include a variety of housing types, such as multi-family or dense single-family, typically with integrated amenities for residents.

The Future Land Use Plan and Land Use and Strategic Growth Chapter of the Community Plan lends credence to this rezoning request. Staff recommends approval.

k. Ordinance changing real estate from A-1, Agricultural to R-1, Single Family Residential, Shasta Properties, LLC, 3905 S Vaughn Road.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Agriculture. These areas include larger properties used primarily for the raising of crops or livestock. These properties may also include single-family residences and other farming related structures.

Staff recommends approval of the rezoning request due to the site's compatibility with current development in the area, as well as surrounding uses and zoning districts.

l. Ordinance changing real estate from A-1, Agricultural to R-1, Single Family Residential, Cristi Gaffney, S Morningstar Road.

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within Priority Area 3, Edge Growth of the Community Plan. The Plan cautions against rezoning requests located more than a quarter of a mile from existing public water, sewer, and storm water infrastructure. In the case of this property, Aurora Subdivision is located less than 1,000 feet to the north, which will allow for a connection to existing city infrastructure.

The Future Land Use Plan currently depicts this property as Agricultural. These areas include larger properties used for the raising of crops of livestock. The lots may include residential structures.

The Bentonville Community Plan Land Use and Strategic Growth Chapter and surrounding development patterns lend credence to the rezoning request. Staff recommends approval.

m. Ordinance accepting a lot split of Lots 1-2 of St. Mary's Addition, Mercy Health Systems of NWA, Inc., 3101 SE 14th Street, C-2, General Commercial.

The Planning Commission voted 7-0, recommending approval.

A lot split of Tract B of St. Mary's Addition, creating new Lots 1 (+/- 3.83 acres) and 2 (+/- 14.03 acres). The plat dedicates utility easements of varying widths for the existing sanitary sewer service.

n. Ordinance accepting a final plat of Clarendon Heights Subdivision.

The Planning Commission voted 7-0, recommending approval.

A final plat of a 74-lot subdivision to be known as Clarendon Heights Subdivision. Right-of-way is being dedicated along Highway 112, as well as for all public streets within the development. Various utility and drainage easements are also being dedicated with this plat.

Consent Agenda Items

For Planning Commission meeting of January 5, 2021

Reviewer: Tyler Overstreet, AICP, Senior Planner

- At the Technical Review meeting held on December 29, 2020 the Planning Commission requested these items be placed on the consent agenda. The descriptions below shall serve as the staff report for each of the consent agenda items.

Lot Split: Lots 1-2 of Joyner Addition, Phillips Cemetery Road, A-1, Agricultural, *LS20-0057*

A lot split of previously unplatted land, creating Lot 1 (+/- 19.2 acres) and Lot 2 (+/- 5.01 acres) of Joyner Addition. Right-of-way is being dedicated along Phillips Cemetery Road. An existing 60-foot access and utility easement runs along the eastern property line of proposed Lot 1 to allow access to proposed Lot 2.

(Please click on this link to access the vicinity map for this item: https://arcg.is/08HvK8)

Property Line Adjustment: Lot 7 of Huffman's Addition, 205 NW D Street, R-1 Single-Family Residential, *PLA20-0054*

A property line adjustment of Lot 12, creating new Lot 7 (+/- 0.42 acres) of Huffman's Addition. The plat dedicates right-of-way to meet the requirements of the Master Street Plan. An additional utility easement along NW D Street is also being dedicated with the plat.

(Please click on this link to access the vicinity map for this item: https://arcg.is/08HvK8)

Property Line Adjustment: Lot 26, Block 17 of Deming's Second Addition, 412 NW 5th Street, R-1, Single-Family Residential, *PLA20-0056*

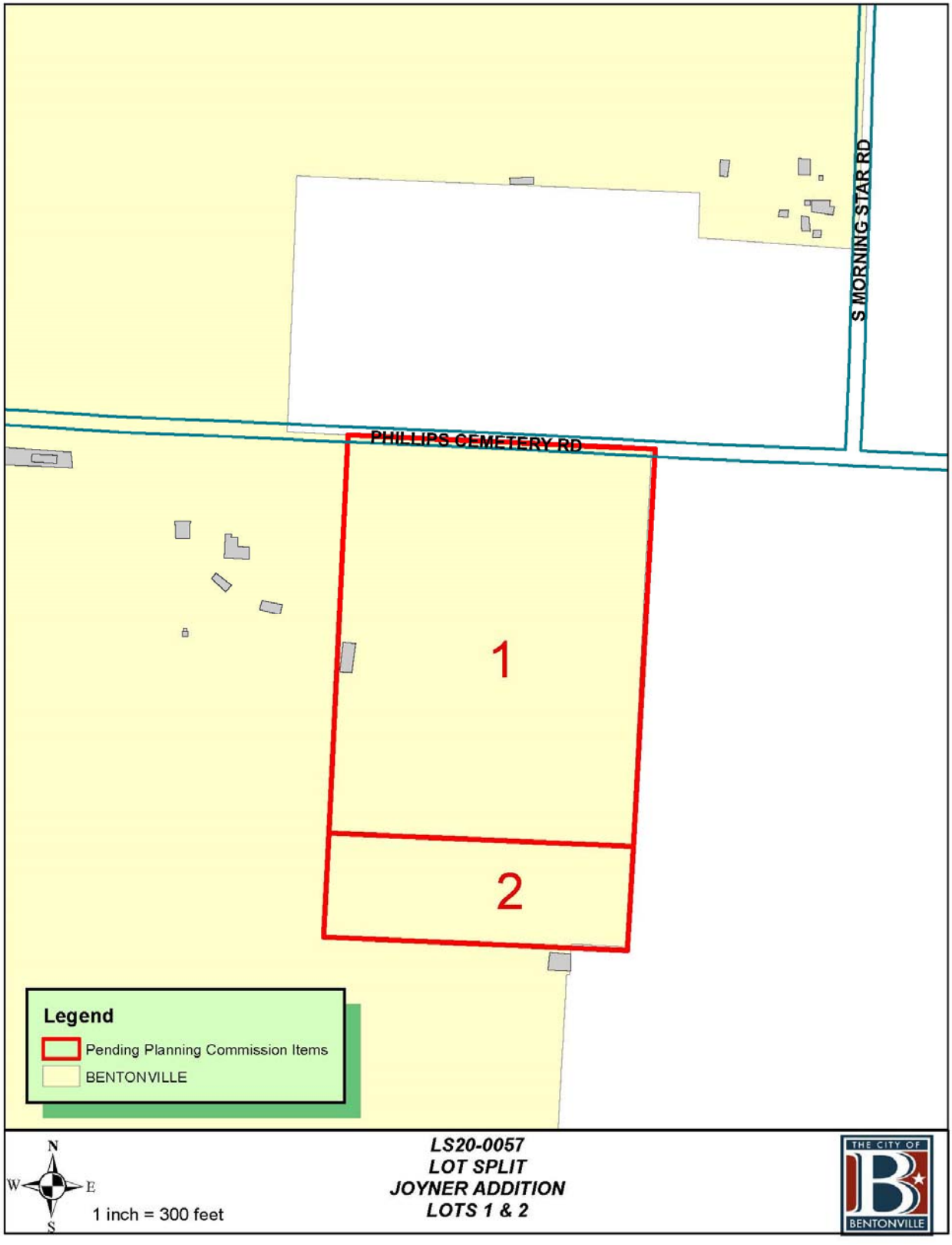
A property line adjustment of existing Lots 12 and 13, Block 17, creating new Lot 26 (+/- 0.33 acres), Block 17 of Deming's Addition. The plat dedicates additional right-of-way to meet the requirements of the Master Street Plan.

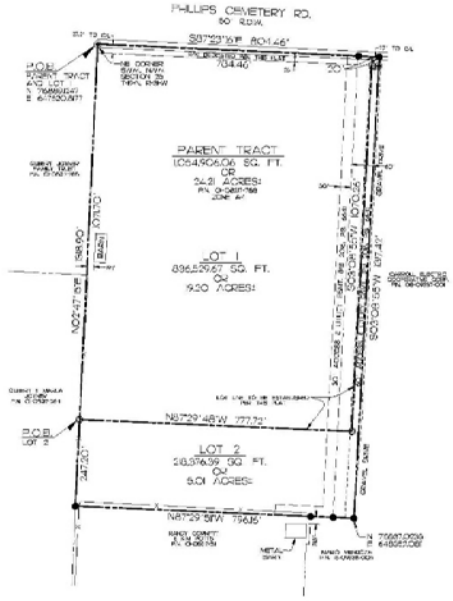
(Please click on this link to access the vicinity map for this item: https://arcg.is/08HvK8)

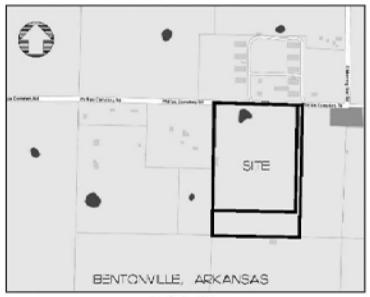
Final Plat: Walmart Layout Subdivision, 203 SE Martin Luther King Junior Parkway, C-2, General Commercial, *FP20-0004*

A final plat to create Lots 1-6 of Walmart Layout Subdivision. The plat dedicates multiple utility easements of varying widths per the Walmart Layout Center Large Scale Development. The plat dedicates additional right-of-way for the constructed portions of SE Martin Luther King Junior Parkway and SE 5th Street.

(Please click on this link to access the vicinity map for this item: https://arcg.is/08HvK8)


S MORNING STAR RD
PHILLIPS CEMETERY RD
1
2
Legend
Pending Planning Commission Items
BENTONVILLE
N
W
E
S
1 inch = 300 feet
LS20-0057
LOT SPLIT
JOYNER ADDITION
LOTS 1 & 2
THE CITY OF
BENTONVILLE





VICINITY MAP
NOT TO SCALE

CITY OF BENTONVILLE PROJECT #LS20-0067

PARENT TRACT DESCRIPTION:

PART OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTH-WEST QUARTER (NW¼) OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NE CORNER OF THE SW¼ OF THE NW¼ OF SAID SECTION 35, SAID POINT BEING IN THE ROADWAY OF PHILLIPS CEMETERY ROAD, THENCE ALONG SAID ROADWAY S87°23'16"E 804.46 FEET, THENCE LEAVING SAID ROADWAY S03°08'55"W 1070.05 FEET, THENCE N87°29'48"W 777.72 FEET, THENCE N02°47'15"E 1349.90 FEET TO THE POINT OF BEGINNING, CONTAINING 1,054,906.06 SQUARE FEET OR 24.21 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LOT 1 DESCRIPTION:

PART OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTH-WEST QUARTER (NW¼) OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NE CORNER OF THE SW¼ OF THE NW¼ OF SAID SECTION 35, SAID POINT BEING IN THE ROADWAY OF PHILLIPS CEMETERY ROAD, THENCE ALONG SAID ROADWAY S87°23'16"E 784.46 FEET, THENCE LEAVING SAID ROADWAY S03°08'55"W 1070.05 FEET, THENCE N87°29'48"W 777.72 FEET, THENCE N02°47'15"E 1070 FEET TO THE POINT OF BEGINNING, CONTAINING 836,529.67 SQUARE FEET OR 19.20 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LOT 2 DESCRIPTION:

PART OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTH-WEST QUARTER (NW¼) OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NE CORNER OF THE SW¼ OF THE NW¼ OF SAID SECTION 35; THENCE S02°47'15"W 1070 FEET TO THE POINT OF BEGINNING; THENCE S87°29'48"E 777.72 FEET; THENCE S03°08'55"W 1070.05 FEET TO THE ROADWAY OF PHILLIPS CEMETERY ROAD; THENCE ALONG SAID ROADWAY S87°23'16"E 20.00 FEET; THENCE LEAVING SAID ROADWAY S03°08'55"W 872.42 FEET; THENCE N87°15'51"W 796.85 FEET; THENCE N02°47'15"E 1947.20 FEET TO THE POINT OF BEGINNING CONTAINING 218,400.7 SQUARE FEET OR 5.01 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THE SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.

3. DEDICATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.

5. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE.

6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

7. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

8. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

9. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

10. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION AND NOTIFY SAID DEPARTMENTS OF THE INTENT AND TYPE OF WORK THAT WILL TAKE PLACE WITHIN THE R.O.W.

11. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

12. LOT 2 DOES NOT HAVE ACCESS TO SEWER.

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0215K EFFECTIVE DATE JUNE 5, 2012 AND FOUND THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYING HAVE BEEN MET.

DATE OF EXECUTION _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370
STATE OF ARKANSAS

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

LEGEND

- ● FOUND REBAR
- ◉ SET MAGNETIC NAIL
- ○ SET ½" REBAR W/CAP, LS 1370
- WIRE FENCE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- FLOWLINE
- EASEMENT LINE

CERTIFICATE OF OWNERSHIP AND DEDICATION:

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

PRINT NAME: _____

SIGNATURE: _____

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20__.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL:

PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

0 200 400
SCALE 1" = 200' FEET

ATLAS PAGE: NO. 647

STATE SURVEY CODE: 500-9N-9W-0-35-430-04-1370

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE 1st Street, Suite 5
Bentonville, AR 72712
Telephone 479-268-4464

SCALE: 1" = 200' DATE: 11-9-20

LOT SPLIT:
CREATING LOTS 1 AND 2
JOYNER ADDITION

10387 PHILLIPS CEMETERY ROAD
BENTONVILLE, BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY:	CHKD BY:	PAGE
20-225	ASD	RJC	OF

REGISTERED
STATE OF ARKANSAS
NO. 1370
ROBERT J. CASTER
PROFESSIONAL LAND SURVEYOR

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1-2 OF JOYNER ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: LS20-0057).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of Lots 1-2 of Joyner Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on January 5, 2021; 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 1-2 of Joyner Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

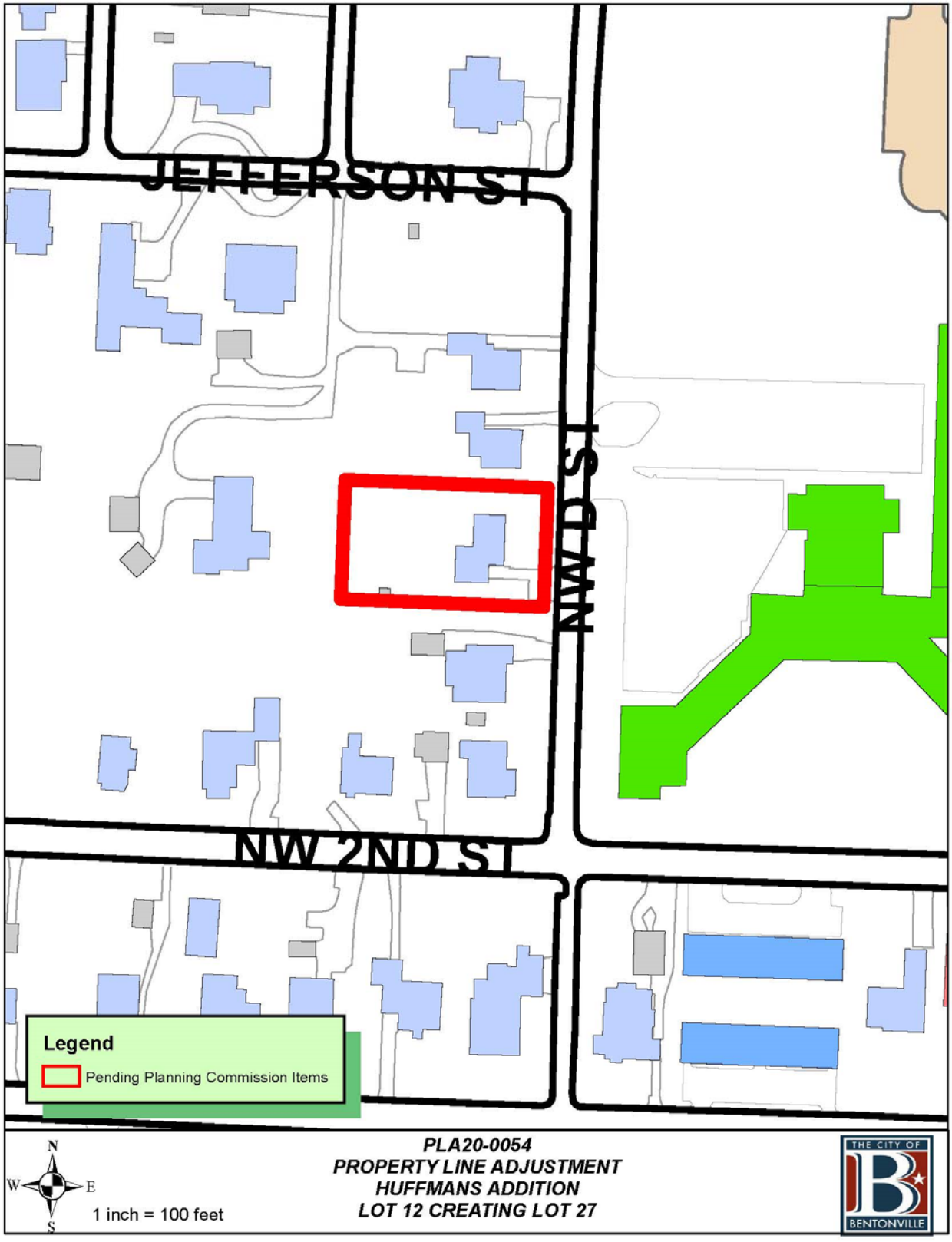
PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk


JEFFERSON ST
NW D ST
NW 2ND ST
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
PLA20-0054
PROPERTY LINE ADJUSTMENT
HUFFMANS ADDITION
LOT 12 CREATING LOT 27
THE CITY OF
BENTONVILLE

PROPERTY LINE ADJUSTMENT OF THE SOUTH 104' OF LOT 12, HUFFMAN'S ADDITION, CREATING NEW LOT 27

FIELD WORK:
NOVEMBER 3, 2020

BASIS OF BEARING:
GPS OBSERVATION' - AR NORTH ZONE

REFERENCE DOCUMENTS:
1) WARRANTY DEED FILED IN BOOK L2020 AT PAGE 61832
2) WARRANTY DEED FILED IN BOOK 2002 AT PAGE 44497
3) PLAT OF SURVEY FILED IN BOOK L30 17 AT PAGE 56058
4) PLAT OF SURVEY FILED IN BOOK V AT PAGE 525
5) PLAT OF SURVEY FILED IN BOOK 2006 AT PAGE 908
6) PLAT OF SURVEY FILED IN BOOK 76 AT PAGE 56
7) PLAT OF SURVEY FILED IN BOOK B AT PAGE 108

PROPERTY ZONED:
R-1

BUILDING SETBACK NOTE:
SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT www.bentonvilleplanning.com OR CALL THE PLANNING DEPARTMENT @ 479-271-3122

EXISTING DEED DESCRIPTION (L-2020 - 61832):
A STRIP OF LAND 104' FEET WIDE SQUARELY OFF THE SOUTH SIDE OF LOT 12, HUFFMAN'S ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

NEW LOT 27 DESCRIPTION:
A PART OF LOT 12, HUFFMAN'S ADDITION, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A IRON IT MARKING THE SOUTHWEST CORNER OF SAID LOT 12 AND RUNNING THENCE N02°01'43"E 104.00', THENCE S87°44'25"E 177.15' TO A POINT ON THE WEST MASTER STREET PLAN RIGHT-OF-WAY OF NORTHWEST 1ST STREET, THENCE ALONG SAID RIGHT-OF-WAY S02°09'58"W 104.09', THENCE LEAVING SAID RIGHT-OF-WAY N87°44'25"W 176.90' TO THE POINT OF BEGINNING, CONTAINING 0.42 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PROPERTY OWNERS:
ENGLAND, JEFF S & ABBY D
208 SW D ST
BENTONVILLE AR 72712

ATLAS PAGE:
261

OWNER'S CERTIFICATION:
WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OUT, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

SIGNED: _____ _____
JEFF S. ENGLAND ABBY D. ENGLAND

SOURCE OF TITLE: DEED BOOK L2020 AT PAGE 61832

SUBSCRIBED AND SWORN BEFORE ME, THIS ____ DAY OF _____, 2020.

_____
NOTARY PUBLIC

CERTIFICATE OF APPROVAL:
PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED _____
BENTONVILLE PLANNING
COMMISSION CHAIRMAN

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

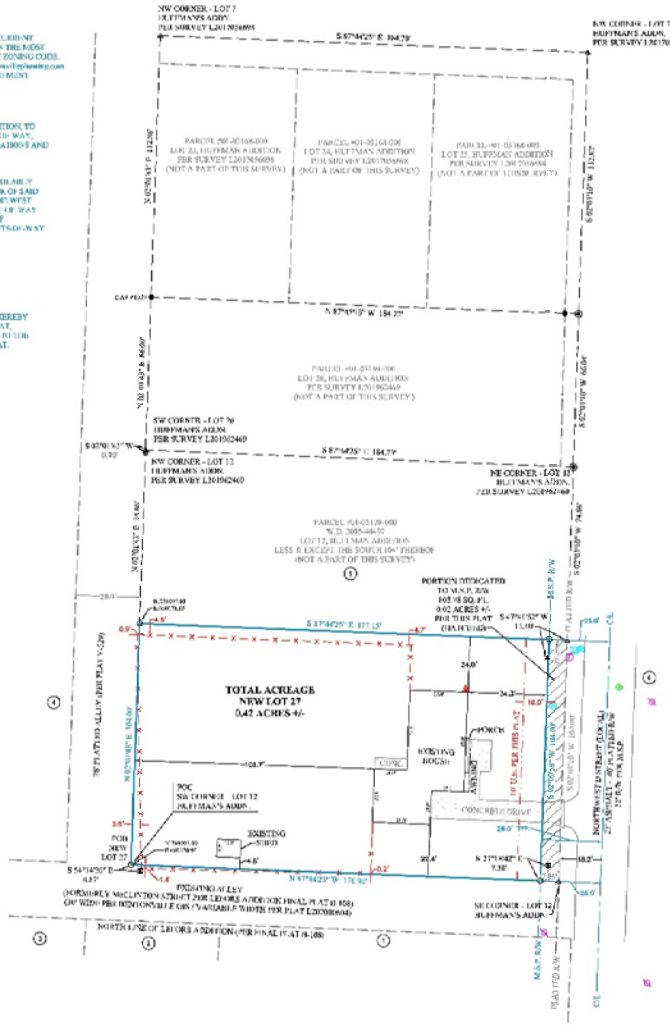
PLAT NOTES:
1. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND, SHOULD TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SURVEYED ON THIS PLAT.
2. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
3. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICES.
4. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT OF WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
5. THERE MAY NOT BE ANY FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

BUILD NOTES:
1. OWNER TO CONTACT NWA SERVICE COORDINATOR (271-3159) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BUILD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
2. BUILDER'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BUILD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
3. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

CERTIFICATE OF SURVEYING ACCURACY:
I, DERRICK THOMAS, HEREBY CERTIFY THAT THIS PLAT/SURVEY TRULY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND THAT ALL MONUMENTS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR NO. 1642 - STATE OF ARKANSAS


NW CORNER - LOT 7
HUFFMAN'S ADDN.
PER SURVEY L2017056695
S 87°44'25" E 184.27'
NW CORNER - LOT 7
HUFFMAN'S ADDN.
PER SURVEY L2017056688
PARCEL 508-00166-000
LOT 22, HUFFMAN ADDITION
PER SURVEY L2017056695
(NOT A PART OF THIS SURVEY)
PARCEL #01-03168-000
LOT 34, HUFFMAN ADDITION
PER SURVEY L2017056695
(NOT A PART OF THIS SURVEY)
PARCEL #01-03366-000
LOT 25, HUFFMAN ADDITION
PER SURVEY L2017056688
(NOT A PART OF THIS SURVEY)
N 87°44'25" W 184.27'
PARCEL #01-03166-000
LOT 26, HUFFMAN ADDITION
PER SURVEY L2019026469
(NOT A PART OF THIS SURVEY)
SW CORNR - LOT 76
HUFFMAN'S ADDN.
PER SURVEY L2019026469
S 87°44'25" E 184.27'
NW CORNER - LOT 12
HUFFMAN'S ADDN.
PER SURVEY L2019026469
NE CORNER - LOT 12
HUFFMAN'S ADDN.
PER SURVEY L2019026469
PARCEL #04-03128-000
W.D. 2005-44697
LOT 12, HUFFMAN ADDITION
LESS & EXCEPT THE SOUTH 104' THEREOF
(NOT A PART OF THIS SURVEY)
PORTION DEDICATED
TO M.S.P. R/W
805 ± SQ. FT.
0.02 ACRES +/-
PER THIS PLAT
TOTAL ACREAGE
NEW LOT 27
0.42 ACRES +/-
EXISTING HOUSE
PORCH
CONC.
CONCRETE DRIVE
POC
NW CORNER - LOT 12
HUFFMAN'S ADDN.
EXISTING
SHED
POB
NEW LOT 27
EXISTING ALLEY
(FORMERLY McCLINTON STREET PER LEHORS ADDITION FINAL PLAT (E 858)
ON WEST PER BENTONVILLE GIS (VARIABLE WIDTH) PER PLAT L2020066481
NORTH LINE OF LEHORS ADDITION (PER FINAL PLAT B-108)
NORTHWEST 1ST STREET
(M.S.P. R/W VARIES)
PLATTED R/W
SW PLATTED ALLEY (PER PLAT V-259)
S 87°44'25" E 177.15'
N 87°44'25" W 176.90'
S 87°44'25" E 177.15'
N 87°44'25" W 176.90'
S 54°14'00" E
6.87'
N 27°14'02" E
9.38'
N 87°44'25" W 176.90'
S 87°44'25" E 177.15

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 27 OF HUFFMAN'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: PLA20-0054).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of Lot 27 of Huffman's Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on January 5, 2021; 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 of Lot 27 of Huffman'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.

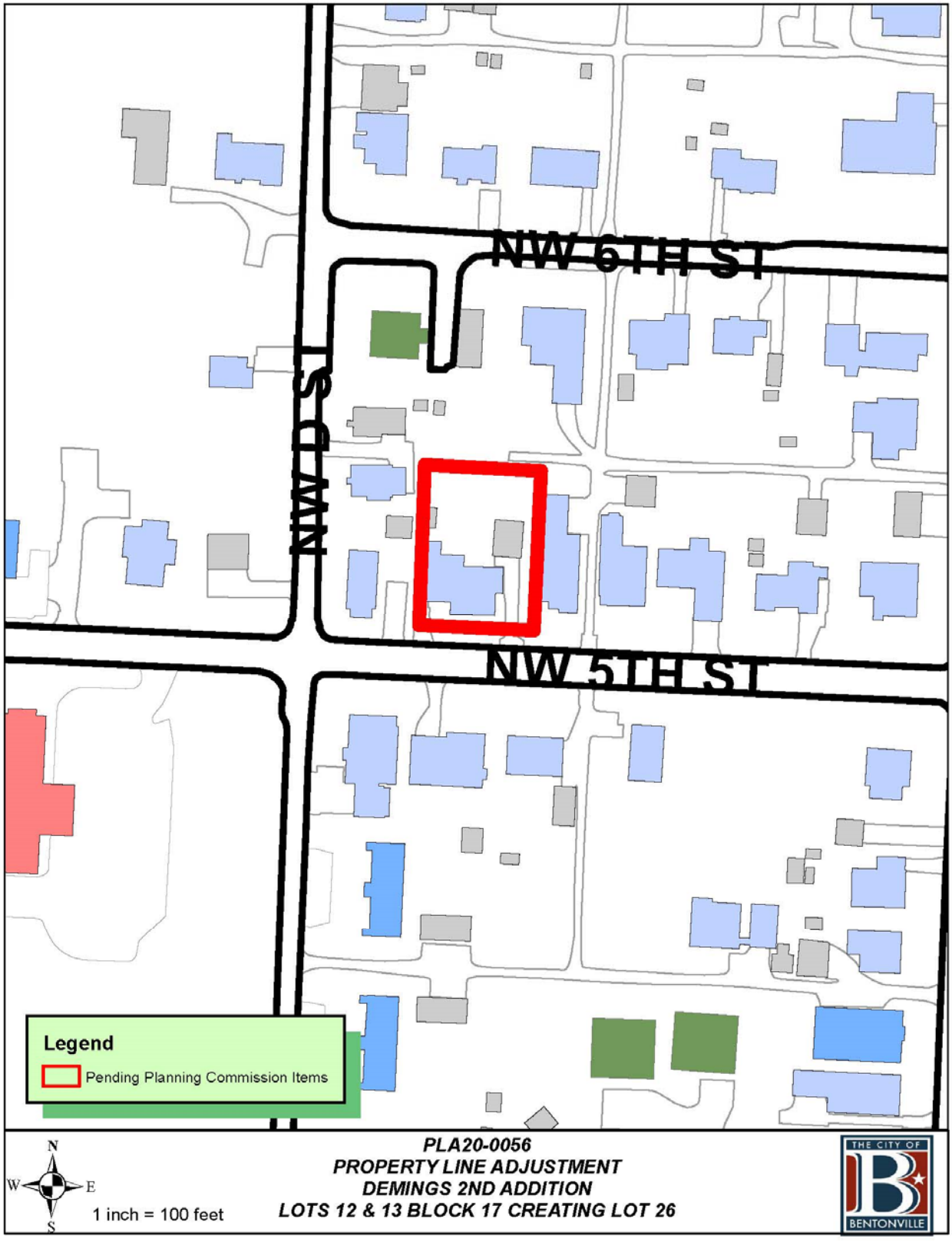
PASSED AND APPROVED this_____ day of _____, 2021.

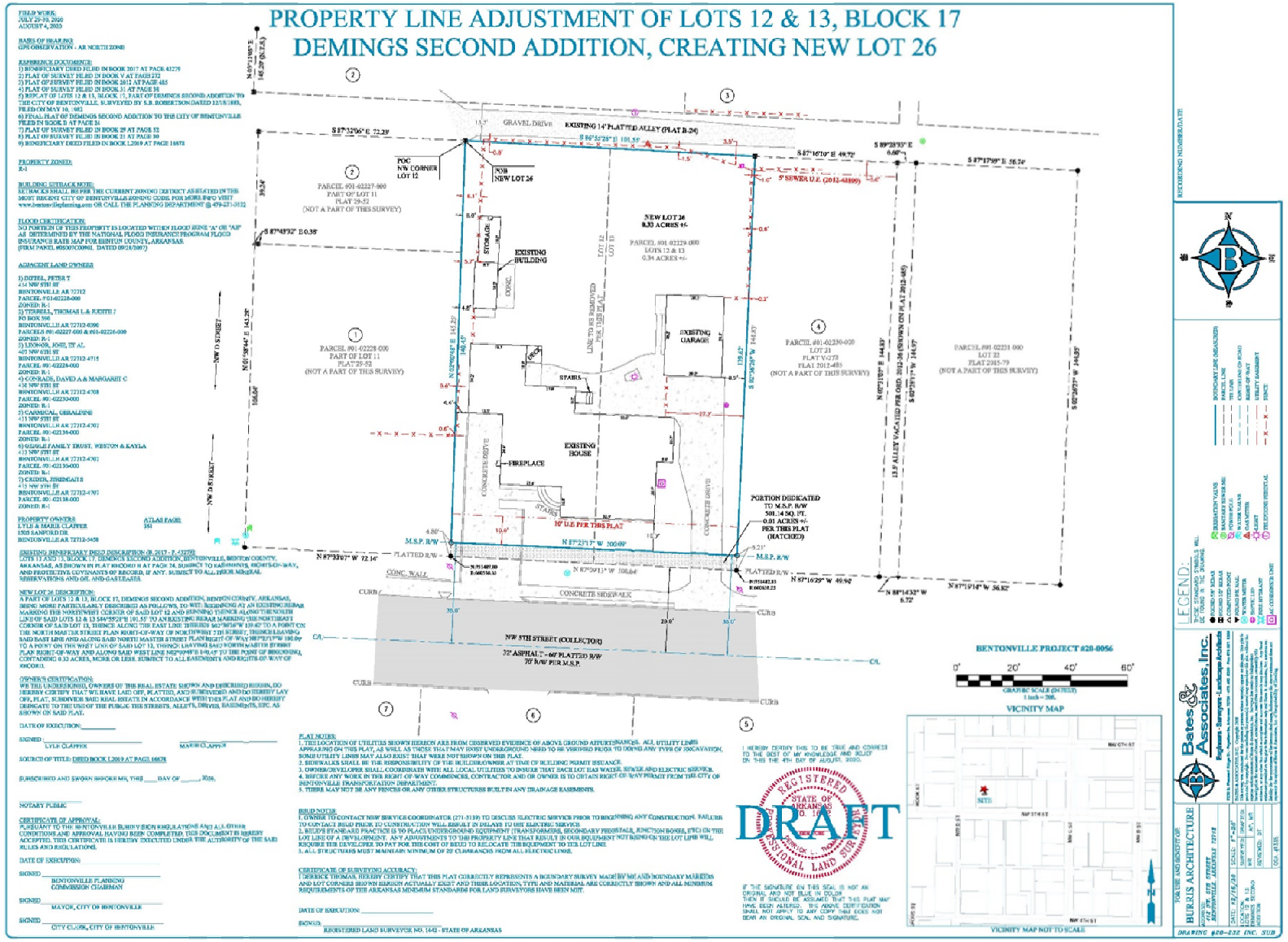
APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk


NW 6TH ST
S I ST NW
NW 5TH ST
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
PLA20-0056
PROPERTY LINE ADJUSTMENT
DEMINGS 2ND ADDITION
LOTS 12 & 13 BLOCK 17 CREATING LOT 26
THE CITY OF
BENTONVILLE


PROPERTY LINE ADJUSTMENT OF LOTS 12 & 13, BLOCK 17
DEMINGS SECOND ADDITION, CREATING NEW LOT 26
FIELD WORK:
JULY 29-30, 2020
AUGUST 4, 2025
BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
REFERENCE DOCUMENTS:
1) BENEFICIARY DEED FILED IN BOOK 2017 AT PAGE 43278
2) PLAT OF SURVEY FILED IN BOOK V AT PAGES 272
3) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE 485
4) PLAT OF SURVEY FILED IN BOOK 21 AT PAGE 38
5) REPLAT OF LOTS 12 & 13, BLOCK 17, PART OF DEMINGS SECOND ADDITION TO THE CITY OF BENTONVILLE, SURVEYED BY S.B. ROBERTSON DATED 12/18/1888, FILED ON MAY 16, 1892
6) FINAL PLAT OF DEMINGS SECOND ADDITION TO THE CITY OF BENTONVILLE FILED IN BOOK B AT PAGE 34
7) PLAT OF SURVEY FILED IN BOOK 29 AT PAGE 52
8) PLAT OF SURVEY FILED IN BOOK 21 AT PAGE 80
9) BENEFICIARY DEED FILED IN BOOK L2019 AT PAGE 16878
PROPERTY ZONED:
R-1
BUILDING SETBACK NOTE:
SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT www.bentonvilleplanning.com OR CALL THE PLANNING DEPARTMENT @ 479-271-3112
FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AH" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS.
(FIRM PANEL #05007C0061, DATED 09/18/2007)
ADJACENT LAND OWNERS:
1) DIPPEL, PETER T
414 NW 9TH ST
BENTONVILLE AR 72712
PARCEL: 7014022280
ZONED: R-1
2) TERRELL, THOMAS L & JUDITH J
PO BOX 566
BENTONVILLE AR 72712-0566
PARCELS #01-02227-000 & #01-02226-000
ZONED: R-1
3) LEONOR, JOSE, ET AL
405 NW 6TH ST
BENTONVILLE AR 72712-4715
PARCEL #01-02224-000
ZONED: R-1
4) CONRADS, DAVID A & MARGARET C
430 NW 9TH ST
BENTONVILLE AR 72712-4708
PARCEL #01-02230-000
ZONED: R-1
5) CARMICAL, GERALDINE
413 NW 9TH ST
BENTONVILLE AR 72712-4707
PARCEL #01-02230-001
ZONED: R-1
6) GINGLE FAMILY TRUST, WESTON & KAYLA
413 NW 9TH ST
BENTONVILLE AR 72712-4707
PARCEL #01-02230-002
ZONED: R-1
7) CRIDER, JENNIGAYE
413 NW 9TH ST
BENTONVILLE AR 72712-4707
PARCEL #01-02138-000
ZONED: R-1
PROPERTY OWNERS
LYLE & MARIE CLAPPER
1505 SANFORD DR.
BENTONVILLE AR 72712-5458
ATLAS PAGE:
151
EXISTING BENEFICIARY DEED DESCRIPTION (R 2017 - P 43278):
LOTS 12 AND 13, BLOCK 17, DEMINGS SECOND ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD H AT PAGE 34, SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.
NEW LOT 26 DESCRIPTION:
A PART OF LOTS 12 & 13, BLOCK 17, DEMINGS SECOND ADDITION, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT AN EXISTING REBAR MARKING THE NORTHWEST CORNER OF SAID LOT 12 AND RUNNING THENCE ALONG THE SOUTH LINE OF SAID LOTS 12 & 13 S84°55'28"E 101.55' TO AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT 13, THENCE ALONG THE EAST LINE THEREOF S01°38'54"W 139.42' TO A POINT ON THE NORTH MASTER STREET PLAN RIGHT-OF-WAY OF NORTHWEST 7TH STREET; THENCE LEAVING SAID EAST LINE AND ALONG SAID NORTH MASTER PLAN RIGHT OF WAY N87°21'7"W 100.69' TO A POINT ON THE WEST LINE OF SAID LOT 12, THENCE LEAVING SAID NORTH MASTER STREET PLAN RIGHT-OF-WAY AND ALONG SAID WEST LINE N01°40'58"E 140.45' TO THE POINT OF BEGINNING, CONTAINING 0.32 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
OWNER'S CERTIFICATION:
WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.
DATE OF EXECUTION: _____
SIGNED _____ _____
LYLE CLAPPER MARIE CLAPPER
SOURCE OF TITLE: DEED BOOK L2019 AT PAGE 16878
SUBSCRIBED AND SWORN BEFORE ME, THIS ____ DAY OF _____, 2026.
_____
NOTARY PUBLIC
CERTIFICATE OF APPROVAL:
PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.
DATE OF EXECUTION: _____
SIGNED _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN
SIGNED _____
MAYOR, CITY OF BENTONVILLE
SIGNED _____
CITY CLERK, CITY OF BENTONVILLE
POC NW CORNER LOT 12
POB NEW LOT 26
PARCEL #01-02227-000 PART OF LOT 11 PLAT 29-52 (NOT A PART OF THIS SURVEY)
PARCEL #01-02228-000 PART OF LOT 11 PLAT 29-52 (NOT A PART OF THIS SURVEY)
NEW LOT 26 0.33 ACRES +/- PARCEL #01-02229-000 LOTS 12 & 13 0.34 ACRES +/-
PARCEL #01-02230-000 LOT 21 PLAT V-272 PLAT 2012-485 (NOT A PART OF THIS SURVEY)
PARCEL #01-02231-000 LOT 22 PLAT 2015-79 (NOT A PART OF THIS SURVEY)
EXISTING BUILDING
EXISTING GARAGE
EXISTING HOUSE
FIREPLACE
STAIRS
STORAGE
CONC.
CONCRETE PORCH
CONCRETE DRIVE
LINE TO BE REMOVED PER 7328 BLA
GRAVEL DRIVE
EXISTING 14' PLATTED ALLEY (PLAT B-34)
5' SEWER U.E. (2012-48899)
13.5' ALLEY VACATED PER ORD. 3910-26 (SHOWN ON PLAT 2012-485)
PORTION DEDICATED TO M.S.P. R/W 508.34 SQ. FT. 0.01 ACRES +/- PER THIS PLAT (HATCHED)
10' U.E. PER THIS PLAT
M.S.P. R/W
PLATTED R/W
CONC. WALL
CONCRETE SIDEWALK
CURB
NW 9TH STREET
NW 7TH STREET
NW 6TH STREET
NW 5TH STREET
NW 4TH ST
NW 3RD ST
NW 2ND ST
NW 1ST ST
NW 8TH ST
NW 7TH ST
NW 6TH ST
NW 5TH ST
NW 4TH ST
NW 3RD ST
NW 2ND ST
NW 1ST ST
NW 9TH

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 26, BLOCK 17 OF DEMING'S SECOND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: PLA20-0056).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of Lot 26, Block 17 of Deming's Second Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on January 5, 2021; 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 of Lot 26, Block 17 of Deming's Second 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 _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

FINAL PLAT

Walmart Stores, Inc.

WALMART LAYOUT SUBDIVISION CREATING LOTS 1-6

Bentonville, Benton County, Arkansas

GENERAL NOTES:

1. This plat represents a Final Plat of the parcel recorded in Deed Records, Bk. 2011, Pg. 9152, Bk. 671, Pg. 991, Bk. 633 Pg. 222, Bk. 2008, Pg. 29206, Bk. In the public records of Benton County Arkansas .
2. The contractor must determine that proposed structures are clear of all boundary lines, easements, and exact building setback requirements before construction begins.
3. Basis of Bearings: GAS based on Arkansas State Plane Coordinate System, NAD83, North Zone, per GPS observations as established by processing through CPUS.
4. Basis of Elevation: NAVD88, per GPS observations as established by processing through CPUS.
5. Site Benchmark: See table for benchmark information block.
6. This survey is valid only if the drawing includes the seal and signature of the surveyor.
7. This survey meets or most Arkansas Standards of Practice for Property Boundary Surveys and Plats.
8. This survey is based on a title search provided by City Title & Closing , file number 17-5201 .
9. Declaration is made to the original purchaser of the survey and those listed in the certification for the use of this transaction only and is not transferable to any additional institutions or subsequent owners.
10. Subsurface and environmental conditions were not examined nor considered a part of this survey.
11. Multiple utility services are located within easements abutting or within the bounds of subject tract.
12. The contractor is advised to contact the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contact all non-members as well as the One-Call System.
13. By scaled map location and graphical plotting only. This property is located in Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County Arkansas .

    Map Number: 05007C0225K & 05007C0240K
    Map Revised: June 5, 2012
14. Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department 479-271-3122.
15. Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.
16. There may not be fences or any other structures built in any drainage easements.
17. Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.
18. Owner to contact New Service coordinator (271-3132) to discuss electric service prior to beginning any construction. Failure to contact BEUD prior to construction will result in delays to get electric service.
19. All structures must maintain minimum of 20' clearances from all electric lines.
20. BEUD's standard practice is to place underground equipment (transformers, secondary pedestals, junction boxes, etc.) on the lot line of a development. Any adjustments to the property line that result in our equipment not being on the lot line require the developer to pay for the cost of BEUD to relocate the equipment to the lot line.
21. It is the responsibility of the developer to pay for any cost associated with moving of equipment. This includes but is not limited to any costs associated with loss of equipment (wire and albows) and labor and material to move the equipment to the new lot line.
22. Relocation of any existing electrical facilities shall be at the owner's expense.
23. Owner/Developer shall coordinate with all local utilities to insure that each lot has water, sewer and electric service.
24. The Emergency Access Easements, Public Utility Easements and Drainage Easements set forth herein shall be subject to the terms and conditions of that separate Easement Agreement recorded in Book _____, at Page _____.

Certificate of Approval

Pursuant to the Bentonville Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.

Date of Execution: _____

Signed _____
Bentonville Planning
Commission Chairman

Signed _____
Mayor City of Bentonville



Vicinity Map

Not to Scale

Latitude: 36°22'19"N
Longitude: 94°11'11"W

Benchmark Information

Benchmark #1: 2" Aluminum Monument	Benchmark #2: 5/8" rebar
N: 748723.78'	N: 749198.90'
E: 988270.73'	E: 988294.40'
Elev.: 1309.79'	Elev.: 1310.11'

Certificate of Surveying Accuracy

I, Dustin Riley , hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

Date of Execution: 12-9-2020

Signed:
Dustin Riley, Registered Land Surveyor
No. 1618
State of Arkansas

Certificate of Ownership:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____
Signature: _____
Address: _____
Print Name: _____
Source of Title: D.R. _____
Page: _____

Date of Execution: _____
Signature: _____
Address: _____
Print Name: _____
Source of Title: D.R. _____
Page: _____

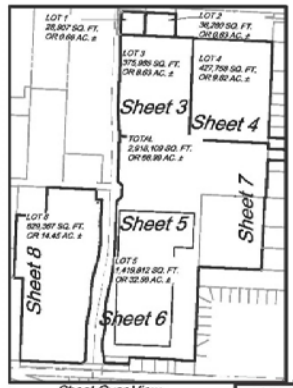
Date of Execution: _____
Signature: _____
Address: _____
Print Name: _____
Source of Title: D.R. _____
Page: _____

Date of Execution: _____
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Print Name: _____
Source of Title: D.R. _____
Page: _____

Date of Execution: _____
Signature: _____
Address: _____
Print Name: _____
Source of Title: D.R. _____
Page: _____

Date of Execution: _____
Signature: _____
Address: _____
Print Name: _____
Source of Title: D.R. _____
Page: _____

Owner	Owner
Parcel # 01-20771-001 Wal-Mart Stores East LP P.O.Box 8050 MS 0555 Bentonville, AR 72713	Parcel # 01-04889-005 & 01-00767-000 Wal-Mart Stores, Inc. P.O. Box 8050 Bentonville, AR 72712
Owner	**Owner**
Parcel # 01-03095-000 & 01-03096-000 Midwest Investments, LLC P.O.Box 12005 Fayetteville, AR 72703	Parcel # 01-04889-001 & 01-00766-006 Wal-Mart West 6006 P.O.Box 8050 Bentonville, AR 72712
Owner	**Owner**
Parcel # 01-02496-000 & 01-02497-000 Wal-Mart Properties, Inc. 01-6006 P.O.Box 8050 MS 0555 Bentonville, AR 72713	Parcel # 01-00767-001 CRP Investors, LLC 704 E Millsap Rd. Ste. 200 Fayetteville, AR 72703



Sheet Over View

SHEET 1

CEI Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO 1618
DUSTIN RILEY

CERTIFICATE OF AUTHORIZATION
C. E. I. Engineering Associates, Inc.
No. 19
ARKANSAS SURVEYOR

Arkansas * California * Pennsylvania * Texas

ATLAS PAGE: 405

City of Bentonville Project # FP20-0004

JOB NO.: J1156	
DRG. NAME: Easement	
DATE	SHEET NO.
12/9/20 1:11 PM REV-5	1 OF 10

PROJECT: Logout Center, SE 5th St, Bentonville, 72712

© 2020 CEI ENGINEERING ASSOCIATES, INC.



REGISTERED STATE OF ARKANSAS NO. 1618 PROFESSIONAL LAND SURVEYOR

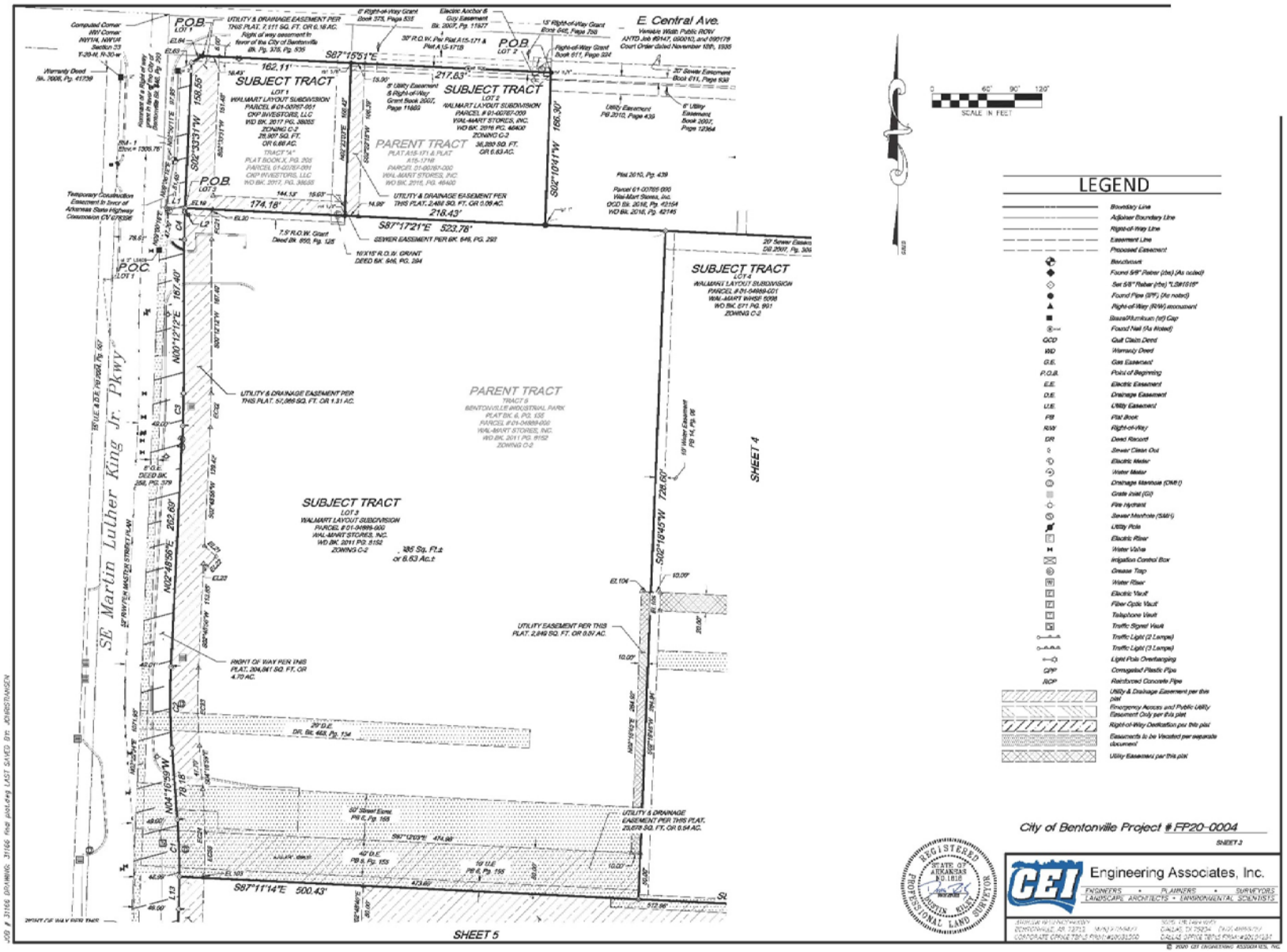
City of Bentonville Project # FP20-0004

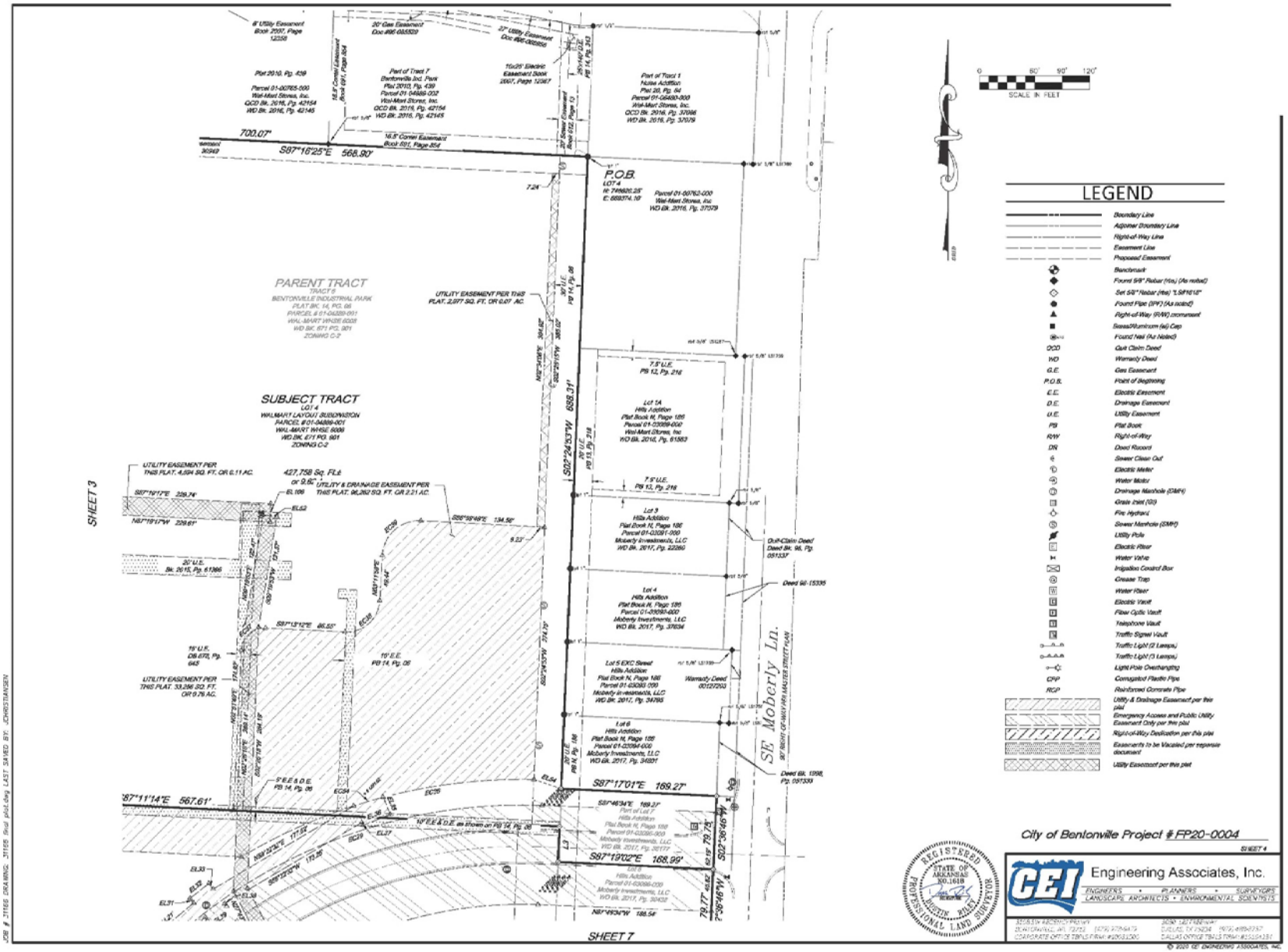
SHEET 2

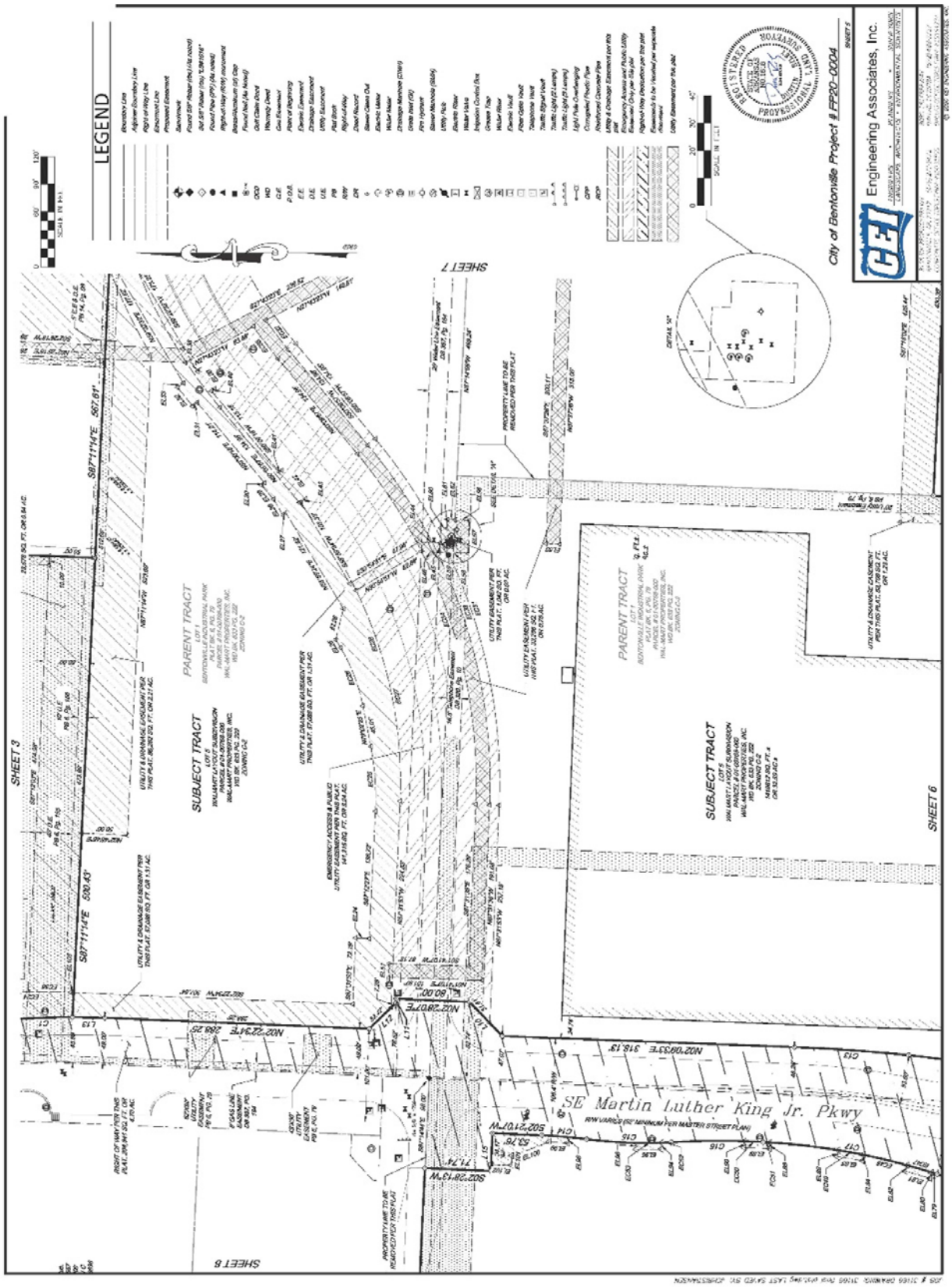
CEI Engineering Associates, Inc.

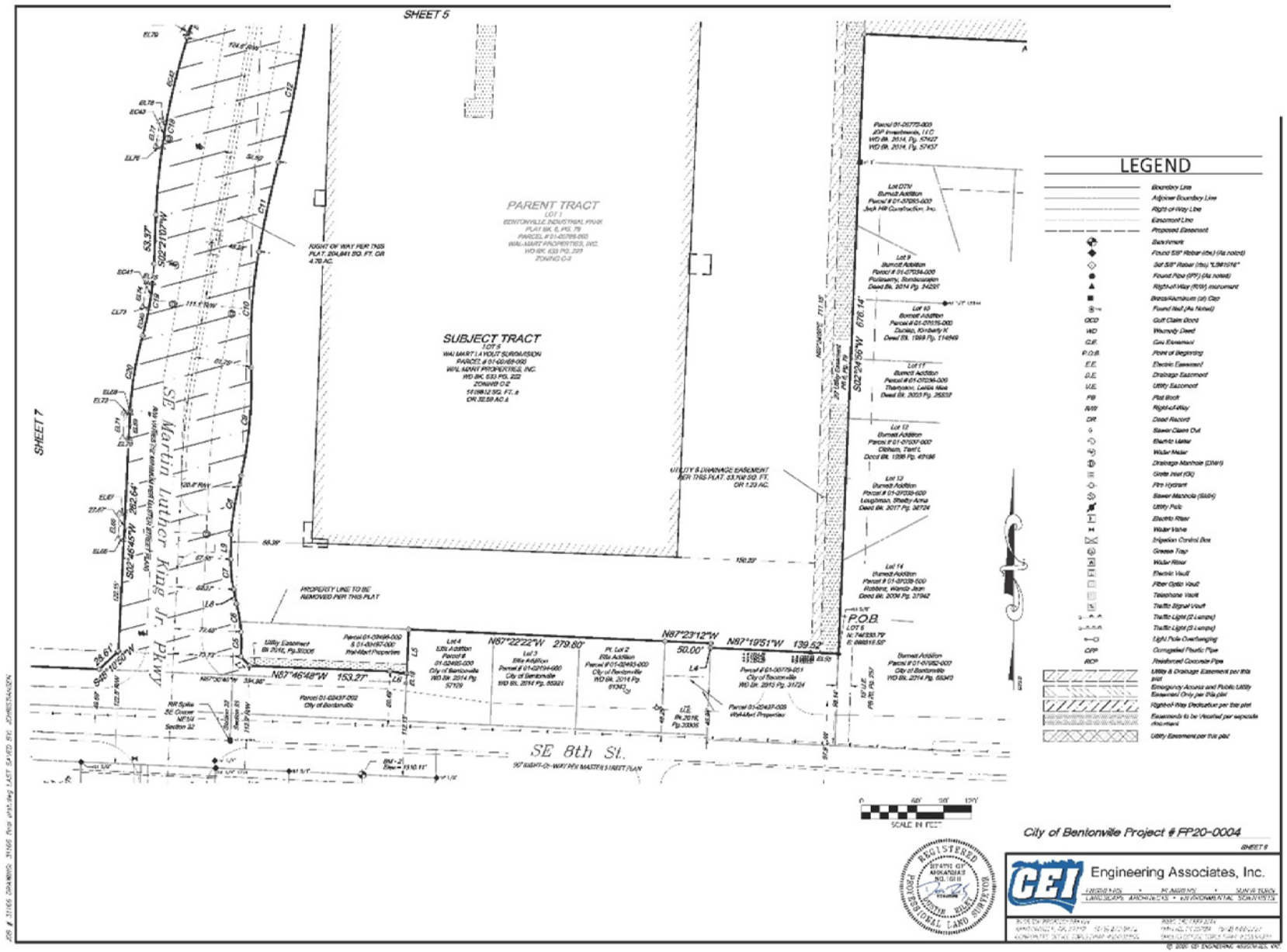
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

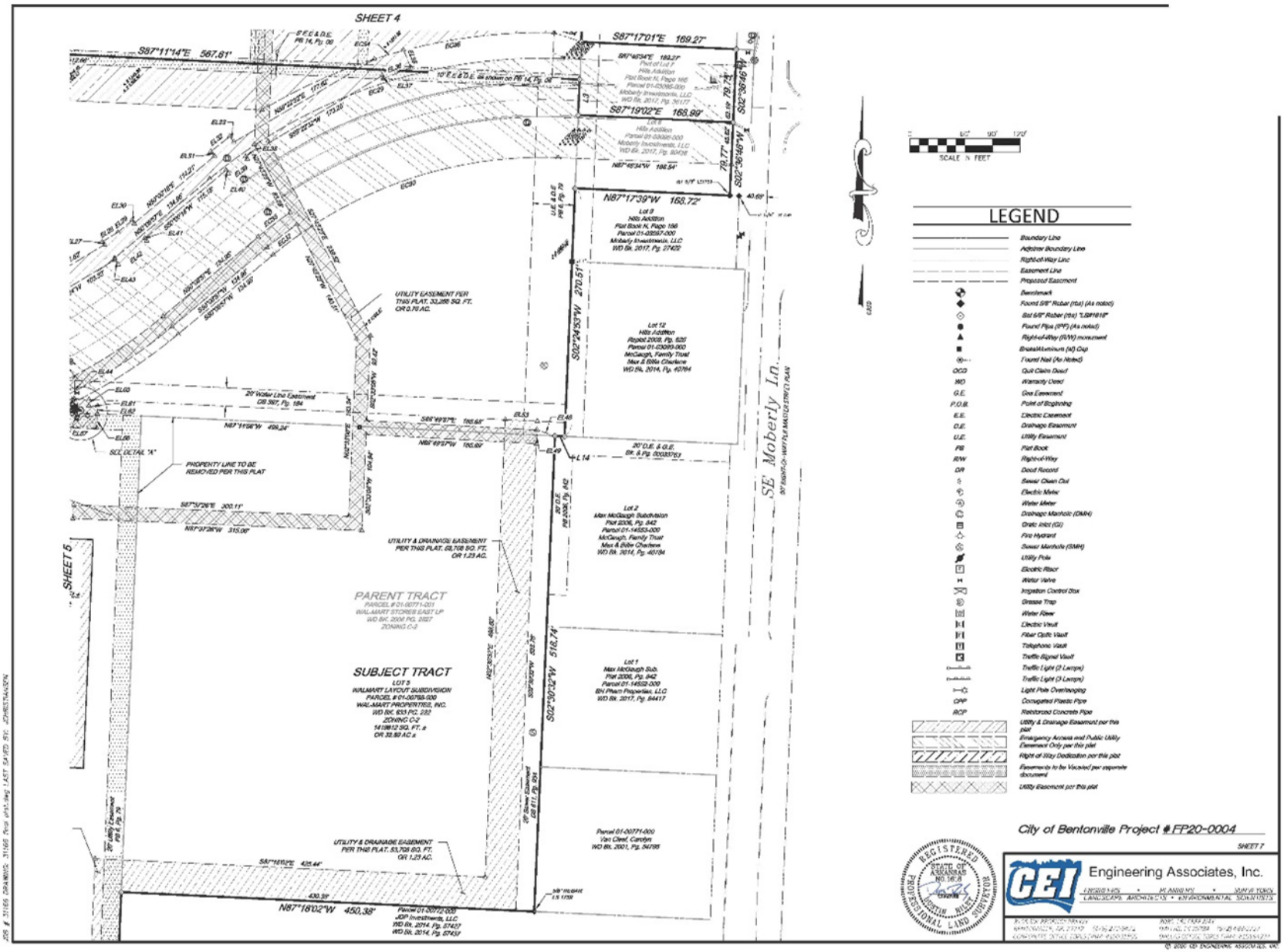
© 2020 CEI ENGINEERING ASSOCIATES, INC.

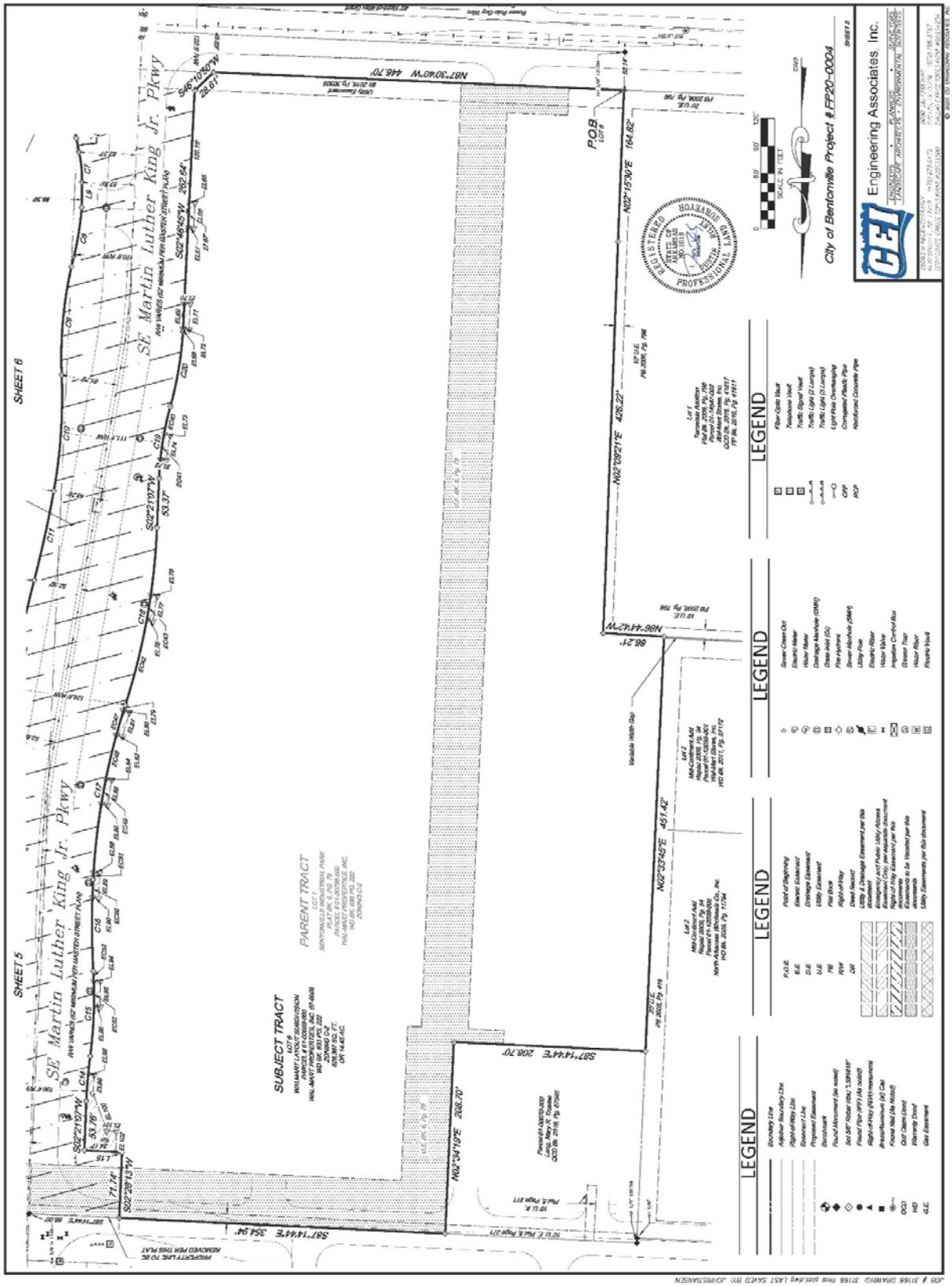

E Central Ave.
SE Martin Luther King Jr. Pkwy
SUBJECT TRACT
LOT 1
WALMART LAYOUT SUBDIVISION
PARCEL # 01-00797-051
CNP INVESTORS, LLC
WD BK. 2017 PG. 38055
ZONING C-2
28,907 SQ. FT.
OR 0.66 AC.
PARENT TRACT
PLAT A15-171 & PLAT A15-171B
PARCEL 01-00787-000
WAL-MART STORES, INC.
WD BK. 2016 PG. 46400
SUBJECT TRACT
LOT 2
WALMART LAYOUT SUBDIVISION
PARCEL # 01-00787-099
WAL-MART STORES, INC.
WD BK. 2016 PG. 46400
ZONING C-3
36,280 SQ. FT.
OR 0.83 AC.
PARENT TRACT
TRACT 5
BENTONVILLE INDUSTRIAL PARK
PLAT BK. 6, PG. 155
PARCEL # 01-04869-000
WAL-MART STORES, INC.
WD BK. 2011 PG. 91152
ZONING C-2
SUBJECT TRACT
LOT 3
WALMART LAYOUT SUBDIVISION
PARCEL # 01-04869-000
WAL-MART STORES, INC.
WD BK. 2011 PG. 3152
ZONING C-2
385 Sq. Ft.±
or 8.83 Ac.±
SUBJECT TRACT
LOT 4
WALMART LAYOUT SUBDIVISION
PARCEL # 01-04869-001
WAL-MART WHSE 5098
WD BK. 671 PG. 901
ZONING C-2
P.O.B. LOT 1
P.O.B. LOT 2
P.O.B. LOT 3
P.O.C. LOT 1
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 7,111 SQ. FT. OR 0.16 AC.
Right of way assument in favor of the City of Bentonville Bk. Pg. 375, Pg. 535
6' Right-of-Way Grant Book 375, Page 535
Electric Anchor & Guy Easement Bk. 2007, Pg. 11927
15' Right-of-Way Grant Book 645, Page 766
Right-of-Way Grant Book 611, Page 324
30' R.O.W. Per Plat A15-171 & Plat A15-171B
8' Utility Easement & Right-of-Way Grant Book 2007, Page 11683
Utility Easement PB 2010, Page 439
30' Sewer Easement Book 611, Page 938
8' Utility Easement Book 2007, Page 12364
Warranty Deed Bk. 7606, Pg. 41739
Temporary Construction Easement in favor of Arkansas State Highway Commission CN 070336
Plat 2010, Pg. 439
Parcel 01-02765 000 Wal-Mart Stores, Inc. OCD Bk. 2016, Pg. 42154 WD Bk. 2016, Pg. 42145
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 2,468 SQ. FT. OR 0.06 AC.
7.5' R.O.W. Grant Deed Bk. 655, Pg. 125
SEWER EASEMENT PER BK. 646, PG. 293
16'X15' R.O.W. GRANT DEED BK. 646, PG. 294
20' Sewer Easem DB 2007, Pg. 30
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 57,866 SQ. FT. OR 1.31 AC.
15' Water Easement PB 14, Pg. 96
RIGHT OF WAY PER THIS PLAT. 204,961 SQ. FT. OR 4.70 AC.
UTILITY EASEMENT PER THIS PLAT. 2,849 SQ. FT. OR 0.07 AC.
20' D.E. DR. Bk. 468, Pg. 134
50' Street Elem. PB 6, Pg. 155
40' D.E. PB 6, Pg. 155
19' U.E. PB 6, Pg. 155
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 20,678 SQ. FT. OR 0.94 AC.
S87°15'51"E 162.11'
S87°17'21"E 523.76'
S87°11'14"E 500.43'
S02°33'31"W 158.55'
N00°12'12"E 167.40'
N02°49'58"E 262.69'
N04°10'59"W 78.15'
S02°10'41"W 166.30'
S02°19'45"W 726.60'
174.16'
217.83'
216.43'
SHEET 4
SHEET 5
LEGEND
Boundary Line
Adjoiner Boundary Line
Right-of-Way Line
Easement Line
Proposed Easement
Benchmark
Found 5/8" Rebar (dist) (As noted)
Set 5/8" Rebar (rbs) "LSI1518"
Found Pipe (SPF) (As noted)
Right-of-Way (R/W) monument
Brass/Stainless (st) Cap
Found Nail (As noted)
Quit Claim Deed
Warranty Deed
Gas Easement
Point of Beginning
Electric Easement
Drainage Easement
Utility Easement
Plat Book
Right-of-Way
Deed Record
Sewer Clean Out
Electric Meter
Water Meter
Drainage Manhole (DMH)
Grate Inlet (GI)
Fire Hydrant
Sewer Manhole (SMH)
Utility Pole
Electric Riser
Water Valve
Irrigation Control Box
Grease Trap
Water Riser
Electric Vault
Fiber Optic Vault
Telephone Vault
Traffic Signal Vault
Traffic Light (2 Lamps)
Traffic Light (3 Lamps)
Light Pole Overhanging
CPP
Corrugated Plastic Pipe
RCP
Reinforced Concrete Pipe
Utility & Drainage Easement per this plat
Emergency Access and Public Utility Easement Only per this plat
Right-of-Way Dedication per this plat
Easements to be Vacated per separate document
Utility Easement per this plat
SCALE IN FEET
City of Bentonville Project # FP20-0004
SHEET 3
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
AUSTIN KELLY
Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
BENTONVILLE, AR 72713
CORPORATE OFFICE TEL: (479) 273-0761
DALLAS, TX 75234
DALLAS OFFICE TEL: (214) 217-1133
© 2020 CEI ENGINEERING ASSOCIATES, INC.


PARENT TRACT
SUBJECT TRACT
P.O.B.
700.07'
S87°16'25"E 568.90'
S02°24'53"W 583.31'
N87°11'14"E 567.61'
S87°17'01"E 169.27'
S87°19'02"E 168.99'
SE Moberly Ln.
SHEET 3
SHEET 7
SCALE IN FEET
LEGEND
Boundary Line
Adjoiner Boundary Line
Right-of-Way Line
Easement Line
Proposed Easement
Benchmark
Found 5/8" Rebar (Yes) (As noted)
Set 5/8" Rebar (Yes) "LSF1610"
Found Pipe (1PF) (As noted)
Right-of-Way (R/W) monument
Brass/Aluminum (a) Cap
Found Nail (As Noted)
QCD Quit Claim Deed
WD Warranty Deed
G.E. Gas Easement
P.O.B. Point of Beginning
E.E. Electric Easement
D.E. Drainage Easement
U.E. Utility Easement
PB Plat Book
R/W Right-of-Way
DR Deed Record
Sewer Clean Out
Electric Meter
Water Motor
Drainage Manhole (DMH)
Grate Inlet (GI)
Fire Hydrant
Sewer Manhole (SMH)
Utility Pole
Electric Riser
Water Valve
Irrigation Control Box
Grease Trap
Water Riser
Electric Vault
Fiber Optic Vault
Telephone Vault
Traffic Signal Vault
Traffic Light (2 Lamps)
Traffic Light (3 Lamps)
Light Pole Overhanging
CPP Corrugated Plastic Pipe
RCP Reinforced Concrete Pipe
Utility & Drainage Easement per this plat
Emergency Access and Public Utility Easement Only per this plat
Right-of-Way Dedication per this plat
Easements to be Vacated per separate document
Utility Easement per this plat
City of Bentonville Project # FP20-0004
SHEET 4
CEI Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
STATE OF ARKANSAS
NO. 1618
REGISTERED
PROFESSIONAL LAND SURVEYOR
© 2020 CEI ENGINEERING ASSOCIATES, INC.


LEGEND
City of Bentonville Project # FP20-0004
Engineering Associates, Inc.
SHEET 3
SHEET 6
SHEET 7
SHEET 8
SUBJECT TRACT
PARENT TRACT
SE Martin Luther King Jr. Pkwy


SHEET 5
SHEET 7
PARENT TRACT
LOT 1
BENTONVILLE INDUSTRIAL PARK
PLAT BK. 5, PG. 79
PARCEL # 01-03799-000
WAL-MART PROPERTIES, INC.
WD BK. 633 PG. 209
ZONING C-2
SUBJECT TRACT
LOT 5
WAL MART LAYOUT SUBDIVISION
PARCEL # 01-02489-000
WAL MART PROPERTIES, INC.
WD BK. 633 PG. 222
ZONING C-2
5,189,912 SQ. FT. ±
OR 36.59 AC ±
SE Martin Luther King Jr. Pkwy
SE 8th St.
97' RIGHT-OF-WAY PER MASTER STREET PLAN
RIGHT OF WAY PER THIS PLAT. 204,841 SQ. FT. OR 4.70 AC.
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 53,748 SQ. FT. OR 1.23 AC.
PROPERTY LINE TO BE REMOVED PER THIS PLAT
P.O.B.
LOT 5
N: 746353.79'
E: 848918.55'
N87°46'48"W 153.27'
N87°22'22"W 279.80'
N87°23'12"W 50.00'
N87°19'51"W 139.52'
S02°46'45"W 282.64'
S02°24'55"W 676.14'
S45°10'50"W 28.61'
N87°46'48"W 394.98'
Parcel 01-03497-002
City of Bentonville
Parcel 01-03499-002
& 01-03497-000
Wal-Mart Properties
Lot 4
SDL Addition
Parcel #
01-02485-000
City of Bentonville
WD Bk. 2014 Pg.
57129
Lot 3
Ellis Addition
Parcel # 01-02494-000
City of Bentonville
WD Bk. 2014 Pg. 55921
Pt. Lot 2
Ellis Addition
Parcel #01-02493-000
City of Bentonville
WD Bk. 2014 Pg.
61382
Parcel 01-00779-051
City of Bentonville
WD Bk. 2013 Pg. 31724
Parcel 01-02437-005
Wal-Mart Properties
Burnett Addition
Parcel # 01-01952-007
City of Bentonville
WD Bk. 2014 Pg. 55340
Parcel 01-05775-005
JCP Investments, LLC
WD Bk. 2014, Pg. 57427
WD Bk. 2014, Pg. 57437
Lot D7N
Burnett Addition
Parcel # 01-07053-002
Jack Hill Construction, Inc.
Lot 9
Burnett Addition
Parcel # 01-07034-000
Pluckebaum, Bonaventure
Deed Bk. 2014 Pg. 34201
Lot 10
Burnett Addition
Parcel # 01-07035-000
Dunlap, Kimberly K
Deed Bk. 1999 Pg. 114949
Lot 11
Burnett Addition
Parcel # 01-07036-000
Thompson, Leslie Mae
Deed Bk. 2003 Pg. 35553
Lot 12
Burnett Addition
Parcel # 01-07037-000
Oldham, Tarit L
Deed Bk. 1998 Pg. 47196
Lot 13
Burnett Addition
Parcel # 01-07038-000
Loughmon, Shelly Ann
Deed Bk. 2017 Pg. 38724
Lot 14
Burnett Addition
Parcel # 01-07039-500
Robbins, Wanda Jean
Deed Bk. 2004 Pg. 37942
Utility Easement
Bk. 2016, Pg.30006
RR Spike
SE Corner
NE¼
Section 32
Section 32
Section 33
113.9' RW
BM - 2
Elev = 1310.11'
LEGEND
Boundary Line
Adjoiner Boundary Line
Right-of-Way Line
Easement Line
Proposed Easement
Benchmark
Found 5/8" Rebar (No Id)(As noted)
Set 5/8" Rebar (Illeg) "LS#1016"
Found Pipe (PP) (As noted)
Right-of-Way (ROW) monument
Brass/Aluminum (at) Cap
Found Nail (As Noted)
QCD Quit Claim Deed
WD Warranty Deed
C.E. Cen Elementi
P.O.B. Point of Beginning
E.E. Electric Easement
D.E. Drainage Easement
U.E. Utility Easement
PB Plat Book
R/W Right-of-Way
DR Deed Record
Sewer Clean Out
Electric Meter
Water Meter
Drainage Manhole (Other)
Grate Inlet (GI)
Fire Hydrant
Sewer Manhole (SMH)
Utility Pole
Electric Riser
Water Valve
Irrigation Control Box
Grease Trap
Water Riser
Electric Vault
Fiber Optic Vault
Telephone Vault
Traffic Signal Vault
Traffic Light (2 Lamps)
Traffic Light (3 Lamps)
Light Pole Overhanging
CPP Corrugated Plastic Pipe
RCP Reinforced Concrete Pipe
Utility & Drainage Easement per this plat
Emergency Access and Public Utility Easement Only per this plat
Right-of-Way Dedication per this plat
Easements to be Vacated per separate document
Utility Easement per this plat
SCALE IN FEET
City of Bentonville Project # FP20-0004
SHEET 6
REGISTERED
STATE OF ARKANSAS
NO. 1016
PROFESSIONAL LAND SURVEYOR
CEI
Engineering Associates, Inc.
LAND SURVEYING • PLANNING
LAND SCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS


SHEET 4
SHEET 5
S87°11'14"E 567.81'
S87°17'01"E 169.27'
S87°19'02"E 168.99'
N87°17'39"W 168.72'
S02°24'53"W 270.51'
S02°30'32"W 518.74'
N87°18'02"W 450.38'
S02°36'46"W 79.74'
S02°36'46"W 79.77'
SE Moberly Ln.
PARENT TRACT
PARCEL # 01-00771-001
WAL-MART STORES EAST LP
WD BK. 2006 PG. 3927
ZONING C-2
SUBJECT TRACT
LOT 3
WALMART LAYOUT SUBDIVISION
PARCEL # 01-00768-000
WAL-MART PROPERTIES, INC.
WD BK. 633 PG. 232
ZONING C-2
1419912 SQ. FT. ±
OR 32.60 AC ±
Lot 12
Hills Addition
Replat 2008, Pg. 525
Parcel 01-03099-000
McGaugh, Family Trust
Max & Bibb Charlene
WD Bk. 2014, Pg. 40764
Lot 2
Max McGaugh Subdivision
Plat 2006, Pg. 842
Parcel 01-14653-000
McGaugh, Family Trust
Max & Bibb Charlene
WD Bk. 2014, Pg. 40194
Lot 1
Max McGaugh Sub.
Plat 2006, Pg. 842
Parcel 01-14652-000
BH Pham Properties, LLC
WD Bk. 2017, Pg. 84417
Parcel 01-00771-000
Van Cleef, Carolyn
WD Bk. 2001, Pg. 04795
Parcel 01-00772-000
JDP Investments, LLC
WD Bk. 2014, Pg. 57431
WD Bk. 2014, Pg. 57431
UTILITY EASEMENT PER THIS PLAT. 32,266 SQ. FT. OR 0.79 AC.
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 68,708 SQ. FT. OR 1.23 AC.
UTILITY & DRAINAGE EASEMENT PER THIS PLAT. 53,705 SQ. FT. OR 1.23 AC.
PROPERTY LINE TO BE REMOVED PER THIS PLAT
20' Water Line Easement DB 397, Pg. 184
20' D.E. & G.E. Bk. & Pg. 00035762
30' D.E. PB 2006, Pg. 842
20' Sewer Easement DB 611, Pg. 304
20' Utility Easement PB 14, Pg. 79
SCALE IN FEET
LEGEND
Boundary Line
Adjoiner Boundary Line
Right-of-Way Line
Easement Line
Proposed Easement
Benchmark
Found 5/8" Rebar (rbf) (As noted)
Set 5/8" Rebar (rbs) "LSR1818"
Found Pipe (IPF) (As noted)
Right-of-Way (R/W) monument
Brass/Aluminum (al) Cap
Found Nail (As Noted)
Quit Claim Deed
Warranty Deed
Gas Easement
Point of Beginning
Electric Easement
Drainage Easement
Utility Easement
Plat Book
Right-of-Way
Deed Record
Sewer Clean Out
Electric Meter
Water Meter
Drainage Manhole (DMH)
Grate Inlet (GI)
Fire Hydrant
Sewer Manhole (SMH)
Utility Pole
Electric Riser
Water Valve
Irrigation Control Box
Grease Trap
Water Riser
Electric Vault
Fiber Optic Vault
Telephone Vault
Traffic Signal Vault
Traffic Light (2 Lamps)
Traffic Light (3 Lamps)
Light Pole Overlapping
CPP
Corrugated Plastic Pipe
RCP
Reinforced Concrete Pipe
Utility & Drainage Easement per this plat
Emergency Access and Public Utility Easement Only per this plat
Right-of-Way Dedication per this plat
Easements to be Vacated per separate document
Utility Easement per this plat
City of Bentonville Project # FP20-0004
SHEET 7
REGISTERED
STATE OF ARKANSAS
NO. 16 8
PROFESSIONAL LAND SURVEYOR
CEI
Engineering Associates, Inc.
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
© 2020 CEI ENGINEERING ASSOCIATES, INC.


SE Martin Luther King Jr. Pkwy
SUBJECT TRACT
PARENT TRACT
LEGEND
City of Bentonville Project #FP20-0004
Engineering Associates, Inc.
SHEET 5
SHEET 6

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A FINAL PLAT OF LOTS 1-6 OF WALMART LAYOUT SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: FP20-0004).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the final plat of Lots 1-6 of Walmart Layout Subdivision, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on January 5, 2021; 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 1-6 of Walmart Layout 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 final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE MASTER STREET PLAN, CONSISTING OF THE MASTER STREET PLAN MAP AND TYPICAL CROSS SECTIONS, OF THE CITY OF BENTONVILLE, ARKANSAS PURSUANT TO ARKANSAS CODE ANNOTATED §14-56-414.

WHEREAS, the Master Street Plan is adopted to provide for the orderly growth and development of the City of Bentonville through the development of a roadway system that provides internal circulation within the city while connecting to other population centers in Northwest Arkansas; and,

WHEREAS, a public hearing was held at Planning Commission on January 5, 2021 to provide the public with the opportunity to view and comment on the plan and map; and,

WHEREAS, Planning Commission recommended approval of the Master Street Plan on January 5, 2021.

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

Section 1. That the Master Street Plan of the City of Bentonville, Arkansas should be and is hereby adopted with the following *Attachment A: Master Street Plan Map* and *Attachment B: Typical Sections* by the Planning Commission and the City Council pursuant to Ark. Code Ann. §14-56-414, an electronic copy and paper copy of which are on file with the City Clerk, is hereby referred to, adopted and made a part hereof as though it were copied herein fully.

Section 2. That a copy of this resolution shall be filed with the City Clerk and the County Recorder.

Section 3. That this resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2021.

APPROVED:

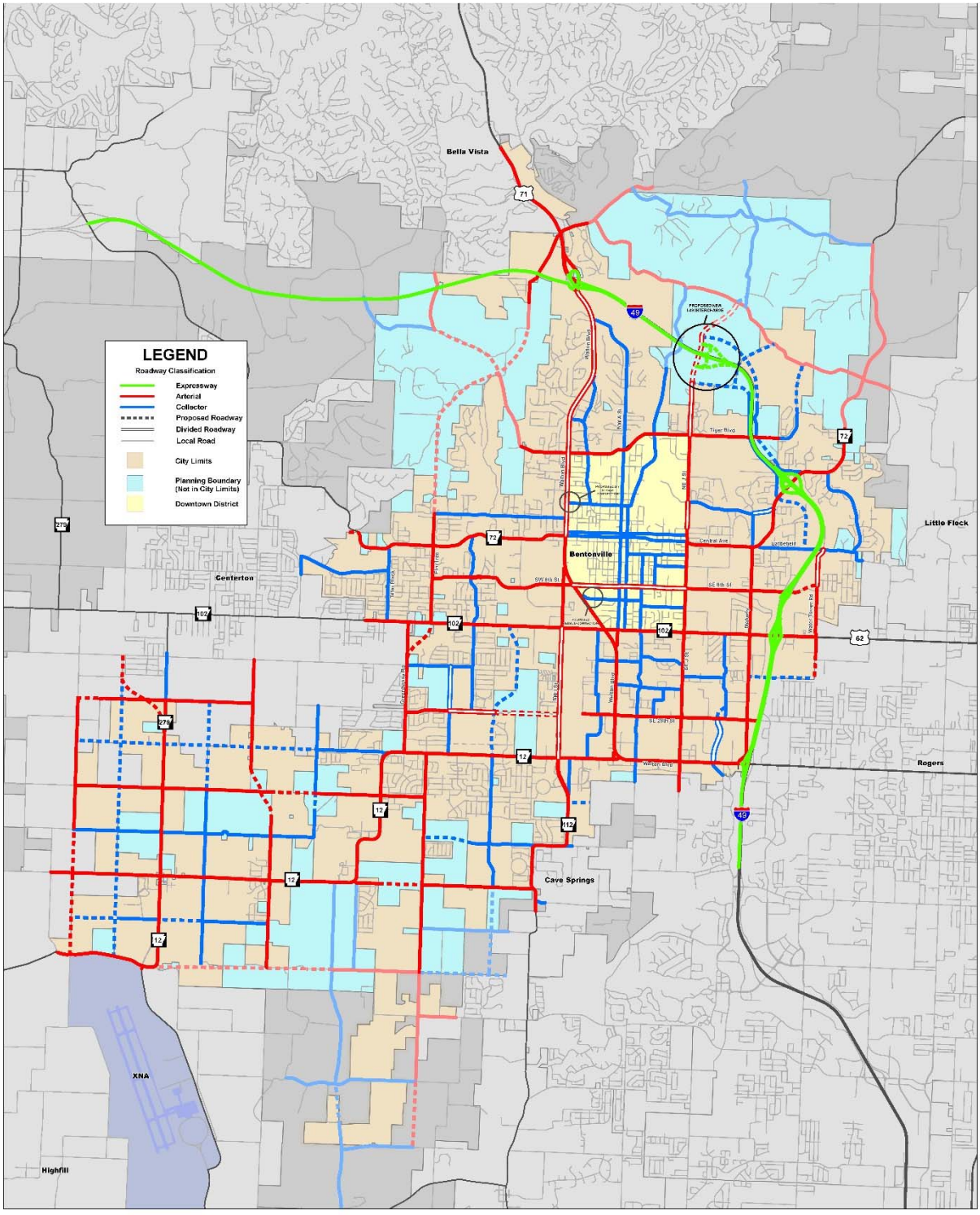
_____

Mayor Stephanie Orman

ATTEST:

_____

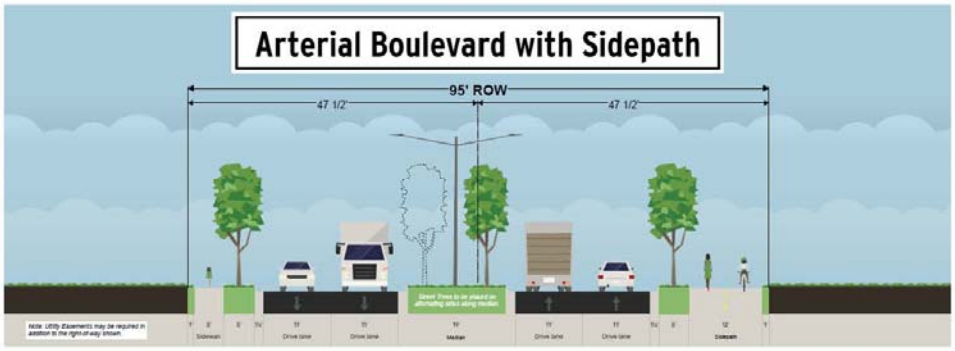
City Clerk

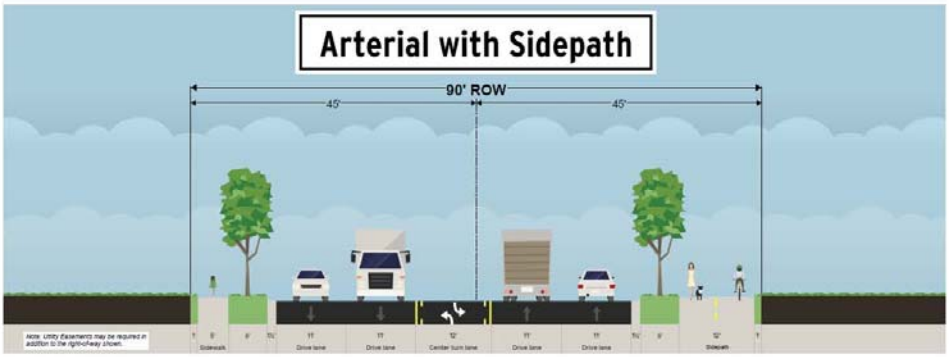


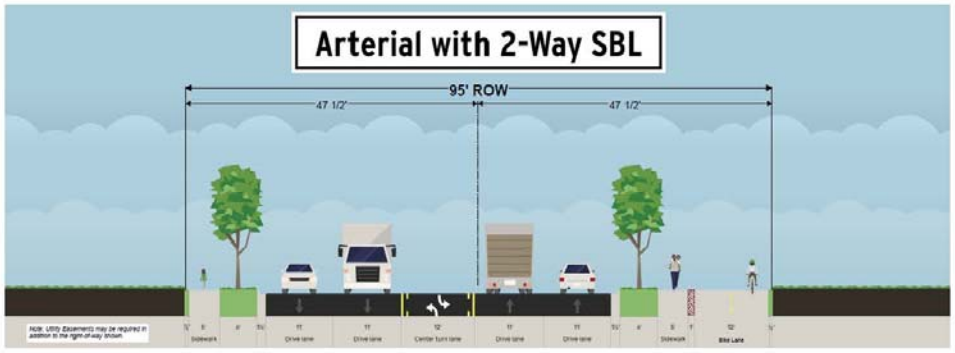
Bentonville Master Street Plan

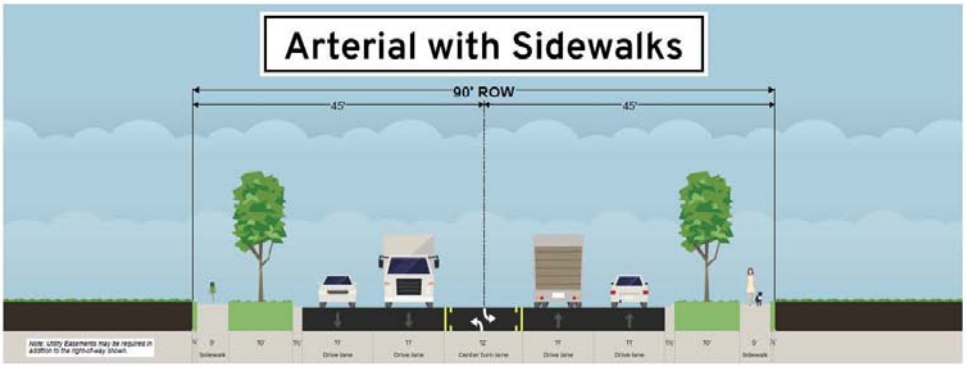
2021 New Master Street Plan

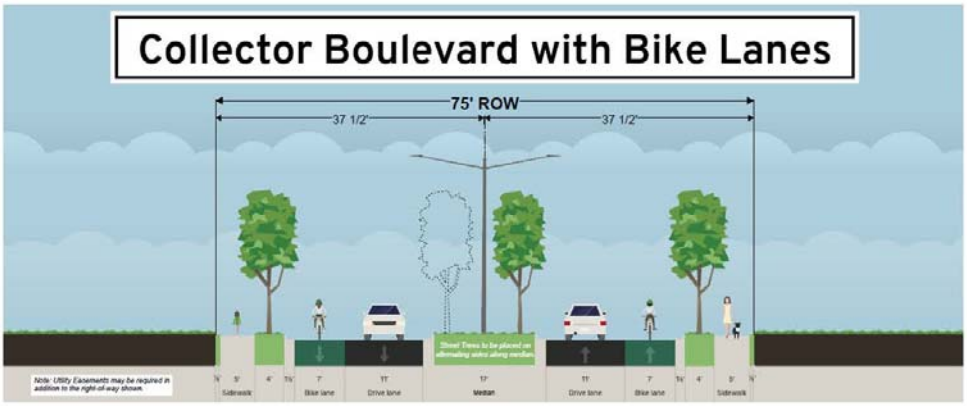
Attachment B: Typical Sections

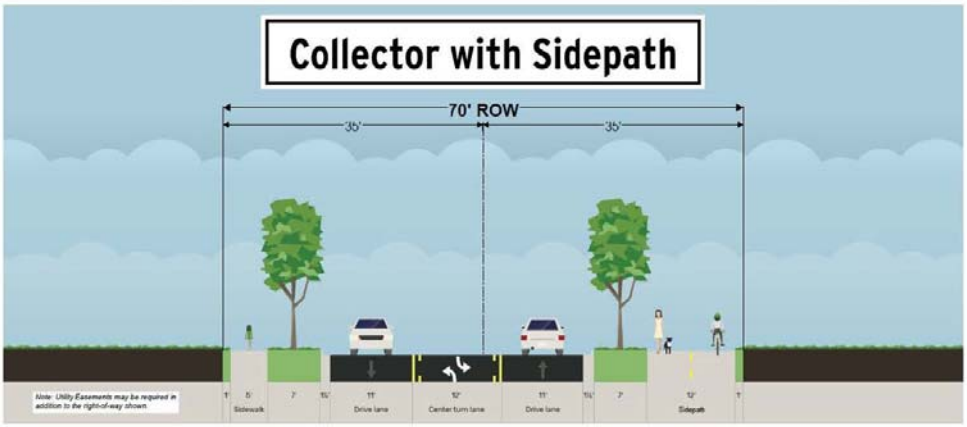


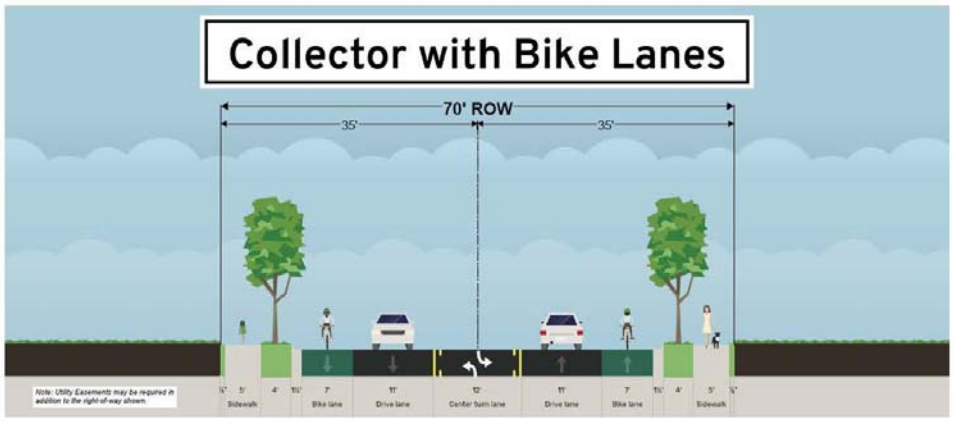





Arterial with Sidewalks
90' ROW
45'
45'


Collector Boulevard with Bike Lanes
75' ROW
37 1/2'
37 1/2'

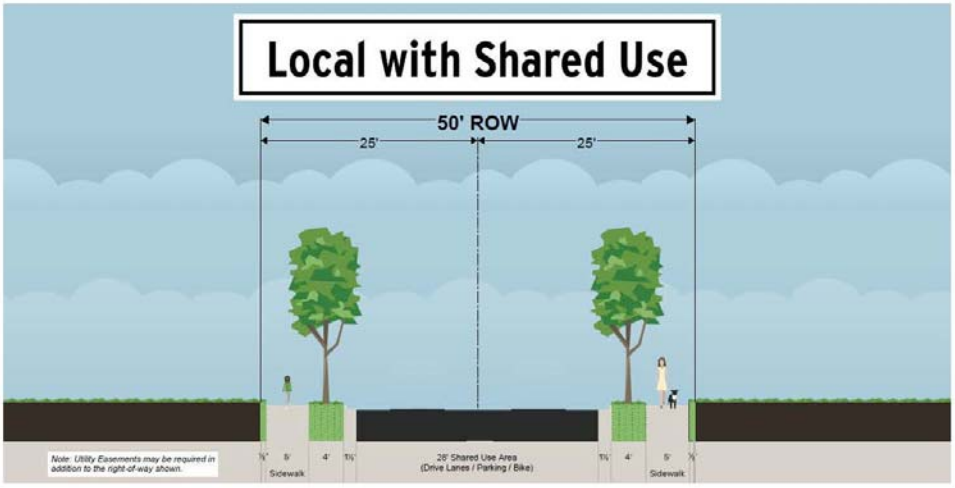

Collector with Sidepath
70' ROW
35'
35'

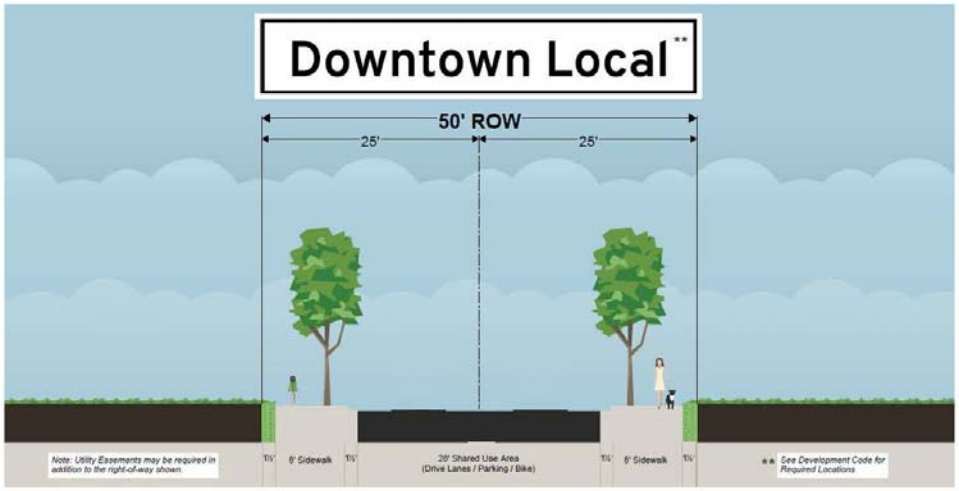

Collector with Bike Lanes
70' ROW
35'
35'
Note: Utility Easements may be required in addition to the right-of-way shown.
½'
5'
Sidewalk
4'
1½'
7'
Bike lane
11'
Drive lane
12'
Center turn lane
11'
Drive lane
7'
Bike lane
1½'
4'
5'
Sidewalk
½'


Downtown Collector
65' ROW
32 1/2'
32 1/2'
Note: Utility Easements may be required in addition to the right-of-way shown.
2' Frontage Zone
12'
Sidewalk
½'
11'
Drive lane
12'
Center turn lane
11'
Drive lane
½'
12'
Sidewalk
2' Frontage Zone


Downtown Collector with Parking
65' ROW
32 1/2'
32 1/2'
Note: Utility Easements may be required in addition to the right-of-way shown.
12'
Sidewalk
½'
Concrete Gutter
9'
Parking Lane or Bike Lane
11'
Drive lane
11'
Drive lane
Concrete Gutter
9'
Parking Lane or Bike Lane
½'
12'
Sidewalk

Attachment B: Typical Sections (continued)





REZONING STAFF REPORT

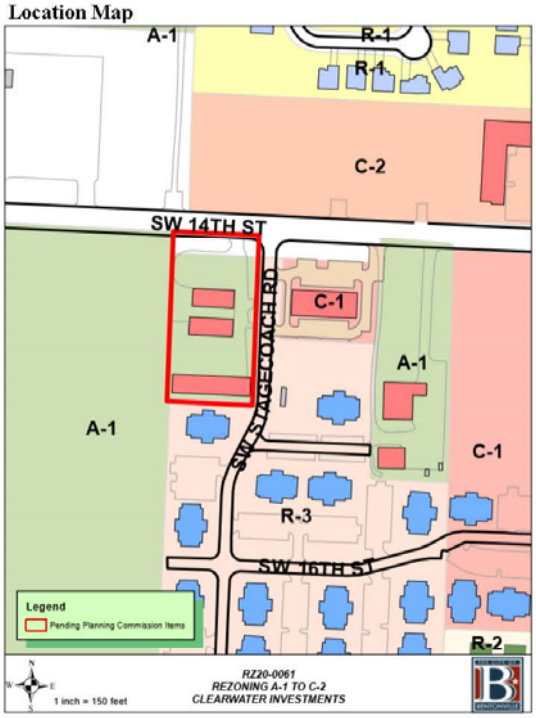
Clearwater Investments, LLC

2903 SW 14th Street
PC Date: 1/5/2021
Reviewer: Jon Stanley, Senior Planner

Project Number	RZ20-0061
Applicant / Current Owner	Clearwater Investments, LLC PO Box 1055 Bentonville, AR 72712
Site Area	+/- 1.84 acres
Current Zoning	A-1, Agricultural
Requested Zoning	C-2, General Commercial
Future Land Use Map Designation	General Commercial

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 2903 SW 14th Street, a commercial corridor that bisects the city east to west. Adjacent zoning districts are C-2, General Commercial to the north, R-3, Medium Density Residential to the south and east, and A-1, Agricultural to the west.

Relationship to the General Plan
The Future Land Use Plan currently depicts this property as General Commercial. The Bentonville Community Plan describes General Commercial areas to include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged, but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping.

Public Comment
Staff has NOT received public comment regarding this request.

Analysis
According to the applicant's narrative, the intent of the rezoning request is to provide food & beverage uses for the property. The changing context of the area, such as the commercial development to the east that is currently under construction, along with other commercial establishments along this corridor, may warrant the rezoning request.

Conclusion
The proposed rezoning request does align with the Future Land Use plan, surrounding uses and zoning districts, and may justify the rezoning request to C-2, General Commercial.

Staff recommends approval of the rezoning request.

Bates & Associates, Inc.
Civil Engineering & Surveying
7230 S. Pleasant Ridge Drive/ Fayetteville, AR 72703
PH: 479-442-9350 * FAX: 479-521-9350

November 10, 2020

City Current Panning
City of Bentonville, Arkansas
305 SW A Street
Bentonville, AR 72712

Re: Rezoning Request (Parcel #18-08658-001)

Dear Planning Staff,

The property owners of Benton County Parcel #18-08658-001 are applying for a rezoning of said property. The property in question totals 0.84 acres and is on the west side of SW Stagecoach Rd. It is currently zoned A-1, because it was recently annexed into the city.

The Applicant would like to rezone this property to C-2 for the purpose of developing a commercial property, specifically a 7brew coffee. Currently, the property has a large section of C-2 zoned property across 14th street and C-1 property across SW Stagecoach. The property also has a 12" water main running along 14th street, as well as a 8" main on SW Stagecoach St. There is 8" sewer main along sw stagecoach.

The appearance of the building that will be proposed is exactly the same as other 7brew coffee shops in Bentonville and Rogers.

Traffic for this property will have a negligible increase because the property of the direct access to 14th street. Also, there will only be 4 employees at a time, maximum with enough stacking distance to keep traffic within the bounds of the property.

The current owner, Clearwater investments LLC, intends to sell the property to our clients after the property is rezoned.
If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

[redacted]

Jake Chavis, E.I.
Bates & Associates, Inc.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO C-2, GENERAL COMMERCIAL (PROJECT NUMBER: RZ20-0061).

WHEREAS, Clearwater Investments, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, Agricultural to C-2, General Commercial to be used in accordance with city zoning laws and state laws, which property is described as follows:

A PART OF THE WEST HALF OF THE FRACTIONAL NORTHEAST QUARTER OF THE FRACTIONAL NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S87°13'01"E 201.36', THENCE S02°19'28"W 400.00' TO AN EXISTING REBAR, THENCE N87°12'47"W 200.01', THENCE N02°07'51"E 400.00' TO THE POINT OF BEGINNING, CONTAINING 1.84 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN SOUTHWEST 14TH STREET MASTER STREET PLAN RIGHT-OF-WAY ON THE NORTH SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, Agricultural to C-2, General 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 zoning classification of A-1, Agricultural to C-2, General Commercial to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

City Clerk

REZONING STAFF REPORT

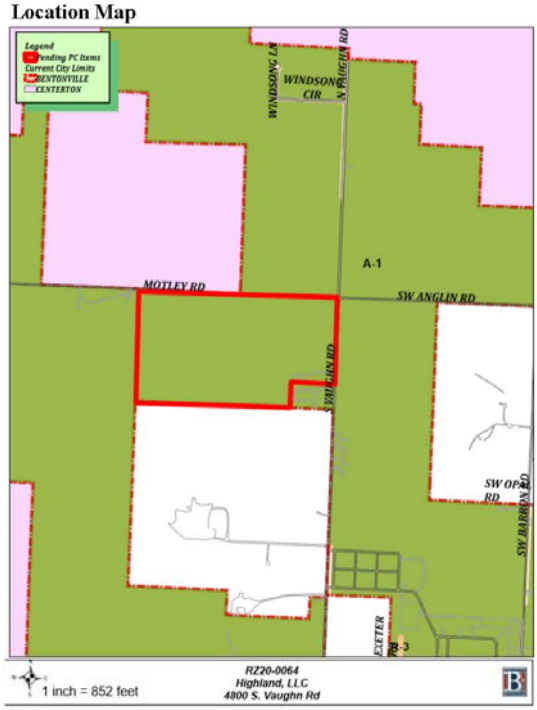
Highland, LLC

4800 S Vaughn Road
PC Date: 1/5/2021
Reviewer: Jon Stanley, Senior Planner

Project Number	RZ20-0064
Applicant / Current Owner	Highland, LLC PO Box 129 Centerton, AR 72719
Site Area	+/- 85 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Agricultural (A)

Https://arcg.is/08hvk8

Location Map



Property Description
The property is located at 4800 S Vaughn Road and is currently zoned A-1, Agricultural. Adjacent zonings are A-1 and the City of Centerton to the north, A-1 and Benton County to the south. and A-1 to the west and east.

Relationship to the General Plan
The Future Land Use Plan currently depicts this property as Agriculture. These areas include larger properties used primarily for the raising of crops or livestock. These properties may also include single-family residences and other farming related structures.

Public Comment
Staff has NOT received public comment regarding this request.

Analysis
According to the applicant's narrative, the intent of the rezoning is to allow for the development of a single-family subdivision. While the Land Use Plan might have been correct when the Community Plan was adopted, since that time public utilities are now available and a new junior high school has been constructed a short distance to the northeast. Another public school, located just to the southeast, was approved for construction by the Planning Commission earlier this year.

Conclusion
Staff recommends approval of the rezoning request due to the site's compatibility with current development in the area, as well as surrounding uses and zoning districts.

Crafton Tull
architecture | engineering | surveying

300 North College, Suite 317
Fayetteville, AR 72701
479.455.2207
craftontull.com

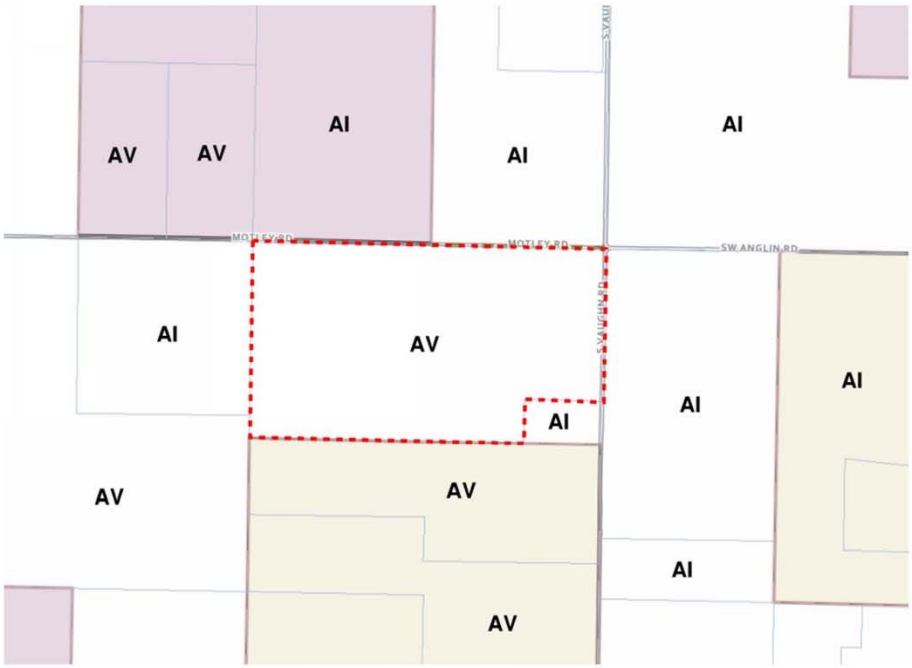
November 5, 2020

City of Bentonville
Attn: Planning Department
305 SW A St
Bentonville, AR 72712

Re: Rezone Application – Bentonville West Property
CT Job #: 16104200

Planning Staff,

On behalf of our client, Highland, LLC, we are submitting an application to rezone approximately 85.5 acres of land at the SW corner of Motley Road and S Vaughn Road in west Bentonville. The property is comprised of one parcel that are all currently zoned AV. We are seeking approval to rezone to R-1.



The City of Bentonville future land use plan designates this area as Agriculture. Within this plan, Agriculture areas are defined as being "area including larger properties used primarily for the raising of crops or livestock as well as properties including residence or farm-related structures."

Crafton Tull
architecture | engineering | surveying

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Fayetteville, AR 72701
479.455.2207
craftontull.com

The property is surrounded by parcels currently zoned AV and AI. It is due west of many large existing and preliminary residential single-family developments. Water and sanitary sewer infrastructure are both available on site. We feel that rezoning the property to R-1 would be beneficial to the growth of the surrounding area. It will not unreasonably affect or conflict with the surrounding agriculture land uses. Large tracts of land within the City of Bentonville are becoming less and less available. By approving this rezoning, the property can be developed in a way that utilizes the existing street and utility infrastructure which will help to decrease maintenance costs for the City in the future. This property is serviced by the City of Centerton Water and Sewer Department so it will not pose a burden to the City of Bentonville system.

Traffic leaving the site would do so on to Motley Road or S Vaughn Road and have access to both W Centerton Blvd. and SW Regional Airport Blvd via S Vaughn Road. Any traffic analysis required would be performed at the time of preliminary plat.

It is for the reasons above we are requesting your review of this rezoning application. Please feel free to contact us with any questions.

Thank you,

[redacted]

Thomas A. Hennelly, PE
Vice President
Crafton Tull

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-1, SINGLE FAMILY RESIDENTIAL (PROJECT NUMBER: RZ20-0064).

WHEREAS, Highland, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, Agricultural to R-1, Single Family Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE COMMON CORNER BETWEEN SECTIONS 7, 8, 17 AND 18, THENCE SOUTH 88°22' EAST ALONG THE NORTH LINE OF SECTION 17, 2645.8 FEET TO THE QUARTER SECTION CORNER OF SECTION 17, THENCE SOUTH 01°29' WEST ALONG THE QUARTER SECTION LINE 1481.7 FEET, THENCE NORTH 88°22' WEST 2646.7 FEET, MORE OR LESS, TO THE WEST LINE OF SECTION 17, THENCE NORTH 01°27' EAST WITH THE SECTION LINE 1481.7 FEET TO THE POINT OF BEGINNING, CONTAINING 90 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY UPON, ACROSS OR THROUGH SAID LANDS. EXCEPT: PART OF THE E1/2 OF THE NW 1/4 OF SAID SECTION 17 DESCRIBED AS BEGINNING SOUTH 00°13' EAST 1157.26 FEET FROM THE NE CORNER OF THE SAID E 1/2 OF THE NW 1/4, THENCE SOUTH 00°13' EAST 325.64 FEET, THENCE NORTH 89°46'36" WEST 589.75 FEET, THENCE NORTH 00°54'07" EAST 337.29 FEET, THENCE SOUTH 88°38' EAST 583.38 FEET TO THE PLACE BEGINNING.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, Agricultural to R-1, Single Family Residential.

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

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

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

REZONING STAFF REPORT

Emma Partners, LLC

310 S Main Street
PC Date: 1/5/2021
Reviewer: Tyler Overstreet, Senior Planner, AICP

Project Number	RZ20-0065 & RZ20-0066
Applicant / Current Owner	Emma Partners, LLC
Site Area	+/- .5 acres
Current Zoning	DE, Downtown Edge
Requested Zoning	DC, Downtown Core
Future Land Use Map Designation	Downtown Commercial

https://arcg.is/08HvK8

Location Map



Property Description
RZ20-0065 and RZ20-0066 are contiguous rezoning requests located at 310 S Main Street and Parcel 01-03766-001. Adjacent zoning districts are DE, Downtown Edge, to the north, east, and south, and DC, Downtown Core to the west.

Relationship to the Bentonville Community Plan
The Bentonville Community Plan depicts this property within Priority Area 1, Downtown Intensification. The Plan notes that supporting redevelopment downtown allows the community to take advantage of current market capacity, increasing housing options, and increase the amount of people living close to jobs and commerce (p. 46).

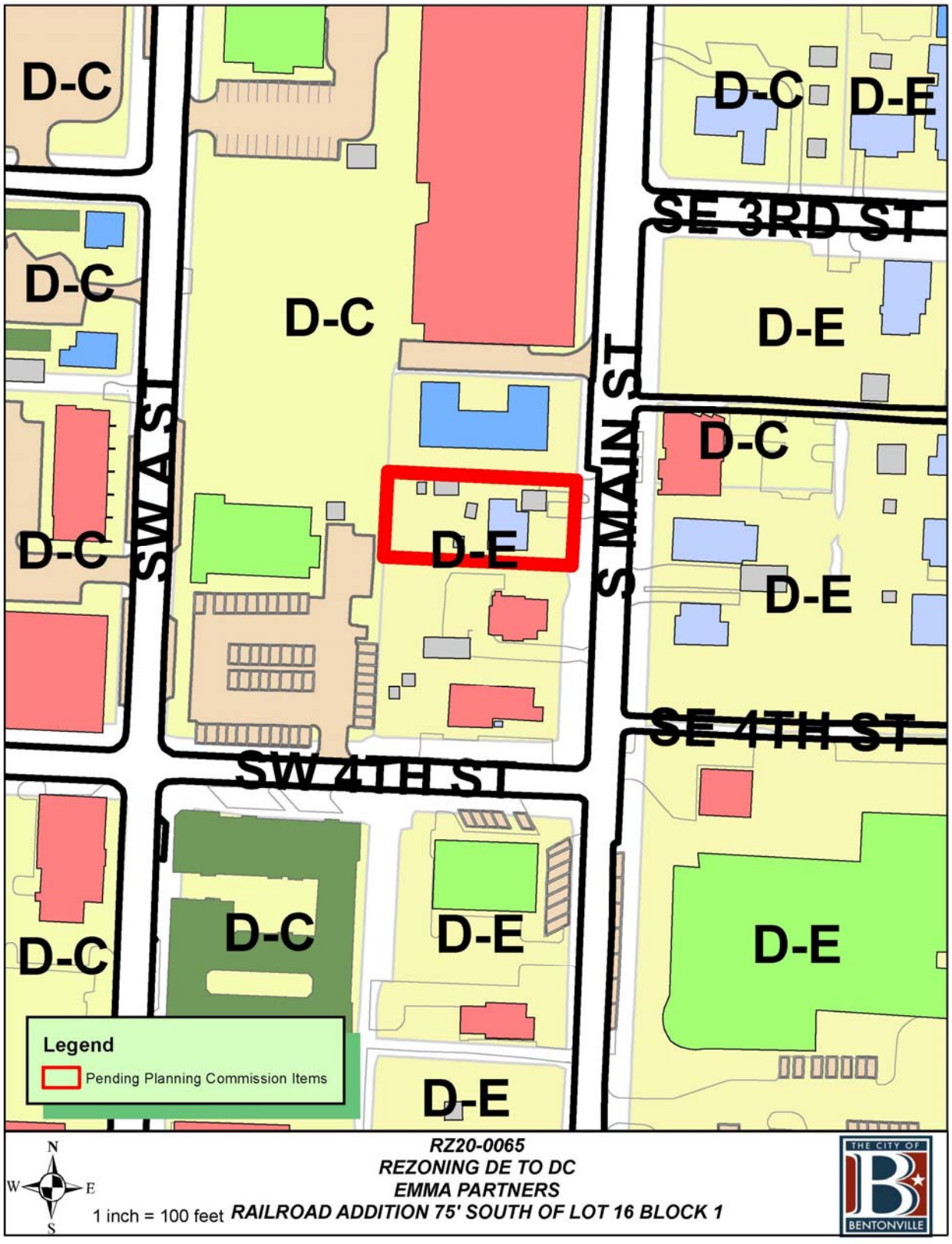
In addition, the property is depicted in the South Gateway Downtown Character Area. The plan recommends continued support of S Main Street as a secondary entry into downtown, with a mix of commercial and residential uses.

The Future Land Use Map currently depicts this property as Downtown Commercial. These areas typically include vertical, mixed-use developments with a focus on design character and pedestrian access.

Public Comment
Staff has not received public comment on this request.

Analysis
According to the applicant's narrative, the intent of the rezoning request is to repurpose the existing structure at 310 S Main Street in line with the Community Plan. The existing structure, in combination with the adjacent parcel will provide flexibility in future development to support the Bentonville City Center, Bentonville City Hall, and Motto Hotel projects.

Conclusion
The Future Land Use Plan, the Downtown Character Area Plan, and surrounding zoning districts lend credence to the rezoning applications. Staff recommends approval of both rezoning requests.


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Pending Planning Commission Items
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1 inch = 100 feet
RZ20-0065
REZONING DE TO DC
EMMA PARTNERS
RAILROAD ADDITION 75' SOUTH OF LOT 16 BLOCK 1
THE CITY OF
BENTONVILLE

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF DE, DOWNTOWN EDGE TO DC, DOWNTOWN CORE (PROJECT NUMBER: RZ20-0065).

WHEREAS, Emma Partners, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of DE, Downtown Edge to DC, Downtown Core to be used in accordance with city zoning laws and state laws, which property is described as follows:

A STRIP OF LAND OF EQUAL WIDTH 75 FEET WIDE OFF THE SOUTH SIDE OF LOT 16 BLOCK 1 RAILROAD ADDITION TO BENTONVILLE, BENTON COUNTY, AR AS SHOWN ON PLAT RECORD BOOK "A" PAGE 66, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of DE, Downtown Edge to DC, Downtown Core.

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

Section 1: That the above described real property is hereby changed from its present zoning classification of DE, Downtown Edge to DC, Downtown Core to be used in accordance with the city zoning laws and state laws.

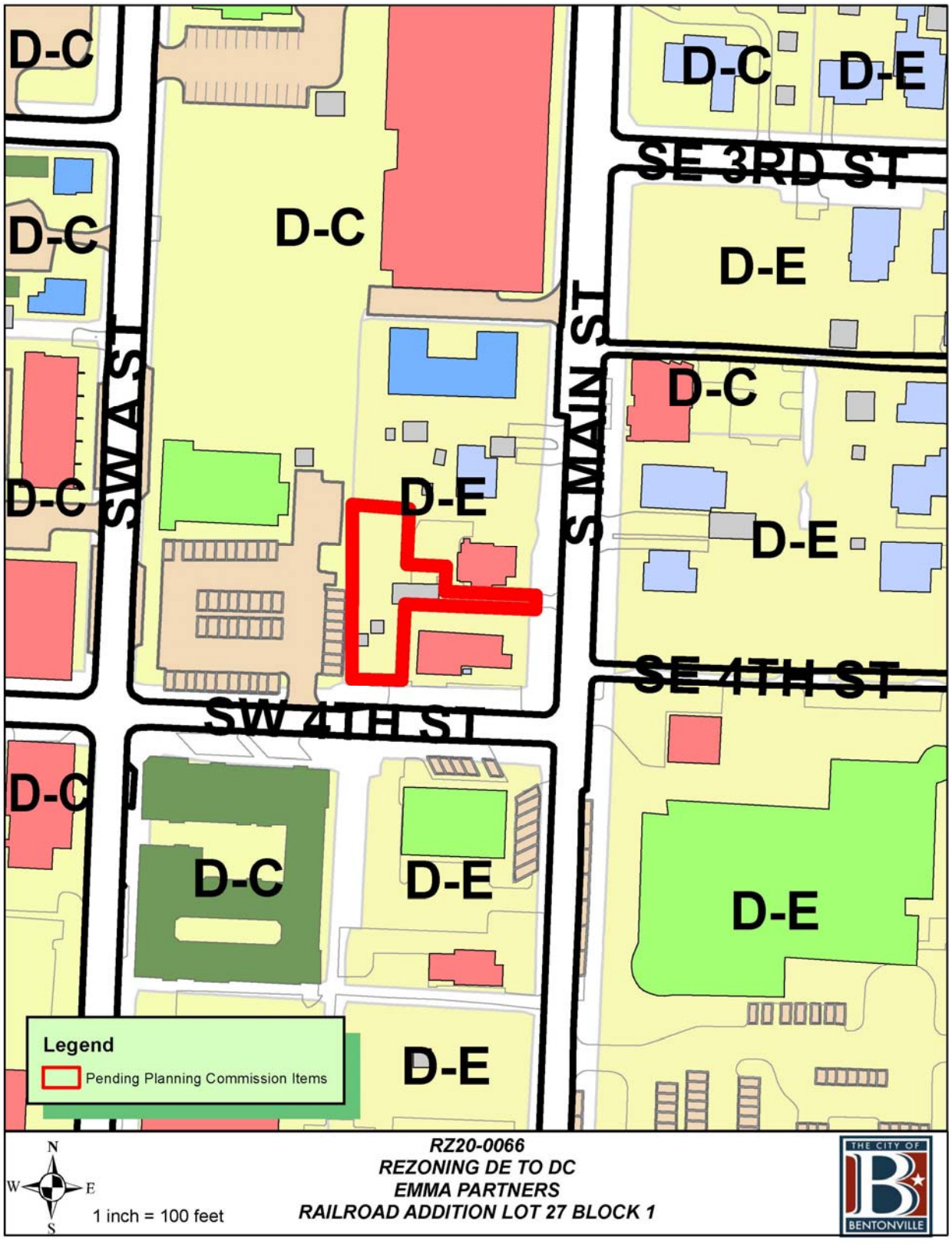
PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk


D-C
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D-C
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SW A ST
SW 4TH ST
S MAIN ST
SE 3RD ST
SE 4TH ST
D-C
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D-C
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D-E
Legend
Pending Planning Commission Items
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W
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S
1 inch = 100 feet
RZ20-0066
REZONING DE TO DC
EMMA PARTNERS
RAILROAD ADDITION LOT 27 BLOCK 1
THE CITY OF
BENTONVILLE

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF DE, DOWNTOWN EDGE TO DC, DOWNTOWN CORE (PROJECT NUMBER: RZ20-0066).

WHEREAS, Emma Partners, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of DE, Downtown Edge to DC, Downtown Core to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 27, BLOCK 1 RAILROAD ADDITION TO BENTONVILLE, BENTON COUNTY, AR AS SHOWN ON PLAT RECORD BOOK 2017, PAGE 129, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of DE, Downtown Edge to DC, Downtown Core.

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

Section 1: That the above described real property is hereby changed from its present zoning classification of DE, Downtown Edge to DC, Downtown Core to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

Emma Partners, LLC, a local real estate investment group, has recently acquired 310 S Main Street, and parcel number 01-03766-001 (.21 acres) which is located behind 312 and 314 S Main Street. Both properties are currently zoned D-E, Downtown Edge, with the use of single-family residential and a storage area for EGIS Environmental. The request for D-C, Downtown Core is consistent with the Future Land Use Plan, which identifies this area as Downtown Commercial. These areas include traditional mixed-use developments with a focus on design character and pedestrian access. Ground-floor uses should consist of activities that capitalize on pedestrian traffic and support street life, such as restaurants, retail, and services that create frequent patron traffic (Lavigne, 2018).

Within the Bentonville Community Plan Chapter 6, Commerce and Industry, the oldest commercial development areas in Bentonville (Downtown) are generally challenging to redevelop (Lavigne, 2018). Through acquisitions and assemblage, a developer would be able to create more substantial commercial projects while providing goods and services to downtown Bentonville patrons. Chapter 4 identifies this area as Priority Area 1, Downtown Intensification, and it falls within the Downtown Bentonville Character Area, South Gateway. S Main Street and SW A Street are the primary southern gateways to Downtown Bentonville (Lavigne, 2018). S Main Street is considered the secondary entrance into the downtown because of its character and less intensive commercial uses in harmony with the public spaces and current residential properties or those that have redeveloped. S Main Street's character is inviting to the pedestrian through the trees that line its length and the sidewalks on each side of the roadway. Within the Bentonville Blueprint, there are eight target sectors with Hospitality, Culture, and Entertainment as an identified need within the community, and it covers a wide range of establishments.

Emma Partners LLC proposes to repurpose the existing structure at 310 S Main Street in harmony with the Bentonville Community Plan and the Bentonville Blueprint. When combined with parcel # 01-03766-001, future development will support the new developments at 240 S Main Street Center City, 305 SW A Street, the new Bentonville City Hall, and Motto Hotel at 223-225 S Main Street.

REZONING STAFF REPORT

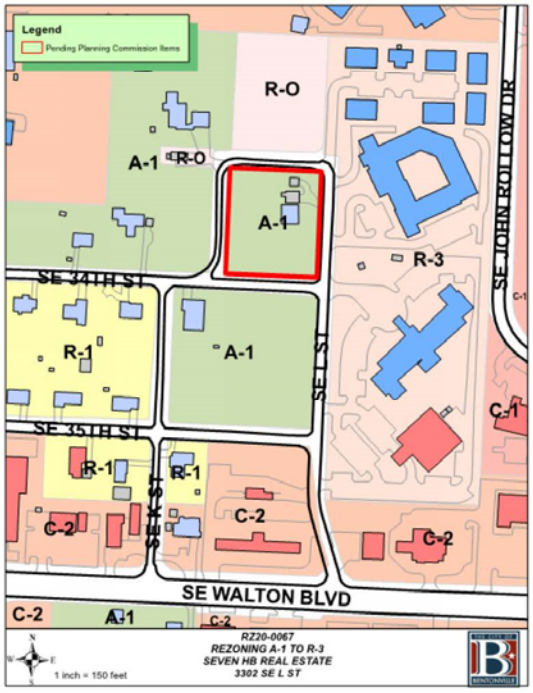
Jake Newell

3302 SE L Street
PC Date: 1/5/2021
Reviewer: Tyler Overstreet, Senior Planner, AICP

Project Number	RZ20-0067
Applicant / Current Owner	Seven HB Real Estate, LLC
Site Area	+/- 1.24 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-3, Medium Density Residential
Future Land Use Map Designation	High-Density Residential

https://arcg.is/08HvK8

Location Map



Property Description
3302 SE L Street is vacant and located between SE 33rd Street, SE L Street, SE K Street, and SE 34th Street. All streets are classified as Local streets per the current Master Street Plan. Adjacent zoning districts are R-3, Medium Density Residential to the east, R-O, Residential Office and A-1, Agricultural to the north and west, and A-1, Agricultural to the south.

Relationship to the Bentonville Community Plan
The Bentonville Community Plan depicts this property within Priority Area 2, Infill of the Community Plan. The Plan describes how currently vacant and agricultural acreage could accommodate a population increase of approximately 31,000 residents within the Infill Priority Area (p. 48). The plan states that most of the development needed to accommodate Bentonville's anticipated growth can be accommodated with urban opportunity sites that exist within developed areas of the city.

The Future Land Use Plan currently depicts this property as High-Density Residential. These areas include a variety of housing types, such as multi-family or dense single-family, typically with integrated amenities for residents.

Public Comment
Staff has not received public comment on this request.

Analysis
According to the applicant's narrative, the intent of the rezoning request is to provide additional housing options for current and future residents of Bentonville. In addition, the applicant states that their intention is to develop the property in line with their similar multi-family developments in downtown Bentonville.

City staff placed traffic counters at 1103 SE 35th, 1108 SE 34th, and 3510 SE L Streets between December 10 and December 15, 2020. Over the period, average daily traffic counts were 149.5, 210.3, and 238.2 cars respectively. The Master Street Plan designates SE L, SE 34th, and SE 35th Streets as Local streets. Local streets have an estimated capacity between 1,000 and 4,000 vehicles per day, which suggests there may be adequate roadway capacity for additional traffic should future development make necessary road improvements.

Conclusion
The Future Land Use Plan and Land Use and Strategic Growth Chapter of the Community Plan lends credence to this rezoning request. Staff recommends approval.

3302 SE L Street Narrative

Current Zoning Designation: A1- Agricultural District, **Proposed Zoning Designation:** R3- Medium Density Residential

Explanation: Newell Development proposes to rezone the property located at 3302 SE L (parcel ID 01-00149-000) from A1 to R3, in order to develop a medium density real estate project in compliance with R3 development standards of the Bentonville Zoning Code. The current owner is Seven HB Real Estate, LLC (Mailing Address: 5105 SW Newcastle Road, Bentonville, AR 72713) who endeavors to sell the property to L Street Properties, LLC. Newell Development will serve as the property developer.

Reason to Rezone: The rezone would allow for L Street Properties, LLC in partnership with Newell Development to build a medium density workforce housing project.

Statement of how the property will relate to surrounding properties: The residential development proposed for this property will fit in form and scale with design standards outlined by the City of Bentonville R3 building standards. Adjacent properties on L Street, Osage Heights (3303 SE L) and the Gardens at Osage Terrace (3317 SE L), are also zoned R3 and serve as senior living communities. Surrounding properties in the neighborhood are zoned R1-single family residential, RO-residential office, A1-agricultural and C2- general commercial. With the various zonings in the neighborhood, the proposed development will offer yet another housing option in the area to current and new residents in Bentonville.

Use: This infill residential development will complement and contribute to Priority Area 2 of the City Council adopted *Bentonville Community Plan* and offer more varied and affordable workforce housing options to accommodate Bentonville's current and anticipated population growth in the coming years. Per the plan: "There are approximately 1,000 acres of vacant or agricultural land within Bentonville's already developed areas. These areas represent an opportunity to capitalize on existing infrastructure and services and support new development that aligns with existing uses and is compatible with the character of surrounding areas. Based on the Land Use Plan, this vacant/agricultural acreage could accommodate a population increase of approximately 31,000 ... What all of this clearly demonstrates, is that most of the development needed to accommodate Bentonville's anticipated growth over the next 20 years can be accommodated with the urban infill opportunity sites that exist within the developed areas of the city" (Pg. 48, Bentonville Community Plan). While the plan recommends high density in this area, we feel a medium density project would fit better into the surrounding neighborhood and area of transition.



(zoomed in future land use map)

3302 SE L Street falls within the recommended infill area - Priority Area 2 of the Bentonville Community Plan

Traffic: The additional units should not impact current traffic patterns on the existing infrastructure and could potentially encourage more pedestrian and cycling activity with its proximity to the Razorback Greenway.

Signage: None proposed at this time.

Appearance: Modern design standards, similar Newell Development projects on SW B Street in Downtown Bentonville (images on page 3), will be used to positively improve the character of the existing neighborhood and increase housing options near South Walton, J Street and Northwest Medical Center. This housing project will expand Newell Development's portfolio outside of the downtown corridor but will be thoughtfully designed to offer similar esthetics, quality and community feel comparable to that of other Newell Development projects in Bentonville, at a price-point suitable for the area's workforce.

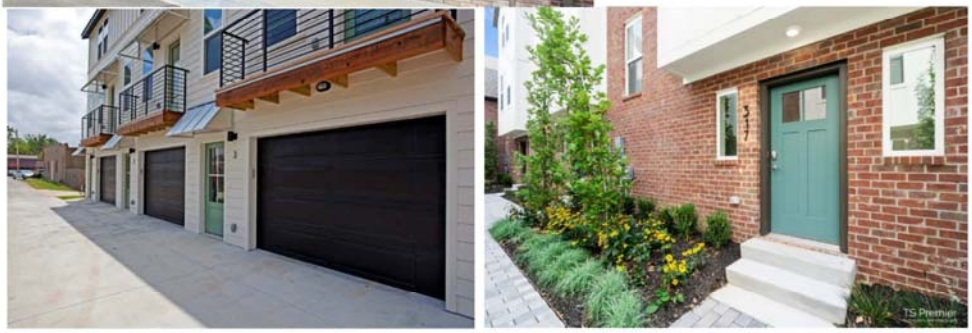
Water/ Sewer/ Electric: On-Site

(additional images on page 3)





(Images top to bottom: Dunn and Davis, The Village Flats, The Village, Depot 16, The Village, Dunn and Davis, Dunn and Davis, Dunn and Davis)







ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-3, MEDIUM DENSITY RESIDENTIAL (PROJECT NUMBER: RZ20-0067).

WHEREAS, Seven HB Real Estate, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, Agricultural to R-3, Medium Density Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS BEGINNING 40 FEET NORTH OF THE NORTHEAST CORNER OF LOT 1 IN BLOCK 4 IN TWIN CITY HEIGHTS (REVISED) AS SHOWN IN PLAT RECORD "E" ON PAGE 32 OF THE RECORDS OF BENTON COUNTY, ARKANSAS, AND RUN NORTH 250 FEET; THENCE EAST 216 FEET; THENCE SOUTH 250 FEET; THENCE WEST 216 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 January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, Agricultural to R-3, 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 zoning classification of A-1, Agricultural to R-3, Medium Density Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

REZONING STAFF REPORT

Shasta Properties, LLC

3905 S Vaughn Road
PC Date: 1/5/2021
Reviewer: Jon Stanley, Senior Planner

Project Number	RZ20-0068
Applicant / Current Owner	Shasta Properties, LLC 1402 SW Susana Street, Suite 6 Bentonville, AR 72713
Site Area	+/- 98 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Agricultural (A)

Https://arcg.is/08hvk8

Location Map



Property Description
The property is located at 3905 S Vaughn Road and is currently zoned A-1, Agricultural. All properties located to the north, south and east are zoned A-1 and the City of Centerton lies to the west.

Relationship to the General Plan
The Future Land Use Plan currently depicts this property as Agriculture. These areas include larger properties used primarily for the raising of crops or livestock. These properties may also include single-family residences and other farming related structures.

Public Comment
Staff has NOT received public comment regarding this request.

Analysis
According to the applicant's narrative, the intent of the rezoning is to allow for the development of a single-family subdivision. While the Land Use Plan might have been correct when the Community Plan was adopted, since that time public utilities are now available and a new junior high school has been constructed a short distance to the northeast, and another public school, located just to the southeast, was approved for construction by the Planning Commission earlier this year.

Conclusion
Staff recommends approval of the rezoning request due to the site's compatibility with current development in the area, as well as surrounding uses and zoning districts.

Bates & Associates, Inc.
Civil Engineering & Surveying
7230 S. Pleasant Ridge Drive/ Fayetteville, AR 72703
PH: 479-442-9350 * FAX: 479-521-9350

November 30, 2019

City Current Panning
City of Bentonville, Arkansas
305 SW A Street
Bentonville, AR 72712

Re: Rezoning Request (Parcel #01-00828-450, 001-00828-440)

Dear Planning Staff,

The property owners of Benton County Parcel #01-00828-450, and 01-00828-440 are applying for a rezoning of said property. The property in question totals 97.90acres and is on the west side of Hwy 279. It is currently zoned A-1.

The Applicant would like to rezone this property to R-1 for the purpose of developing a residential Subdivision. Currently, the property is surrounded by A-1 zoned property on 3 sides, with a residential subdivision to the north of the property. The property also has a 12" water main running along HWY 279, as well as access to gravity sewer in the southwest corner of the property. This sewer is owned by the City of Centertown.

The appearance of the subdivision will be similar to other subdivisions in Bentonville and Rogers.

Traffic for this property is not expected to affect the surrounding area, as Motley and Vaughn are Arterial streets and designed to handle this increase

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

[redacted]

Jake Chavis, E.I.
Bates & Associates, Inc.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-1, SINGLE FAMILY RESIDENTIAL (PROJECT NUMBER: RZ20-0068).

WHEREAS, Shasta Properties, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, Agricultural to R-1, Single Family Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING RAILROAD SPIKE MARKING THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF N87°34'57"W 1322.41' TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE WEST LINE THEREOF AND THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER N02°20'35"E 1980.37' TO AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE SOUTH LINE THEREOF N87°36'00"W 1322.36' TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE WEST LINE THEREOF N02°20'41"E 659.99' TO AN EXISTING STONE MARKING THE NORTHWEST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE NORTH LINE THEREOF S87°49'08"E 1322.34' TO AN EXISTING REBAR MARKING THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE WEST LINE THEREOF S02°20'35"W 41.34' TO AN

EXISTING REBAR MARKING THE SOUTHWEST CORNER OF WINDSONG SUBDIVISION, PHASE 1, TO BENTON COUNTY, AS PER THE RECORDED PLAT THEREOF FILED IN BOOK P2 AT PAGE 830 IN THE OFFICE OF THE CIRCUIT CLERK, THENCE ALONG SAID SOUTH SUBDIVISION LINE S87°23'34"E 1280.21' THE SOUTHEAST CORNER OF SAID WINDSONG SUBDIVISION, SAID POINT BEING ON THE WEST RIGHT-OF-WAY OF ARKANSAS STATE HIGHWAY #279, THENCE LEAVING SAID SOUTH SUBDIVISION LINE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING: S02°44'56"W 185.00', S02°08'54"W 186.73' TO AN EXISTING RIGHT-OF-WAY MONUMENT, S86°03'21"E 5.01', S02°07'28"W 224.93' TO AN EXISTING RIGHT-OF-WAY MONUMENT, N88°30'35"W 5.04'TO AN EXISTING RIGHT-OF-WAY MONUMENT, S02°00'27"W 49.72' TO AN EXISTING RIGHT-OF-WAY MONUMENT, S13°38'55"W 25.79' TO AN EXISTING RIGHT-OF-WAY MONUMENT, S09°55'57"E 25.71' TO AN EXISTING RIGHT-OF-WAY MONUMENT, S02°08'34"W 582.78' TO AN EXISTING REBAR ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE NORTH LINE THEREOF S87°33'39"E 39.55' TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THENCE ALONG THE EAST LINE THEREOF S02°21'10"W 1320.06' TO THE POINT OF BEGINNING, CONTAINING 97.91 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN SOUTH VAUGHN ROAD MASTER STREET PLAN RIGHT-OF-WAY ON THE EAST SIDE, SUBJECT TO THAT PORTION IN MOTLEY ROAD MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT, AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, Agricultural to R-1, Single Family Residential.

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

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

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

REZONING STAFF REPORT

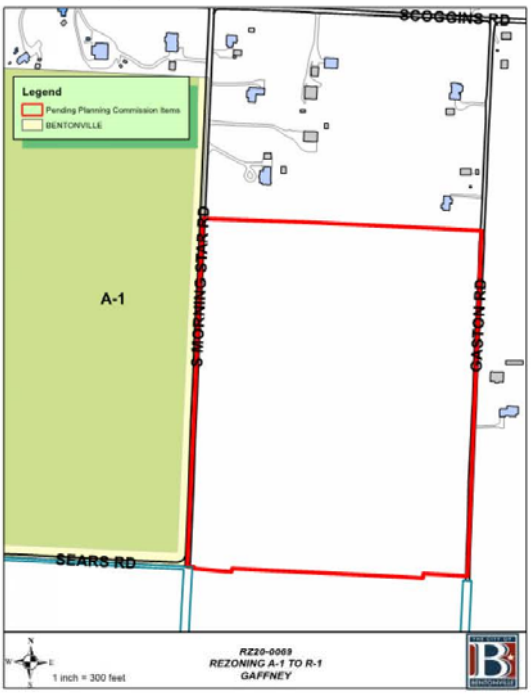
Gaffney

3302 SE L Street
PC Date: 1/5/2021
Reviewer: Tyler Overstreet, Senior Planner, AICP

Project Number	RZ20-0069
Applicant / Current Owner	Gaffney
Site Area	+/- 50 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Agricultural

https://arcg.is/08HvK8

Location Map



Property Description
This property is located northeast of the intersection of Sears Road and S Morningstar Road. The approximately 50-acre tract of land was annexed into the City of Bentonville at the December 8, 2020 City Council meeting. Adjacent zoning districts include Benton County to the north and south, Rogers to the east, and A-1, Agricultural to the west.

Relationship to the Bentonville Community Plan
The Bentonville Community Plan depicts this property within Priority Area 3, Edge Growth of the Community Plan. The Plan cautions against rezoning requests located more than a quarter of a mile from existing public water, sewer, and storm water infrastructure. In the case of this property, Aurora Subdivision is located less than 1,000 feet to the north, which will allow for a connection to existing city infrastructure.

The Future Land Use Plan currently depicts this property as Agricultural. These areas include larger properties used for the raising of crops of livestock. The lots may include residential structures.

Public Comment
Staff has not received written public comment on this request, but has received at least two phone calls from nearby residents.

Analysis
According to the applicant's narrative, the intent of the rezoning request is to develop low-density, single-family housing in the future. Recent development and rezoning projects within the vicinity of this property suggest a shift to single-family residential development over time.

Conclusion
The Bentonville Community Plan Land Use and Strategic Growth Chapter and surrounding development patterns lend credence to the rezoning request. Staff recommends approval.

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER, P.A.
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILLIAM A. KELLSTROM
JOHN E. JENNINGS (OF COUNSEL)
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

November 24, 2020

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Annexation and Rezone of Parcel Nos. 18-09135-000 & 18-09181-001

Dear Planning Staff:

This law firm has been hired to represent the applicant, Cristi R. Gaffney in obtaining a rezoning of the abovementioned parcels from of A-1, Agricultural, to R-1, Single Family Residential. As of the time of writing this letter, the parcels are located in the county and have not yet been annexed into the City of Bentonville. However, an application for annexation is currently pending. If the parcels are annexed, it is expected that they will be given the zoning designation of A-1. The applicant is aware that this rezone application will be held until such time as the proposed annexation has been finalized by an ordinance of the Bentonville City Council.

The purpose for this rezoning request is to rezone the subject property to a residential zoning designation so that it may be developed into a low density, single family neighborhood with traditional architecture. The surrounding properties are largely comprised of agricultural and low density residential uses. Granted that R-1 is a solely residential zoning and granted that it is the second least intense zoning designation in the Bentonville Zoning Code, this rezoning will not adversely affect surrounding uses. To that end, it is unlikely that the traffic generated will have a significant impact on surrounding properties. No signage is contemplated for this development other than monument signs bearing the name of the neighborhood at the entrances of the development.

This parcel does not currently have access to Bentonville public water or sewer infrastructure. There is a subdivision currently under development called "Aurora Subdivision", which is located to the north of the subject property, at S.W. Scoggins Road and S. Morningstar Road. With this development, both water and sewer are being extended to Morningstar Road. The proposed development on the subject parcel would extend both of these utilities to the project area to serve the future development. It is likely that a lift station will be needed in order to pump the sewer from S. Morningstar Road and Sears Road uphill to S.W. Scoggins Road.

1106 WEST POPLAR STREET
ROGERS, AR 72756
PH: 479-636-2168
FX: 479-636-6098
WWW.WATKINSLAWOFFICE.COM

REAL ESTATE, CONSTRUCTION & LIEN LAW, LAND USE & PLANNING
CORPORATE & COMMERCIAL LAW, BANKING, BANKRUPTCY
CRIMINAL LAW, FAMILY LAW, GUARDIANSHIPS, LANDLORD-TENANT
ESTATE PLANNING, ELDER LAW, PROBATE, TRUST LITIGATION
CIVIL LITIGATION, COMMERCIAL & CONSUMER DEBT COLLECTION

Preliminary discussions with staff have occurred and there are no known utility capacity issues. For electric, there is an existing overhead electric system along Sears Rd, which will be utilized to serve the project area.

If you have any questions, feel free to contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

[redacted]

Will A. Kellstrom

WK:
pc:

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-1, SINGLE FAMILY RESIDENTIAL (PROJECT NUMBER: RZ20-0069).

WHEREAS, Cristi Gaffney duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, Agricultural to R-1, Single Family Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-THREE (23) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), ALL IN TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 23, SAID POINT BEING A FOUND 5/8 INCH REBAR IN GASTON ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4 OF THE SE 1/4, N87°32'23"W A DISTANCE OF 207.41 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE, S06°16'33"W A DISTANCE OF 21.95 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N76°13'50"W A DISTANCE OF 14.90 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N88°07'51"W A DISTANCE OF 115.02 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°08'16"W A DISTANCE OF 817.01 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N84°48'00"W A DISTANCE 138.74 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N02°20'32"E A DISTANCE OF 7.80 FEET TO THE SOUTH LINE OF SAID SW 1/4 OF THE SE 1/4 AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID SOUTH LINE, N87°32'23"W A DISTANCE OF 28.86 FEET TO THE SOUTHWEST CORNER OF SAID SW 1/4 OF THE SE 1/4 AND A SET "MAG" NAIL IN SOUTH MORNING STAR ROAD; THENCE LEAVING SAID SOUTH LINE AND ALONG THE WEST LINES OF SAID SW 1/4 OF THE SE 1/4 AND SAID NW 1/4 OF

THE SE 1/4, N02°34'44"E A DISTANCE OF 1637.14 FEET TO A SET "MAG" NAIL IN SOUTH MORNING STAR ROAD; THENCE LEAVING SAID WEST LINES; S87°28'16"E A DISTANCE OF 1322.05 FEET TO THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 AND A FOUND 5/8 INCH REBAR IN GASTON ROAD; THENCE ALONG THE EAST LINES OF SAID NW 1/4 OF THE SE 1/4 AND SAID SW 1/4 OF THE SE 1/4, S02°32'52"W A DISTANCE OF1635.55 FEET TO THE POINT OF BEGINNING CONTAINING 50.10 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY SOUTH MORNING STAR ROAD ON THE WEST SIDE THEREOF AND THE RIGHT OF WAY OF GASTON ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 5, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, Agricultural to R-1, Single Family Residential.

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

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

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

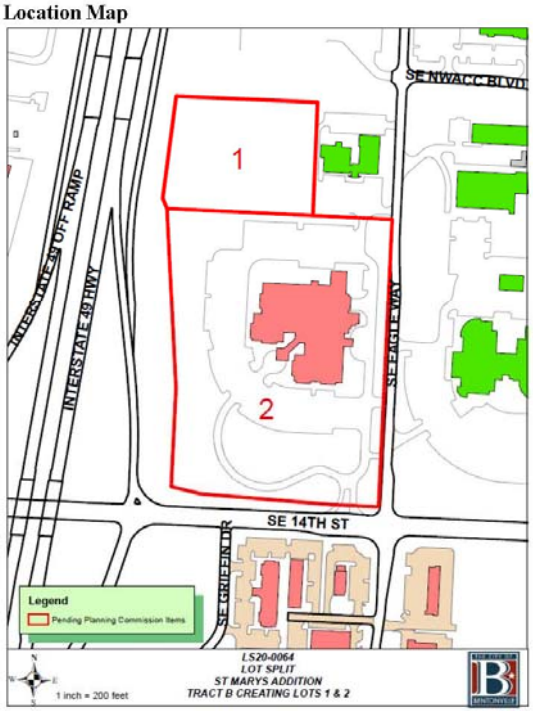
Lots 1-2 of St. Mary's Addition

3101 SE 14th Street
PC Date: 1/5/2021
Reviewer: Tyler Overstreet, AICP, Senior Planner

Project Number	LS20-0064
Applicant / Current Owner	Mercy Health System of NWA, Inc.
Site Area	+/- 17.87 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Commercial (C)

https://arcg.is/08HvK8

Location Map



Property Description
The property is located at 3101 SE 14th Street. It is currently zoned C-2, General Commercial with a Future Land Use Plan designation of General Commercial.

Project Details
A lot split of Tract B of St. Mary's Addition, creating new Lots 1 (+/- 3.83 acres) and 2 (+/- 14.03 acres). The plat dedicates utility easements of varying widths for the existing sanitary sewer service.

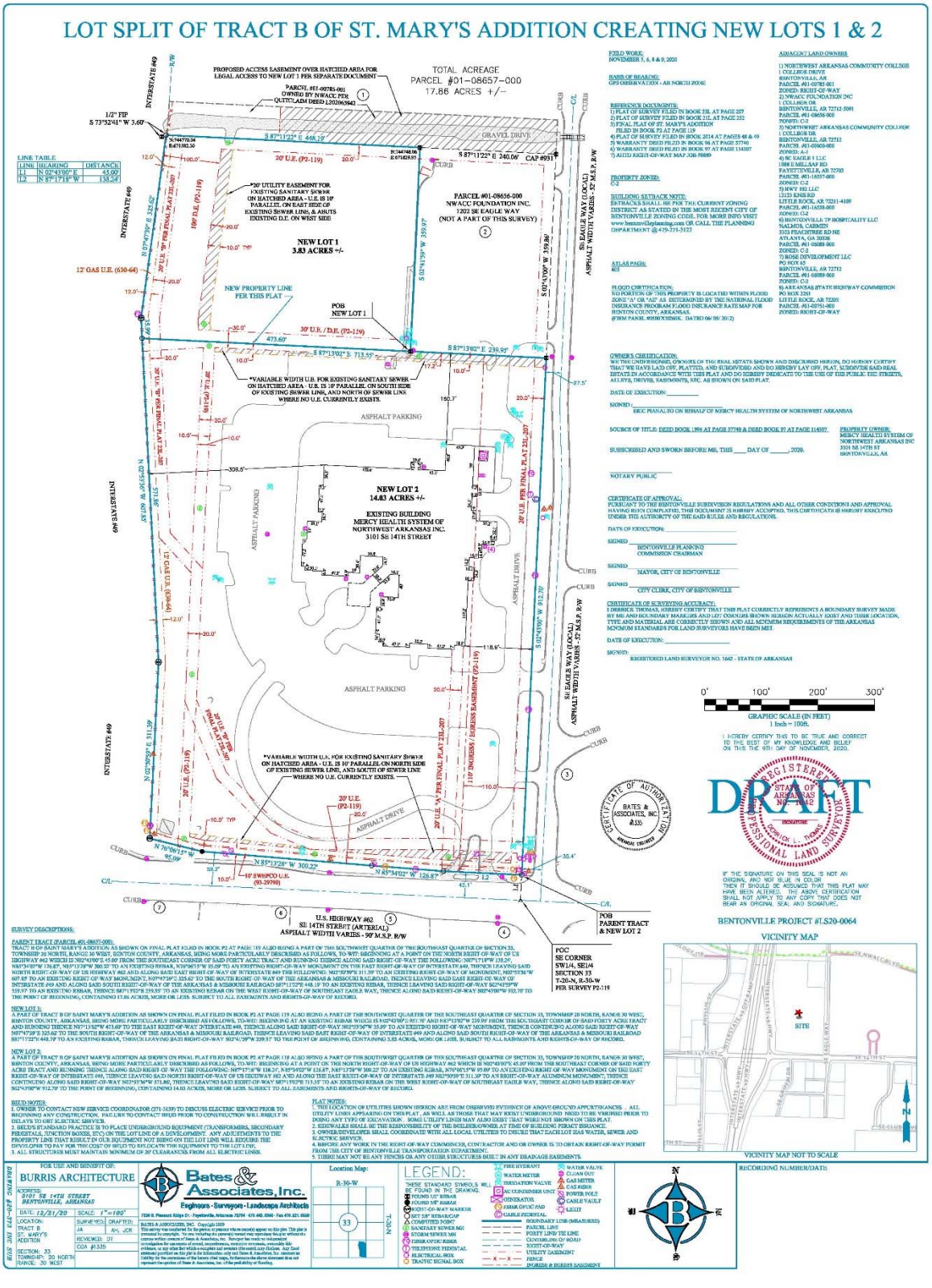
Waivers
There are no waivers associated with this lot split.

Analysis and Recommendation
The proposed plat does meet the minimum requirements of the Land Development Code, therefore Planning staff recommends approval of the lot split.

Standard Conditions of Approval
1. Provide a digital copy of the plat.
2. Address all technical review comments prior to filing or requesting a building permit.

NOTES

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


LOT SPLIT OF TRACT B OF ST. MARY'S ADDITION CREATING NEW LOTS 1 & 2
TOTAL ACREAGE
PARCEL #01-08657-000
17.86 ACRES +/-
PROPOSED ACCESS EASEMENT OVER HATCHED AREA FOR LEGAL ACCESS TO NEW LOT 1 PER SEPARATE DOCUMENT
PARCEL #01-08785-001
OWNED BY NWACC PER QUITCLAIM DEED L2020635943
PARCEL #01-08656-000
NWACC FOUNDATION INC.
1202 SE EAGLE WAY
(NOT A PART OF THIS SURVEY)
NEW LOT 1
3.83 ACRES +/-
NEW LOT 2
14.03 ACRES +/-
EXISTING BUILDING
MERCY HEALTH SYSTEM OF NORTHWEST ARKANSAS INC.
3101 SE 14TH STREET
NEW PROPERTY LINE PER THIS PLAT
POB NEW LOT 1
POB PARENT TRACT & NEW LOT 2
POC SE CORNER SW1/4, SE1/4 SECTION 33 T-20-N, R-35-W PER SURVEY P2-119
INTERSTATE 49
U.S. HIGHWAY #62
SE 14TH STREET (ARTERIAL)
ASPHALT WIDTH VARIES - 90' M.S.P. R/W
SE EAGLE WAY (LOCAL)
ASPHALT WIDTH VARIES - 32' M.S.P. R/W
GRAVEL DRIVE
ASPHALT PARKING
ASPHALT DRIVE
CAP #9311
*VARIABLE WIDTH U.E. FOR EXISTING SANITARY SEWER ON HATCHED AREA - U.E. IS 10' PARALLEL ON SOUTH SIDE OF EXISTING SEWER LINE, AND NORTH OF SEWER LINE WHERE NO U.E. CURRENTLY EXISTS.
*20' UTILITY EASEMENT FOR EXISTING SANITARY SEWER ON HATCHED AREA - U.E. IS 10' PARALLEL ON EAST SIDE OF EXISTING SEWER LINE, & ABUTS EXISTING D.E. ON WEST SIDE
LINE TABLE
L1 N 02°43'00" E 45.00'
L2 N 87°17'19" W 138.24'
FIELD WORK:
NOVEMBER 5, 6, 8 & 9, 2020
BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
REFERENCE DOCUMENTS:
1) PLAT OF SURVEY FILED IN BOOK 28L AT PAGE 207
2) PLAT OF SURVEY FILED IN BOOK 21L AT PAGE 252
3) FINAL PLAT OF ST. MARY'S ADDITION FILED IN BOOK P2 AT PAGE 119
4) PLAT OF SURVEY FILED IN BOOK 2014 AT PAGES 48 & 49
5) WARRANTY DEED FILED IN BOOK 96 AT PAGE 57740
6) WARRANTY DEED FILED IN BOOK 97 AT PAGE 114307
7) AUDI RIGHT-OF-WAY MAP 30R-39889
PROPERTY ZONED:
C-2
BUILDING SETBACK NOTE:
SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT www.bentonvilleplanning.com OR CALL THE PLANNING DEPARTMENT @ 479-271-3122
ATLAS PAGE:
405
FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL #05001C0265K, DATED 06/ 05/ 2012)
ADJACENT LAND OWNERS
1) NORTHWEST ARKANSAS COMMUNITY COLLEGE
1 COLLEGE DRIVE
BENTONVILLE, AR
PARCEL #01-08785-001
ZONED: RIGHT-OF-WAY
2) NWACC FOUNDATION INC
1 COLLEGE DR.
BENTONVILLE, AR 72712-5091
PARCEL #01-08656-000
ZONED: C-2
3) NORTHWEST ARKANSAS COMMUNITY COLLEGE
1 COLLEGE DR.
BENTONVILLE, AR 72712
PARCEL #01-08600-000
ZONED: A-1
4) SC EAGLE 1 LLC
1888 E MILL SAP RD
FAYETTEVILLE, AR 72703
PARCEL #01-14557-000
ZONED: C-2
5) HWY 102 LLC
13123 KNIX RD
LITTLE ROCK, AR 72211-4109
PARCEL #01-14559-000
ZONED: C-2
6) BENTONVILLE TP HOSPITALITY LLC
%ALMOS, CARMEN
3333 PEACHTREE RD NE
ATLANTA, GA 30326
PARCEL #01-08688-000
ZONED: C-2
7) ROSE DEVELOPMENT LLC
PO BOX 65
BENTONVILLE, AR 72712
PARCEL #01-06989-000
ZONED: C-2
8) ARKANSAS STATE HIGHWAY COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203
PARCEL #01-08751-000
ZONED: RIGHT-OF-WAY
OWNER'S CERTIFICATION:
WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DISCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.
DATE OF EXECUTION: _____
SIGNED: _____
ERIC PIANALTO ON BEHALF OF MERCY HEALTH SYSTEM OF NORTHWEST ARKANSAS
SOURCE OF TITLE: DEED BOOK 1996 AT PAGE 57740 & DEED BOOK 97 AT PAGE 114307.
PROPERTY OWNER:
MERCY HEALTH SYSTEM OF NORTHWEST ARKANSAS INC
3101 SE 14TH ST
BENTONVILLE, AR
SUBSCRIBED AND SWORN BEFORE ME, THIS ____ DAY OF _____, 2020.
NOTARY PUBLIC
CERTIFICATE OF APPROVAL:
PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED, THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.
DATE OF EXECUTION: _____
SIGNED _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN
SIGNED _____
MAYOR, CITY OF BENTONVILLE
SIGNED _____
CITY CLERK, CITY OF BENTONVILLE
CERTIFICATE OF SURVEYING ACCURACY:
I DERRICK THOMAS, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MONUMN STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.
DATE OF EXECUTION: _____
SIGNED: _____
REGISTERED LAND SURVEYOR NO. 1642 - STATE OF ARKANSAS
0' 100' 200' 300'
GRAPHIC SCALE (IN FEET)
1 inch = 100ft.
I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 9TH DAY OF NOVEMBER, 2020.
REGISTERED ARKANSAS NO. 1642 PROFESSIONAL LAND SURVEYOR
DERRICK L. THOMAS
SIGNATURE
DRAFT
IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.
CERTIFICATE OF AUTHORIZATION
BATES & ASSOCIATES, INC. #335
ARKANSAS
BENTONVILLE PROJECT #LS20-0064
VICINITY MAP
SITE
VICINITY MAP NOT TO SCALE
SURVEY DESCRIPTIONS:
PARENT TRACT (PARCEL #01-08657-000):
TRACT B OF SAINT MARY'S ADDITION AS SHOWN ON FINAL PLAT FILED IN BOOK P2 AT PAGE 119 ALSO BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 36 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY OF US HIGHWAY #62 WHICH IS N02°43'00"E 45.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: N87°17'19"W 138.24', N84°53'07"W 156.87', N85°13'28"W 300.22' TO AN EXISTING REBAR, N76°06'13"W 95.09' TO AN EXISTING RIGHT-OF-WAY MONUMENT ON THE EAST RIGHT-OF-WAY OF INTERSTATE #49, THENCE LEAVING SAID NORTH RIGHT-OF-WAY OF US HIGHWAY #62 AND ALONG SAID EAST RIGHT-OF-WAY OF INTERSTATE #49 THE FOLLOWING: N02°35'05"E 311.39' TO AN EXISTING RIGHT-OF-WAY OF MONUMENT, N02°53'36"W 607.85' TO AN EXISTING RIGHT-OF-WAY MONUMENT, N07°07'39"E 325.62' TO THE SOUTH RIGHT-OF-WAY OF THE ARKANSAS & MISSOURI RAILROAD, THENCE LEAVING SAID EAST RIGHT-OF-WAY OF INTERSTATE #49 AND ALONG SAID SOUTH RIGHT-OF-WAY OF THE ARKANSAS & MISSOURI RAILROAD S87°11'25"E 448.19' TO AN EXISTING REBAR, THENCE LEAVING SAID RIGHT-OF-WAY S02°43'00"W 912.70' TO THE POINT OF BEGINNING, CONTAINING 17.86 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
NEW LOT 1:
A PART OF TRACT B OF SAINT MARY'S ADDITION AS SHOWN ON FINAL PLAT FILED IN BOOK P2 AT PAGE 119 ALSO BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 36 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR WHICH IS N02°43'00"E 957.70' AND N87°17'02"W 220.99' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°13'58"W 473.69' TO THE EAST RIGHT-OF-WAY INTERSTATE #49, THENCE ALONG SAID RIGHT-OF-WAY N02°53'36"W 35.89' TO AN EXISTING RIGHT-OF-WAY MONUMENT, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N07°07'39"E 325.62' TO THE SOUTH RIGHT-OF-WAY OF THE ARKANSAS & MISSOURI RAILROAD, THENCE LEAVING SAID EAST RIGHT-OF-WAY OF INTERSTATE #49 AND ALONG SAID SOUTH RIGHT-OF-WAY OF THE ARKANSAS & MISSOURI RAILROAD S87°11'25"E 448.19' TO AN EXISTING REBAR, THENCE LEAVING SAID RIGHT-OF-WAY S02°43'00"W 339.57' TO THE POINT OF BEGINNING, CONTAINING 3.83 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
NEW LOT 2:
A PART OF TRACT B OF SAINT MARY'S ADDITION AS SHOWN ON FINAL PLAT FILED IN BOOK P2 AT PAGE 119 ALSO BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 36 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY OF US HIGHWAY #62 WHICH IS N02°43'00"E 45.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: N87°17'19"W 138.24', N84°53'07"W 156.87', N85°13'28"W 300.22' TO AN EXISTING REBAR, N76°06'13"W 95.09' TO AN EXISTING RIGHT-OF-WAY MONUMENT ON THE EAST RIGHT-OF-WAY OF INTERSTATE #49, THENCE LEAVING SAID NORTH RIGHT-OF-WAY OF US HIGHWAY #62 AND ALONG THE EAST RIGHT-OF-WAY OF INTERSTATE #49 N02°53'36"W 571.80', THENCE LEAVING SAID RIGHT-OF-WAY S87°13'02"E 713.55' TO AN EXISTING REBAR ON THE WEST RIGHT-OF-WAY OF SOUTHEAST EAGLE WAY, THENCE ALONG SAID RIGHT-OF-WAY S02°43'00"W 912.70' TO THE POINT OF BEGINNING, CONTAINING 14.03 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
BUILD NOTES:
1. OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BUILD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
2. BEFORE STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BUILD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
3. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
PLAT NOTES:
1. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE-GROUND APPURTENANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
2. ELDEN SALES SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
3. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
4. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
5. THERE MAY NOT BE ANY FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
FOR USE AND BENEFIT OF:
BURRIS ARCHITECTURE
ADDRESS: 3101 SE 14TH STREET BENTONVILLE, ARKANSAS
DATE: 12/21/20
SCALE: 1"=100'
LOCATION: TRACT B ST. MARY'S ADDITION
SECTION: 33 TOWNSHIP: 20 NORTH RANGE: 30 WEST
SURVEYED: JA
DRAFTED: AH, JCR
REVISED: 01
COA #335
Bates & Associates, Inc.
Engineers · Surveyors · Landscape Architects
7520 E. Pleasant Ridge Dr. · Fayetteville, Arkansas 72703 · 479-442-5561 · Fax 479-521-0668
BATES & ASSOCIATES, INC. Copyright 2020
This survey was conducted for the owner or present who has executed and signed the plat. This plat is protected by copyright. You may reproduce personally owned copy reproduce this plat without the consent of Bates & Associates, Inc. Any other use, reproduction, distribution or modification, including but not limited to commercial use, creation of derivative works, or any other use without the express written consent of Bates & Associates, Inc. is prohibited. Any unauthorized use of this plat is forbidden by law and may subject the violator to civil and criminal liability. Bates & Associates, Inc. assumes no liability for the correctness of the survey cited maps, for features the above document does not represent the opinion of Bates & Associates, Inc. or the publication of flooding.
Location Map:
R-30-W
T20N
33
LEGEND:
THESE STANDARD SYMBOLS WILL BE FOUND IN THIS DRAWING.
FOUND 1/2" REBAR
FOUND 5/8" REBAR
RIGHT-OF-WAY MARKER
SET 5/8" REBAR/CAP
COMPUTED POINT
SANITARY SEWER MH
STORM SEWER MH
FIBER OPTIC RISER
TELEPHONE PEDESTAL
ELECTRICAL BOX
TRAFFIC SIGNAL BOX
FIRE HYDRANT
WATER METER
IRRIGATION VALVE
AC CONDENSER UNIT
GENERATOR
FIBER OPTIC PAD
CABLE PEDESTAL
WATER VALVE
CLEAN OUT
GAS METER
GAS RISER
POWER POLE
CABLE/FAULT LIGHT
BOUNDARY LINE (MEASURED)
PARCEL LINE
FORTY LINE/ TIE LINE
CENTERLINE OF ROAD
RIGHT-OF-WAY
UTILITY EASEMENT
FENCE
INGRESS & EGRESS EASEMENT
RECORDING NUMBER/DATE:

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1-2 OF ST. MARY'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: LS20-0064).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of Lots 1-2 of St. Mary's Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on January 5, 2021; 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 1-2 of St. Mary'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 lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

Clarendon Heights Subdivision

SW H Street
PC Date: 1/5/2021
Reviewer: Ali Worley, Planning Technician

Project Number	FP20-0006
Applicant / Current Owner	Sewell Family Development, LLC
Site Area	+/- 24.7 acres
Current Zoning	R-1, Single Family Residential

https://arcg.is/08HvK8

Location Map



Property Description
The property is located east of SW H Street and northeast of Windmill Road. It is currently zoned R-1, Single Family Residential.

Project Details
A final plat of a 74-lot subdivision to be known as Clarendon Heights Subdivision. Right-of-way is being dedicated along Highway 112, as well as for all public streets within the development. Various utility and drainage easements are also being dedicated with this plat.

Waivers
There are no waivers associated with this request.

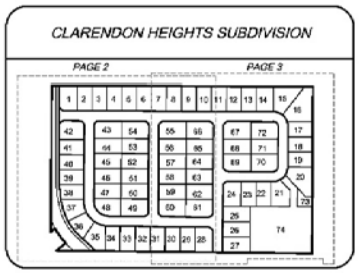
Analysis and Recommendation
The proposed plat does meet the minimum requirements of the Land Development Code, therefore Planning staff recommends approval of the final plat.

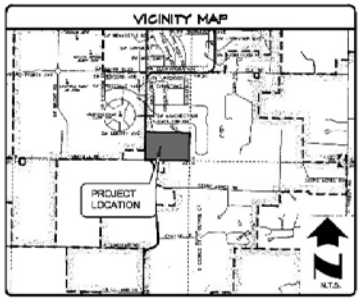
Standard Conditions of Approval
1. Provide a digital copy of the plat.
2. Address all technical review comments prior to filing or requesting a building permit.
3. The plat shall not be filed until a final inspection has been completed and accepted.
4. All non-bondable items and guarantees of improvements must be complete prior to Planning Commission approval.

NOTES

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

FINAL PLAT
CLARENDON HEIGHTS
Lots 1 thru 74, Part of the SE1/4, SE1/4
Section 13, Township 19 North, Range 31 West
Bentonville, Benton County, Arkansas





GENERAL NOTES:

- Basis of Bearings: Grid North, Arkansas State Plane Coordinate System, North Zone (0301), NAD 83, based on RT Kinematic (RTK) GNSS Observations from City of Bentonville GPS Monument #16, having published values of: Lat 36°16'18.71" N / Long 94°15'43.58" W and a Combined Scale Factor (Ground to Grid) = 0.999883297.
- Grid North Convergence: At the Southeast corner of Section 13, T19N, R31W, rotate from Grid North 01°17'37" to the left for True North.
- Vertical Datum: NAVD88 (Geoid 12B). Site elevations are based on RTK GNSS observations from the City of Bentonville GPS Monument #15, having a published elevation of 1250.82 feet.
- Flood Information: Based upon review of NFIP FIRM, Benton County, Arkansas and Incorporated Areas, Map Number 05007C0235K, Map Revised June 5, 2012, and by graphic plotting only, the subject property lies within: Zone X-Other Areas, areas determined to be outside the 0.2% annual chance floodplain. Surveyor assumes no liability for the correctness of cited map.
- Title Instruments: Every recorded document reviewed and considered as a part of this survey is noted hereon. Surveyor has not made a thorough investigation or independent search for any easements or other encumbrances or facts that an accurate, complete and current title search and/or title commitment would disclose. Other documents of record, rights, or facts may exist and affect this subject property.

CITY OF BENTONVILLE DEVELOPMENT NOTES:

- Before any work in the street right-of-way commences, contractor and/or owner is to contact the City of Bentonville Engineering and Transportation Departments and notify said departments of the intent and type of work that will take place within the right-of-way.
- Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
- There may not be fences or any other structures built in any drainage easements.
- Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.

28' UTILITY & PRIVATE ACCESS EASEMENT

The 28' Private Access Easement located between Lots 36 and 37 is a restricted access easement to be used by Emergency Vehicles only; is to remain open and free of any obstruction at all times; shall not be encumbered by any above ground utilities or structures; shall not be utilized for driveways or as another means of access to Lots 36 and 37; and is to maintained by the Clarendon Heights Property Owners Association.

PARENT TRACT DESCRIPTION - Warranty Deed Book 2015, Page 44951:

A part of SE 1/4 of the SE 1/4 of Section 13, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows: Beginning at the SW corner of said SE 1/4 of the SE 1/4; thence along the West line of said SE 1/4 of the SE 1/4, North 02°43'50" East a distance of 625.69 feet; thence South 87°15'34" East a distance of 1314.27 feet to the East line of said SE 1/4 of the SE 1/4; thence along said East line of said SE 1/4 of the SE 1/4, South 02°49'42" West a distance of 834.15 feet; thence North 86°53'20" West a distance of 1312.87 feet to the point of beginning, containing 25.03 acres, more or less, and being subject to the right of way of Arkansas State Highway 112, and the right of way of Windmill Road (Benton County Road 585) along the West line thereof, and subject to any other easements of record or fact.

LESS AND EXCEPT

Part of the SE 1/4 of the SE 1/4 of Section 13, Township 19 North, Range 31 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows: Beginning at the SW corner of the SE 1/4 of the SE 1/4; thence along the West line of said SE 1/4 of the SE 1/4, North 02°42'49" East a distance of 92.42 feet to the proposed North right of way line of Windmill Road; thence along said North line, North 54°26'37" East a distance of 29.49 feet to the apparent West right of way line of Arkansas State Highway 112; thence along said West line, 90.25 feet along a 387.70 foot radius non tangent curve left, whose chord bears South 35°36'09" East 90.05 feet to the proposed South right of way line of Windmill Road; thence along said South line, South 54°26'37" West a distance of 53.88 feet; thence continuing along said South line, 5.17 feet along a 220.00 foot radius curve right, whose chord bears South 55°08'58" West 5.17 feet to the South line of said SE 1/4 of the SE 1/4; thence along said South line, North 86°31'48" West a distance of 27.76 feet, more or less, to the point of beginning, containing 0.11 acres, more or less, of which 0.06 acres exists in prescriptive right of way of Windmill Road.

Owner/Developer
Sewell Family Development, LLC
1315 Chancery
Cave Springs, AR 72718
Tel: (479-445-8610)

ENGINEER
Morrison Shipley Engineers Inc
2407 SW Cottonwood St.
Bentonville, AR 72712
Contact: John Wary
Telephone: (479)-273-2209

SURVEYOR
Morrison Shipley Engineers Inc
2407 SW Cottonwood St.
Bentonville, AR 72712
Contact: Keith Sikes
Telephone: (479)-273-2209

CERTIFICATE OF SURVEYING ACCURACY

I, Keith A. Sikes, hereby certify that this plat correctly represents a boundary survey made by me, or under my direct supervision, and boundary markers and lot corners shown hereon actually exist and their location type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

FOR REVIEW

Registered Land Surveyor
Registration No. 1507
State of Arkansas

Filing Block

CERTIFICATE OF OWNERSHIP

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____

Signed: _____

Name & Address: Sewell Family Development, LLC
1315 Chancery
Cave Springs, AR 72718

Print Name: _____

Source of Title: W.D. Book 2015, Page 44951

State Of Arkansas)
) SS
County Of _____)

Sworn And Subscribed Before Me This Day _____ Of _____, 20___.

Notary Public: _____

My Commission Expires: _____

CERTIFICATE OF APPROVAL:

Pursuant to the Bentonville Land Development Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.

Date Of Execution: _____

Signed _____
Bentonville Planning Commission Chairman

Signed _____
Mayor, City Of Bentonville

Signed _____
City Clerk, City Of Bentonville

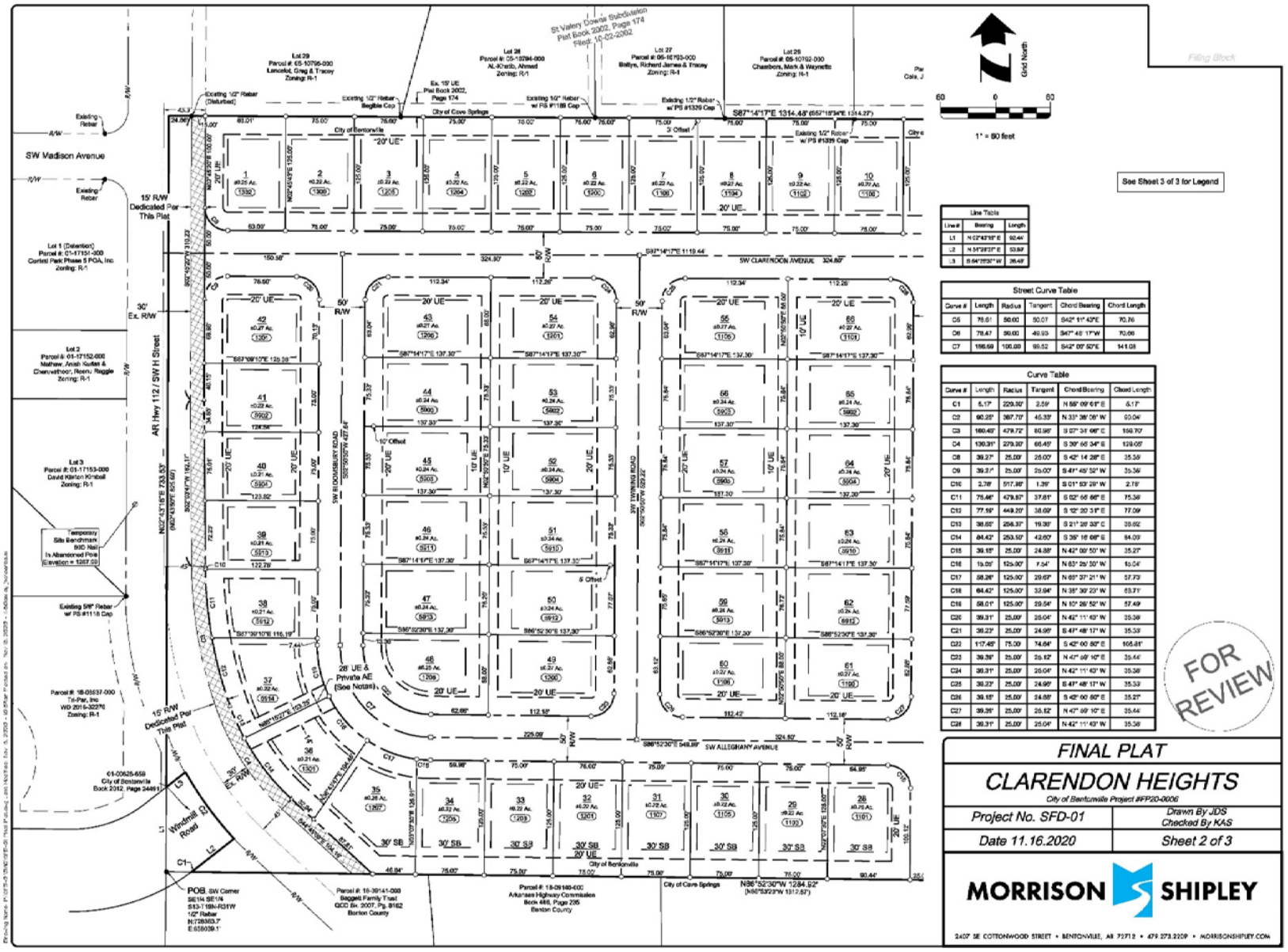
CITY ATLAS PAGE #526

FINAL PLAT
CLARENDON HEIGHTS
City of Bentonville Project #FP20-0005

Project No. SFD-01	Drawn By JDS Checked By KAS
Date 11.16.2020	Sheet 1 of 3

MORRISON SHIPLEY

2407 SE COTTONWOOD STREET • BENTONVILLE, AR 72713 • 479.273.2209 • MORRISONSHIPLEY.COM



Line Table		
Line #	Bearing	Length
L1	N 02°43'16" E	92.44'
L2	N 51°28'23" E	53.89'
L3	S 64°28'32" W	26.48'

Street Curve Table					
Curve #	Length	Radius	Tangent	Chord Bearing	Chord Length
C6	78.61'	50.00'	50.01'	S42° 01' 43"E	70.76'
C8	78.47'	50.00'	49.93'	S47° 46' 17"W	70.66'
C7	156.59'	100.00'	99.52'	S42° 00' 50"E	141.03'

Curve Table					
Curve #	Length	Radius	Tangent	Chord Bearing	Chord Length
C1	5.17'	229.30'	2.59'	N 58° 09' 6"I" E	5.17'
C2	90.25'	397.70'	45.33'	N 33° 36' 06" W	90.04'
C3	160.45'	479.72'	80.96'	S 07° 31' 06" E	159.70'
C4	130.31'	279.30'	66.45'	S 30° 55' 34" E	129.05'
C5	39.27'	25.00'	25.00'	S 42° 14' 26" E	35.35'
C9	39.27'	25.00'	25.00'	S 47° 45' 52" W	35.36'
C10	2.78'	517.96'	1.39'	S 01° 53' 29" W	2.78'
C11	75.46'	479.87'	37.81'	S 02° 55' 56" E	75.38'
C12	77.19'	449.20'	38.69'	S 02° 20' 31" E	77.09'
C13	38.65'	256.30'	19.39'	S 21° 28' 33" E	38.62'
C14	84.42'	253.50'	42.60'	S 35° 16' 06" E	84.03'
C15	39.15'	25.00'	24.88'	N 42° 09' 50" W	35.27'
C16	19.05'	125.00'	7.54'	N 63° 25' 30" W	19.04'
C17	58.26'	125.00'	29.63'	N 65° 37' 21" W	57.73'
C18	64.42'	125.00'	33.04'	N 38° 30' 23" W	63.71'
C19	59.01'	125.00'	29.94'	N 10° 26' 52" W	57.49'
C20	39.31'	25.00'	25.04'	N 42° 11' 43" W	35.38'
C21	39.23'	25.00'	24.99'	S 47° 48' 17" W	35.33'
C22	117.45'	75.00'	74.64'	S 42° 00' 50" E	105.61'
C23	39.39'	25.00'	25.12'	N 47° 09' 10" E	35.44'
C24	39.31'	25.00'	25.04'	N 42° 11' 43" W	35.38'
C25	39.23'	25.00'	24.99'	S 47° 48' 17" W	35.33'
C26	39.15'	25.00'	24.88'	S 42° 00' 50" E	35.27'
C27	39.39'	25.00'	25.12'	N 47° 09' 10" E	35.44'
C28	39.31'	25.00'	25.04'	N 42° 11' 43" W	35.38'

FINAL PLAT

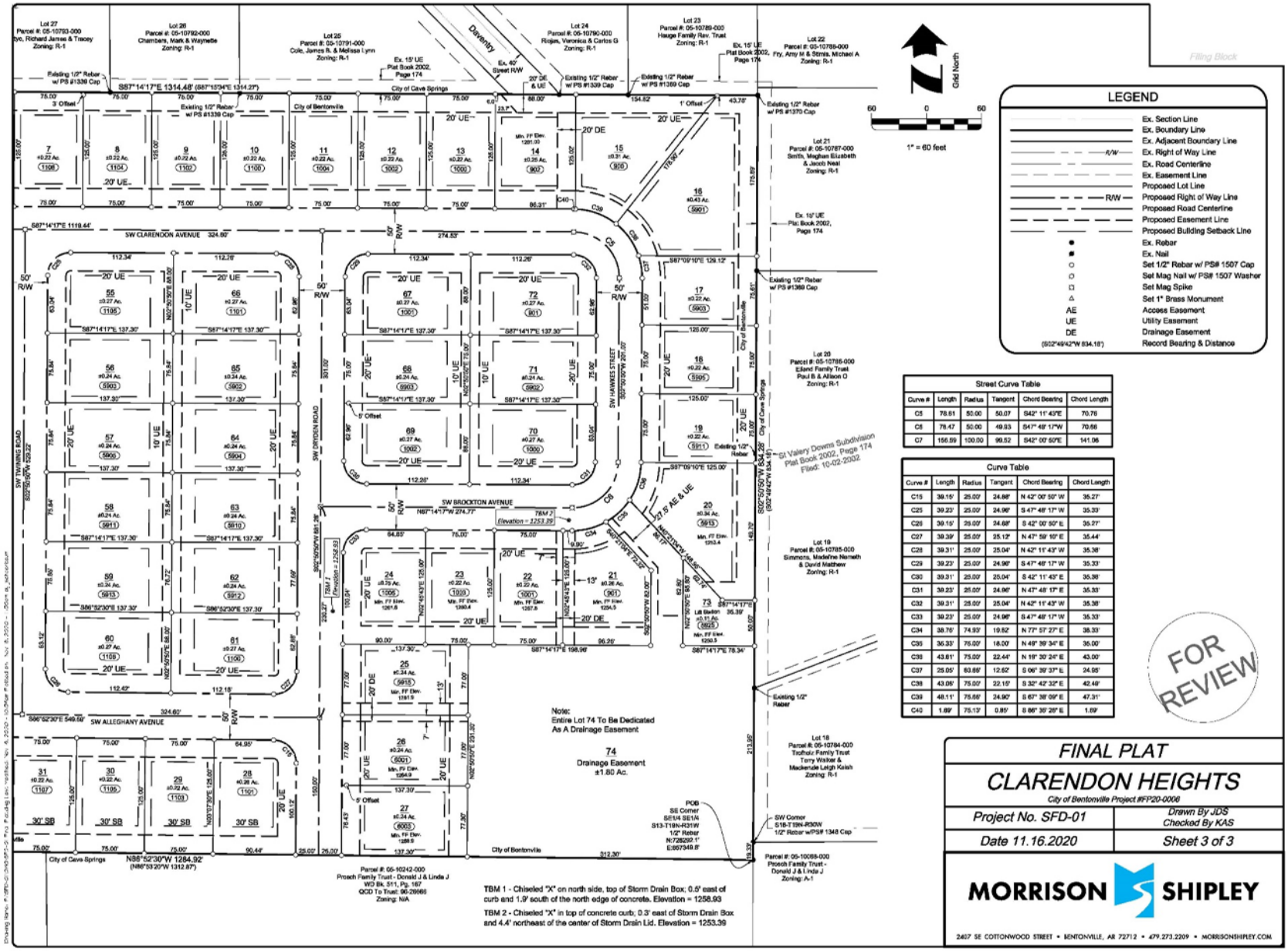
CLARENDON HEIGHTS

City of Bentonville Project #FP20-0006

Project No. SFD-01	Drawn By JDS Checked By KAS
Date 11.16.2020	Sheet 2 of 3

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LEGEND
Ex. Section Line
Ex. Boundary Line
Ex. Adjacent Boundary Line
Ex. Right of Way Line
Ex. Road Centerline
Ex. Easement Line
Proposed Lot Line
Proposed Right of Way Line
Proposed Road Centerline
Proposed Easement Line
Proposed Building Setback Line
Ex. Rebar
Ex. Nail
Set 1/2" Rebar w/ PS# 1507 Cap
Set Mag Nail w/ PS# 1507 Washer
Set Mag Spike
Set 1" Brass Monument
AE Access Easement
UE Utility Easement
DE Drainage Easement
(S02°49'42"W 834.18') Record Bearing & Distance
1" = 60 feet
Grid North
SW CLARENDON AVENUE
SW BROCKTON AVENUE
SW ALLEGHANY AVENUE
SW DRYDEN ROAD
SW HAWKES STREET
SW THWING ROAD
Daventry
74 Drainage Easement ±1.80 Ac.
Note: Entire Lot 74 To Be Dedicated As A Drainage Easement
POB SE Corner SE1/4 SE1/4 S13-T19N-R31W 1/2" Rebar N:726202.1' E:667349.8'
SW Corner S18-T19N-R30W 1/2" Rebar w/PS# 1348 Cap
TBM 1 - Chiseled "X" on north side, top of Storm Drain Box; 0.5' east of curb and 1.9' south of the north edge of concrete. Elevation = 1258.93
TBM 2 - Chiseled "X" in top of concrete curb; 0.3' east of Storm Drain Box and 4.4' northeast of the center of Storm Drain Lid. Elevation = 1253.39
Street Curve Table
Curve # | Length | Radius | Tangent | Chord Bearing | Chord Length
C5 | 78.61 | 50.00 | 50.07 | S42° 11' 43"E | 70.76
C6 | 78.47 | 50.00 | 49.93 | S47° 48' 17"W | 70.66
C7 | 156.89 | 100.00 | 99.52 | S42° 00' 50"E | 141.06
Curve Table
Curve # | Length | Radius | Tangent | Chord Bearing | Chord Length
C15 | 39.15' | 25.00' | 24.98' | N 42° 00' 50" W | 35.27'
C25 | 39.23' | 25.00' | 24.96' | S 47° 48' 17" W | 35.33'
C26 | 39.15' | 25.00' | 24.98' | S 42° 00' 50" E | 35.27'
C27 | 39.39' | 25.00' | 25.12' | N 47° 59' 10" E | 35.44'
C28 | 39.31' | 25.00' | 25.04' | N 42° 11' 43" W | 35.38'
C29 | 39.23' | 25.00' | 24.96' | S 47° 48' 17" W | 35.33'
C30 | 39.31' | 25.00' | 25.04' | S 42° 11' 43" E | 35.38'
C31 | 39.23' | 25.00' | 24.96' | N 47° 48' 17" E | 35.33'
C32 | 39.31' | 25.00' | 25.04' | N 42° 11' 43" W | 35.38'
C33 | 39.23' | 25.00' | 24.96' | S 47° 48' 17" W | 35.33'
C34 | 38.76' | 74.93' | 19.82' | N 77° 51' 27" E | 38.33'
C35 | 36.33' | 75.00' | 18.00' | N 49° 39' 34" E | 35.00'
C36 | 43.81' | 75.00' | 22.44' | N 19° 30' 24" E | 43.00'
C37 | 25.05' | 63.66' | 12.82' | S 06° 39' 37" E | 24.95'
C38 | 43.06' | 75.00' | 22.15' | S 32° 42' 32" E | 42.46'
C39 | 48.11' | 76.56' | 24.90' | S 67° 38' 09" E | 47.31'
C40 | 1.89' | 75.13' | 0.95' | S 86° 35' 26" E | 1.89'
FOR REVIEW
FINAL PLAT
CLARENDON HEIGHTS
City of Bentonville Project #FP20-0006
Project No. SFD-01
Drawn By JDS
Checked By KAS
Date 11.16.2020
Sheet 3 of 3
MORRISON SHIPLEY
2407 SE COTTONWOOD STREET • BENTONVILLE, AR 72712 • 479.273.2209 • MORRISONSHIPLEY.COM

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A FINAL PLAT OF CLARENDON HEIGHTS SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: FP20-0006).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the final plat of Clarendon Heights Subdivision, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on January 5, 2021; 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 Clarendon Heights 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 final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED this_____ day of _____, 2021.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
City Clerk

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Planning**
Submitted by	**Shelli Kerr**
Phone	**(479)271-6822**

Item Type: (*Check All That Apply*)					
☐ Budget Adjustment	☐ Change Order	☑ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action *(Enter recommendation in space below):*

Appointment of Grant Cottrell to fill the vacancy in Position 2 on the Public Art Advisory Committee (PAAC). The position was vacated by Dylan Turk who relocated outside of Bentonville. Mr. Cottrell holds a Bachelor's Degree in Fine Art and Graphic Design. Mr. Cottrell's first term, completing the unfulfilled term of Position 2, will expire on Oct. 31, 2021.

Estimated Cost	**0**
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded *(briefly explain in space below)*:

MEMO

To:	City Council Members and City Clerk
From:	Stephanie Orman, Mayor
CC date:	January 12, 2021
RE:	**Appointment of Grant Cottrell to the PAAC**

I recommend Grant Cottrell for appointment to the Public Art Advisory Committee (PAAC) to fulfill the unexpired term of Position 2 vacated by Dylan Turk.

This will be Mr. Cottrell's first term, completing the unfulfilled term of Position 2, which will expire on October 31, 2021.

SO

Stephanie Orman

Boards and Commissions Application Form

Applicant Information	
First Name	Grant
Last Name	Cottrell
Address	[redacted]
City	Bentonville
State	AR
Zip Code	72712
Home / Cell Phone	[redacted]
Email Address	
Length of Bentonville Residency	7 years
Employer	Currently Unemployed
Occupation	Creative Director/Designer/Illustrator
Business Phone	N/A
	(Section Break)

References *Please provide 2 references*	
Name	Mia Standard
Email Address	[redacted]
Address	
City	Bentonville
State	AR
Zip Code	72712
Phone Number	[redacted]
Name	Jeremy Laney

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

(Section Break)

Board Selection and Qualifications

Select all commissions and boards for which you would like to be considered:	Public Art Advisory Committee
1. What are your qualifications for serving on this commission or board, including education and subject matter expertise?	I am an experienced creative professional who has called Northwest Arkansas home for 15 years and have lived in Bentonville for 7 of those years. I hold a Bachelor's degree in both Fine Art and Graphic Design and I am versed in techniques of painting, illustration, sculpture and ceramics. I have served in multiple design roles during my 15-year professional career thus far, most recently Creative Director of Product at Outdoor Cap in Bentonville. Since 2014, I have volunteered as a committee member and art coordinator at the Sunshine School & Development Center, working with the children on art pieces, both large and small, for live and silent auctions to benefit the school twice a year. I also have a lifelong passion for art and art history, keeping up with street artists, sculptors, painters, illustrators, galleries and museums around the globe, as well as being a member of Crystal Bridges.
2. Why would you like to be considered for appointment to this commission or board?	During my time living and working in Bentonville, my family and I have had the privilege of watching it grow and evolve into a mecca for creativity, culture and American art that is now known around the globe and it is one of the primary reasons we are so proud to call Bentonville our home and raise our children within it. It would be an absolute honor to serve on this committee and be a part of our beloved town's thriving emphasis on art and culture through a visual experience that all

	can enjoy. I highly value fostering creativity and supporting the arts, believing that it is vital to our community and others. A collaborative, team-oriented environment is ingrained in me and as a resident in the creative field who is passionate about the type of art and artists' work that we bring to our town, I believe that I possess the knowledge, devotion and experience to advise on this board. Thank you very much for your consideration.
3. What do you hope to be able to contribute?	Working with others to bring a thoughtful approach with subject matter experience and an eye for aesthetics that I have refined through school and my professional career, enriching the experience of our town through creativity, beauty and design. Having the distinct honor of being a part of the process to consider what is possible within the budget and available city-owned property/projects and how decisions can capture the essence of our community, the artwork's message, interaction within the environment around it and the imagination of residents and visitors alike for generations to come.

(Section Break)

Qualifications for Serving

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

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

(Section Break)

Restrictions on Appointees

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

Agreement to Abide by Restrictions on Appointees	Grant M. Cottrell
Date	9/23/2020

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Administration**
Submitted by	**Mayor Stephanie Orman**
Phone	**(479) 271-5966**

Item Type: (*Check All That Apply*)					
☐ Budget Adjustment	☐ Change Order	☑ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action *(Enter recommendation in space below):*

Mayor recommends appointment of Tim Robinson to the City of Bentonville's Advertising and Promotion Commission.

Estimated Cost	$
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded *(briefly explain in space below)*:

January 7, 2021

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Appointment of Tim Robinson to the City of Bentonville's Advertising and Promotion Commission.

I recommend Tim Robinson for appointment to the City of Bentonville's Advertising and Promotion Commission.



Stephanie Orman

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Electric**
Submitted by	**Travis Matlock, PE**
Phone	**479-271-5941**

Item Type: (*Check All That Apply*)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action *(Enter recommendation in space below):*

Appointment of Aniruddha Marathe to a recently vacated term on the Bentonville Utility Board. This is his first term, effective January 12, 2021 to December 31, 2021. This will fill the position vacated by Rinky Singh.

Estimated Cost	
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded *(briefly explain in space below)*:

January 7, 2021

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Appointment of Aniruddha Marathe to the City of Bentonville's Utility Board.

I recommend Aniruddha Marathe for appointment to the City of Bentonville's Utility Board filling the position vacated by Rinkey Singh. Mr. Marathe's term will expire on December 31, 2021.



Stephanie Orman

Boards and Commissions Application Form

Applicant Information	
First Name	Aniruddha
Last Name	Marathe
Address	[redacted]
City	Bentonville
State	Arkansas
Zip Code	72713
Home / Cell Phone	[redacted]
Email Address	
Length of Bentonville Residency	17 years
Employer	Walmart Inc
Occupation	Replenishment
Business Phone	[redacted]

(Section Break)

References *Please provide 2 references*	
Name	Gayatri Agnew
Email Address	[redacted]
Address	
City	Bentonville
State	Arkansas
Zip Code	72712
Phone Number	[redacted]

Name	Raghunath Seeram
Email Address	[redacted]
Address	
City	Bentonville
State	AR
Zip Code	72713
Phone Number	[redacted]
Fax Number	*Field not completed.*

(Section Break)

Board Selection and Qualifications

Select all commissions and boards for which you would like to be considered:	Utility Board
1. What are your qualifications for serving on this commission or board, including education and subject matter expertise?	I have a Master's Degree (MS) in Material Science from Vanderbilt University and an MBA from Arizona State University. Currently I work at Walmart managing inventory and flow of Produce - most of the items you see on wet wall as you enter the store. I believe, my Analytical skills, critical thinking and keeping a broader business view are my true qualifications for this position. I served on Mayor Orman's first Community Council which exposed me to the functioning of city government. I served on the Board of local Hindu temple which exposed me to the workings of non profit organizations and also the impact of service to the community
2. Why would you like to be considered for appointment to this commission or board?	I believe that the participation of citizens in local government is most critical. Many times we as citizens have lot of questions and very little understanding of how various departments function. I want to be a true advocate for Bentonville citizens at the same time maintain a balanced approach as our city grows. The growth of Bentonville is on the rise and apart from Planning function the Utility department is the most significant department that touches the lives of the citizens. This will truly provide me an opportunity to serve my neighbors, my

	community and my city. One of the key area in terms of utilities is potential growth of alternative energy resources such as solar and it effects on transmission and delivery costs of utilities. These are the types of problems I would like to encounter on behalf of the Bentonville citizens by serving on the board
3. What do you hope to be able to contribute?	I will bring my critical thinking and analytical skills to the Board and bring the voice of the citizens to the board at the same time strive for more communication between Utility Board and the citizens. I think there is a lot of synergy that can be achieved between governance and the citizens. I think education of citizens about the challenges and intricacies of delivering utilities and services will be my focus as I serve on the board

(Section Break)

Qualifications for Serving

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

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

(Section Break)

Restrictions on Appointees

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

Agreement to Abide by Restrictions on Appointees	Aniruddha Marathe
Date	12/9/2020

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Utility Billing**
Submitted by	**Gary Wilson**
Phone	**479-271-3100**

Item Type: (*Check All That Apply*)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

Recommendation/Suggested Action *(Enter recommendation in space below):*

Resolution for City Council approval recommended by Staff of an Inter-agency Service Agreement for the Operation of the Benton County Convenience Center Program. The funds to support the Benton County Solid Waste District convenience centers for the 2021 calendar year was approved in the 2021 budget.

Estimated Cost	**$48,613.20**
Is this Item Budgeted?	☑ Yes ☐ No

If no, please explain how item will be funded *(briefly explain in space below)*:

Inter-Agency Service Agreement for the Operation of the Benton County Convenience Center Program

This Interagency Service Agreement ("Agreement") has been made and entered into by and between **Benton County Regional Solid Waste Management District** ("District"), **Benton County** ("County") and participating cities within Benton County, Arkansas (collectively referred to as "Cities").

This document has been developed by the District and jointly agreed upon by the County and the Cities.

Article 1) Effective Date

This agreement will go into effect on January 1, 2021.

Article 2) Parties

The parties to this agreement include the District, the County and the participating cities as identified by execution of this agreement in Article 9.

Article 3) Purpose

This agreement is entered into for the purpose of ensuring the continued operation of the Benton County Convenience Center Program for the 2021 calendar year including the operation of the primary facility in Centerton as well as one satellite located in the City of Rogers and one satellite located in the City of Siloam Springs. The implementation of this agreement will be guided by the following objectives:

To provide for the convenient disposal of specified household bulky waste and specialty waste materials.
To reduce or prevent the incidence of illegal dumping.
To define the responsibilities of each respective party to the agreement.
To increase coordination/collaboration between the parties to the agreement.
To maintain clear communication between agencies.
To prevent duplication, overlap, and/or fragmentation of effort and/or services.
To provide outreach and increase public awareness of the program.
To specify the reimbursement and financial arrangements applicable.
To promote timely sharing of programmatic data.

Article 4) Program Operations

PROGRAM EXCLUSIVELY FOR HOUSEHOLDS OF BENTON COUNTY

The Convenience Center Program will be utilized only by households in Benton County and will accept only items specified as Acceptable Materials as listed in **Article 6**. All non-household entities will be banned from using the program including, but not limited to: farms, churches, government agencies, non-profits, businesses, schools, etc.

OPERATING HOURS

Normal operating hours of the program will be:

LOCATION	DAYS OF OPERATION	HOURS
CENTERTON	TUESDAY – SATURDAY	8:00 a.m. to 11:00 a.m. (Closed 11:00 a.m. to 12:00 p.m.) 12:00 p.m. to 3:00 p.m.

ROGERS	TUESDAY – FRIDAY 2ND & 4TH SATURDAYS/MONTH	8:00 a.m. to 11:00 a.m. (Closed 11:00 a.m. to 12:00 p.m.) 12:00 p.m. to 3:00 p.m.
SILOAM SPRINGS	1ST & 3RD SATURDAYS/MONTH	8:00 a.m. to 12:00 p.m.

The program will be closed on the following 2021 dates:

- Friday, January 1st for New Year's Day
- Monday, January 18th for Dr. Martin Luther King Jr's Birthday
- Monday, February 15th for George Washington's Birthday/Daisy Gatson Bates Day
- Saturday, May 29, 2021 and Monday, May 31st for Memorial Day break
- Monday, July 5th for Independence Day
- Saturday, September 4, 2021 and Monday, September 6th for Labor Day break
- Thursday, November 11th for Veterans Day
- Thursday, November 25th, Friday, November 26th and Saturday, November 27th for Thanksgiving break
- Thursday, December 23rd, Friday, December 24th and Saturday, December 25th for Christmas break
- Friday, December 31st for New Year's Day 2022

The program will be closed, without advance notice due, during periods of severe inclement weather as determined by closures of the County Administration. District staff will immediately publish notice of the closure on the District's website and social media.

The program may occasionally be closed, without advance notice due, during any other event or circumstance which may place the District staff and/or the citizens utilizing the program in danger as determined by the District Director.

CUSTOMER IDENTIFICATION AND INFORMATION TRACKING SYSTEM

Anyone utilizing the Convenience Center program will be required to present a government-issued photo identification card. Anyone unable or unwilling to provide government-issued photo identification will not be allowed to utilize the facility.

If the address on the ID provided is not current or valid, the customer will be required to also supply a current document proving residency within Benton County, such as a utility bill or lease agreement.

The ID may be swiped on a mobile communication device and data recorded electronically into a digital tracking system. Alternatively, pertinent information may either be recorded on a paper tracking system or some combination of electronic and paper system. If utilized, the tracking system will not store the date of birth, driver's license number, or other document number from the ID but will store the name and address.

SAFETY PRECAUTIONS REQUIRED

All individuals seeking to utilize the Program and anyone seeking to enter a District-operated facility, including all passengers in a vehicle, will be required to comply with all safety precautions and/or requirements as established by either the U.S. Centers for Disease Control, the State of Arkansas, the Arkansas Department of Health, any local ordinance and any established safety protocols implemented by the District.

COMPLIANCE OF CUSTOMERS

The District may decline to serve a person seeking to utilize the Program until he/she has complied with all regulations, protocols and the reasonable rules of the Program. Refusal to follow instructions on placement of materials or aggressive behavior, profanity, threatening statements or other dangerous or inappropriate behavior are not allowed by anyone at any of the Program locations. Customers or visitors who refuse to cease these behaviors will be denied Program services and will be required to leave the premises immediately. Failure to leave the premises once instructed to do so will result in

District staff seeking the assistance of local law enforcement to ensure the protection of District staff and others present. Repeated offenses by any individual will be documented and may result in permanent barring from the Program and/or District-operated facilities.

Article 5) Responsibilities

RESPONSIBILITIES OF THE DISTRICT:

The District will administer the Program and will supervise the staff responsible for operation of the Program.

The District will provide all staff, supplies and equipment necessary for normal operation of the Convenience Center locations including but not limited to: forklift and/or skidsteer, fuel, personal protective equipment, pallets and stretch wrap.

District staff will obtain the photo identification of each person seeking to utilize the Convenience Center program, and will ensure that adequate proof of residency is established before any material is accepted and will accurately record the required information into the tracking system.

District staff will visually inspect all incoming materials prior to acceptance, will inform the citizen of any unacceptable material, and will make information available about disposal facilities for materials not accepted though the Convenience Center program

District staff will accept specified Acceptable Materials as listed in **Article 6** which are generated by a Benton County household and delivered by a member of the household according to program rules during program hours.

The District will utilize signage, flyers, websites, and other available methods to communicate the hours for each location, Holiday schedule, weather or emergency closings.

The District will provide supervision of Work Program workers assigned to the District who will assist citizens with unloading of materials and otherwise perform labor at the Satellite locations.

The District will seek to minimize the disposal costs by: compacting waste as fully as possible to maximize the use of the roll off containers; only having containers exchanged when they are full; and by seeking lower-cost alternatives.

The District will transport household hazardous waste and other materials as needed from Convenience Center Satellite locations to the District Facility and combine waste with other Convenience Center materials.

The District will recover refrigerant from appliances either at a Satellite location or will transport refrigerant-containing items to the District Facility for processing.

The District will provide insurance coverage for each location to cover liability, equipment and buildings, and workers compensation for District staff.

The District will provide an electronic quarterly report to the County and participating Cities by the 21st of the month following the end of a calendar quarter which will include a summary of the material collected at each location including:

- Number of loads received
- Number of HHW users
- Number of items of each type received
- District revenue from sale of metal received through the convenience center program
- District expenditures related to the operation of the convenience center program

During 2021, the District will conduct a Needs Assessment and develop a 10-year plan for management of all solid wastes generated in Benton County. If the Convenience Center Program is identified as a continuing need beyond calendar year 2021, the District will seek to identify other funding mechanisms and operation strategies for the Program to begin in calendar year 2022 in order to reduce or eliminate the need for Program Contributions by the other parties to this agreement.

The District Board will re-evaluate the 2021 Program Contributions for each party to the agreement during each quarterly Board meeting.

RESPONSIBILITIES OF THE COUNTY:

The County will be responsible for the costs of disposal of acceptable bulky waste and furniture, as identified in **Article 6,** collected through the Program. The County will select and contract directly with a licensed waste hauler to obtain roll off containers sufficient to accommodate the volume of materials typically collected at each location. The County will pay directly to the hauler for the full costs associated with the disposal service. The County will ensure through contract language that the hauler provides prompt removal of full containers and replacement with empty containers upon request or schedule established by the District. The District will seek to minimize the County's disposal costs by compacting waste as fully as possible based upon the capabilities of the equipment available to the District and having containers exchanged when they are filled to capacity.

The County will be responsible for payment of any costs in excess of the $30,000.00 for the disposal of acceptable household hazardous waste materials (HHW), as shown in **Exhibit A**. The District will seek to minimize the County's disposal costs for HHW disposal by bulking and packaging HHW materials to achieve density prior to shipping. The County will pay to the District the amount in excess based upon invoices received from the District at the end of each calendar quarter.

To the extent that workers are assigned by the courts, the County will assign Benton County Work Program workers to facilitate the reasonable labor needs of the Convenience Center locations.

The County will facilitate advertising of the Satellite locations using County funds as available.

RESPONSIBILITIES OF THE HOST CITIES:

The City of Rogers and the City of Siloam Spring will serve as host cities (Host City) for the location of a satellite operation of the Convenience Center Program. The satellite locations are:

Rogers Satellite	**Siloam Springs Satellite**
Located on the property of:	Located on the property of:
Rogers Yard Waste Facility	Siloam Springs Sanitation Department
2307 N Arkansas St	1108 E Ashley St
Rogers, AR 72756	Siloam Springs, AR 72761

Each Host City will provide space for a Convenience Center Satellite, at the locations identified above, for the on-going placement of necessary District-owned equipment and/or structures required for the operation of the Satellite such as an office shed, up to three (3) shipping containers and/or carports, up to four (4) roll-off containers, a tire collection trailer, a skid steer, cooking oil tank, pallets and other supplies, and space for storage of appliances manufactured to contain refrigerant prior to evacuation or transport.

Each Host City will include all areas surrounding the Satellite on insurance coverage obtained by the Host City which would cover liability, damages, or workers compensation for Host City staff.

Each Host City agrees to maintain the Satellite ingress and egress paths in a condition adequate to ensure the safe travel of anyone accessing the Satellite. The Host City agrees to provide equipment and labor needed for grading and placement of fill, as needed, to prevent excessive mud and/or ponding of water in drive lanes and operating areas where firm surface is required to conduct operations. The District will provide the gravel necessary for these activities.

The Host City agrees to maintain controlled access through fencing, barriers, and locked gates sufficient to prevent the illegal dumping of material during times when the Satellite is not in operation. If the Host City conducts operations adjacent to the Satellite during times the Satellite is not in operation, the Host City will take all steps necessary to ensure that access to and use of the Satellite area, disposal containers, equipment and structures is prevented. The Host City staff will not knowingly allow anyone to dispose of any material or place any material in the area provided for the Satellite when District staff is not present. The Host City accepts responsibility for the costs of disposal for all items illegally dumped if access is not properly controlled by the Host City during times the Satellite is not in

operation.

Article 6) Acceptable Materials, Volumes and Fees

ACCEPTABLE MATERIALS

Only the following materials generated by a Benton County household, in quantities not exceeding the listed Monthly Limit per Household during a calendar month, will be accepted at no charge by the Program.

Item	Description / Information	Monthly Limit Per HH	Maximum Fee
Non-Recyclable Household Items	Furniture and common household items which will not fit inside a typical household trash container such as: couch, chair, bed, table, vacuum, large playground equipment, oversized toy, car seat, etc. Each mattress unit (individual mattress or box spring) counts as 1 item. Hot tubs will not be accepted.	**2 Free Items**	**$10.00 each per extra item**
Household Hazardous Waste	Common household products, as listed in Appendix A, which have one or more hazardous components. Appendix A will be strictly followed as to material and volume limits.	**Allowed materials & volumes (Appendix A)**	**$5.00 User fee per visit + Fee for excess (Appendix A)**
Household Electronics	Must contain a circuit board and a power cord; hardware peripherals (mouse, keyboard, etc.) also accepted.	**No Free Items**	**$6.00 each**
Household Refrigerated Appliances (manufactured to contain refrigerant)	Refrigerator, freezer, dehumidifier, window air conditioner, etc. All food must be removed prior to delivery.	**No Free Items**	**$10.00 each**
Metal Items	Grill, bicycle, metal fencing, metal table/chair, metal bed frame, etc. Must be at least 90% metal.	**Unlimited Free Items**	**N/A**
Non-refrigerated Large Appliances	Washer, dryer, ranger, dishwasher, water heater, etc. (Small appliances are not accepted and should be disposed in household trash.)	**Unlimited Free Items**	**N/A**
Tires	Tires of any size; 4 free per adult resident; fees may apply for tires on rim.	**4 tires**	**$3.00 each**

All other materials will be excluded from the Program including but not limited to:

- Household trash or garbage
- Material believed to be generated by a non-household entity (Commercial, industrial, business, church, farm, landlords, etc.).
- Any building materials such as cabinets designed to be attached to a wall, plumbing fixtures, construction and/or demolition debris, scrap lumber, windows, doors, etc.
- "Green" yard waste such as tree limbs, leaves, grass clippings, brush, etc.

FEES

A fee will be charged on each item for which there is no allowed free quantity and for each item received in excess of the allowed monthly limit per household. Sales tax is included in the fee as applicable.

District staff will accurately count the items and materials delivered and will determine any fees owed on each load. District staff will prepare a sales receipt documenting the quantity, item and fee and will collect the total required fees from the citizen. A copy of the receipt will be provided to the customer.

Acceptable payment methods will include cash, check with proper photo identification, and credit card with proper photo identification. A processing fee will be charged in addition to the total owed on each credit card transaction.

The District may elect to charge a fee for material not specifically listed in this agreement as Acceptable Materials and on any non-household, business or commercially generated material. Fees for materials not included in this agreement will be established by the District based upon the full cost of collection, handling and disposal or recycling of each material. The District will determine the ability to collect materials not covered by this agreement based upon space at each at each site, staffing and other needs.

FEES ON NON-RECYCLABLE HOUSEHOLD ITEMS

Fees collected by the District on excess non-recyclable household items, which are disposed in the roll off containers provided by the County, will be tracked by the District as a separate line item. Pursuant to the responsibilities of the County as identified in Article 5, total fees collected each quarter on non-recyclable household items will be payable to the County.

OWNERSHIP OF COLLECTED MATERIALS

Upon delivery of material to a Convenience Center location, the District will take ownership of all scrap metal and other recyclable materials (including electronic waste) and any items suitable for reuse or resale which may be generated by the Convenience Center program. Revenue generated from the sale of items collected through the Program will be applied to the expenses of the program. Any excess revenue will reduce the amount owed by each of the Parties to this agreement using the proportional percentage calculations as provided in Article 7.

Article 7) Compensation

The District has projected the total operating costs for the Convenience Center Program for the 2021 calendar year to be $235,299.14. This includes operations and administrative personnel, operating and maintenance expenses and minimal capital expenses.

In exchange for the District providing the service of operating the Convenience Center Program, the County and the participating Cities agree to make payment to the District on a quarterly basis for all costs associated with operation of the Program. The costs will be shared equitably, based upon each City's current estimated population and the County's estimated population comprised of the unincorporated areas of the District combined with the populations of small municipalities (less than 2,000 total certified population). Population projections were provided by the Northwest Arkansas Planning Commission. Each entity's estimated population has been divided by the total estimated District population to determine the percentage of costs to be applied to each participating City and the County.

By executing this agreement, each participating City agrees to pay to the District one-quarter of the amount due, as shown in Table 1 below, on the 1st day of each calendar quarter. The District will provide an invoice to each participating entity by electronic mail to be due on the 1st day of the quarter.

Table 1.

Entity	**% of Population**	**2021 Program Contribution**
City of Bella Vista	10.44%	$ 24,567.49
City of Bentonville	20.66%	$ 48,613.20
City of Centerton	6.18%	$ 14,531.44
City of Gentry	1.47%	$ 3,450.15

City of Gravette	1.28%	$	3,004.24
City of Little Flock	1.01%	$	2,367.82
City of Lowell	3.52%	$	8,284.42
City of Pea Ridge	2.29%	$	5,388.07
City of Rogers	25.17%	$	59,214.86
City of Siloam Springs	6.21%	$	14,622.48
City of Springdale	3.72%	$	8,744.88

By executing this agreement, the County agrees to pay to the District one-quarter of the amount of **$42,510.09** on the 1st day of each calendar quarter. The District will provide an invoice to the County by electronic mail to be due on the 1st day of the quarter.

The participating Cities and the County acknowledge that the 2021 Program Contribution is supplemental to, and does not reduce, the entity's financial obligation to pay the annual Member Contribution of $0.50 per person of certified population.

Article 8) Terms and Conditions

CONTINGENCIES

The District's performance under this agreement will be contingent upon all applicable Local, State and Federal Laws, Ordinances, Rules and/or Regulations as well as the receipt of payments from the Cities and the County in amounts sufficient to finance the program. This contract may be canceled without any further obligation on the part of the District in the event that sufficient revenue is unavailable to assure full performance of the terms. The District will notify all other parties to this agreement in writing of such insufficient revenue at the earliest opportunity.

SEVERABILITY

If any provision of this agreement or the application thereof to any person or circumstance is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions or applications of this agreement, which can be given effect without the invalid provision or application, and to this end the provisions of the agreement shall be considered severable. The parties agree that the court should endeavor to give effect to the parties' intentions as reflected in the provision.

ENTIRE AGREEMENT

This foregoing constitutes the entire agreement between the Parties with respect to the subject matter hereof, and it shall be binding on and shall inure to the benefit of the Parties hereto and their successors. No party shall have the right to assign this agreement.

CHOICE OF LAW

This agreement shall be governed in all respects by and construed in accordance the laws of the State of Arkansas, without regard to its conflict of laws principles.

DURATION

This agreement is to remain in effect until December 31, 2021 and may not be amended without the mutual agreement by all parties to the agreement. Proposed amendment requires notice by the party requesting such to the other parties, sent by certified mail to the attention of the signee at the addresses shown below for each of the other parties.

Article 9) Signatures

BY SIGNATURE BELOW, on the date indicated, this Agreement is executed by each of the hereinafter set-forth local governments to be effective as provided in Article 1 of this Agreement.

Benton County Regional Solid Waste Management District Attn: Wendy Bland, Director 5702 Brookside Rd Bentonville, AR 72713	Signed by Chairman Jackie Crabtree Jackie Crabtree Jackie Crabtree |Nov 30, 2020 16:23 CST Date: Nov 30, 2020
Benton County Attn: Judge Barry Moehring 215 E Central Ave Bentonville, AR 72713	Signed by Judge Barry Moehring Date:
City of Bella Vista Attn: Mayor Peter Christie P O Box 5655 Bella Vista AR 72714	Signed by Mayor Peter Christie Date:
City of Bentonville Attn: Mr. Gary Wilson 117 W Central Ave Bentonville, AR 72712	Signed by Mayor Stephanie Orman Date:
City of Centerton Attn: Mayor Bill Edwards P O Box 208 Centerton AR 72719	Signed by Mayor Bill Edwards Date:
City of Gentry Attn: Mayor Kevin D. Johnston 101 West Main Street Gentry AR 72734	Signed by Mayor Kevin Johnston Date:
City of Gravette Mayor Kurt Maddox 604 First Ave. SE Gravette, AR 72736	Signed by Mayor Kurt Maddox Date:
City of Little Flock Attn: Mayor Tracy Englebrecht 1500 Little Flock Drive Rogers AR 72756	Signed by Mayor Tracy Englebrecht Date:
City of Lowell Attn: Mayor Chris Moore 216 N. Lincoln St. Lowell, AR 72745	Signed by Mayor Chris Moore Date:
City of Pea Ridge Attn: Mayor Jackie Crabtree P O Box 29 Pea Ridge, AR 72751	Signed by Mayor Jackie Crabtree Date:
City of Rogers Attn: Mr. Jerrold Haley 301W Chestnut St Rogers AR 72756	Signed by Mayor Greg Hines Date:
City of Siloam Springs Attn: Mr. Steve Gorszyck P O Box 80 Siloam Springs, AR 72761	Signed by Mayor John Mark Turner Date:

Inter-agency Agreement (Final) Signature copy

Final Audit Report 2020-11-30

Created:	2020-11-30
By:	Wendy Bland (wendy@bentoncountyrecycles.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7uXlDqkfjgoajf_NAPP4PnTz_eFWJMqA

"Inter-agency Agreement (Final) Signature copy" History

Document created by Wendy Bland (wendy@bentoncountyrecycles.org)
2020-11-30 - 10:03:00 PM GMT- IP address: 97.114.132.88

Document emailed to Jackie Crabtree (jackie.crabtree@cityofpearidge.com) for signature
2020-11-30 - 10:04:13 PM GMT

Email viewed by Jackie Crabtree (jackie.crabtree@cityofpearidge.com)
2020-11-30 - 10:21:32 PM GMT- IP address: 98.174.110.71

Document e-signed by Jackie Crabtree (jackie.crabtree@cityofpearidge.com)
Signature Date: 2020-11-30 - 10:21:53 PM GMT - Time Source: server- IP address: 98.174.110.71

Agreement completed.
2020-11-30 - 10:21:53 PM GMT

Adobe Sign

Inter-agency Service Agreement

Appendix (Exhibit) A

Allowed Household Hazardous Waste materials and volumes

Waste Category	Monthly (Free) Limit Per Household	Excess Material	
		Price	Unit
Aerosols	5 cans	$1.00	Per Can
Anti-freeze	Up to 5 gallons	$2.00	Per Gallon
Ballasts (non-PCB)	No Limit	N/A	N/A
Ballasts (PCB)	Up to 2 ballasts	$2.00	Each
Batteries (alkaline)	Up to 1/2 gallon volume	$2.00	Per Pint
Batteries (lead acid/auto)	No Limit	N/A	N/A
Batteries (lithium)	No Limit	N/A	N/A
Batteries (NiCad)	No Limit	N/A	N/A
Bulbs (fluorescent)	8 bulbs (any length)	$1.00	Each
Bulbs (HID)	2 each	$1.00	Each
Bulbs (shattershield)	2 each	$1.00	Each
Cleaners (ammonia based)	Up to 1 gallon of liquid	$4.00	Per Gallon
Cleaners (water based)	Up to 1 gallon of liquid	$2.00	Per Gallon
Corrosive liquids (Pool, etc.)	Up to 1/2 gallon	$18.00	Per Gallon
Corrosive solids (Pool, etc.)	Up to 3 gallon volume	$4.00	Per Gallon
Flammable liquids	Up to 2 gallons	$3.00	Per Gallon
Flammable solids	Up to 1/2 gallon volume	$5.00	Per Gallon
Helium tanks (up to 14.9 CF)	Up to 2 each	$5.00	Each
Oil – cooking	Up to 5 gallons	$0.50	Per Gallon
Oil - motor, gear, lube	Up to 5 gallons	$0.50	Per Gallon
Oil filters	Up to 1 filter	$0.25	Each
Paint - lead based	Up to 1 gallon total	$8.00	Per Gallon
Paint - oil based & stains	Up to 1 gallon total	$10.00	Per Gallon
Pesticides - liquid	Up to 1 gallon	$20.00	Per Gallon
Pesticides - solid	Up to 1 gallon volume	$13.00	Per Gallon
Propane - 1 lb. cylinders	Up to 5 cylinders	$5.00	Each
Propane - 20 lb. tanks	1 tank	$20.00	Each
Sharps/Used Needles	Up to 1 gallon volume	$4.00	Per Gallon
Smoke Alarms	Up to 1 alarm	$25.00	Each

*Excess fees were determined by actual costs paid by the District for disposal of these materials.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN INTER-AGENCY SERVICE AGEEMENT FOR THE OPERATION OF THE BENTON COUNTY CONVENIENCE CENTER PROGRAM.

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 Inter-agency Service Agreement for the Operation of the Benton County Convenience Center Program, 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 _____, 2021.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**District Court**
Submitted by	**Jennifer Lopez-Jones**
Phone	**(479) 271-5923**

Item Type: *(Check All That Apply)*					
☑ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

Budget adjustment in the amount of $1500.00, to recognize receipt of a grant from the Arkansas Alternative Dispute Resolution Commission for the Bentonville District Court mediation program.

Estimated Cost	**1,500**
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded ***(briefly explain in space below)*****:**

The District Court's Mediation Program is funded by this grant from the Arkansas Alternative Dispute Resolution Commission. There have been no prior costs from this program that the grant has not covered.

Budget Adjustment Request

Date of City Council Meeting	**1/12/2021**
Department	**District Court**
Submitted by	**Jennifer Lopez-Jones**
Phone	**(479) 271-5923**

Purpose of Budget Adjustment *(Enter purpose in space below):*

Budget adjustment recognizing receipt of a grant from the Arkansas Alternative Dispute Resolution Committee and allocating funds for expenses related to the Bentonville District Court Mediation program.

General Ledger Account Information*				
Org (Department)	**Object**	**Account Description**	**Revenue + (-)**	**Expense + (-)**
101210	33411	State Grant	$ 1,500.00	
101210	43410	Professional Service		$ 1,500.00
		Totals	$ 1,500.00	$ 1,500.00
		Net Impact on Fund Balance	$	-

*Final Account Number will be determined by Accounting Department after approval and purchase

DISTRICT COURT OF BENTON COUNTY, ARKANSAS
BENTONVILLE DIVISION
2706 SOUTH WALTON BLVD.
BENTONVILLE, AR 72712

Ray Bunch
District Court Judge

Court Clerk (479) 271-3120
Fax: (479) 271-3134

Memo

To: City Council, Mayor Orman
From: Jennifer Lopez-Jones
Date: December 3, 2020
Re: City Council approval of a budget adjust of $1,500, for a mediation program of our Small Claims and/or Civil cases

The Bentonville District Court applied for and was awarded a grant from the Arkansas Alternative Dispute Resolution Committee in the amount of $1,500 to continue to grow a mediation program primarily targeted for our Small Claims cases but can be used for our Civil cases as well.

This program will allows our clients to have the services of a certified mediator prior to going to trial with their disputes. A mediator often times is able to resolve disputes in a manner that results in a greater sense of satisfaction to both parties despite their original differing opinions. This is a completely voluntary program to which both parties would have to agree.

Should you have any questions regarding this grant and/or program please feel free to call me at 479-271-5923. Alternatively, you may email me at jenniferj@bentonvillear.com .

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**District Court**
Submitted by	**Jennifer Lopez-Jones**
Phone	**(479) 271-5923**

Item Type: (*Check All That Apply*)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

Recommendation/Suggested Action *(Enter recommendation in space below):*

Resolution allowing an Amendment to the City of Bentonville's current contract with Tyler Technologies, Inc. which would provide for the implementation of Incode Court Suite, a case management software for use at the Bentonville District Court.

Estimated Cost	**250,000**
Is this Item Budgeted?	☑ Yes ☐ No

If no, please explain how item will be funded *(briefly explain in space below)*:

DISTRICT COURT OF BENTON COUNTY, ARKANSAS
BENTONVILLE DIVISION
2706 SOUTH WALTON BLVD.
BENTONVILLE, AR 72712

Ray Bunch
District Court Judge

Court Clerk (479) 271-3120
Fax: (479) 271-3134

Memo

To: City Council, Mayor Orman
From: Jennifer Lopez-Jones
Date: December 3, 2020
Re: Amendment to the current Tyler Technologies, Inc contract with the City of Bentonville for the purchase and implementation if Incode Court Suite

In late February of 2020 the Bentonville District Court learned that its current case management software would no longer be supported by the software company as of June 30,2021. Bentonville District Court began to research options with regard to case management software options. Many options were vetted and it was concluded that Tyler Technologies and their InCode Court Suite software would provide many features that would benefit the Court along with being able to integrate easily with many current Tyler programs used within the City.

In the 2021 budget the District Court included specifically designated technology funds to use for this purpose.

Should you have any questions regarding this grant and/or program please feel free to call me at 479-271-5923. Alternatively, you may email me at jenniferj@bentonvillear.com .

AMENDMENT

This amendment ("Amendment") is effective as of the date of signature of the last party to sign as indicated below ("Amendment Effective Date"), by and between Tyler Technologies, Inc. with offices at One Tyler Drive, Yarmouth, Maine 04096 ("Tyler") and the City of Bentonville, Arkansas, with offices at 117 West Central Avenue, Bentonville, Arkansas 72712 ("Client").

WHEREAS, Tyler and Client are parties to an agreement dated February 14, 2018 ("Agreement"); and

WHEREAS, Tyler and Client desire to amend the terms of the Agreement as provided herein.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree as follows:

1. The items set forth in the Amendment Investment Summary attached as Exhibit 1 to this Amendment are hereby added to the Agreement as of the Amendment Effective Date. Payment of fees and costs for such items shall conform to the following terms:

    a. License Fees. License fees will be invoiced when Tyler makes the software added to the Agreement pursuant to this Amendment available for download (for the purpose of this Amendment, the "Available Download Date").
    b. Maintenance Fees. Year 1 annual maintenance and support fees, prorated for a time period commencing on the Available Download Date and ending at the same time as the end of the then-current annual maintenance term for the Tyler Software already licensed under the Agreement, are due on the Available Download Date. Subsequent annual maintenance fees will be invoiced in accord with the Agreement.
    c. Services Fees & Expenses. Services added to the Agreement pursuant to this Amendment, along with applicable expenses, shall be invoiced as provided and/or incurred.
    d. Project Management. Dedicated Project Management services, if any, will be billed monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
    e. Annual Fees. Annual fees for the Defense Attorney Portal and the Tyler hosted applications set forth in the Amendment Investment Summary are invoiced on the Amendment Effective Date. Subsequent fees are due annually in advance of each anniversary thereof at our then-current rates.
    f. Disaster Recovery Services. Disaster Recovery Fees are invoiced annually in advance upon Tyler's receipt of the Client's Data. The initial term for Disaster Recovery Services shall be prorated to align with Client's existing Disaster Recovery term under the Agreement. Disaster Recovery Services will be provided in accordance with the Disaster Recovery Agreement attached as Exhibit G to the Agreement. Subsequent fees will be invoiced in accord with the Agreement.
    g. Conversions. Fixed-fee conversions are invoiced 50% upon initial delivery of the

converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, we will bill you the actual services delivered on a time and materials basis.

h. Hardware Fees. Fees for Hardware are due on delivery of the respective Hardware.

2. The Tyler Hosted Applications set forth in the Amendment Investment Summary will be subject to terms of the Web Services Exhibit attached hereto as Exhibit 2.

3. The implementation services set forth in Exhibit 1 shall be provided in accordance with the Statement of Work attached hereto as Exhibit 3 and incorporated into the Agreement by reference.

4. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.

5. Except as expressly indicated in this Amendment, all other terms and conditions of Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

Tyler Technologies, Inc.	City of Bentonville, Arkansas
By:_____	By:_____
Name:_____	Name:_____
Title:_____	Title:_____
Date:_____	Date:_____



Exhibit 1
Amendment Investment Summary

The following Amendment Investment Summary details the software and services to be delivered by us to you under the Amendment attached hereto. This Amendment Investment Summary is effective as of the Amendment Effective Date. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

In the event a comment in the following sales quotation conflicts with a provision of this Amendment, the provision in this Amendment shall control.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

tyler technologies

Quoted By: Jay Gardner
Quote Expiration: 3/9/2021
Quote Name: City of Bentonville LGD Incode Court
Quote Number: 2020-116452-3
Quote Description: On Premises with Probation Module

Sales Quotation For
City of Bentonville
117 W Central Ave
Bentonville , AR 72712-5256
Phone: +1 (479) 271-3170

Tyler Software and Related Services

Description	License	Impl Hours	Impl Cost	Data Conversion	Module Total	Maintenance
Incode Court Suite						
Civil Court Case Mgt.	$11,000	32	$4,160	$0	$15,160	$2,750
Centralized Cash Collections	$6,600	8	$1,040	$0	$7,640	$1,650
Scheduling (Warrant, Macro, Citation Import Scheduling)	$7,500	0	$0	$0	$7,500	$1,875
Officer Email Notification (Generic Interface)	$3,850	0	$0	$0	$3,850	$963
Citation Issuing Device Interface	$4,000	0	$0	$0	$4,000	$1,000
Court/Police (non-Incode) Interface (Import or Export of Citations/Warrants/Dispositions)	$5,500	0	$0	$0	$5,500	$0
General Ledger (non-Tyler) Interface	$4,400	0	$0	$0	$4,400	$0
Tyler Munis GL and AP Interface	$0	0	$0	$0	$0	$0
Court Payment Import (Generic Interface)	$2,500	4	$520	$0	$3,020	$625
Tyler New World Police Interface	$0	0	$0	$0	$0	$0
Criminal Court Case Mgt	$44,000	108	$14,040	$33,780	$91,820	$11,000
Tyler Output Processor Server	$4,400	8	$1,040	$0	$5,440	$0
Probation Module	$11,000	32	$4,160	$0	$15,160	$2,750
Tyler Content Manager						
Tyler Content Manager Standard Edition (TCM SE)	$25,000	40	$5,200	$0	$30,200	$0
Tyler Content Manager Self Service	$10,000	16	$2,080	$0	$12,080	$2,500
Sub-Total:	*$139,750*		*$32,240*	*$33,780*	*$205,770*	*$25,113*
Less Discount:	*$39,300*					
TOTAL:	**$100,450**	**248**	**$32,240**	**$33,780**	**$166,470**	**$25,113**

Tyler Software and Related Services - Annual

	One Time Fees		
Description	Impl. Hours	Impl. Cost	Net Annual Fee
Incode Court Suite			
Defense Attorney Portal	0	$0	$5,000
Court Case Resolution Bundle	0	$0	$0
Tyler Hosted Applications			

Online Record Search		0	$0	$5,000
Virtual Court		0	$0	$7,800
Tyler Annual Services				
Disaster Recovery Services		0	$0	$3,767
	Sub-Total:		*$0*	*$21,567*
	TOTAL:	**0**	**$0**	**$21,567**

Other Services

Description	Quantity	Unit Price	Extended Price	Maintenance
Project Management	1	$5,000	$5,000	$0
TOTAL:			**$5,000**	**$0**

Conversion Services

Description	Hours	Unit Price	Programming Fee	Extended Price
Incode Court Suite				
Court Case Management -Conversion	32	$130	$15,000	$19,160
Warrants & Judgements -Conversion	8	$130	$3,000	$4,040
Fee Instance, Payment Plans, Restitution -Conversion	16	$130	$8,500	$10,580
Tyler Content Manager				
TCM Conversions -Court			$6,000	$6,000
Total:				**$39,780**

3rd Party Hardware, Software and Services

Description	Quantity	Unit Price	Unit Discount	Total Price	Maintenance	Maintenence Discount	Total Maintenance
Topaz Signature Pad T-L462 - USB On-Premise Court Sites	5	$400	$0	$2,000	$400	$0	$400
Epson TM-H6000IV Thermal Receipt Printer - Black, USB NEW	4	$1,050	$0	$4,200	$812	$0	$812
TOTAL:				**$6,200**			**$1,212**

Summary	**One Time Fees**	**Recurring Fees**
Total Tyler Software	$100,450	$25,113
Total Tyler Annual	$0	$21,567
Total Tyler Services	$77,020	$0
Total Third Party Hardware, Software and Services	$6,200	$1,212
Summary Total	**$183,670**	**$47,892**
Contract Total	**$231,562**	

Comments

Court Case Resolution Bundle includes: Incode Court Online Case Resolution, Court IVR and Notifications for Court.

Court Case Resolution Bundle –

- ***A fee is paid by the defendant for each transaction processed through Incode Court Online or Court IVR:***
- ***$1.00 for payments under $100, $2.50 for payments over $100, and $3.50 for advanced online transactions.***
- ***A $0.20 fee is paid by the client for each violation for which a phone notification is attempted.***
- ***Text message notifications are free of charge provided the client 1) enables the standard campaigns that include a link to Incode Court Online, and 2) enables advanced online transactions that are currently available or defendants at the counter or by mail.***

- Travel Expenses will be billed as incurred according to Tyler's standard business travel policy.
- Court Case Management conversion includes basic case data.
- By signing this order, you acknowledge that the items listed here are hereby added to the agreement between you and us and subject to its terms. Your access or use of Virtual Court is subject to additional terms (the "VC Terms") found here: https://www.tylertech.com/terms/virtual-court-terms-of-use. Unless otherwise indicated, the VC Terms and any comments specific to Virtual Court herein take precedence over conflicting comments on this order.
- Court Case Resolution Bundle: A fee is paid by the defendant for each transaction processed through Incode Court Online or Court IVR: $1.00 for payments under $100, $2.50 for payments over $100, and $3.50 for advanced online transactions. A $0.20 fee is paid by the client for each violation for which a phone notification is attempted. Text message notifications are free of charge provided the client 1) enables the standard campaigns that include a link to Incode Court Online, and 2) enables advanced online transactions that are currently available or defendants at the counter or by mail.



Exhibit 2
Web Services – Hosted Application Terms

Tyler Technologies, Inc. will provide you with the hosted applications indicated in the Amendment Investment Summary. The terms and conditions contained in this document only apply to our provision of those applications. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

1. Hosted Applications. We will provide you with any of the following hosted applications as indicated in the Amendment Investment Summary.

   1.1. *Web Services*: Our Web Services are designed to enable you to easily establish a presence on the Internet. Our Web Hosting and Design is composed of our Web Hosting and Design Publishing Component and other miscellaneous components. These components may be used independently or in conjunction with each other.

   1.2. *Utility Billing On-Line*: Our Utility Billing On-Line Component allows you to make available certain information from your utility billing system to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data which can include: Consumption information, service level information, requests for service, accounting information and the opportunity to pay their Utility Bill over the Internet using a credit card.

   1.3. *Court On-Line*: Our Court On-Line Component provides the ability for municipal court fines to be paid by credit card via the Internet. This system interfaces seamlessly with our Incode Municipal Court System.

   1.4. *On-Line Records Search*: Our On-Line Records Search Component allows you to display citations and/or docket information. The website can be available for public view or locked down to secured access only. This system interfaces seamlessly with our INCODE Municipal Court System.

   1.5. *Building Projects On-Line*: Our Building Projects On-Line Component allows you to make available certain information from your building projects system to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data which can include: Building project status, inspection results, inspection scheduling and the opportunity to pay their building projects over the Internet using a credit card.

   1.6. *Business License On-Line*: Our Business License On-Line Component allows you to make available certain information from your business license system to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data which can include: business license status, business license renewal and the opportunity to pay their business license



over the Internet using a credit card.

1.7. *Accounts Receivable On-Line*: Our Accounts Receivable On-Line Component allows you to make available certain information from your accounts receivable system to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data which can include: current balance, contract status, and the opportunity to pay the accounts receivable over the Internet using a credit card.

1.8. *Call Center On-Line*: Our Call Center On-Line Component allows you to make available certain information from your call center system to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data which can include: current and past incidents, create a new incident and view status of incident.

1.9. *Property Tax On-Line*: Our Property Tax On-Line Component allows you to make available certain information from your Property Tax System to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data which can include: parcel number, receipt number, tax amount due, and the opportunity to pay the Property Tax over the Internet using a credit card.

1.10. *Sales Tax On-Line*: Our Sales Tax On-Line Component allows you to make available certain information from your Sales Tax System to citizens with Internet access. This information is posted to your web site, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to the data to pay outstanding Sales Tax balances over the Internet using a credit card.

1.11. *Code Enforcement Online*: Our Code Enforcement Online component allows you to make available certain information from your code enforcement system to citizens with Internet access. This information is posted to your website, which is hosted on our web server. With the proper security clearance, citizens with Internet access have access to data which can include: Incident Status, Incident Results.

2. Term. We will grant you access to the hosted applications provided you timely pay all associated fees. The term of your subscription will commence on the Amendment Effective Date and will continue for three (3) years. Thereafter, the term will be automatically extended in separate one (1) year periods. Either party may cancel this subscription to the hosted applications upon sixty (60) days written notice to the other.

3. Nature of Website. We shall maintain a website for you, allowing a user to access relevant data provided by you. This data may include information from your Tyler Software system. This website will be capable of accepting payments via Secured Socket Layer (SSL) encryption and credit card or debit card charge.

4. Data Procurement. You must set up a merchant account with Electronic Transaction System Corporation or authorized.net to be solely used for our Web Service transactions. The merchant account must be set up to fund to your bank account. You are responsible for all fees and expenses of the merchant account. You must install and run Tyler Web Services to allow us to transfer the necessary

data from your system to our servers on a real time basis. Certain information, such as payment information, must be conveyed to you. We will be responsible for transferring such information to you on a regular basis. Tyler Web Services requires a dedicated IP address; assignment of this address is your responsibility. While we assume responsibility for data transfer, we are not responsible for accuracy of data transferred.

5. Limited License. Your license to use the hosted applications will automatically terminate upon cancellation of this subscription, or upon your failure to timely pay fees or otherwise comply with these terms and conditions.

6. Ownership of Data. All data you provide to us for the purposes of generating the website shall remain your property. Should you terminate your subscription, we shall return to you any such data in our possession.

7. Fees. You agree to pay the initial fee and annual subscription fees as stated in the Amendment Investment Summary and in accordance with the Amendment attached hereto. We may increase the per-transaction fee for online payment no more than once per year with sixty (60) days prior written notice.

tyler technologies

Exhibit 3

City of Bentonville, AR District Court

SOW from Tyler Technologies, Inc.

9/11/2020

Presented to:
Jonathan Rogers
2706 South Walton Blvs
Bentonville, Arkansas 72712

Contact:
Jay Gardner
Email: Jay.Gardner@TylerTech.com
5519 53rd Street, Lubbock, TX 79414

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Part 1: Executive Summary

1. Project Overview

1.1 Introduction

Tyler Technologies ("Tyler") is the largest and most established provider of integrated software and technology services focused solely on the public sector. Tyler's end-to-end solutions empower public sector entities including local, state, provincial and federal government, to operate more efficiently and connect more transparently with their constituents and with each other. By connecting data and processes across disparate systems, Tyler's solutions transform how clients gain actionable insights that solve problems in their communities.

1.2 Project Goals

This Statement of Work ("SOW") documents the methodology, implementation stages, activities, and roles and responsibilities, and project scope listed in the Investment Summary of the Agreement between Tyler and Client (collectively the "Project").

The overall goals of the project are to:

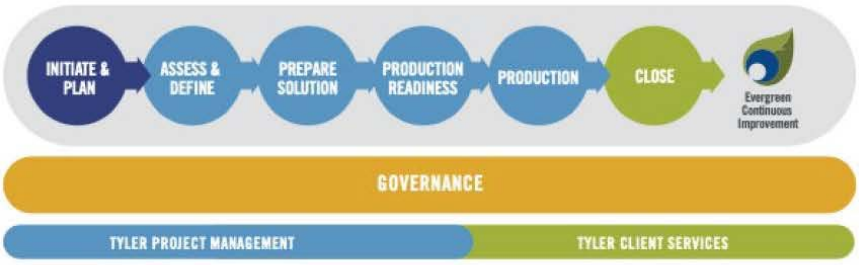
- Successfully implement the contracted scope on time and on budget
- Increase operational efficiencies and empower users to be more productive
- Improve accessibility and responsiveness to external and internal customer needs
- Overcome current challenges and meet future goals
- Streamlining business processes through automation, integration, and workflows
- Provide a single, comprehensive, and integrated solution to manage business functions
- Eliminate redundant data entry
- Provide the public with easy access to justice

1.3 Methodology

This is accomplished by Bentonville District Court and Tyler working as a partnership and Tyler utilizing its depth of implementation experience. While each Project is unique, all will follow Tyler's six-stage methodology. Each of the six stages is comprised of multiple work packages, and each work package includes a narrative description, objectives, tasks, inputs, outputs/deliverables, assumptions, and a responsibility matrix.

Tailored specifically for Tyler's public sector clients, the project methodology contains Stage Acceptance Control Points throughout each Phase to ensure adherence to scope, budget, timeline controls, effective communications, and quality standards. Clearly defined, the project methodology repeats consistently across Phases, and is scaled to meet the Client's complexity and organizational needs.

Tyler's Six Stage Project Methodology



The methodology adapts to both single-phase and multiple-phase projects.

To achieve Project success, it is imperative that both Bentonville District Court and Tyler commit to including the necessary leadership and governance. During each stage of the Project, it is expected that Bentonville District Court and Tyler Project teams work collaboratively to complete tasks. An underlying principle of Tyler's Implementation process is to employ an iterative model where Bentonville District Court's business processes are assessed, configured, validated, and refined cyclically in line with the project budget. This approach is used in multiple stages and work packages as illustrated in the graphic below.

Iterative Project Model



The delivery approach is systematic, which reduces variability and mitigates risks to ensure Project success. As illustrated, some stages, along with work packages and tasks, are intended to be overlapping by nature to efficiently and effectively complete the Project.

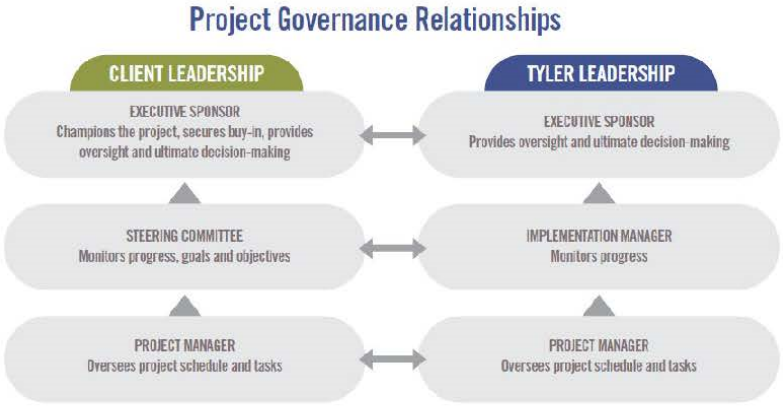
Part 2: Project Foundation

2. Project Governance

Project governance is the management framework within which Project decisions are made. The role of Project governance is to provide a decision-making approach that is logical, robust, and repeatable. This allows organizations to have a structured approach for conducting its daily business in addition to project related activities.

This section outlines the resources required to adequately meet the business needs, objectives, and priorities for the Project, communicate the goals to other Project participants, and provide support and guidance to accomplish these goals. Project governance defines the structure for escalation of issues and risks, Change Control review and authority, and Organizational Change Management activities. Throughout the Statement of Work Tyler has provided RACI Matrices for activities to be completed throughout the implementation which will further outline responsibilities of different roles in each stage. Further refinement of the governance structure, related processes, and specific roles and responsibilities occurs during the Initiate & Plan Stage.

The chart below illustrates an overall team perspective where Tyler and Bentonville District Court collaborate to resolve Project challenges according to defined escalation paths. In the event that project managers do not possess authority to determine a solution, resolve an issue, or mitigate a risk, Tyler implementation management and Bentonville District Court Steering Committee become the escalation points to triage responses prior to escalation to Bentonville District Court and Tyler executive sponsors. As part of the escalation process, each Project governance tier presents recommendations and supporting information to facilitate knowledge transfer and issue resolution. Bentonville District Court and Tyler executive sponsors serve as the final escalation point.



3. Project Scope Control

3.1 Managing Scope and Project Change

Project Management governance principles contend that there are three connected constraints on a Project: budget, timeline, and scope. These constraints, known as the 'triple constraints' or Project management triangle, define budget in terms of financial cost, labor costs, and other resource costs. Scope is defined as the work performed to deliver a product, service or result with the specified features and functions, while time is simply defined as the schedule. The Triple Constraint theory states that if you change one side of the triangle, the other two sides must be correspondingly adjusted. For example, if the scope of the Project is increased, cost and time to complete will also need to increase. The Project and executive teams will need to remain cognizant of these constraints when making impactful decisions to the Project. A simple illustration of this triangle is included here, showing the connection of each item and their relational impact to the overall Scope.



A pillar of any successful project is the ability to properly manage scope while allowing the appropriate level of flexibility to incorporate approved changes. Scope and changes within the project will be managed using the change control process outlined in the following section.

3.2 Change Control

It may become necessary to change the scope of this Project due to unforeseeable circumstances (e.g., new constraints or opportunities are discovered). This Project is being undertaken with the understanding that Project scope, schedule, and/or cost may need to change in order to produce optimal results for stakeholders. Changes to contractual requirements will follow the change control process specified in the final contract, and as described below.

3.3 Change Request Management

Should the need for a change to Project scope, schedule, and/or cost be identified during the Project, the change will be brought to the attention of the Steering Committee and an assessment of the change will occur. While such changes may result in additional costs and possible delays relative to the schedule, some

changes may result in less cost to Bentonville District Court; for example, Bentonville District Court may decide it no longer needs a deliverable originally defined in the Project. The Change Request will include the following information:

- The nature of the change.
- A good faith estimate of the additional cost or associated savings to Bentonville District Court, if any.
- The timetable for implementing the change.
- The effect on and/or risk to the schedule, resource needs or resource responsibilities.

Bentonville District Court will use its good faith efforts to either approve or disapprove any Change Request within ten (10) Business Days (or other period as mutually agreeable between Tyler and Bentonville District Court). Any changes to the Project scope, budget, or timeline must be documented and approved in writing using a Change Request form. These changes constitute a formal amendment to the Statement of Work and will supersede any conflicting term in the Statement of Work.



4. Acceptance Process

The implementation of a Project involves many decisions to be made throughout its lifecycle. Decisions will vary from higher level strategy decisions to smaller, detailed Project level decisions. It is critical to the success of the Project that each Bentonville District Court office or department designates specific individuals for making decisions on behalf of their offices or departments.

Both Tyler and the Bentonville District Court will identify representative project managers. These individuals will represent the interests of all stakeholders and serve as the primary contacts between the two organizations.

The coordination of gaining client feedback and approval on Project deliverables will be critical to the success of the Project. The Bentonville District Court project manager will strive to gain deliverable and decision approvals from all authorized Bentonville District Court representatives. Given that the designated decision-maker for each department may not always be available, there must be a designated proxy for each decision point in the Project. Assignment of each proxy will be the responsibility of the leadership from each Bentonville District Court department. The proxies will be named individuals that have the authorization to make decisions on behalf of their department.

The following process will be used for accepting Deliverables and Control Points:

- The Bentonville District Court shall have five (5) business days from the date of delivery, or as otherwise mutually agreed upon by the parties in writing, to accept each Deliverable or Control Point. If the Bentonville District Court does not provide acceptance or acknowledgement within five (5) business days, or the otherwise agreed upon timeframe, not to be unreasonably withheld, Tyler deems the Deliverable or Control Point as accepted.
- If the Bentonville District Court does not agree the particular Deliverable or Control Point meets requirements, the Bentonville District Court shall notify Tyler project manager(s), in writing, with reasoning within five (5) business days, or the otherwise agreed-upon timeframe, not to be unreasonably withheld, of receipt of the Deliverable.
- Tyler shall address any deficiencies and redeliver the Deliverable or Control Point. The Bentonville District Court shall then have two (2) business days from receipt of the redelivered Deliverable or Control Point to accept or again submit written notification of reasons for rejecting the milestone. If the Bentonville District Court does not provide acceptance within two (2) business days, or the otherwise agreed upon timeframe, not to be unreasonably withheld, Tyler deems the Deliverable or Control Point as accepted.

5. Roles and Responsibilities

The following defines the roles and responsibilities of each Project resource for Bentonville District Court and Tyler. Roles and responsibilities may not follow the organizational chart or position descriptions at Bentonville District Court, but are roles defined within the Project. It is common for individual resources on both the Tyler and client project teams to fill multiple roles. Similarly, it is common for some roles to be filled by multiple people.

5.1 Tyler Roles & Responsibilities

Tyler assigns a project manager prior to the start of each Phase of the Project (some Projects may only be one Phase in duration). Additional Tyler resources are assigned as the schedule develops and as needs arise.

5.1.1 Tyler Executive Sponsor

Tyler executive management has indirect involvement with the Project and is part of the Tyler escalation process. This team member offers additional support to the Project team and collaborates with other Tyler department managers as needed in order to escalate and facilitate implementation Project tasks and decisions.

- Provides clear direction for Tyler staff on executing on the Project Deliverables to align with satisfying Bentonville District Court 's overall organizational strategy.
- Authorizes required Project resources.
- Resolves all decisions and/or issues not resolved at the implementation management level as part of the escalation process.
- Acts as the counterpart to Bentonville District Court 's executive sponsor.

5.1.2 Tyler Implementation Manager

- Tyler implementation management has indirect involvement with the Project and is part of the Tyler escalation process. The Tyler project managers consult implementation management on issues and outstanding decisions critical to the Project. Implementation management works toward a solution with the Tyler Project Manager or with Bentonville District Court management as appropriate. Tyler executive management is the escalation point for any issues not resolved at this level.
- Assigns Tyler Project personnel.
- Provides support for the Project team.
- Provides management support for the Project to ensure it is staffed appropriately and staff have necessary resources.
- Monitors Project progress including progress towards agreed upon goals and objectives.

5.1.3 Tyler Project Manager

- The Tyler project manager(s) provides oversight of the Project, coordination of Tyler resources between departments, management of the Project budget and schedule, effective risk and issue management, and is the primary point of contact for all Project related items. As requested by the client, the Tyler Project Manager provides regular updates to the client Steering Committee and other Tyler governance members. Tyler Project Manager's role includes responsibilities in the following areas:

5.1.3.1 Contract Management

- Validates contract compliance throughout the Project.
- Ensures Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions.
- Prepares and presents contract milestone sign-offs for acceptance by Bentonville District Court project manager(s).
- Coordinates Change Requests, if needed, to ensure proper Scope and budgetary compliance.

5.1.3.2 Planning

- Delivers project planning documents.
- Defines Project tasks and resource requirements.
- Develops initial Project schedule and Project Management Plan.
- Collaborates with Bentonville District Court project manager(s) to plan and schedule Project timelines to achieve on-time implementation.

5.1.3.3 Implementation Management

- Tightly manages Scope and budget of Project to ensure Scope changes and budget planned versus actual are transparent and handled effectively and efficiently.
- Establishes and manages a schedule and Tyler resources that properly support the Project Schedule and are also in balance with Scope/budget.
- Establishes risk/issue tracking/reporting process between Bentonville District Court and Tyler and takes all necessary steps to proactively mitigate these items or communicate with transparency to Bentonville District Court any items that may impact the outcomes of the Project.
- Collaborates with Bentonville District Court 's project manager(s) to establish key business drivers and success indicators that will help to govern Project activities and key decisions to ensure a quality outcome of the project.
- Collaborates with Bentonville District Court 's project manager(s) to set a routine communication plan that will aide all Project team members, of both Bentonville District Court and Tyler, in understanding the goals, objectives, current status, and health of the Project.

5.1.3.4 Resource Management

- Acts as liaison between Project team and Tyler manager(s).
- Identifies and coordinates all Tyler resources across all applications, Phases, and activities including development, forms, installation, reports, implementation, and billing.
- Provides direction and support to Project team.
- Manages the appropriate assignment and timely completion of tasks as defined in the Project Schedule, task list, and Go-Live Checklist.
- Assesses team performance and adjusts as necessary.
- Consulted on in Scope 3rd party providers to align activities with ongoing Project tasks.

5.1.4 Tyler Implementation Consultant

- Completes tasks as assigned by the Tyler project manager(s).
- Documents activities for services performed by Tyler.
- Guides Bentonville District Court through software validation process following configuration.
- Assists during Go-Live process and provides support until Bentonville District Court transitions to Client Services.
- Facilitates training sessions and discussions with Bentonville District Court and Tyler staff to ensure adequate discussion of the appropriate agenda topics during the allotted time.
- May provide conversion review and error resolution assistance.

5.1.5 Tyler Sales

- Supports Sales to Implementation knowledge transfer during Initiate & Plan.

- Provides historical information, as needed, throughout implementation.
- Participates in pricing activities if additional licensing and/or services are needed.

5.1.6 Tyler Technical Services

- Maintains Tyler infrastructure requirements and design document(s).
- Involved in system infrastructure planning/review(s).
- Provides first installation of licensed software with initial database on servers.
- Supports and assists the project team with technical/environmental issues/needs.
- Deploys Tyler products.

5.2 Bentonville District Court Roles & Responsibilities

Bentonville District Court resources will be assigned prior to the start of each Phase of the Project. One person may be assigned to multiple Project roles.

5.2.1 Bentonville District Court Executive Sponsor

The Bentonville District Court executive sponsor provides support to the Project by providing strategic direction and communicating key issues about the Project and its overall importance to the organization. When called upon, the executive sponsor also acts as the final authority on all escalated Project issues. The executive sponsor engages in the Project, as needed, in order to provide necessary support, oversight, guidance, and escalation, but does not participate in day-to-day Project activities. The executive sponsor empowers the Bentonville District Court steering committee, project manager(s), and functional leads to make critical business decisions for Bentonville District Court.

- Champions the project at the executive level to secure buy-in.
- Authorizes required project resources.
- Actively participates in organizational change communications.

5.2.2 Bentonville District Court Steering Committee

The Bentonville District Court steering committee understands and supports the cultural change necessary for the Project and fosters an appreciation for the Project's value throughout the organization. The steering committee oversees the Bentonville District Court project manager and Project as a whole through participation in regular internal meetings. The Bentonville District Court steering committee remains updated on all Project progress, Project decisions, and achievement of Project milestones. The Bentonville District Court steering committee also serves as primary level of issue resolution for the Project.

- Works to resolve all decisions and/or issues not resolved at the project manager level as part of the escalation process.
- Attends all scheduled steering committee meetings.
- Provides support for the project team.
- Assists with communicating key project messages throughout the organization.
- Prioritizes the project within the organization.
- Ensures the project staffed appropriately and that staff have necessary resources.
- Monitors project progress including progress towards agreed upon goals and objectives.
- Has the authority to approve or deny changes impacting the following areas:
    - Cost

- Scope
- Schedule
- Project Goals
- Bentonville District Court Policies
- Needs of other client projects

5.2.3 Bentonville District Court Project Manager

Bentonville District Court shall assign project manager(s) prior to the start of this project with overall responsibility and authority to make decisions related to Project Scope, scheduling, and task assignment. Bentonville District Court Project Manager should communicate decisions and commitments to the Tyler project manager(s) in a timely and efficient manner. When Bentonville District Court project manager(s) do not have the knowledge or authority to make decisions, he or she engages the necessary resources to participate in discussions and make decisions in a timely fashion to avoid Project delays. The client project manager(s) are responsible for reporting to client steering committee and determining appropriate escalation points.

5.2.3.1 Contract Management

- Validates contract compliance throughout the project.
- Ensures that invoicing and Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions. Collaborates on and approves Change Requests, if needed, to ensure proper scope and budgetary compliance.

5.2.3.2 Planning

- Reviews and accepts project planning documents.
- Defines project tasks and resource requirements for Bentonville District Court project team.
- Collaborates in the development and approval of the project schedule.
- Collaborates with Tyler project manager(s) to plan and schedule project timelines to achieve on-time implementation.

5.2.3.3 Implementation Management

- Tightly manages project budget and scope.
- Collaborates with Tyler project manager(s) to establish a process and approval matrix to ensure that scope changes and budget (planned versus actual) are transparent and handled effectively and efficiently.
- Collaborates with Tyler project manager to establish and manage a schedule and resource plan that properly supports the project schedule as a whole and is also in balance with scope and budget.
- Collaborates with Tyler project manager(s) to establish risk and issue tracking and reporting process between Bentonville District Court and Tyler and takes all necessary steps to proactively mitigate these items or communicate with transparency to Tyler any items that may impact the outcomes of the project.
- Collaborates with Tyler project manager(s) to establish key business drivers and success indicators that will help to govern project activities and key decisions to ensure a quality outcome of the project.
- Routinely communicates with both Bentonville District Court staff and Tyler, aiding in the understanding of goals, objectives, current status, and health of the project by all team members.

- Manages the requirements gathering process and ensure timely and quality business requirements are being provided to Tyler.

5.2.3.4 Resource Management

- Acts as liaison between project team and stakeholders.
- Identifies and coordinates all Bentonville District Court resources across all modules, phases, and activities including data conversions, forms design, hardware and software installation, reports building, and satisfying invoices.
- Provides direction and support to project team.
- Builds partnerships among the various stakeholders, negotiating authority to move the project forward.
- Manages the appropriate assignment and timely completion of tasks as defined.
- Assesses team performance and takes corrective action, if needed.
- Provides guidance to Bentonville District Court technical teams to ensure appropriate response and collaboration with Tyler Technical Support Teams in order to ensure timely response and appropriate resolution.
- Owns the relationship with in-Scope 3rd party providers and aligns activities with ongoing project tasks.
- Ensures that users have appropriate access to Tyler project toolsets as required.
- Conducts training on proper use of toolsets.
- Validates completion of required assignments using toolsets.

5.2.4 Bentonville District Court Functional Leads

- Makes business process change decisions under time sensitive conditions.
- Communicates existing business processes and procedures to Tyler consultants.
- Assists in identifying business process changes that may require escalation.
- Contributes business process expertise for Current & Future State Analysis.
- Identifies and includes additional subject matter experts to participate in Current & Future State Analysis.
- Validates that necessary skills have been retained by end users.
- Provides End Users with dedicated time to complete required homework tasks.
- Acts as an ambassador/champion of change for the new process and provide business process change support.
- Identifies and communicates any additional training needs or scheduling conflicts to Bentonville District Court project manager.
- Actively participates in all aspects of the implementation, including, but not limited to, the following key activities:
    - Task completion
    - Stakeholder Meeting
    - Project Management Plan development
    - Schedule development
    - Maintenance and monitoring of risk register
    - Escalation of issues
    - Communication with Tyler project team
    - Coordination of Bentonville District Court resources
    - Attendance at scheduled sessions

- Change management activities
- Modification specification, demonstrations, testing and approval assistance
- Data analysis assistance
- Decentralized end user training
- Process testing
- Solution Validation

5.2.5 Bentonville District Court Power Users

- Participate in project activities as required by the project team and project manager(s).
- Provide subject matter expertise on Bentonville District Court business processes and requirements.
- Act as subject matter experts and attend Current & Future State Analysis sessions as needed.
- Attend all scheduled training sessions.
- Participate in all required post-training processes as needed throughout project.
- Test all application configuration to ensure it satisfies business process requirements.
- Become application experts.
- Participate in Solution Validation.
- Adopt and support changed procedures.
- Complete all deliverables by the due dates defined in the project schedule.
- Demonstrate competency with Tyler products processing prior to Go-live.
- Provide knowledge transfer to Bentonville District Court staff during and after implementation.
- Participate in conversion review and validation.

5.2.6 Bentonville District Court End Users

- Attend all scheduled training sessions.
- Become proficient in application functions related to job duties.
- Adopt and utilize changed procedures.
- Complete all deliverables by the due dates defined in the project schedule.
- Utilize software to perform job functions at and beyond Go-live.

5.2.7 Bentonville District Court Technical Lead

- Coordinates updates and releases with Tyler as needed.
- Coordinates the copying of source databases to training/testing databases as needed for training days.
- Coordinates and adds new users, printers and other peripherals as needed.
- Validates that all users understand log-on process and have necessary permission for all training sessions.
- Coordinates interface development for Bentonville District Court third party interfaces.
- Develops or assists in creating reports as needed.
- Ensures on-site system meets specifications provided by Tyler.
- Assists with software installation as needed.
- Extracts and transmits conversion data and control reports from Bentonville District Court's legacy system per the conversion schedule set forth in the project schedule.

5.2.7.1 Bentonville District Court Upgrade Coordination

- Becomes familiar with the software upgrade process and required steps.

- Becomes familiar with Tyler's releases and updates.
- Utilizes Tyler resources to stay abreast of the latest Tyler releases and updates, as well as the latest helpful tools to manage Bentonville District Court's software upgrade process.
- Assists with the software upgrade process during implementation.
- Manages software upgrade activities post-implementation.
- Manages software upgrade plan activities.
- Coordinates software upgrade plan activities with Bentonville District Court and Tyler resources.
- Communicates changes affecting users and department stakeholders.
- Obtains department stakeholder acceptance to upgrade production environment.

5.2.8 Bentonville District Court Change Management Lead

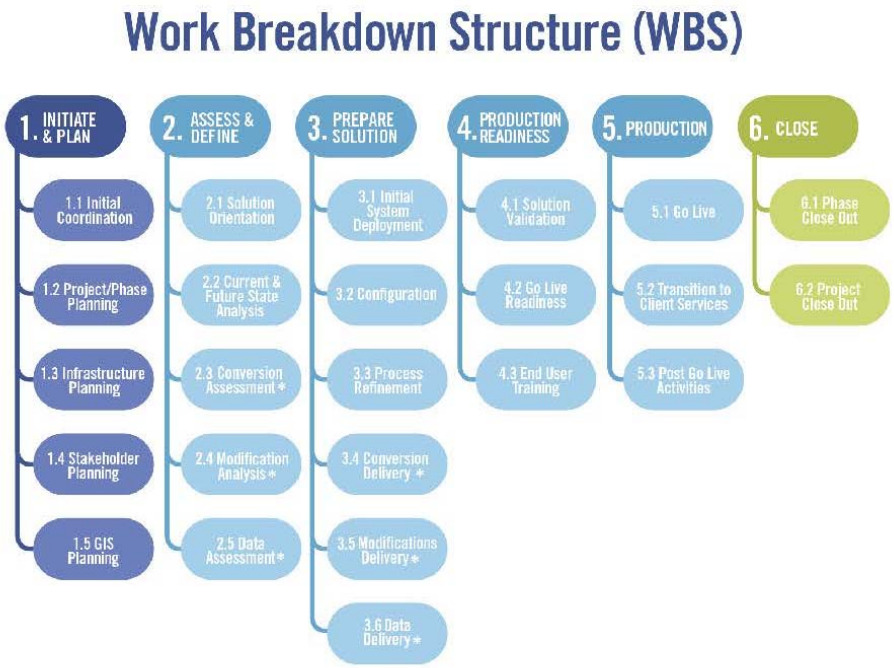
- Validates that users receive timely and thorough communication regarding process changes.
- Provides coaching to supervisors to prepare them to support users through the project changes.
- Identifies the impact areas resulting from project activities and develops a plan to address them proactively.
- Identifies areas of resistance and develops a plan to reinforce the change.
- Monitors post-production performance and new process adherence.

Part 3: Project Plan

6. Project Stages

Work Breakdown Structure

The Work Breakdown Structure (WBS) is a hierarchical representation of a Project or Phase broken down into smaller, more manageable components. The top-level components are called "Stages" and the second level components are called "Work Packages". The work packages, shown below each stage, contain the high-level work to be done. The detailed Project Schedule, developed during Project/Phase Planning and finalized during subsequent stages, lists the tasks to be completed within each work package. Each stage ends with a "Control Point", confirming the work performed during that stage of the Project has been accepted by Bentonville District Court.



Items noted with an asterisk in the graphic above relate to specific products and services. If those products and services are not included in the scope of the contract, these specific work packages will be noted as "Intentionally Left Blank" in Section 6 of the Statement of Work.

6.1 Initiate and Plan

The Initiate and Plan stage involves Project initiation, infrastructure, and planning. This stage creates a foundation for the Project by identifying and establishing sequence and timing for each Phase as well as verifying scope for the Project. This stage will be conducted at the onset of the Project, with a few unique items being repeated for the additional Phases as needed.

6.1.1 Initial Coordination

Prior to Project commencement, Tyler management assigns project manager(s). Additional Project resources will be assigned later in the Project as a Project schedule is developed. Tyler provides Bentonville District Court with initial Project documents used to gather names of key personnel, their functional role as it pertains to the Project, as well as any blackout dates to consider for future planning. Bentonville District Court gathers the information requested by the provided deadline ensuring preliminary planning and scheduling can be conducted moving the Project forward in a timely fashion. Internally, the Tyler Project Manager(s) coordinate with sales to ensure transfer of vital information from the sales process prior to scheduling a Project Planning Meeting with Bentonville District Court's team. During this step, Tyler will work with Bentonville District Court to establish the date(s) for the Project and Phase Planning session.

Objectives:

- Formally launch the project.
- Establish project governance.
- Define and communicate governance for Tyler.
- Identify client project team.

STAGE 1	**Initial Coordination**																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Tyler project team is assigned	A	R	C	I	I	I	I		I		I						
Client project team is assigned									A	I	R	I	I	I			
Provide initial project documents to Bentonville District Court		A	R	C			C		I		I						
Gather preliminary information requested			I						A		R	C		C		C	C
Sales to implementation knowledge transfer		A	R	I	I	I	I				I						

Create Project Portal to store project artifacts and facilitate communication		A	R								I						

Inputs	Contract documents
	Statement of Work

Outputs/Deliverables	Completed initial project documents
	Project portal

Work package assumptions:

- Project activities begin after the agreement has been fully executed.

6.1.2 Project/Phase Planning

Project and Phase planning provides an opportunity to review the contract, software, data conversions and services purchased, identify applications to implement in each Phase (if applicable), and discuss implementation timeframes.

During this work package Tyler will work with Bentonville District Court to coordinate and plan a formal Project planning meeting(s). This meeting signifies the start of the Project and should be attended by all Bentonville District Court Project team members and the Tyler Project Manager. The meeting provides an opportunity for Tyler to introduce its implementation methodology, terminology, and Project management best practices to Bentonville District Court's Project Team. This will also present an opportunity for project managers and Project sponsors to begin to discuss Project communication, metrics, status reporting and tools to be used to measure Project progress and manage change.

Tyler will work with the Bentonville District Court Project Team to prepare and deliver the Project Management Plan as an output of the planning meeting. This plan will continue to evolve and grow as the Project progresses and will describe how the project will be executed, monitored, and controlled.

During project planning, Tyler will introduce the tools that will be used throughout the implementation. Tyler will familiarize the client with these tools during project planning and make them available for review and maintenance as applicable throughout the project. Some examples are Solution validation plan, issue log, and go-live checklist.

STAGE 1	Project/Phase Planning	
	Tyler	Client

RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Schedule and conduct planning session(s)		A	R						I		C	C	I				
Develop Project Management Plan		A	R						I		C	C	I				
Develop initial project schedule		A	R	I	I	I	I		I	I	C	C	I	I	C		I

Inputs	Contract documents
	Statement of Work
	Guide to Starting Your Project

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Project Management Plan	Delivery of document
	Project Operational Plan	Delivery of document
	Initial Project Schedule	Bentonville District Court provides acceptance of schedule based on resource availability, project budget, and goals.

Work package assumptions:

- Bentonville District Court has reviewed and completed the Guide to Starting Your Project document.

6.1.3 Infrastructure Planning

Procuring required hardware and setting it up properly is a critical part of a successful implementation. This task is important for both on-premise and Tyler-hosted/SaaS deployment models; however, the responsibility to execute the tasks discussed here will differ depending on the model required for specific applications and suites (please see your Investment Summary for details). Tyler will be responsible for building the environments for a hosted/SaaS deployment, unless otherwise identified in the Agreement. In an On-premise deployment, Bentonville District Court will be responsible for the setup of the infrastructure. Tyler will install Licensed Software on application server(s) or train Bentonville District Court to install License Software. In both models, Bentonville District Court is responsible for the installation and setup of all peripheral devices.

Objectives:

- Ensure Bentonville District Court's infrastructure meets Tyler's application requirements.

- Ensure Bentonville District Court's infrastructure is scheduled to be in place and available for use on time.

STAGE 1	Infrastructure Planning																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts	Department Heads	End Users	Technical Leads
Provide Infrastructure Requirements and Design Document		A	R		C		C				I						I
Initial Infrastructure Meeting		A	R		C		C				C						C
Schedule SaaS Environment Availability (where applicable)		A	R				C				I						
Schedule Hardware to be Available for Installation (where applicable)			I				I		A		R						C
Schedule Installation of All Licensed Software		A	R				C				I						I
Infrastructure Audit		A	R				C				I						C

Inputs	1. Initial Infrastructure Requirements and Design Document

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	1. Completed Infrastructure Requirements and Design Document	Delivery of Document
	2. Infrastructure Audit	System Passes Audit Criteria

Work package assumptions:

- Bentonville District Court will maintain environment (or virtual environment) for On-Premise deployments.

6.1.4 Stakeholder Meeting

Communication of the Project planning outcomes to the Bentonville District Court Project team, executives and other key stakeholders is vital to Project success. The Stakeholder meeting is a strategic activity to inform, engage, gain commitment, and instill confidence in the Bentonville District Court team. During the meeting, the goals and objectives of the Project will be reviewed along with detail on Project scope, implementation methodology, roles and responsibilities, Project timeline and schedule, and keys to Project success.

Objectives:

- Formally present and communicate the project activities and timeline.
- Communicate project expectations.

STAGE 1	Stakeholder Meeting																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Create Stakeholder Meeting Presentation	I	A	R	I	I				I	I	C		I				
Review Stakeholder Meeting Presentation		I	C						A		R		C				
Perform Stakeholder Meeting Presentation	I	A	R	I	I				I	I	C	I	I	I	I	I	I

Inputs	Agreement
	SOW
	Project Management Plan

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Stakeholder Meeting Presentation	

Work package assumptions:

- None

6.1.5 Intentionally left blank.

6.1.6 Control Point 1: Initiate & Plan Stage Acceptance

Acceptance criteria for this stage includes completion of all criteria listed below.

Note: Advancement to the Assess & Define stage is not dependent upon Tyler's receipt of this stage acceptance.

Initiate & Plan Stage Deliverables:

- Project Management Plan

- Initial Project Schedule

Initiate & Plan stage acceptance criteria:

- All stage deliverables accepted based on acceptance criteria previously defined
- Project governance defined
- Project portal made available to Bentonville District Court
- Stakeholder meeting complete

6.2 Assess & Define

The Assess & Define stage will provide an opportunity to gather information related to current Bentonville District Court business processes. This information will be used to identify and define business processes utilized with Tyler software. Bentonville District Court collaborates with Tyler providing complete and accurate information to Tyler staff and assisting in analysis, understanding current workflows and business processes.

6.2.1 Solution Orientation

The Solution Orientation provides the Project stakeholders a high-level understanding of the solution functionality prior to beginning the current and future state analysis. The primary goal is to establish a foundation for upcoming conversations regarding the design and configuration of the solution.

Tyler utilizes a variety of tools for the Solution Orientation, focusing on Bentonville District Court team knowledge transfer such as: eLearning, documentation, or walkthroughs. The Bentonville District Court team will gain a better understanding of the major processes and focus on data flow, the connection between configuration options and outcome, integration, and terminology that may be unique to Tyler's solution.

Objectives:

- Provide a basic understanding of system functionality.
- Prepare Bentonville District Court for current and future state analysis.

STAGE 2	**Solution Orientation**																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Provide pre-requisites			A	R							I	I		I	I		I
Complete pre-requisites											A	R		C			C
Conduct orientation			A	R							I	I		I	I		I

Inputs	Solution orientation materials
	Training Plan

6.2.2 Current & Future State Analysis

The Current & Future State Analysis provides the Project stakeholders and Tyler an understanding of process changes that will be achieved with the new system.

Bentonville District Court and Tyler will evaluate current state processes, options within the new software, pros and cons of each based on current or desired state and make decisions about the future state configuration and processing. This may occur before or within the same timeframe as the configuration work package. The options within the new software will be limited to the scope of this implementation and will make use of standard Tyler functionality.

The Bentonville District Court will adopt the existing Tyler solution wherever possible to avoid project schedule and quality risk from over customization of Tyler products. It is the client's responsibility to verify that in-scope requirements are being met throughout the implementation if functional requirements are defined as part of the contract. The following guidelines will be followed when evaluating if a modification to the product is required:

- A reasonable business process change is available.
- Functionality exists which satisfies the requirement.
- Configuration of the application satisfies the requirement.
- An in-scope modification satisfies the requirement.

Requirements that are not met will follow the agreed upon change control process and can have impacts on the project schedule, scope, budget and resource availability.

STAGE 2	**Current & Future State Analysis**																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Current State process review			A	R	I	I	I				C	C	C	C			C
Discuss future-state options			A	R	C	C	C				C	C	C	C			C
Make future-state decisions (non-COTS)			C	C	C	C	C				A	R	I	C			C
Document anticipated configuration options			A	R	C	C	C				I	I	I	I			I

required to support future state																	

Inputs	Client current state documentation
	Solution Orientation completion

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Documentation that describes future-state decisions and configuration options to support future-state decisions.	Delivery of document

Work package assumptions:

- Bentonville District Court attendees possess sufficient knowledge and authority to make future state decisions.
- Bentonville District Court is responsible for any documentation of current state business processes.
- Client is able to effectively communicate current state processes.

6.2.3 Conversion Assessment

Data Conversions are a major effort in any software implementation. Tyler's conversion tools facilitate the predictable, repeatable conversion process that is necessary to support a successful transition to the Tyler system. The first step in this process is to perform an assessment of the existing ("legacy") system(s), to better understand the source data, risks, and options available. Once the data has been analyzed, the plan for data conversion is completed and communicated to the appropriate stakeholders.

Objectives:

- Communicate a common understanding of the project goals with respect to data.
- Ensure complete and accurate source data is available for review/transfer.
- Map the data from the source to the Tyler system.
- Document the data conversion/loading approach.

STAGE 2	**Data Conversion Assessment**																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Extract Data from Source Systems			I		C						A						R

Complete Data Analysis/Mapping		A	R	C	C						I	C		C			I
Review and Scrub Source Data			I	I	I						A	R		C			I
Build/Update Data Conversion Plan			R	C	C						C	I	I	I			I

Inputs	Client Source data
	Client Source data Documentation (if available)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data Conversion Plan built/updated	Client Acceptance of Data Conversion Plan, if Applicable

Work package assumptions:

- Tyler will be provided with data from the Legacy system(s) in a mutually agreed upon format.
- Tyler will work with Bentonville District Court representatives to identify business rules before writing the conversion.
- Bentonville District Court subject matter experts and resources most familiar with the current data will be involved in the data conversion planning effort.

6.2.4 Intentionally left blank.

6.2.5 Control Point 2: Assess & Define Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below.

Note: Advancement to the Prepare Solution Stage is dependent upon Tyler's receipt of the Stage Acceptance.

Assess & Define Stage Deliverables:

- Documentation of future state decisions and configuration options to support future state decisions.
- Modification specification document.
- Assess & Define Stage Acceptance Criteria:
- All stage deliverables accepted based on criteria previously defined.
- Solution Orientation is delivered.
- Conversion data extracts are received by Tyler.

Initiate & Plan stage acceptance criteria:

- All stage deliverables accepted based on acceptance criteria previously defined
- Project governance defined
- Project portal made available to the City
- Stakeholder meeting complete
- Data conversion plan built.

6.3 Prepare Solution

During the Prepare Solution stage, information gathered during the Initiate & Plan and Assess & Define stages will be used to install and configure the Tyler software solution. Software configuration will be validated by the client against future state decisions defined in previous stages and processes refined as needed to ensure business requirements are met.

6.3.1 Initial System Deployment

The timely availability of the Tyler Solution is important to a successful Project implementation. The success and timeliness of subsequent work packages are contingent upon the initial system deployment of Tyler Licensed Software on an approved network and infrastructure. Delays in executing this work package can affect the project schedule.

Objectives:

- Bentonville District Court's hardware is available and set up appropriately to meet Tyler's requirements.
- All licensed software is installed and operational.
- Bentonville District Court is able to access the software.

STAGE 3	**Initial System Deployment (On-Premise)**																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Review Purchased Hardware			A				R				I						C
Prepare hosted environment (where applicable)			A				R				I						C
Setup/Prepare Hardware for Deployment for Included Environments			I				C				A						R
Install Licensed Software with Initial Database on Server(s) for Included Environments			A				R				I						C

Install Licensed Software on Client Devices (if applicable)			I				C				A					R
Tyler System Administration Training (if applicable)			A				R				I					C

Inputs	Hardware is Procured and Made Available to Tyler

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Licensed Software is Installed on the Server(s)	Software is accessible
	Licensed Software is Installed on Bentonville District Court devices (if applicable)	Software is accessible
	Installation Checklist/System Document	System Passes
	Infrastructure Design Document (If Applicable)	

Work package assumptions:

- The most current generally available version of the Tyler Licensed Software will be installed.
- The Bentonville District Court will provide network access for Tyler modules, printers, and Internet access to all applicable Bentonville District Court and Tyler Project staff.

On-Premise (where applicable):

- The Bentonville District Court has procured sufficient hardware by the agreed upon timeline.
- The procured hardware and software meets Tyler requirements to ensure sufficient speed and operability of Tyler Licensed Software. Tyler will not support the use of Licensed Software if the Bentonville District Court does not meet minimum standards of Tyler's published specifications.
- The Bentonville District Court has in place and keeps up to date all hardware, software, and technical infrastructure necessary to support the solution.

6.3.2 Configuration

The purpose of Configuration is to prepare the software product for validation.

Tyler staff collaborates with Bentonville District Court to complete software configuration based on the outputs of the future state analysis performed during the Assess and Define Stage. Bentonville District Court collaborates with Tyler staff iteratively to validate software configuration.

Objectives:

- Software is ready for validation.
- Educate Bentonville District Court SME how to configure and maintain software.
- Prepare standard interfaces for process validation (if applicable).

STAGE 3	Configuration															
	Tyler								Client							
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Conduct configuration training			A	R							I	C		C			
Complete Tyler configuration tasks (where applicable)			A	R							I	I		I			
Complete Client configuration tasks (where applicable)			I	C							A	R		C			
Standard interfaces configuration and training (if applicable)			A	R			C				I	C		C			C
Updates to Solution Validation testing plan			C	C							A	R		C			C

Inputs	Documentation that describes future state decisions and configuration options to support future state decisions.

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Configured System	N/A

Work package assumptions:

- Tyler provides guidance for configuration options available within the Tyler software. Bentonville District Court is responsible for making decisions when multiple options are available.

6.3.3 Process Refinement

Tyler will educate the Bentonville District Court users on how to execute processes in the system to prepare them for the validation of the software. Bentonville District Court collaborates with Tyler staff iteratively to validate software configuration options to support future state.

Objectives:

- Ensure that Bentonville District Court understands future state processes and how to execute the processes in the software.
- Refine each process to meet the business requirements.

- Validate standard interfaces, where applicable.
- Validate forms and reports, where applicable.

STAGE 3	Process Refinement																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Conduct process training			A	R							I	C	I	C			
Confirm process decisions			I	C						A	R	C	I	C			
Test configuration			I	C							A	R		C			
Refine configuration (Client Responsible)			A	R							I	I		I			
Refine configuration (Tyler Responsible)			I	C							A	R		C			
Validate interface process and results			I	C			C				A	R		C			C
Update client-specific process documentation (if applicable)			I	C							A	R		C			
Updates to Solution Validation testing plan			C	C							A	R		C			C

Inputs	Initial Configuration
	Documentation that describes future state decisions and configuration options to support future state decisions.
	Solution validation test plan

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated solution validation test plan	
	Completed client-specific process documentation (completed by Bentonville District Court)	

Work package assumptions:

- None

6.3.4 Conversion Delivery

The purpose of this task is to transition the Bentonville District Court's data from their source ("legacy") system(s) to the Tyler system(s). The data will need to be mapped from the legacy system into the new Tyler system format. A well-executed data conversion is key to a successful cutover to the new system(s).

With guidance from Tyler, the Bentonville District Court will review specific data elements within the system and identify / report discrepancies. Iteratively, Tyler will collaborate with the Bentonville District Court to address conversion discrepancies. This process will allow for clean, reconciled data to transfer from the source system(s) to the Tyler system(s). Reference Conversion Appendix for additional detail.



Objectives:

- Data is ready for production (Conversion).

STAGE 3	Data Delivery & Conversion																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads

Provide data crosswalks/code mapping tool			A	C	R						I	I		I			
Populate data crosswalks/code mapping tool			I	C	C						A	R		C			
Iterations: Conversion Development			A	C	R						I						I
Iterations: Deliver converted data			A		R		I				I						I
Iterations: Proof/Review data and reconcile to source system			C	C	C						A	R		C			C

Inputs	
	Data Conversion Plan
	Configuration

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Code Mapping Complete / Validated	N/A
	Conversion Iterations / Reviews Complete	Conversion complete, verified and ready for final pass

Work package assumptions:

- The Bentonville District Court will provide a single file layout per source system as identified in the investment summary.
- The Bentonville District Court subject matter experts and resources most familiar with the current data will be involved in the data conversion effort.
- The Bentonville District Court project team will be responsible for completing the code mapping activity, with assistance from Tyler.

6.3.5 Intentionally left blank.

6.3.6 Control Point 3: Prepare Solution Stage Acceptance

Acceptance criteria for this Stage includes all criteria listed below in each Work Package.

Note: Advancement to the Production Readiness Stage is dependent upon Tyler's receipt of the Stage Acceptance.

Prepare Solution Stage Deliverables:

- Licensed software is installed.

- Installation checklist/system document.
- Conversion iterations and reviews complete.

Prepare Solution Stage Acceptance Criteria:

- All stage deliverables accepted based on criteria previously defined.
- Software is configured.
- Solution validation test plan has been reviewed and updated if needed.

6.4 Production Readiness

Activities in the Production Readiness stage will prepare the client team for go-live through solution validation, the development of a detailed go-live plan and end user training. A readiness assessment will be conducted with the client to review the status of the project and the organizations readiness for go-live.

6.4.1 Solution Validation

Solution Validation is the end-to-end software testing activity to ensure that Bentonville District Court verifies all aspects of the Project (hardware, configuration, business processes, etc.) are functioning properly, and validates that all features and functions per the contract have been deployed for system use.

Objectives:

- Validate that the solution performs as indicated in the solution validation plan.
- Ensure Bentonville District Court organization is ready to move forward with go-live and training (if applicable).

STAGE 4	**Solution Validation**																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Update Solution Validation plan			A	R	C						C	C		C			
Update test scripts (as applicable)			C	C	C						A	R		C			
Perform testing			C	C	C						A	R		C			
Document issues from testing			C	C	C						A	R		C			
Perform required follow-up on issues			A	R	C						C	C		C			

Inputs	Solution Validation plan
	Completed work product from prior stages (configuration, business process, etc.)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Solution Validation Report	Bentonville District Court updates report with testing results

Work package assumptions:

- Designated testing environment has been established.
- Testing includes current phase activities or deliverables only.

6.4.2 Go-Live Readiness

Tyler and Bentonville District Court will ensure that all requirements defined in Project planning have been completed and the Go-Live event can occur, as planned. A go-live readiness assessment will be completed identifying risks or actions items to be addressed to ensure the client has considered its ability to successfully Go-Live. Issues and concerns will be discussed and mitigation options documented. Tyler and Bentonville District Court will jointly agree to move forward with transition to production. Expectations for final preparation and critical dates for the weeks leading into and during the Go-Live week will be planned in detail and communicated to Project teams.

Objectives:

- Action plan for go-live established.
- Assess go-live readiness.
- Stakeholders informed of go-live activities.

STAGE 4	**Go-Live Readiness**																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Perform Readiness Assessment	I	A	R	C	C	I	C	I	I	I	I		I				I
Conduct Go-Live planning session		A	R	C							C	C	C	C	C		C
Order peripheral hardware (if applicable)			I							A	R						C

Confirm procedures for Go-Live issue reporting & resolution		A	R	I	I	I	I				C	C	I	I	I	I	I
Develop Go-Live checklist		A	R	C	C						C	C	I	C			C
Final system infrastructure review (where applicable)			A				R				C						C

Inputs	Future state decisions
	Go-live checklist

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated go-live checklist	Updated Action plan and Checklist for go-live delivered to Bentonville District Court

Work package assumptions:

- None

6.4.3 End User Training

End User Training is a critical part of any successful software implementation. Using a training plan previously reviewed and approved, the Project team will organize and initiate the training activities.

Tyler Led: Tyler provides training for all applicable users. One or multiple occurrences of each scheduled training or implementation topic will be covered.

Tyler will provide standard application documentation for the general use of the software. It is not Tyler's responsibility to develop client specific business process documentation. Client-led training labs using client specific business process documentation if created by the client can be added to the regular training curriculum, enhancing the training experiences of the end users.

Objectives:

- End users are trained on how to use the software prior to go-live.
- Bentonville District Court is prepared for on-going training and support of the application.

STAGE 4	**End User Training**																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads	

Update training plan		A	R	C							C		I		C		
End User training (Tyler-led)		A	R	C							C	C	I	C	C	C	
Train-the-trainer		A	R	C							C	C	I	C			
End User training (Client-led)			C	C							A	R	I	C	C	C	

Inputs	Training Plan
	List of End Users and their Roles / Job Duties
	Configured Tyler System

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	End User Training	Bentonville District Court signoff that training was delivered

Work package assumptions:

- The Bentonville District Court project team will work with Tyler to jointly develop a training curriculum that identifies the size, makeup, and subject-area of each of the training classes.
- Tyler will work with Bentonville District Court as much as possible to provide end-user training in a manner that minimizes the impact to the daily operations of Bentonville District Court departments.
- Bentonville District Court will be responsible for training new users after go-live (exception—previously planned or regular training offerings by Tyler).

6.4.4 Control Point 4: Production Readiness Stage Acceptance

Acceptance criteria for this stage includes all criteria listed below. Advancement to the Production stage is dependent upon Tyler's receipt of the stage acceptance.

Production Readiness stage deliverables:

- Solution Validation Report.
- Update go-live action plan and checklist.
- End user training.

Production Readiness stage acceptance criteria:

- All stage deliverables accepted based on criteria previously defined.
- Go-Live planning session conducted.

6.5 Production

Following end user training the production system will be fully enabled and made ready for daily operational use as of the scheduled date. Tyler and Bentonville District Court will follow the comprehensive action plan laid out during Go-Live Readiness to support go-live activities and minimize risk to the Project during go-live. Following go-live, Tyler will work with Bentonville District Court to verify that implementation work is concluded, post go-live activities are scheduled, and the transition to Client Services is complete for long-term operations and maintenance of the Tyler software.

6.5.1 Go-Live

Following the action plan for Go-Live, defined in the Production Readiness stage, Bentonville District Court and Tyler will complete work assigned to prepare for Go-Live.

Bentonville District Court provides final data extract and Reports from the Legacy System for data conversion and Tyler executes final conversion iteration, if applicable. If defined in the action plan, Bentonville District Court manually enters any data added to the Legacy System after final data extract into the Tyler system.

Tyler staff collaborates with Bentonville District Court during Go-Live activities. Bentonville District Court transitions to Tyler software for day-to day business processing.

Some training topics are better addressed following Go-Live when additional data is available in the system or based on timing of applicable business processes and will be scheduled following Go-Live per the Project Schedule.

Objectives:

- Execute day to day processing in Tyler software.
- Client data available in Production environment.

STAGE 5	**Go-Live**																	
	Tyler								Client									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Provide final source data extract, if applicable			C		C						A						R
Final source data pushed into production environment, if applicable			A	C	R						I	C		C			C
Proof final converted data, if applicable			C	C	C						A	R		C			
Complete Go-Live activities as defined in the Go-Live action plan			C	C	C					A	R	C	I	C			
Provide Go-Live assistance			A	R	C	C		I			C	C	I	C		I	C

Inputs	Comprehensive Action Plan for Go-Live
	Final source data (if applicable)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data is available in production environment	Client confirms data is available in production environment

Work package assumptions:

- Bentonville District Court will complete activities documented in the action plan for Go-Live as scheduled.
- External stakeholders will be available to assist in supporting the interfaces associated with the Go-Live live process.
- The Client business processes required for Go-Live are fully documented and tested.
- The Bentonville District Court Project team and subject matter experts are the primary point of contact for the end users when reporting issues during Go-Live.
- The Bentonville District Court Project Team and SME's provide business process context to the end users during Go-Live.
- The Tyler Go-Live support team is available to consult with the Bentonville District Court teams as necessary.
- The Tyler Go-Live support team provides standard functionality responses, which may not be tailored to the local business processes.

6.5.2 Transition to Client Services

This work package signals the conclusion of implementation activities for the Phase or Project with the exception of agreed-upon post Go-Live activities. The Tyler project manager(s) schedules a formal transition of Bentonville District Court onto the Tyler Client Services team, who provides Bentonville District Court with assistance following Go-Live, officially transitioning Bentonville District Court to operations and maintenance.

Objectives:

- Ensure no critical issues remain for the project teams to resolve.
- Confirm proper knowledge transfer to Bentonville District Court teams for key processes and subject areas.

STAGE 5	**Transition to Client Services**																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads

Transfer client to Client Services and review issue reporting and resolution processes	I	I	A	I	I			R	I	I	C	C		C			
Review long term maintenance and continuous improvement			A					R			C	C		C			

Inputs	Open item/issues List

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Client Services Support Document	

Work package assumptions:

- No material project issues remain without assignment and plan.

6.5.3 Post Go-Live Activities

Some implementation activities are provided post-production due to the timing of business processes, the requirement of actual production data to complete the activities, or the requirement of the system being used in a live production state.

Objectives:

- Schedule activities that are planned for after Go-Live.
- Ensure issues have been resolved or are planned for resolution before phase or project close.

STAGE 5	**Post Go-Live Activities**																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Schedule contracted activities that are planned for delivery after go-live		A	R	C	C	C	C	I			C	C	I	C			C
Determine resolution plan in preparation for		A	R	C	C	C		I			C	C	I	C			

phase or project close out																	

Inputs	List of post Go-Live activities

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated issues log	

Work package assumptions:

- System is being used in a live production state.

6.5.4 Control Point 5: Production Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below:

- Advancement to the Close stage is not dependent upon Tyler's receipt of this Stage Acceptance.
- Converted data is available in production environment.

Production Stage Acceptance Criteria:

- All stage deliverables accepted based on criteria previously defined.
- Go-Live activities defined in the Go-Live action plan completed.
- Client services support document is provided.

6.6 Close

The Close stage signifies full implementation of all products purchased and encompassed in the Phase or Project. Bentonville District Court transitions to the next cycle of their relationship with Tyler (next Phase of implementation or long-term relationship with Tyler Client Services).

6.6.1 Phase Closeout

This work package represents Phase completion and signals the conclusion of implementation activities for the Phase. The Tyler Client Services team will assume ongoing support of Bentonville District Court for systems implemented in the Phase.

Objectives:

- Agreement from Tyler and Bentonville District Court teams that activities within this phase are complete.

STAGE 6	**Phase Close Out**	
	Tyler	Client

RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Reconcile project budget and status of contract Deliverables	I	A	R						I	I	C						
Hold post phase review meeting		A	R	C	C	C	C				C	C	C	C			C
Release phase-dependent Tyler project resources	A	R	I								I						

Participants	Tyler	Client
	Project Leadership	Project Manager
	Project Manager	Project Sponsor(s)
	Implementation Consultants	Functional Leads, Power Users, Technical Leads
	Technical Consultants (Conversion, Deployment, Development)	
	Client Services	

Inputs	Contract
	Statement of Work
	Project artifacts

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Final action plan (for outstanding items)	
	Reconciliation Report	
	Post Phase Review	

Work package assumptions:

- Tyler deliverables for the phase have been completed.

6.6.2 Project Closeout

Completion of this work package signifies final acceptance and formal closing of the Project.

At this time Bentonville District Court may choose to begin working with Client Services to look at continuous improvement Projects, building on the completed solution.

Objectives:

- Confirm no critical issues remain for the project teams to resolve.
- Determine proper knowledge transfer to Bentonville District Court teams for key processes and subject areas has occurred.
- Verify all deliverables included in the Agreement are delivered.

STAGE 6	Project Close Out																
	Tyler								Client								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (SMEs)	Department Heads	End Users	Technical Leads
Conduct post project review		A	R	C	C	C	C				C	C	C	C			C
Deliver post project report to Bentonville District Court and Tyler leadership	I	A	R						I	I	C						
Release Tyler project resources	A	R	I								I						

Inputs	Contract
	Statement of Work

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Post Project Report	Client acceptance; Completed report indicating all project Deliverables and milestones have been completed

Work package assumptions:

- All project implementation activities have been completed and approved.
- No critical project issues remain that have not been documented and assigned.
- Final project budget has been reconciled and invoiced.
- All Tyler deliverables have been completed.

6.6.3 Control Point 6: Close Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below.

Note: Advancement to the Close Stage is not dependent upon Tyler's receipt of this Stage Acceptance.

Close Stage Deliverables:

- Post Project Report.

Close Stage Acceptance Criteria:

- Completed report indicating all Project deliverables and milestones have been completed.

7. General Assumptions

Tyler and Bentonville District Court will use this SOW as a guide for managing the implementation of the Tyler Project as provided and described in the Agreement. There are a number of assumptions which, when acknowledged and adhered to, will support a successful implementation. Assumptions related to specific work packages are documented throughout the SOW. Included here are general assumptions which should be considered throughout the overall implementation process.

7.1 Project

- Project activities will begin after the Agreement has been fully executed.
- The Bentonville District Court Project Team will complete their necessary assignments in a mutually agreed upon timeframe in order to meet the scheduled go-live date, as outlined in the Project Schedule.
- Sessions will be scheduled and conducted at a mutually agreeable time.
- Additional services, software modules and modifications not described in the SOW or Agreement will be considered a change to this Project and will require a Change Request Form as previously referenced in the definition of the Change Control Process.
- Tyler will provide a written agenda and notice of any prerequisites to the Bentonville District Court project manager(s) ten (10) business days or as otherwise mutually agreed upon time frame prior to any scheduled on-site or remote sessions, as applicable.
- Tyler will provide guidance for configuration and processing options available within the Tyler software. If multiple options are presented by Tyler, Bentonville District Court is responsible for making decisions based on the options available.
- Implementation of new software may require changes to existing processes, both business and technical, requiring Bentonville District Court to make process changes.
- Bentonville District Court is responsible for defining, documenting and implementing their policies that result from any business process changes.

7.2 Organizational Change Management

Unless otherwise contracted by Tyler, Bentonville District Court is responsible for managing Organizational Change. Impacted Client resources will need consistent coaching and reassurance from their leadership team to embrace and accept the changes being imposed by the move to new software. An important part of change is ensuring that impacted client resources understand the value of the change, and why they are being asked to change.

7.3 Resources and Scheduling

- Bentonville District Court resources will participate in scheduled activities as assigned in the Project Schedule.

- The Bentonville District Court team will complete prerequisites prior to applicable scheduled activities. Failure to do so may affect the schedule.
- Tyler and Bentonville District Court will provide resources to support the efforts to complete the Project as scheduled and within the constraints of the Project budget.
- Abbreviated timelines and overlapped Phases require sufficient resources to complete all required work as scheduled.
- Changes to the Project Schedule, availability of resources or changes in Scope will be requested through a Change Request. Impacts to the triple constraints (scope, budget and schedule) will be assessed and documented as part of the change control process.
- Bentonville District Court will ensure assigned resources will follow the change control process and possess the required business knowledge to complete their assigned tasks successfully. Should there be a change in resources, the replacement resource should have a comparable level of availability, change control process buy-in, and knowledge.
- Bentonville District Court makes timely Project related decisions in order to achieve scheduled due dates on tasks and prepare for subsequent training sessions. Failure to do so may affect the schedule, as each analysis and implementation session is dependent on the decisions made in prior sessions.
- Bentonville District Court will respond to information requests in a comprehensive and timely manner, in accordance with the Project Schedule.
- Bentonville District Court will provide adequate meeting space or facilities, including appropriate system connectivity, to the project teams including Tyler team members.
- For on-site visits, Tyler will identify a travel schedule that balances the needs of the project and the employee.

7.4 Data

- Data will be converted as provided and Tyler will not create data that does not exist.
- Bentonville District Court is responsible for the quality of legacy data and for cleaning or scrubbing erroneous legacy data.
- Tyler will work closely with Bentonville District Court representatives to identify business rules before writing the conversion. Bentonville District Court must confirm that all known data mapping from source to target have been identified and documented before Tyler writes the conversion.
- All in-scope source data is in data extract(s).
- Each legacy system data file submitted for conversion includes all associated records in a single approved file layout.
- The client will provide the legacy system data extract in the same format for each iteration unless changes are mutually agreed upon in advance. If not, negative impacts to the schedule, budget and resource availability may occur and/or data in the new system may be incorrect.
- The Bentonville District Court Project Team is responsible for reviewing the converted data and reporting issues during each iteration, with assistance from Tyler.
- Client is responsible for providing or entering test data (e.g., data for training, testing interfaces, etc.)

7.5 Facilities

- Bentonville District Court will provide dedicated space for Tyler staff to work with Bentonville District Court resources for both on-site and remote sessions. If Phases overlap, Bentonville District Court will provide multiple training facilities to allow for independent sessions scheduling without conflict.
- Bentonville District Court will provide staff with a location to practice what they have learned without distraction.

8. Glossary

Word or Term	Definition
Acceptance	Confirming that the output or deliverable is suitable and conforms to the agreed upon criteria.
Accountable	The one who ultimately ensures a task or deliverable is completed; the one who ensures the prerequisites of the task are met and who delegates the work to those responsible. [Also see RACI]
Application	A computer program designed to perform a group of coordinated functions, tasks or activities for the benefit of the user.
Application Programming Interface (API)	A defined set of tools/methods to pass data to and received data from Tyler software products
Agreement	This executed legal contract that defines the products and services to be implemented or performed.
Business Process	The practices, policy, procedure, guidelines, or functionality that the client uses to complete a specific job function.
Business Requirements Document	A specification document used to describe Client requirements for contracted software modifications.
Change Request	A form used as part of the Change Control process whereby changes in the scope of work, timeline, resources, and/or budget are documented and agreed upon by participating parties.
Change Management	Guides how we prepare, equip and support individuals to successfully adopt change in order to drive organizational success & outcomes
Code Mapping [where applicable]	An activity that occurs during the data conversion process whereby users equate data (field level) values from the old system to the values available in the new system. These may be one to one or many to one. Example: Old System [Field = eye color] [values = BL, Blu, Blue] maps to New Tyler System [Field = Eye Color] [value = Blue].
Consulted	Those whose opinions are sought, typically subject matter experts, and with whom there is two-way communication. [Also see RACI]
Control Point	This activity occurs at the end of each stage and serves as a formal and intentional opportunity to review stage deliverables and required acceptance criteria for the stage have been met.
Data Mapping [where applicable]	The activity determining and documenting where data from the legacy system will be placed in the new system; this typically involves prior data analysis to understand how the data is currently used in the legacy system and how it will be used in the new system.
Deliverable	A verifiable document or service produced as part of the Project, as defined in the work packages.
Go-Live	The point in time when the Client is using the Tyler software to conduct daily operations in Production.
Informed	Those who are kept up-to-date on progress, often only on completion of the task or deliverable, and with whom there is just one-way communication. [Also see RACI]

Infrastructure	The composite hardware, network resources and services required for the existence, operation and management of the Tyler software.
Interface	A connection to and potential exchange of data with an external system or application. Interfaces may be one way, with data leaving the Tyler system to another system or data entering Tyler from another system, or they may be bi-directional with data both leaving and entering Tyler and another system.
Integration	A standard exchange or sharing of common data within the Tyler system or between Tyler applications
Legacy System	The software from which a client is converting.
Modification	Custom enhancement of Tyler's existing software to provide features or functions to meet individual client requirements documented within the scope of the Agreement.
On-site	Indicates the work location is at one or more of the client's physical office or work environments.
Organizational Change	The process of changing an organization's strategies, processes, procedures, technologies, and culture, as well as the effect of such changes on the organization.
Output	A product, result or service generated by a process.
Peripheral devices	An auxiliary device that connects to and works with the computer in some way. Some examples: scanner, digital camera, printer.
Phase	A portion of the Project in which specific set of related applications are typically implemented. Phases each have an independent start, Go-Live and closure dates but use the same Implementation Plans as other Phases of the Project. Phases may overlap or be sequential and may have different Tyler resources assigned.
Project	The delivery of the software and services per the agreement and the Statement of Work. A Project may be broken down into multiple Phases.
RACI	A matrix describing the level of participation by various roles in completing tasks or Deliverables for a Project or process. Individuals or groups are assigned one and only one of the following roles for a given task: Responsible (R), Accountable (A), Consulted (C), or Informed (I).
Remote	Indicates the work location is at one or more of Tyler's physical offices or work environments.
Responsible	Those who ensure a task is completed, either by themselves or delegating to another resource. [Also see RACI]
Scope	Products and services that are included in the Agreement.

Solution	The implementation of the contracted software product(s) resulting in the connected system allowing users to meet Project goals and gain anticipated efficiencies.
Stage	The top-level components of the WBS. Each Stage is repeated for individual Phases of the Project.
Standard	Software functionality that is included in the base software (off-the-shelf) package; is not customized or modified.
Statement of Work (SOW)	Document which will provide supporting detail to the Agreement defining Project-specific activities, services and Deliverables.
System	The collective group of software and hardware that is used by the organization to conduct business.
Test Scripts	The steps or sequence of steps that will be used to validate or confirm a piece of functionality, configuration, enhancement, or Use Case Scenario.
Training Plan	Document(s) that indicate how and when users of the system will be trained relevant to their role in the implementation or use of the system.
Validation (or to validate)	The process of testing and approving that a specific Deliverable, process, program or product is working as expected.
Work Breakdown Structure (WBS)	A hierarchical representation of a Project or Phase broken down into smaller, more manageable components.
Work Package	A group of related tasks within a project.

Part 4: Appendices

9. Conversion

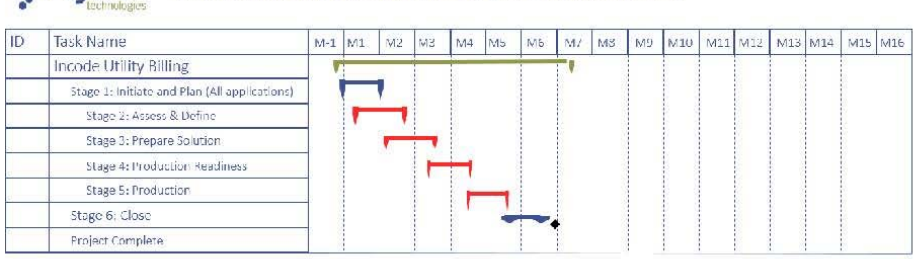
9.1.1 Court Case Management - Standard

- Name Information (Defendant, Address, Physical Attributes, Identification Numbers, Phone Numbers)
- Vehicle Information (Tag Number, Make, Model, Style, Color, VIN)
- Officer Information (Officer Name, Badge Number, Rank, Email)
- Offense Code Information (Offense Code, Offense Description, Statute/Ordinance)
- Case Information (Citation Number, Case Officer, Violation Date, Violation Location, PD Case Number, Docket Number, Comments)
- Witness Information (Witness Type, Subpoena Date)
- Disposition Information (Case Status, Plea, Judge, Court Location, Conviction Date, Plea Date, Attorney)
- Conversion History Information (Read only format)
- Payment Information (Fines/Fees assessed, Fines/Fees Paid, Non-Cash payments, Receipt Number, Payment Date, Payment Amount)
- Warrant Information (Warrant Type, Issue Date, Served Date, Canceled/Recalled Date, Region Number, Status, Comments, Officer Assigned) – available only when associated with a citation
- Bond Information (Bond Type, Posted Date, Applied/Refunded/Forfeited Date, Bond Number, Posted By, Bond Amount, Status)
- Payment Plan Information (Initial Payment Amount, Payment Date, Next Payment Date, Next Payment Amount) - Tyler will need a copy of the Payment Plan data to determine if the data is clean enough to convert.

10. Additional Appendices

11. Project Timeline

11.1 Incode Court Timeline



example

This timeline is an example. Please use it as a general guide...ONLY. Its purpose is to demonstrate the order in which various products are typically implemented and the potential overlap of stages for each phase. The exact timing of each deliverable depends on many factors including, but not limited to, the client's ability to commit resources to the project, client blackout dates, and the alignment of client business practices with Tyler implementation methodology. Tyler makes no guarantees that implementation schedules will align with this example.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH TYLER TECHNOLOGIES FOR THE PURCHASE AND IMPLEMENTATION OF INCODE COURT SUITE FOR BENTONVILLE DISTRICT COURT.

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 agreement with Tyler Technologies for the purchase and implementation of Incode Court Suite, a case management software for use at Bentonville District Court, 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 _____, 2021.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Engineering**
Submitted by	**Dan Weese/Janet Paith**
Phone	**(479) 254-2024**

Item Type: ***(Check All That Apply)***					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

Resolution requesting approval of Memorandum of Understanding for the MS4 Jurisdictions of Northwest Arkansas and the Northwest Arkansas Regional Planning Commission for $22,960.63.

Estimated Cost	**22,961**
Is this Item Budgeted?	☑ Yes ☐ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**

MEMORANDUM OF UNDERSTANDING FOR THE MS4 JURISDICTIONS OF NORTHWEST ARKANSAS AND THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION

WHEREAS, 16 cities in Benton and Washington Counties, the counties themselves, and the University of Arkansas meet the U.S. Environmental Protection Agency's "small" urbanized area municipal separate storm sewer (MS4) criteria, and must comply with national Phase II Stormwater Regulations; and

WHEREAS, the Arkansas Department of Environmental Quality (ADEQ), the state agency authorized by EPA to issue National Pollutant Discharge Elimination System (NPDES) permits requiring and ensuring compliance, will establish dates for affected entities to be covered under Arkansas' general permit for MS4s; and

WHEREAS, said permit requires development, implementation, and evaluation of a stormwater management plan, that addresses each of the six minimum control measures identified in the Phase II Storm Water Regulations contained in 40 CFR 122.26 and outlined in Part I.B.; and

WHEREAS, the Northwest Arkansas Regional Planning Commission (NWARPC) has coordinated meetings between representatives of affected jurisdictions in an effort to determine, in the interest of economy and efficiency, whether certain stormwater permit components could be addressed collectively, rather than individually; and

WHEREAS, it has been determined that a cost effective, regional approach to certain minimum control measures required as part of the permit – namely Public Education and Outreach, Public Involvement and Participation, and the education component of Pollution Prevention/Good Housekeeping – is both logical and appropriate; and

WHEREAS, the NWARPC previously requested and received statements of qualifications from interested institutions and firms with demonstrated water quality educational expertise, and has, in cooperation with representatives of affected MS4 jurisdictions, endorsed the attached proposal from the University of Arkansas Cooperative Extension Service; and

WHEREAS, the ADEQ has endorsed the regional concept and proposal for addressing said minimum control measures; and

WHEREAS, said representatives of affected MS4s have also endorsed the distribution of costs associated with the proposal as shown on the attached cost allocation plan; and

WHEREAS, the Board of Directors of the NWARPC have authorized the Commission to act as the financial clearinghouse and primary contractor, on behalf of said MS4s, in connection with said proposal.

NOW, THEREFORE BE IT RESOLVED THAT WE, THE UNDERSIGNED MS4 JURISDICTION, AND THE BOARD OF DIRECTORS OF THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION, AGREE AS FOLLOWS:

SECTION 1. To participate in a 1-Year Regional Stormwater Education and Coordination Program (January 1, 2021 – December 31, 2021), to be carried out by the University of Arkansas Cooperative Extension Service through an engagement with the Northwest Arkansas Regional Planning Commission, with costs based on a Base cost and each jurisdiction's pro-rated share of the region's 2010 urbanized area population; it being understood that said services to be provided shall satisfy requirements for the federally-mandated minimum control measures referenced herein. Commitments for participation in said program in future years will require governing body approval on a year-to-year basis.

SECTION 2. To participate financially in accordance with the attached cost allocation plan. Any increases in the costs allocated to the undersigned MS4 due to the failure of other MS4 jurisdictions to participate shall be subject to the approval of the undersigned MS4.

SECTION. 3. That all funds received by NWARPC from MS4s shall be utilized in their entirety for stormwater management program services and coordination activities in connection with EPA Phase II Stormwater Program requirements, and shall be accounted for separately from all other Commission funds.

Dated this _____day of _____, 202___.

_____ BENTONVILLE OFFICIAL

_____
Jeff [redacted]

2021 Cost Allocation* of U of A Cooperative Extension Service Regional Stormwater Education and NWA Regional Planning Commission Stormwater Coordination for NWA MS4 Jurisdictions

MS4 Cost = $2,000 Base cost + (Remaining Program Cost x % NWA Urbanized Area Population)
Using 2010 US Census Urban Block Data for the 19 MS4 Collaborating Jurisdictions

Jurisdiction	Urbanized Area Population	Total Population	% Urbanized Area Population	$2,000 Base with % Urbanized Area
Greenland	721	1,294	0.25%	$2,447.11
Cave Springs	969	1,931	0.33%	$2,600.89
Tontitown	71	2,460	0.02%	$2,044.03
Little Flock	1,742	2,585	0.60%	$3,080.25
Elkins	1,991	2,648	0.68%	$3,234.66
Johnson	3,123	3,354	1.07%	$3,936.63
Prairie Grove	69	4,380	0.02%	$2,042.79
Pea Ridge	4,298	4,794	1.47%	$4,665.27
Farmington	4,964	5,974	1.70%	$5,078.27
Lowell	6,574	7,327	2.25%	$6,076.66
Centerton	9,135	9,515	3.13%	$7,664.78
Bella Vista	22,841	26,461	7.83%	$16,164.13
U of A	5,801	27,503	1.99%	$5,597.31
Bentonville	33,801	35,301	11.59%	$22,960.63
Washington County	1,868	203,065	0.64%	$3,158.38
Benton County	5,339	221,339	1.83%	$5,310.81
Rogers	54,897	58,895	18.82%	$36,042.65
Springdale	68,088	70,747	23.34%	$44,222.64
Fayetteville	65,457	73,580	22.44%	$42,591.11
Program Totals	**291,749**		**100.00%**	**$218,919.00**

Note: Budget year runs from January 1 through December 31 of each calendar year
* These dollar breakouts assume all jursidictions participate
‡ Total population reflects the total county population including all incorporated areas

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION FOR STORMWATER EDUCATION.

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

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into a Memorandum of Understanding with Northwest Arkansas Regional Planning Commission for Stormwater Education, 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 _____, 2020.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Engineering**
Submitted by	**Tracy Billing**
Phone	**(479) 696-0229**

Item Type: Resolution to set public hearing

☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

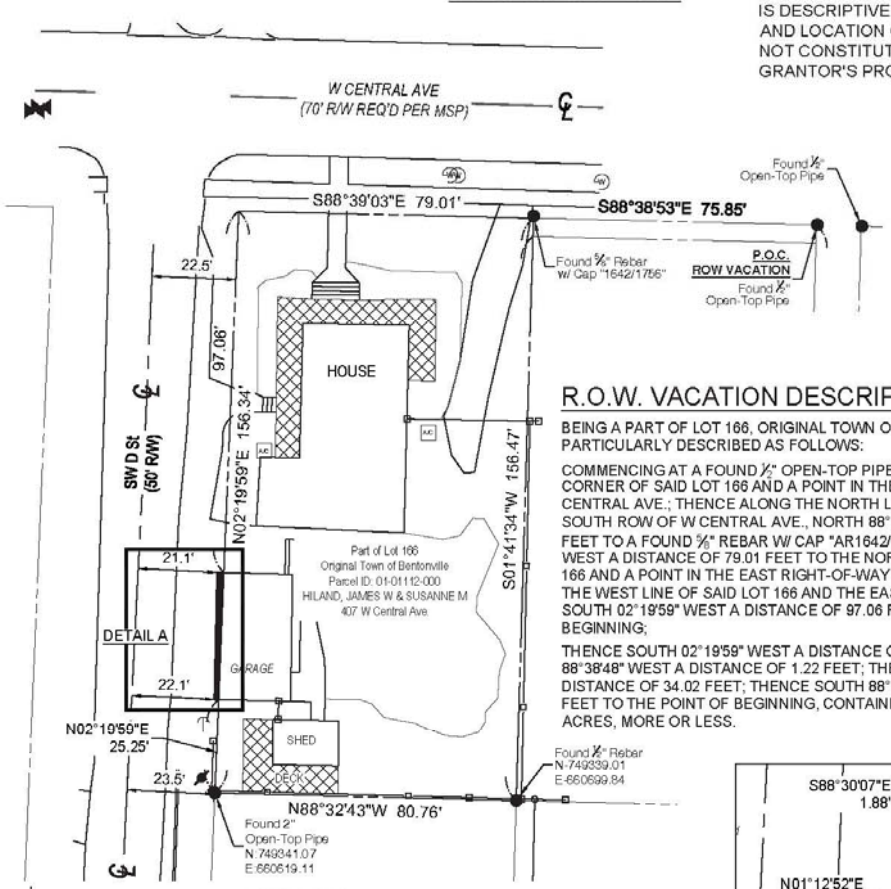
Resolution setting a public hearing for January 26, 2021 for a Street Right of Way Vacation at 407 W Central (VAC20-0032).

Estimated Cost	**$**
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**

EXHIBIT "A"

NOTE:
IT IS TO BE UNDERSTOOD THAT THIS SKETCH IS DESCRIPTIVE ONLY OF THE SIZE, SHAPE, AND LOCATION OF THE EASEMENT AND DOES NOT CONSTITUTE A PLAT OR SURVEY OF THE GRANTOR'S PROPERTY.

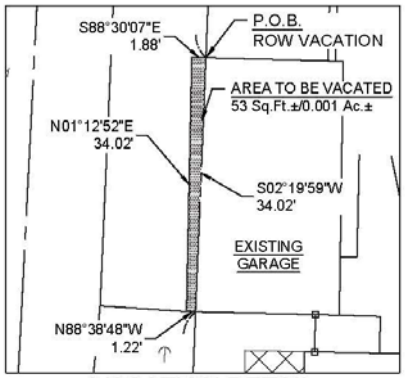


R.O.W. VACATION DESCRIPTION:

BEING A PART OF LOT 166, ORIGINAL TOWN OF BENTONVILLE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ½" OPEN-TOP PIPE, BEING THE NORTHEAST CORNER OF SAID LOT 166 AND A POINT IN THE SOUTH RIGHT-OF-WAY OF W CENTRAL AVE.; THENCE ALONG THE NORTH LINE OF SAID LOT 166 AND THE SOUTH ROW OF W CENTRAL AVE., NORTH 88°38'53" WEST A DISTANCE OF 75.85 FEET TO A FOUND ⅝" REBAR W/ CAP "AR1642/1756"; THENCE NORTH 88°39'3" WEST A DISTANCE OF 79.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 166 AND A POINT IN THE EAST RIGHT-OF-WAY OF SW D ST.; THENCE ALONG THE WEST LINE OF SAID LOT 166 AND THE EAST RIGHT-OF-WAY OF SW D ST., SOUTH 02°19'59" WEST A DISTANCE OF 97.06 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 02°19'59" WEST A DISTANCE OF 34.02 FEET; THENCE NORTH 88°38'48" WEST A DISTANCE OF 1.22 FEET; THENCE NORTH 01°12'52" EAST A DISTANCE OF 34.02 FEET; THENCE SOUTH 88°30'07" EAST A DISTANCE OF 1.88 FEET TO THE POINT OF BEGINNING, CONTAINING 53 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.



VACATION DETAIL
1"=20'

LEGEND

- PROPERTY LINE
- ADJOINING PROPERTY LINE
- PROPOSED R.O.W. VACATION PER THIS DOCUMENT
- UTILITY POLE
- WATER METER
- HVAC UNIT
- WATER VALVE
- GUY WIRE

N

40' 0 40'

SCALE: 1" = 40'

SHEET: 1 OF 1

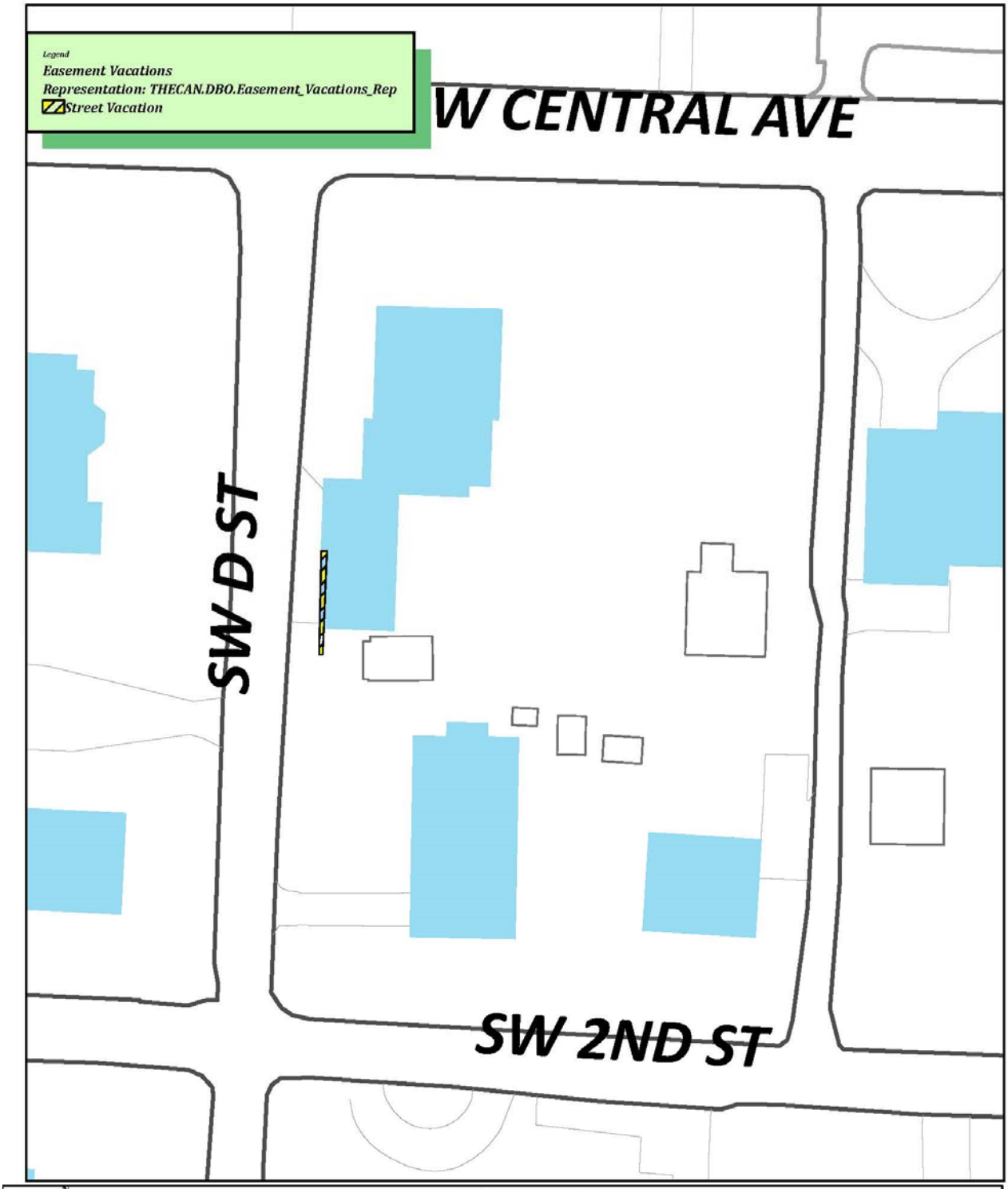
DATE: 08-03-2020

SCE PROJECT #: 20062

SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9282

SHEET:
R.O.W. VACATION EXHIBIT

PROJECT:
PART OF LOT 166
ORIGINAL TOWN OF BENTONVILLE
407 W. CENTRAL AVE.
BENTONVILLE, ARKANSAS


Legend
Easement Vacations
Representation: THECAN.DBO.Easement_Vacations_Rep
Street Vacation
W CENTRAL AVE
SW D ST
SW 2ND ST
N
W
E
S
1 inch = 39 feet
VAR20-0032
407 W. Central Ave
ROW Vacation

RESOLUTION NO._____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by James Hiland requesting Street Right-of-Way Vacation (VAC20-0032) within the City of Bentonville, Arkansas be vacated, which said street right of way is described as follows:

BEING A PART OF LOT 166, ORIGINAL TOWN OF BENTONVILLE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1/2" OPEN-TOP PIPE, BEING THE NORTHEAST CORNER OF SAID LOT 166 AND A POINT IN THE SOUTH RIGHT-OF-WAY OF W CENTRAL AVE.; THENCE ALONG THE NORTH LINE OF SAID LOT 166 AND THE SOUTH ROW OF W CENTRAL AVE., NORTH 88°38'53" WEST A DISTANCE OF 75.85 FEET TO A FOUND 5/8" REBAR W/ CAP "AR1642/1756"; THENCE NORTH 88°39'3" WEST A DISTANCE OF 79.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 166 AND A POINT IN THE EAST RIGHT-OF-WAY OF SW D ST.; THENCE ALONG THE WEST LINE OF SAID LOT 166 AND THE EAST RIGHT-OF-WAY OF SW D ST., SOUTH 02°19'59" WEST A DISTANCE OF 97.06 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 02°19'59" WEST A DISTANCE OF 34.02 FEET; THENCE NORTH 88°38'48" WEST A DISTANCE OF 1.22 FEET; THENCE NORTH 01°12'52" EAST A DISTANCE OF 34.02 FEET; THENCE SOUTH 88°30'07" EAST A DISTANCE OF 1.88 FEET TO THE POINT OF BEGINNING, CONTAINING 53 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.

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

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to vacate the above described Alley Right-of-Way is set for a hearing January 26, 2021 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved, and adopted the _____ day of _____, 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

_____
Kirby Romines, City Clerk
Bentonville, Arkansas

_____
Stephanie Orman, Mayor
City of Bentonville, Arkansas

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**ENGINEERING**
Submitted by	**TRACY BILLINGS**
Phone	**(479) 696-0229**

Item Type: Resolution to set public hearing

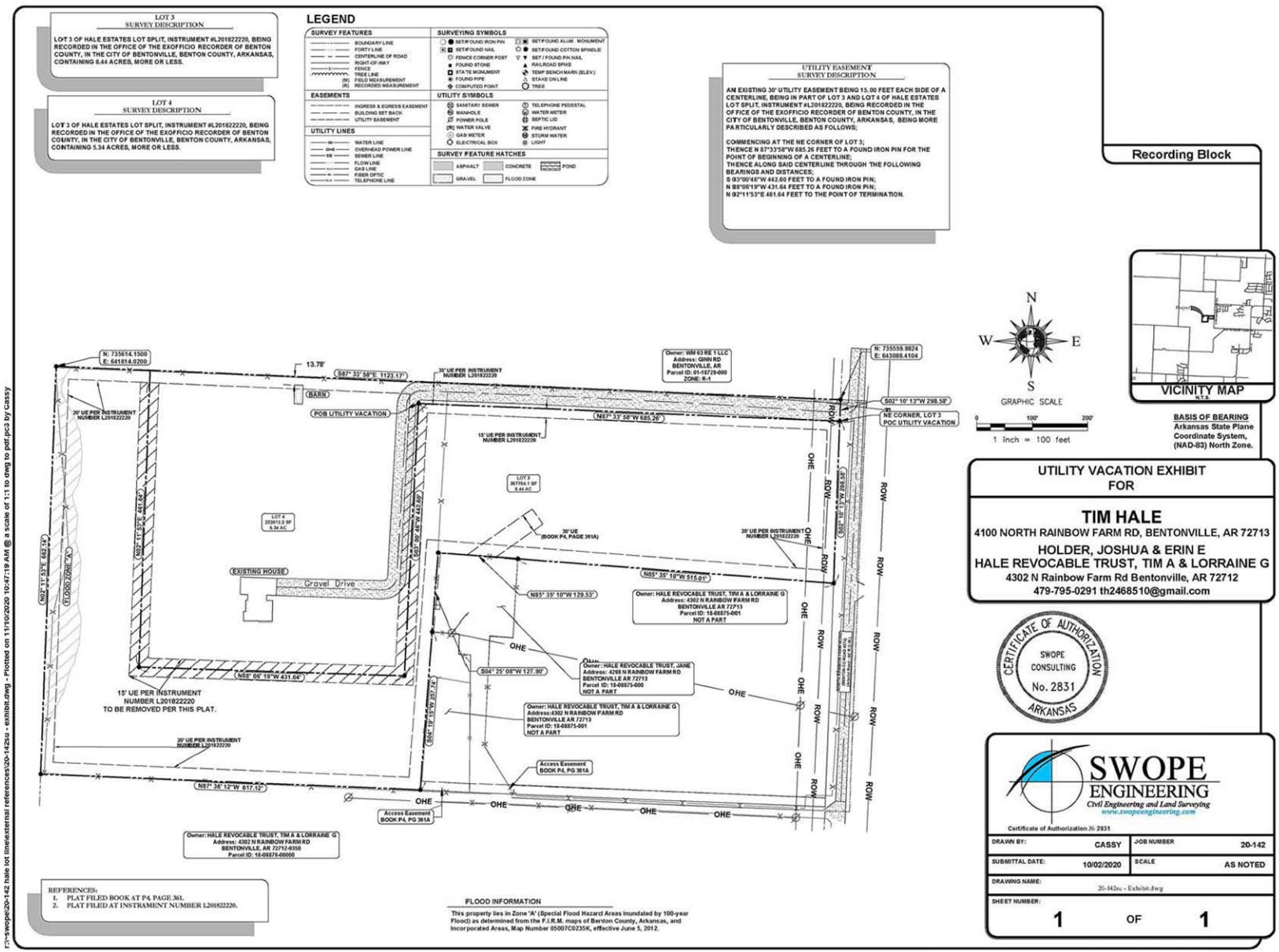
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

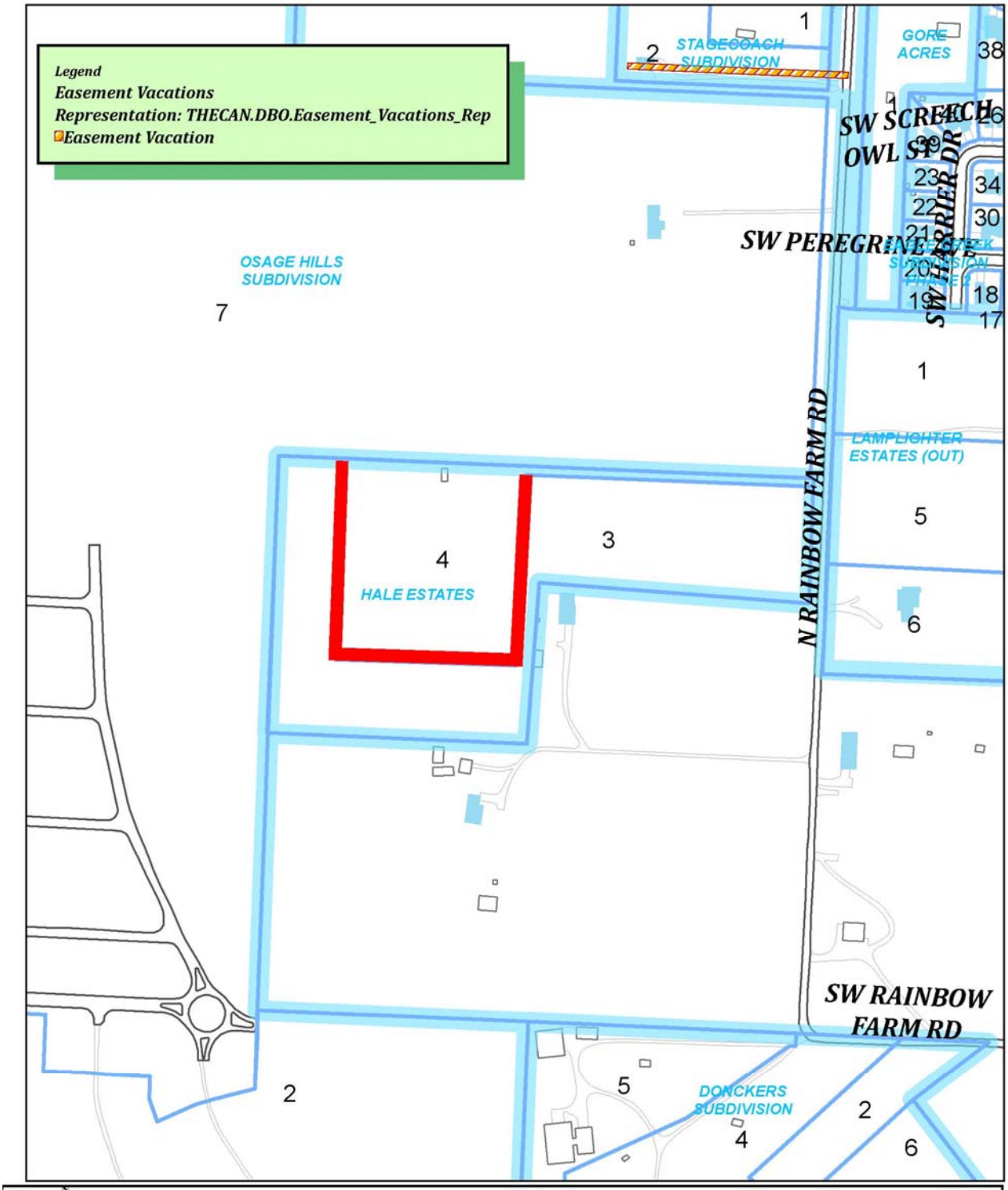
Recommendation/Suggested Action ***(Enter recommendation in space below):***

Resolution setting a public hearing for January 26, 2021 for a Utility Easement Vacation requested for 4100 North Rainbow Farm Road (VAC20-0033).

Estimated Cost	**$**
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**


LOT 3
SURVEY DESCRIPTION
LOT 3 OF HALE ESTATES LOT SPLIT, INSTRUMENT #L201822220, BEING RECORDED IN THE OFFICE OF THE EX-OFFICIO RECORDER OF BENTON COUNTY, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, CONTAINING 8.44 ACRES, MORE OR LESS.
LOT 4
SURVEY DESCRIPTION
LOT 3 OF HALE ESTATES LOT SPLIT, INSTRUMENT #L201822220, BEING RECORDED IN THE OFFICE OF THE EX-OFFICIO RECORDER OF BENTON COUNTY, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, CONTAINING 5.34 ACRES, MORE OR LESS.
LEGEND
SURVEY FEATURES
BOUNDARY LINE
FORTY LINE
CENTERLINE OF ROAD
RIGHT-OF-WAY
FENCE
TREE LINE
FIELD MEASUREMENT
RECORDED MEASUREMENT
EASEMENTS
INGRESS & EGRESS EASEMENT
BUILDING SET BACK
UTILITY EASEMENT
UTILITY LINES
WATER LINE
OVERHEAD POWER LINE
SEWER LINE
FLOW LINE
GAS LINE
FIBER OPTIC
TELEPHONE LINE
SURVEYING SYMBOLS
SET/FOUND IRON PIN
SET/FOUND NAIL
FENCE CORNER POST
FOUND STONE
STATE MONUMENT
FOUND PIPE
COMPUTED POINT
SET/FOUND ALUM. MONUMENT
SET/FOUND COTTON SPINDLE
SET / FOUND PIN NAIL
RAILROAD SPIKE
TEMP BENCH MARK (ELEV.)
STAKE ON LINE
TREE
UTILITY SYMBOLS
SANITARY SEWER
MANHOLE
POWER POLE
WATER VALVE
GAS METER
ELECTRICAL BOX
TELEPHONE PEDESTAL
WATER METER
SEPTIC LID
FIRE HYDRANT
STORM WATER
LIGHT
SURVEY FEATURE HATCHES
ASPHALT
CONCRETE
POND
GRAVEL
FLOOD ZONE
UTILITY EASEMENT
SURVEY DESCRIPTION
AN EXISTING 30' UTILITY EASEMENT BEING 15.00 FEET EACH SIDE OF A CENTERLINE, BEING IN PART OF LOT 3 AND LOT 4 OF HALE ESTATES LOT SPLIT, INSTRUMENT #L201822220, BEING RECORDED IN THE OFFICE OF THE EX-OFFICIO RECORDER OF BENTON COUNTY, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
COMMENCING AT THE NE CORNER OF LOT 3;
THENCE N 87°33'58"W 685.26 FEET TO A FOUND IRON PIN FOR THE POINT OF BEGINNING OF A CENTERLINE;
THENCE ALONG SAID CENTERLINE THROUGH THE FOLLOWING BEARINGS AND DISTANCES;
S 93°00'46"W 442.60 FEET TO A FOUND IRON PIN;
N 88°06'19"W 431.64 FEET TO A FOUND IRON PIN;
N 02°11'53"E 461.64 FEET TO THE POINT OF TERMINATION.
Recording Block
N: 735614.1500
E: 641814.0200
13.78'
S87° 33' 58"E 1123.17'
30' UE PER INSTRUMENT NUMBER L201822220
(BARN)
POB UTILITY VACATION
N87° 33' 58"W 685.26'
Owner: WM 63 RE 1 LLC
Address: GINN RD
BENTONVILLE, AR
Parcel ID: 01-10729-000
ZONE: R-1
N: 735559.9824
E: 643088.4104
S02° 10' 13"W 298.58'
NE CORNER, LOT 3
POC UTILITY VACATION
15' UE PER INSTRUMENT NUMBER L201822220
LOT 3
367764.1 SF
8.44 AC
LOT 4
233612.2 SF
5.34 AC
EXISTING HOUSE
Gravel Drive
30' UE
(BOOK P4, PAGE 361A)
20' UE PER INSTRUMENT NUMBER L201822220
N85° 35' 10"W 515.01'
N85° 35' 10"W 129.53'
Owner: HALE REVOCABLE TRUST, TIM A & LORRAINE G
Address: 4302 N RAINBOW FARM RD
BENTONVILLE AR 72713
Parcel ID: 18-08875-001
NOT A PART
S04° 25' 08"W 127.90'
Owner: HALE REVOCABLE TRUST, JANE
Address: 4293 N RAINBOW FARM RD
BENTONVILLE AR 72713
Parcel ID: 18-08875-000
NOT A PART
Owner: HALE REVOCABLE TRUST, TIM A & LORRAINE G
Address: 4302 N RAINBOW FARM RD
BENTONVILLE AR 72713
Parcel ID: 18-08875-001
NOT A PART
S04° 19' 13"W 257.76'
N88° 06' 19"W 431.64'
15' UE PER INSTRUMENT NUMBER L201822220 TO BE REMOVED PER THIS PLAT.
20' UE PER INSTRUMENT NUMBER L201822220
N87° 36' 12"W 617.12'
Access Easement
BOOK P4, PG 361A
Owner: HALE REVOCABLE TRUST, TIM A & LORRAINE G
Address: 4302 N RAINBOW FARM RD
BENTONVILLE, AR 72712-9350
Parcel ID: 18-08875-00000
N02° 11' 53"E 461.64'
S02° 06' 46"W 442.60'
FLOOD ZONE "A"
OHE
ROW
N
W
E
S
GRAPHIC SCALE
0
100'
200'
1 inch = 100 feet
VICINITY MAP
N.T.S.
BASIS OF BEARING
Arkansas State Plane Coordinate System, (NAD-83) North Zone.
UTILITY VACATION EXHIBIT
FOR
TIM HALE
4100 NORTH RAINBOW FARM RD, BENTONVILLE, AR 72713
HOLDER, JOSHUA & ERIN E
HALE REVOCABLE TRUST, TIM A & LORRAINE G
4302 N Rainbow Farm Rd Bentonville, AR 72712
479-795-0291 th2468510@gmail.com
CERTIFICATE OF AUTHORIZATION
SWOPE CONSULTING
No. 2831
ARKANSAS
SWOPE ENGINEERING
Civil Engineering and Land Surveying
www.swopeengineering.com
Certificate of Authorization № 2831
DRAWN BY: CASSY
JOB NUMBER 20-142
SUBMITTAL DATE: 10/02/2020
SCALE AS NOTED
DRAWING NAME: 20-142sv - Exhibit.dwg
SHEET NUMBER: 1 OF 1
REFERENCES:
1. PLAT FILED BOOK AT P4, PAGE 361.
2. PLAT FILED AT INSTRAMENT NUMBER L201822220.
FLOOD INFORMATION
This property lies in Zone 'A' (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C0235K, effective June 5, 2012.
I:\~swope\20-142 hale lot line\external references\20-142sv - exhibit.dwg - Plotted on 11/10/2020 10:47:19 AM @ a scale of 1:1 to dwg to pdf.pc3 by Cassy


Legend
Easement Vacations
Representation: THECAN.DBO.Easement_Vacations_Rep
Easement Vacation
STAGECOACH SUBDIVISION
GORE ACRES
SW SCREECH OWL ST
SW PEREGRINE DR
SW FALCON DR
OSAGE HILLS SUBDIVISION
LAMPLIGHTER ESTATES (OUT)
HALE ESTATES
N RAINBOW FARM RD
SW RAINBOW FARM RD
DONCKERS SUBDIVISION
1 inch = 284 feet
VAC20-0033
Proposed Easement Vacation

RESOLUTION NO._____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Joshua Holder requesting a utility easement vacation (VAC20-0033) within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

AN EXISTING 30' UTILITY EASEMENT BEING 15.00 FEET EACH SIDE OF A CENTERLINE, BEING IN PART OF LOT 3 AND LOT 4 OF HALE ESTATES LOT SPLIT, INSTRAMENT #L201822220, BEING RECORDED IN THE OFFICE OF THE EXOFFICIO RECORDER OF BENTON COUNTY, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NE CORNER OF LOT 3; THENCE N 87°33'58"W 685.26 FEET TO A FOUND IRON PIN FOR THE POINT OF BEGINNING OF A CENTERLINE; THENCE ALONG SAID CENTERLINE THROUGH THE FOLLOWING BEARINGS AND DISTANCES; S 03°00'46"W 442.60 FEET TO A FOUND IRON PIN; N 88°06'19"W 431.64 FEET TO A FOUND IRON PIN; N 02°11'53"E 461.64 FEET TO THE POINT OF TERMINATION.

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

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close the above described utility easement is set for a hearing on January 26, 2021 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

_____
Kirby Romines, City Clerk
Bentonville, Arkansas

_____
Stephanie Orman, Mayor
City of Bentonville, Arkansas

Agenda Item Form

Date of City Council Meeting	**1/12/2020**
Department	**ENGINEERING**
Submitted by	**TRACY BILLINGS**
Phone	**(479) 696-0229**

Item Type: Resolution to set public hearing

☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

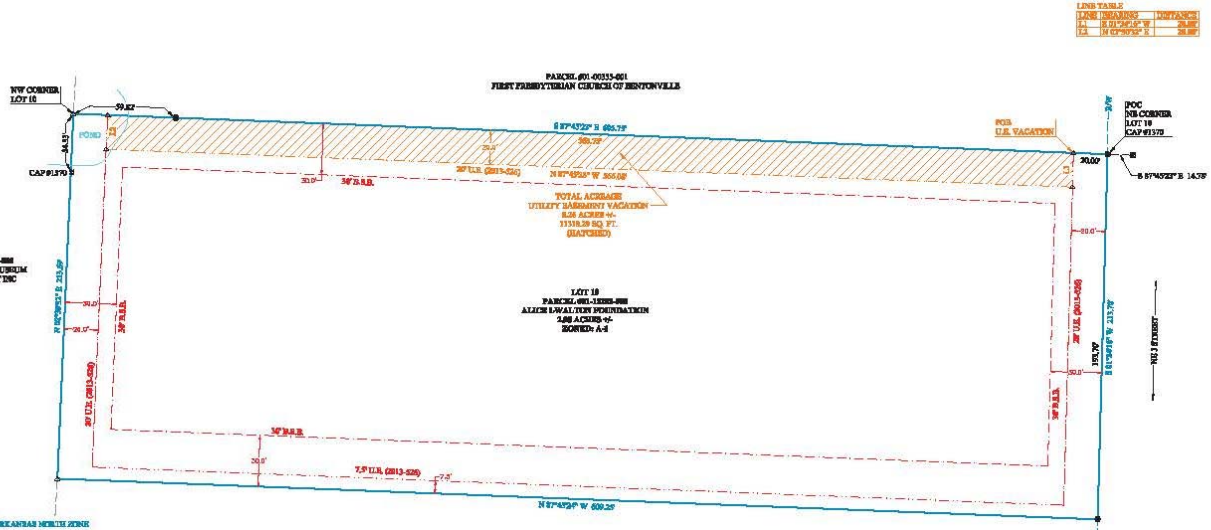
Recommendation/Suggested Action ***(Enter recommendation in space below):***

Resolution setting a public hearing for January 26, 2020 for a Utility Easement Vacation requested for 1005 Museum Way (VAC20-0034).

Estimated Cost	$
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**

UTILITY EASEMENT VACATION EXHIBIT



LAST SITE VISIT:
OCTOBER 30, 2020

BASIS OF BEARING:
GPS OBSERVATION - ARKANSAS MERIM ZONE

REFERENCE DOCUMENTS:
1) PLAT OF SURVEY FILED IN BOOK 2007 AT PAGE 901
2) PLAT OF SURVEY FILED IN BOOK 2006 AT PAGE 1277
3) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE 342
4) PLAT OF SURVEY FILED IN BOOK 2013 AT PAGE 526
5) PLAT OF SURVEY FILED IN BOOK 2017 AT PAGE 877
6) PLAT OF SURVEY FILED IN BOOK 2011 AT PAGE 101
7) PLAT OF SURVEY FILED IN BOOK 2013 AT PAGE 526
8) WARRANTY DEED FILED IN BOOK 13030 AT PAGE 64939

PROPERTY ZONED:
A-1 (AGRICULTURAL DISTRICT)

BUILDING SETBACKS:
FRONT 30ft
SIDE 30ft (INTERIOR)
SIDE 30ft (EXTERIOR)
REAR 20ft

EXISTING PARCEL DESCRIPTION:

LOT 10 (PARCEL #01-12305-000):
LOT 10, CRYSTAL BRIDGES MUSEUM ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON LOT SPLIT OF LOT 4 IN PLAT BOOK 2013 AT PAGE 2013 AT PAGE 526 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

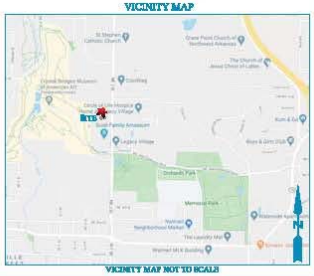
PORTION OF UTILITY EASEMENT TO BE VACATED:
A PORTION OF A 30 FOOT WIDE UTILITY EASEMENT LOCATED IN A PART OF LOT 10, CRYSTAL BRIDGES MUSEUM ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON LOT SPLIT OF LOT 4 IN PLAT BOOK 2013 AT PAGE 526 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°47'22"W 30.00' FROM AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT 10 AND RUNNING THENCE S01°36'45"W 30.00', THENCE N87°47'22"W 695.69', THENCE N00°36'21"E 12.01', THENCE S87°45'27"E 695.75' TO THE POINT OF BEGINNING, CONTAINING 8.26 ACRES, MORE OR LESS.

NOTE:
THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE 'A' OR 'AE' AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL 0035G/C0035H DATED 03/ 18/ 2009)

0' 40' 80' 120'
GRAPHIC SCALE (IN FEET)
1 Inch = 40ft.

VICINITY MAP



VICINITY MAP NOT TO SCALE

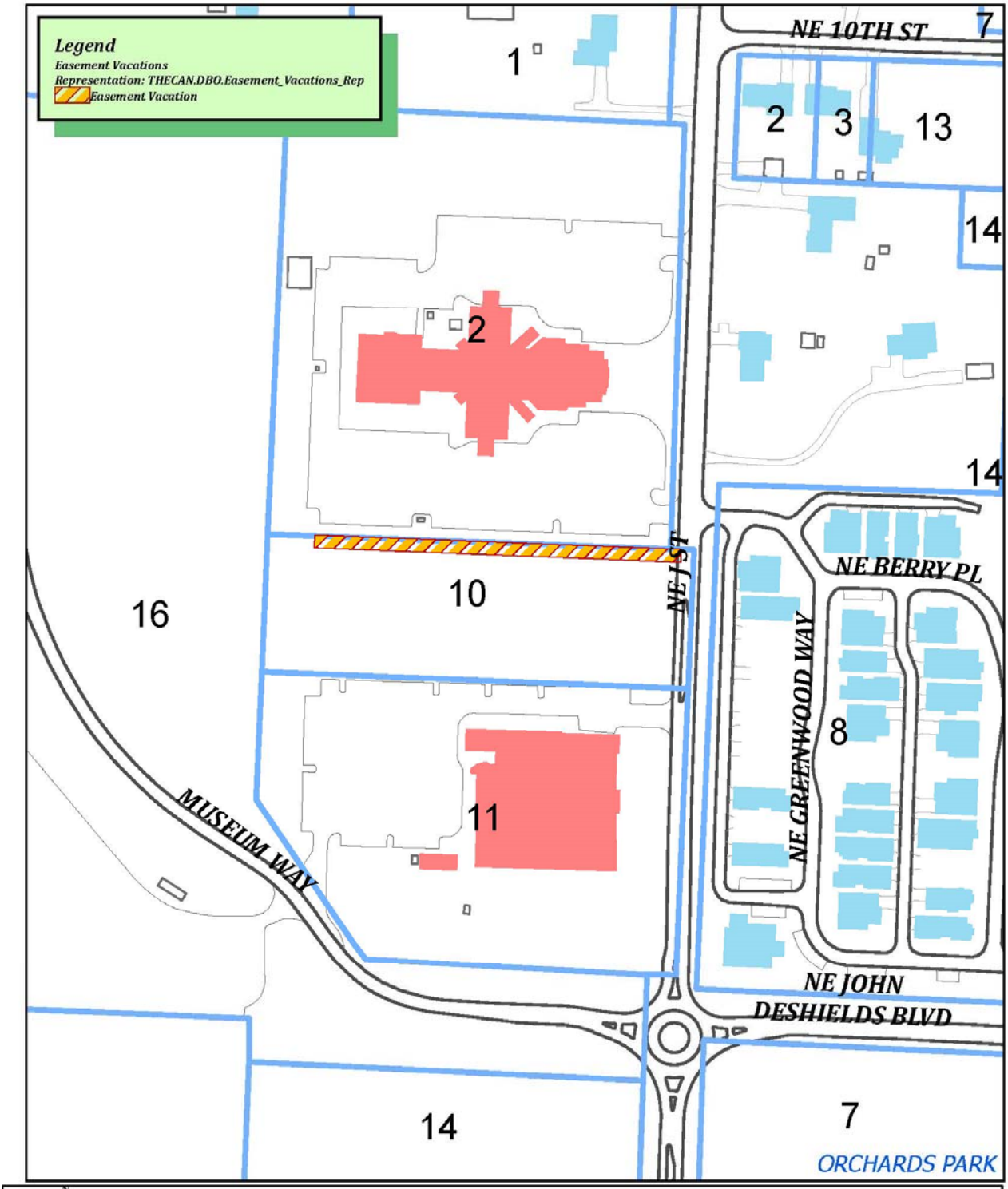
LEGEND:
THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.
FOUND 1/2" REBAR
FOUND CAP AS NOTED
SET 1/2" REBAR W/ CAP "BATES & ASSOC."
CALCULATED POINT

BOUNDARY LINE (SURVEY)
ADJACENT LINE (SECTION)
EXISTING LINE OF USE
EXISTING LINE OF TITLE
BUILDING SETBACK
UTILITY EASEMENT
UTILITY EASEMENT TO BE VACATED

Bates & Associates, Inc.
Engineers · Surveyors · Landscape Architects
2608 SW REGENCY PLACE, BENTONVILLE, AR 72712
PHONE: (479) 273-4753 FAX: (479) 273-4754

SURVEY AND BOUNDARY OF:
WALTON FAMILY FOUNDATION INC.
REGISTERED LAND SURVEYOR
ROBERT SCOTT STACY
REGISTRATION #: 1732
DATE: 12/8/20 SCALE: 1"=40'
DRAWN BY: CHRISTINA
CHECKED BY: CRYSTAL BRIDGES
SURVEYED BY: KS
MODIFIED BY: AK
JOB #: 2020

DRAWING #20-126EXHIBIT


Legend
Easement Vacations
Representation: THECAN.DBO.Easement_Vacations_Rep
Easement Vacation
NE 10TH ST
NE J ST
NE BERRY PL
NE GREENWOOD WAY
MUSEUM WAY
NE JOHN DESHIELDS BLVD
ORCHARDS PARK
1
2
3
13
14
2
14
16
10
8
11
14
7
7
1 inch = 184 feet
VAC20-0034
Easement Vacation

RESOLUTION NO._____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Alice L Walton Foundation requesting a utility easement vacation (VAC20-0034) within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

PORTION OF UTILITY EASEMENT TO BE VACATED:
A PORTION OF A 20 FOOT WIDE UTILITY EASEMENT LOCATED IN A PART OF LOT 10, CRYSTAL BRIDGES MUSEUM ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON LOT SPLIT OF LOT 4 IN PLAT BOOK 2013 AT PAGE 526 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°45'23"W 20.00' FROM AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT 10 AND RUNNING THENCE S01°34'16"W 20.00', THENCE N87°45'23"W 566.08', THENCE N02°30'32"E 20.00', THENCE S87°45'23"E 565.75' TO THE POINT OF BEGINNING, CONTAINING 0.26 ACRES, MORE OR LESS.

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

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close the above described utility easement is set for a hearing on January 26, 2021 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

_____
Kirby Romines, City Clerk
Bentonville, Arkansas

_____
Stephanie Orman, Mayor
City of Bentonville, Arkansas

Agenda Item Form

Date of City Council Meeting	**1/12/2020**
Department	**Engineering**
Submitted by	**Tracy Billings**
Phone	**696-0229**

Item Type: Resolution to set public hearing

☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☑ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

Resolution setting a public hearing for January 26, 2021 for an Alley Right-of-Way Vacation of Petticoat Lane (VAC20-0035).

Estimated Cost	**$**
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**


Legend
Easement Vacations
Representation: THECAN.DBO.Easement_Vacations_Rep
Alley Vacation
15
16
214
6
5
215
8
13
14
PETTICOAT LN
193
10
9
NW A ST
12
11
192
1
175
2
NW 2ND ST
126
177
104
103
1 inch = 80 feet
VAC20-0035
Alley Vacation

RESOLUTION NO._____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by CEI Engineering requesting Alley Right-of-Way Vacation (VAC20-0035) within the City of Bentonville, Arkansas be vacated, which said alley right of way is described as follows:

A 12' Alley being a Part of the Original Town of Bentonville, Benton County, Arkansas Plat Book S, Page 75 & 76, being known as, and being described by metes and bounds from an on-the-ground survey based on bearings established using NAD83, performed on 11-6-19 by CEI Engineering Associates, Inc. as follows:

BEGINNING at a found mag nail being the Southeast corner of Lot 14 of Claypool Addition recorded in Plat Book 19, Page 203;

THENCE along the West Right of Way of Northwest A Street, South 02°23'52" West a distance of 12.05 feet to the Northeast corner of Lot 9 of Claypool Addition recorded in Plat Book 5, Page 155;

THENCE along the North boundary line of said Lot 9, N87°41'37" West a distance of 212.98 feet to a found railroad spike being the Northwest corner of said Lot 9;

THENCE leaving said North line, North 02°02'53" East a distance of 12.05 to a found railroad spike at the Southwest corner of Lot 13 of said Claypool Addition;

THENCE along the South boundary line of aforementioned Plat Book 19, Page 203, South 87°41'37" East a distance of 213.06 feet to the POINT OF BEGINNING and containing 2,567 square feet or 0.01 acres, more or less.

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

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to vacate the above described Alley Right-of-Way is set for a hearing January 26, 2021 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved, and adopted the _____ day of _____ 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

_____
Kirby Romines, City Clerk
Bentonville, Arkansas

_____
Stephanie Orman, Mayor
City of Bentonville, Arkansas

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Transportation**
Submitted by	**Dennis Birge**
Phone	**(479) 271-5964**

Item Type: ***(Check All That Apply)***

☐ Budget Adjustment	☑ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

Staff recommends that the Mayor and City Council approve the final payment and reconciliation change order for ARDOT 090473 – Hwy. 102 SW I St. Inters. Impvts. (Bentonville) (S). This Reconciliation Change Order reduces the overall contract by $5,011.65 and adds 290 additional days to the project.

Estimated Cost	**($5,011.65)**
Is this Item Budgeted?	☑ Yes ☐ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**

Memorandum

To: Mayor and City Council

From: Dennis Birge, Transportation Director

Date: Wednesday, December 30th, 2020

Re: Final Payment & Reconciliation Change Order for ARDOT Job 090473 – Hwy. 102 SW I St. Inters. Impvts. (Bentonville) (S)

ARDOT Job 090473 – Hwy. 102 SW I St. Inters. Impvts. (Bentonville) (S) is now complete. A Reconciliation Change Order (RCO), consisting of Change Order 3 & 4, is needed to adjust the quantities and days of the contract. Below is a basic overview of the RCO for both Schedule A and Schedule B:

Description	Schedule A	Schedule B	Contract Total	Days
Original Contract Amount	$1,013,923.24	$195,225.10	$1,209,148.34	270
Change Order 1 (Approved 10/22/19)	$0.00	$0.00	$ 0.00	0
Change Order 2 (Approved 5/13/20)	$169,983.01	$0.00	$169,983.01	15
Change Order 3 (Proposed 12/29/20)	$0.00	$16,556.00	$16,556.00	0
Change Order 4 (Proposed 12/29/20)	($174,550.98)	($16,999.68)	($191,550.66)	290
Totals	**$1,009,355.27**	**$194,781.42**	**$1,204,136.69**	**575**
Difference	($4,567.97)	($443.68)	($5,011.65)	305

Notice to Proceed was issued on 3/4/2019 for a duration of 270 days. During this period, the City decided to increase the scope of the project introducing additional mill and overlay of SW I Street. This required ARDOT to review the plans and send a concurrence. This all happened during the COVID-19 pandemic which slowed all processes down. Once concurrence was received in May, notice was given and work resumed in June. Substantial Completion was achieved on 9/29/2020. Along with the RCO reducing the contract by $5,011.65 there is a request to add an additional 290 days to the contract.

Staff recommends that the Mayor and City Council approve the final payment and RCO to finalize the ARDOT Job 090473 – Hwy. 102 SW I St. Inters. Impvts. (Bentonville) (S).

Please contact me with any questions or concerns regarding the proposed contract or the project as a whole. My telephone number is (479) 271-5964 or I can be reached via email at dbirge@bentonvillear.com

Change Order

No. 3

Date of Issuance: 12/28/2020 Effective Date: 12/28/2020

Project:	Owner:	Owner's Contract No.:
090473 HWY. 102/SW "I" ST. INTERS. IMPVTS. (BENTONVILLE)(S)	CITY OF BENTONVILLE	
Contract:		Date of Contract: March 4, 2019
Contractor: APAC CENTRAL, INC.		Engineer's Project No.: 30049

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

ADDITIONAL PAYMENT REQUESTED FOR VARIOUS ITEMS - 8"X6" TEE & PIV, ADDITIONAL EXCAVATION AND MISC ITEMS IN D1

Attachments (list documents supporting change):

ORIGINAL CHANGE ORDER REQUEST FROM APAC/CROSSLAND

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:	Original Contract Times: ☐ Working days ☒ Calendar days
	Substantial completion (days or date): 270
$ 1,209,148.34	Ready for final payment (days or date): 300
Increase from previously approved Change Orders No. 2 to No. 2:	**Increase** from previously approved Change Orders No. 2 to No. 2:
	Substantial completion (days): 15
$ 169,983.01	Ready for final payment (days): 15
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
	Substantial completion (days or date): 285
$ 1,379,131.35	Ready for final payment (days or date): 315
Increase of this Change Order:	[Increase] [Decrease] of this Change Order:
	Substantial completion (days or date): NA
$ 16,556.00	Ready for final payment (days or date): NA
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
	Substantial completion (days or date): 285
$ 1,395,687.35	Ready for final payment (days or date): 315

R[redacted]

By [redacted]

Engineer (Authorized Signature)

Date: 12/29/2020

ACCEPTED:

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____

Contractor (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable): _____

Date: _____

APAC-Central, Inc.

Jason Teague
Project Manager

P.O. Box 9208, 755 E. Millsap Road
Fayetteville, AR 72703
Tel: 479 587-3300 Fax: 479-521-2826
jason.teague@apac.com

December 26, 2019

Anna Keogh
CEI Engineering Associates, Inc.
3108 SW Regency Pkwy. #2
Bentonville, Arkansas 72712

RE: ArDOT Job # 090473 Hwy. 102/SW "I" Street Improvements

Dear Anna,

Please see the attached pricing breakdown provided by Crossland Heavy Contractors for the additional payment requested on the above referenced project.

If you have any questions, do not hesitate to contact me at the provided information.

Respectfully,

[redacted]

Jason Teague
Project Manager
office: 479-587-3300
cell: 479-957-2658

CROSSLAND
HEAVY CONTRACTORS

Quoted By: Jason Necessary
jnecessary@heavycontractors.com
mobile: 479-282-6570

Job Description 19A04MS Hwy 102-SW I St Additional Work R2

Bid Date 14-Nov-2019

Proposal

Pay Item No.	Description Subtotal Description	Quantity	Unit of Measure	Unit Price	Total Price
CO3.1	8"x6" Tee & PIV	1.00	EA	9,326.00	9,326.00
	SUBTOTAL- 8"x6" Tee & PIV			Subtotal:	9,326.00
CO3.2	Sawcutting	50.00	LF	7.00	350.00
CO3.3	Additional Excavation- dug a crater, not a trench	1.00	Week	3,700.00	3,700.00
CO3.4	Trench Box Rental- Additional time and shoring for crossing under the storm drain box not originally shown	2.00	Week	780.00	1,560.00
CO3.5	Aggregates- Just had to backfill a much larger hole than originally bid	60.00	TN	27.00	1,620.00
	SUBTOTAL- Additional Excavation Efforts for D1			Subtotal:	7,230.00
				GRAND TOTAL:	16,556.00

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Change Order

No. 4

Date of Issuance: 12/28/2020 Effective Date: 12/28/2020

Project:	Owner:	Owner's Contract No.:
090473 HWY. 102/SW "I" ST. INTERS. IMPVTS. (BENTONVILLE)(S)	CITY OF BENTONVILLE	
Contract:		Date of Contract: March 4, 2019
Contractor: APAC CENTRAL, INC.		Engineer's Project No.: 30049

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

RECONCILIATION CHANGE ORDER

Attachments (list documents supporting change):

REQUEST FOR ADDITIONAL DAYS

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:	Original Contract Times: ☐ Working days ☒ Calendar days
	Substantial completion (days or date): 270
$ 1,209,148.34	Ready for final payment (days or date): 300
Increase from previously approved Change Orders No. 2 to No. 3:	**Increase** from previously approved Change Orders No. 2 to No. 2:
	Substantial completion (days): 15
$ 186,539.01	Ready for final payment (days): 15
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
	Substantial completion (days or date): 285
$ 1,395,687.35	Ready for final payment (days or date): 315
Decrease of this Change Order:	**Increase** of this Change Order:
	Substantial completion (days or date): 290
$ 191,550.66	Ready for final payment (days or date): 290
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
	Substantial completion (days or date): 575
$ 1,204,136.69	Ready for final payment (days or date): 605

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: [redacted]	By:	By:
Engineer (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Date: 12/29/2020	Date:	Date:
Approved by Funding Agency (if applicable):		Date:

Contractor's Application For Payment No. 13 & Final

	Application Period Ending: December 15, 2020	Application Date: December 15, 2020	
To (Owner): City of Bentonville	From (Contractor): APAC-Central	Via (Engineer) CEI Engineering Associates	
Owner's Project No.: ArDOT 090473	Contractor's Project No.: 203420	Engineer's Project No.: 30049	
Project / Contract: HWY 102/SW "I" St			

Application for Payment
Approved Change Order Summary

Number	Additions	Deductions
2 (roadway)	$ 169,983.01	
3 (waterline)	$ 16,556.00	
4 (roadway)		$ 174,550.98
4 (waterline)		$ 16,999.68
TOTALS	$ 186,539.01	$ 191,550.66
NET CHANGE BY CHANGE ORDERS	$	(5,011.65)

1. ORIGINAL CONTRACT PRICE SCHEDULE A - ROADWAY CONSTRUCTION		$1,013,923.24
2. NET CHANGE BY CHANGE ORDERS	$	(4,567.97)
3. CURRENT CONTRACT PRICE (Line 1 + 2)		$1,009,355.27
4a. TOTAL VALUE of WORK PERFORMED Schedule A		$1,009,355.27
b. STORED MATERIALS	$	-
c. TOTAL OF WORK & MATERIALS (4a + 4b)		$1,009,355.27
5. RETAINAGE (5% of Line 4c):		
6. AMOUNT ELIGIBLE TO DATE (Line 4c - Line 5)		$1,009,355.27
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	$	955,580.79
8. AMOUNT DUE THIS APPLICATION (Line 6 - Line 7)	$	**53,774.48**
9. BALANCE TO FINISH PLUS RETAINAGE (Line 3 - 4c + 5)		$0.00

10. ORIGINAL CONTRACT PRICE SCHEDULE B - WATERLINE CONSTRUCTION		$195,225.10
11. NET CHANGE BY CHANGE ORDERS	$	(443.68)
12. CURRENT CONTRACT PRICE (Line 10 ± 11)		$194,781.42
13a. TOTAL VALUE of WORK PERFORMED Schedule B		$194,781.42
b. STORED MATERIALS	$	-
c. TOTAL OF WORK & MATERIALS (13a + 13b)		$194,781.42
14. RETAINAGE (5% of Line 13c):		
15. AMOUNT ELIGIBLE TO DATE (Line 13c - Line 14)		$194,781.42
16. LESS PREVIOUS PAYMENTS (Line 15 from prior Application)	$	169,314.15
17. AMOUNT DUE THIS APPLICATION (Line 15 - Line 16)		**$25,467.27**
18. BALANCE TO FINISH PLUS RETAINAGE (Line 12 - 13c + 14)		$0.00

19. AMOUNT DUE THIS APPLICATION (Line 8 + Line 17)	$	**79,241.75**
20. BALANCE TO FINISH PLUS RETAINAGE (Line 9 + Line 18)		$0.00

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: Digitally signed by David L. Foster DN: C=US, E=david.foster@apac.com, O="APAC - Central, Inc.", CN=David L. Foster Date: 2020.12.15 08:51:09-06'00' 12/15/2020

Payment of: $79,241.75 (Line 19 or other amount)

is recommended by: Brent Massey (Engineer) Digitally signed by Brent Massey DN: E=brentmassey@cei-eng.com, CN=Brent Massey, OU=Users, OU=Executive, OU=CEI, Users, DC=ceiarkl, DC=ceieng, DC=com Date: 2020.12.22 09:59:58-06'00' 12/22/2020 (Date)

Payment of: _____ (Line 19 or other amount)

is approved by: _____ (Owner) _____ (Date)

	City Account Numbers	Amount
1)		
2)		
3)		
4)		
5)		

OWNER'S PROJECT NUMBER: ArDOT 090473
PERIODIC PAY ESTIMATE NUMBER: 13 & Final
APPLICATION PERIOD ENDING: December 15, 2020
APPLICATION DATE: December 15, 2020
PERCENT COMPLETE: 99.55

PERIODIC PAY ESTIMATE FOR:
SCHEDULE A - ROADWAY CONSTRUCTION
HWY 102/SW "I" St

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)
		CURRENT CONTRACT				TOTAL THIS PERIOD		PREVIOUS TOTAL		TOTAL TO DATE			
Item No	Description	Quantity	Units	Unit Cost	Total Cost	Quantity	Total Cost	Quantity	Total Cost	Quantity	Total Cost	%	Fund/Acct
10	Clearing	12.00	STA	$ 550.00	$6,600.00			12	$6,600.00	12.00	$6,600.00	100.00	
20	Grubbing	12.00	STA	$ 550.00	$6,600.00			12	$6,600.00	12.00	$6,600.00	100.00	
30	R&D of Curb and Gutter	1,158.00	LF	$ 14.67	$16,987.86			1158	$16,987.86	1,158.00	$16,987.86	100.00	
40	R&D of Asphalt Driveways	193.00	SY	$ 14.67	$2,831.31			193	$2,831.31	193.00	$2,831.31	100.00	
50	R&D of Concrete Driveways	201.00	SY	$ 28.17	$5,662.17			201	$5,662.17	201.00	$5,662.17	100.00	
60	R&D of Concrete Walks	533.00	SY	$ 15.95	$8,501.35			533	$8,501.35	533.00	$8,501.35	100.00	
70	R&D of Signs	1.00	EA	$ 145.00	$145.00			1	$145.00	1.00	$145.00	100.00	
80	R&D of Junction Boxes	4.00	EA	$ 1,400.00	$5,600.00			4	$5,600.00	4.00	$5,600.00	100.00	
90	R&D of Drop Inlets	6.00	EA	$ 1,400.00	$8,400.00			6	$8,400.00	6.00	$8,400.00	100.00	
100	R&D of Pipe Culverts	13.00	EA	$ 3,000.00	$39,000.00			13	$39,000.00	13.00	$39,000.00	100.00	
110	Unclassified Excavation (Plan Quantity)	3,185.50	CY	$ 17.82	$56,765.61			3185.5	$56,765.61	3,185.50	$56,765.61	100.00	
120	Compacted Embankment (Plan Quantity)	2,370.15	CY	$ 30.32	$71,862.95			2370.15	$71,862.95	2,370.15	$71,862.95	100.00	
125	Undercut and Backfill	600.00	CY	$ 48.70	$29,220.00			688.01	$33,506.09	688.01	$33,506.09	114.67	
130	Soil Stabilization (Plan Quantity)	50.00	TON	$ 260.00	$13,000.00			0		0.00	$0.00	0.00	
140	Aggregate Base Course (Class 7)	556.40	TON	$ 34.80	$19,362.72			556.4	$19,362.72	556.40	$19,362.72	100.00	
150	Aggregate Base Course for Driveway	116.30	TON	$ 45.45	$5,285.84			116.3	$5,285.84	116.30	$5,285.84	100.00	
160	P.C. Concrete Base Course (9")	105.22	SY	$ 80.00	$8,417.60			105.22	$8,417.60	105.22	$8,417.60	100.00	
170	Tack Coat	1,104.39	GAL	$ 3.56	$3,931.63			775	$2,759.00	775.00	$2,759.00	70.17	
180	A.B. (PG70-22) ACHM Binder (1")	8.94	TON	$ 120.00	$1,072.80			9.56	$1,147.20	9.56	$1,147.20	106.94	
190	M.A. In ACHM Binder (1")	181.18	TON	$ 84.10	$15,237.24			198.28	$16,675.35	198.28	$16,675.35	109.44	
200	Asphalt Driveways (3" ACHM Binder Course)	16.13	TON	$ 155.00	$2,500.15			11.06	$1,714.30	11.06	$1,714.30	68.57	
210	A.B. (PG70-22) ACHM Surf (1/2")	37.82	TON	$ 120.00	$4,538.40			95.24	$11,428.80	95.24	$11,428.80	251.82	
220	M.A. In ACHM Surf (1/2")	637.53	TON	$ 82.25	$52,436.84			1668.53	$137,236.59	1,668.53	$137,236.59	261.72	
230	Asphalt Driveways (2" ACHM Surface Course)	10.75	TON	$ 138.00	$1,483.50			7.16	$988.08	7.16	$988.08	66.60	
240	Cold Milling Asphalt Pavement	4,731.27	SY	$ 3.56	$16,843.32			13875	$49,395.00	13,875.00	$49,395.00	293.26	
250	Concrete Driveways	212.02	SY	$ 50.60	$10,728.21			157.34	$7,961.40	157.34	$7,961.40	74.21	
260	Mobilization	1.00	LS	$ 34,000.00	$34,000.00			1	$34,000.00	1.00	$34,000.00	100.00	
265	Mobilization (Change Order #2)	0.00	LS	$ 6,990.00				1	$6,990.00	1.00	$6,990.00	100.00	
270	Maintenance of Traffic	1.00	LS	$ 27,850.00	$27,850.00			1	$27,850.00	1.00	$27,850.00	100.00	
275	Maintenance of Traffic (Change Order #2)	0.00	LS	$ 12,750.00				1	$12,750.00	1.00	$12,750.00	100.00	
280	Signs	88.00	SF	$ 10.50	$924.00	216.00	$2,268.00	88	$924.00	304.00	$3,192.00	345.45	
290	Barricades	16.00	LF	$ 21.00	$336.00			16	$336.00	16.00	$336.00	100.00	
300	Traffic Drums	40.00	EA	$ 47.25	$1,890.00			40	$1,890.00	40.00	$1,890.00	100.00	
310	Vertical Panels	35.00	EA	$ 68.25	$2,388.75			35	$2,388.75	35.00	$2,388.75	100.00	
320	Furn. & Instl. Prcst. Conc. Barr.	900.00	LF	$ 34.55	$31,095.00			832	$28,745.60	832.00	$28,745.60	92.44	
330	Relocate Prcst. Conc. Barr.	900.00	LF	$ 8.51	$7,659.00			832	$7,080.32	832.00	$7,080.32	92.44	
340	Temp. Impact Atten. Barr.	8.00	EA	$ 7,350.00	$58,800.00			4	$29,400.00	4.00	$29,400.00	50.00	
350	Temp. Impact Atten. Barr. (Repair)	8.00	EA	$ 1,050.00	$8,400.00			5	$5,250.00	5.00	$5,250.00	62.50	
360	Construction Pavement Markings	2,850.00	LF	$ 1.58	$4,503.00			2816	$4,449.28	2,816.00	$4,449.28	98.81	
370	Construction Pavement Markings (Words, Arrows)	4.00	EA	$ 787.50	$3,150.00			4	$3,150.00	4.00	$3,150.00	100.00	
380	Removal of Permanent Pavement Markings	4,025.00	LF	$ 1.58	$6,359.50			3115	$4,921.70	3,115.00	$4,921.70	77.39	
390	Removal of Construction Pavement Markings	2,850.00	LF	$ 3.94	$11,229.00			0		0.00	$0.00	0.00	
400	Removal of Constr. Pvmt Mrkgs (Words, Arrows)	4.00	EA	$ 105.00	$420.00			0		0.00	$0.00	0.00	
410	18" FES Reinforced Concrete Pipe Clvt.	1.00	EA	$ 530.00	$530.00			1	$530.00	1.00	$530.00	100.00	
420	18" Reinforced Concrete Pipe, Class IV	11.00	LF	$ 48.31	$531.41			9	$434.79	9.00	$434.79	81.82	
430	19"x30" Reinforced Concrete Ellip. Pipe, Class IV	307.00	LF	$ 87.14	$26,751.98			307	$26,751.98	307.00	$26,751.98	100.00	
440	24"x38" Reinforced Concrete Ellip. Pipe, Class IV	358.00	LF	$ 102.07	$36,541.06			358	$36,541.06	358.00	$36,541.06	100.00	
450	29"x45" Reinforced Concrete Ellip. Pipe, Class IV	259.00	LF	$ 128.54	$33,291.86			259	$33,291.86	259.00	$33,291.86	100.00	

		CURRENT CONTRACT				TOTAL THIS PERIOD		PREVIOUS TOTAL		TOTAL TO DATE			
Item No	Description	Quantity	Units	Unit Cost	Total Cost	Quantity	Total Cost	Quantity	Total Cost	Quantity	Total Cost	%	Fund/Acct
460	34"x54" Reinforced Concrete Ellip. Pipe, Class IV	200.00	LF	$ 179.71	$35,942.00			200	$35,942.00	200.00	$35,942.00	100.00	
470	Select Pipe Bedding	50.00	CY	$ 53.16	$2,658.00			0		0.00	$0.00	0.00	
480	Type MO Inlet (6'x6')	5.00	EA	$ 4,960.00	$24,800.00			5	$24,800.00	5.00	$24,800.00	100.00	
490	Junction Box-Type E	5.00	EA	$ 4,525.00	$22,625.00			5	$22,625.00	5.00	$22,625.00	100.00	
500	Combination Inlet, 4'x5'	1.00	EA	$ 6,150.00	$6,150.00			1	$6,150.00	1.00	$6,150.00	100.00	
510	Combination Inlet, 4'x6'	1.00	EA	$ 6,775.00	$6,775.00			1	$6,775.00	1.00	$6,775.00	100.00	
520	Lime	0.38	TON	$ 278.00	$105.64			0		0.00	$0.00	0.00	
530	Seeding	0.19	ACRE	$ 3,660.00	$695.40			0.19	$695.40	0.19	$695.40	100.00	
540	Mulch Cover	0.38	ACRE	$ 3,660.00	$1,390.80			0.19	$695.40	0.19	$695.40	50.00	
550	Water	25.26	M.GAL	$ 10.50	$265.23			0		0.00	$0.00	0.00	
560	Temporary Seeding	0.19	ACRE	$ 3,142.00	$596.98			0		0.00	$0.00	0.00	
570	Wattle (20")	635.00	LF	$ 8.81	$5,594.35			140	$1,233.40	140.00	$1,233.40	22.05	
580	Sand Bag Ditch Checks	110.00	BAG	$ 9.75	$1,072.50			250	$2,437.50	250.00	$2,437.50	227.27	
590	Rock Ditch Checks	3.00	CY	$ 164.00	$492.00			0		0.00	$0.00	0.00	
600	Silt Fence	635.00	LF	$ 4.11	$2,609.85			518	$2,128.98	518.00	$2,128.98	81.57	
610	Sediment Removal and Disposal	5.20	CY	$ 102.00	$530.40			0		0.00	$0.00	0.00	
620	Second Seeding Application	0.19	ACRE	$ 1,575.00	$299.25			0		0.00	$0.00	0.00	
630	Solid Sodding	476.00	SY	$ 4.34	$2,065.84			450	$1,953.00	450.00	$1,953.00	94.54	
640	Inlet Protection	13.00	EA	$ 280.54	$3,647.02			0		0.00	$0.00	0.00	
650	Concrete Sidewalk	326.00	SY	$ 56.21	$18,324.46			326	$18,324.46	326.00	$18,324.46	100.00	
660	Concrete Curb and Gutter	1,090.00	LF	$ 15.59	$16,993.10			1077	$16,790.43	1,077.00	$16,790.43	98.81	
670	Modify Drop Inlet Tops	2.00	EA	$ 2,665.00	$5,330.00			2	$5,330.00	2.00	$5,330.00	100.00	
680	Wheelchair Ramps (Type 1)	30.00	SY	$ 79.00	$2,370.00			30	$2,370.00	30.00	$2,370.00	100.00	
690	Wheelchair Ramps (Type 2)	29.00	SY	$ 91.00	$2,639.00			29	$2,639.00	29.00	$2,639.00	100.00	
700	Wheelchair Ramps (Type 3)	8.00	SY	$ 104.00	$832.00			8	$832.00	8.00	$832.00	100.00	
710	Wheelchair Ramps (Type 6)	19.00	SY	$ 88.00	$1,672.00			19	$1,672.00	19.00	$1,672.00	100.00	
720	Central Control Unit	1.00	EA	$ 4,305.00	$4,305.00			1	$4,305.00	1.00	$4,305.00	100.00	
730	Pole Mounted Assembly	8.00	EA	$ 950.25	$7,602.00			8	$7,602.00	8.00	$7,602.00	100.00	
740	Infrared Programming Device	1.00	EA	$ 645.75	$645.75			1	$645.75	1.00	$645.75	100.00	
750	Pedestrian Signal Head Relocation	1.00	EA	$ 420.00	$420.00			1	$420.00	1.00	$420.00	100.00	
760	Traffic Signal Cable (5C/14 A.W.G.)	300.00	LF	$ 2.63	$789.00			300	$789.00	300.00	$789.00	100.00	
770	Elec. Conductors-In-Conduit (1C/8 A.W.G., E.G.C.)	90.00	LF	$ 2.52	$226.80			90	$226.80	90.00	$226.80	100.00	
780	Non-Metallic Conduit (2")	40.00	LF	$ 21.00	$840.00			40	$840.00	40.00	$840.00	100.00	
790	Concrete Pull Box (Type 1 HD)	1.00	EA	$ 960.75	$960.75			1	$960.75	1.00	$960.75	100.00	
800	Traffic Signal Pedestal Pole With Foundation	1.00	EA	$ 3,675.00	$3,675.00			1	$3,675.00	1.00	$3,675.00	100.00	
810	Traffic Signal Controller (Modification)	1.00	EA	$ 1,260.00	$1,260.00			1	$1,260.00	1.00	$1,260.00	100.00	
820	Thermo Pavement Marking White (4")	245.00	LF	$ 1.05	$257.25			793	$832.65	793.00	$832.65	323.67	
830	Thermo Pvmt Marking White (Skip Line) (4")	1,020.00	LF	$ 1.05	$1,071.00			997	$1,046.85	997.00	$1,046.85	97.75	
840	Thermoplastic Pavement Marking Yellow (4")	2,575.00	LF	$ 1.05	$2,703.75			6812	$7,152.60	6,812.00	$7,152.60	264.54	
850	Thermo Pavement Marking Yellow (Skip Line) (4")	1,370.00	LF	$ 1.05	$1,438.50			4560	$4,788.00	4,560.00	$4,788.00	332.85	
860	Thermo Pavement Marking Yellow (8")	57.00	LF	$ 2.63	$149.91			143	$376.09	143.00	$376.09	250.88	
870	Thermo Pavement Marking Arrows	12.00	EA	$ 420.00	$5,040.00			31	$13,020.00	31.00	$13,020.00	258.33	
880	Thermo Pavement Marking Words	1.00	EA	$ 420.00	$420.00			5	$2,100.00	5.00	$2,100.00	500.00	
890	Thermo Pavement Marking White (12")	884.00	LF	$ 5.25	$4,641.00			1054	$5,533.50	1,054.00	$5,533.50	119.23	
900	Thermo Pavement Marking White (24")	49.00	LF	$ 12.60	$617.40			174	$2,192.40	174.00	$2,192.40	355.10	
910	Raised Pavement Markers (Type II)	18.00	EA	$ 21.00	$378.00			105	$2,205.00	105.00	$2,205.00	583.33	
920	Standard Sign	11.25	SF	$ 21.00	$236.25	32.75	$687.75	0		32.75	$687.75	291.11	
930	Channel Post Sign Support (Type U- 1)	1.00	EA	$ 105.00	$105.00	5.00	$525.00	0		5.00	$525.00	500.00	
940	Contingency Allowance	1.00	LS	$ 100,000.00	$100,000.00			0		0.00	$0.00	0.00	
	TOTALS				$1,013,923.24		$3,480.75		$1,005,874.52		$1,009,355.27	99.55	

OWNER'S PROJECT NUMBER: ArDOT 090473
PERIODIC PAY ESTIMATE NUMBER: 13 & Final
APPLICATION PERIOD ENDING: December 15, 2020
APPLICATION DATE: December 15, 2020
PERCENT COMPLETE: 99.77

PERIODIC PAY ESTIMATE FOR:
SCHEDULE B - WATERLINE CONSTRUCTION
HWY 102/SW "I" St

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
		CURRENT CONTRACT				TOTAL THIS PERIOD		PREVIOUS TOTAL		TOTAL TO DATE		
Item No	Description	Quantity	Units	Unit Cost	Total Cost	Quantity	Total Cost	Quantity	Total Cost	Quantity	Total Cost	%
	SCHEDULE B - WATERLINE											
950	Trenching and Excavation Safety Systems	1.00	LS	$ 5,775.00	$5,775.00			1	$5,775.00	1.00	$5,775.00	100.00
960	6-Inch or Smaller Waterline (C900 DR14 PVC)	15.00	LF	$ 220.50	$3,307.50			17	$3,748.50	17.00	$3,748.50	113.33
970	8-Inch or Smaller Waterline (C900 DR14 PVC)	123.00	LF	$ 278.25	$34,224.75			123	$34,224.75	123.00	$34,224.75	100.00
980	Ductile Iron Fittings	570.00	LB	$ 5.78	$3,294.60			792	$4,577.76	792.00	$4,577.76	138.95
990	Tapping Sleeve and Valve (8"x8")	3.00	EA	$ 7,344.75	$22,034.25			3	$22,034.25	3.00	$22,034.25	100.00
1000	Tapping Sleeve and PIV (24"x6")	1.00	EA	$ 10,384.50	$10,384.50			0.1318224	$1,368.91	0.13	$1,368.91	13.18
1010	Tapping Sleeve and Valve (24"x8")	4.00	EA	$ 9,502.50	$38,010.00			4	$38,010.00	4.00	$38,010.00	100.00
1020	6-Inch Gate Valve	1.00	EA	$ 1,737.75	$1,737.75			1	$1,737.75	1.00	$1,737.75	100.00
1030	8-Inch MJ Plug w/Thrust Blocking	1.00	EA	$ 2,824.50	$2,824.50			1	$2,824.50	1.00	$2,824.50	100.00
1040	Relocate Fire Hydrant Assembly	1.00	EA	$ 6,562.50	$6,562.50			1	$6,562.50	1.00	$6,562.50	100.00
1050	8" Cut, Cap With Ibeam & Abandon Existing Waterline	4.00	EA	$ 4,830.00	$19,320.00			2	$9,660.00	2.00	$9,660.00	50.00
1060	Reconnect 2" Water Meter Relocated by Owner	1.00	EA	$ 2,100.00	$2,100.00			1	$2,100.00	1.00	$2,100.00	100.00
1070	Relocate & Reconnect Water Meter (Less Than 2" Dia.)	3.00	EA	$ 2,126.25	$6,378.75			3	$6,378.75	3.00	$6,378.75	100.00
1080	Water Service Line (Less than 2" Dia.)	140.00	LF	$ 71.40	$9,996.00			140	$9,996.00	140.00	$9,996.00	100.00
1090	Water Service Line (2" Dia. Or Larger)	50.00	LF	$ 81.90	$4,095.00			50	$4,095.00	50.00	$4,095.00	100.00
1100	Asphalt Pavement Repair (As Directed By Engineer)	15.00	SY	$ 102.00	$1,530.00			75.5	$7,701.00	75.50	$7,701.00	503.33
1110	CC & Gutter Repair (As Directed By Engineer)	50.00	LF	$ 73.00	$3,650.00			72	$5,256.00	72.00	$5,256.00	144.00
1120	Contingency Allowance	1.00	LS	$ 20,000.00	$20,000.00				$12,174.75	0.00	$12,174.75	0.61
1130	Waterline Change Order	1.00	LS	$ 16,556.00	$16,556.00	1	$16,556.00			1.00	$16,556.00	100.00
	TOTALS				$195,225.10		$16,556.00		$178,225.42		$194,781.42	99.77
						$443.68						

Stored Material Summary

Contractor's Application

	Application Period Ending:	December 15, 2020			Project #:	ArDOT 090473			
	Application Date:	December 15, 2020			Pay Estimate Number	13 & Final			
A	B	C	D		E		F		G
Invoice No.	Bid Line Item	Materials Description	Stored Previously		Stored this Month		Incorporated in Work		Materials Remaining in Storage ($) (D + E - F)
			Date (Mo./Yr.)	Amount ($)	Amount ($)	Subtotal (D+E)	Date (Mo./Yr.)	Amount ($)	
						$ -			$ -
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		Totals		$ -	$ -	$ -		$ -	$ -

CHANGE ORDER SUMMARY FOR PROJECT NUMBER:				ArDOT 090473										
				Original Contract		Current Contract Values			Proposed Changes			New Contract Values	
CO #	Item #	Description	Acct Code	Quantity	Unit	Quantity	Unit Cost	Extension	Quantity	Unit Cost	Extension	Quantity	Total Cost
1	1150	Tapping Sleee & Valve (6"x6") (paid through Contingency item)		0.00	EA	0.00	$0.00	$0.00	1.00	$7,344.75	$7,344.75	1.00	$7,344.75
1	1160	6" Cut, Cap with I-Beam (paid through Contingency item)		0.00	EA	0.00	$0.00	$0.00	1.00	$4,830.00	$4,830.00	1.00	$4,830.00
2	170	Tack Coat		1,104.39	TON	1,104.39	$3.56	$3,931.63	1,577.00	$3.56	$5,614.12	2,681.39	$9,545.75
2	210	A.B. (PG70-22) ACHM Surf (1/2")		37.82	TON	37.82	$120.00	$4,538.40	57.00	$120.00	$6,840.00	94.82	$11,378.40
2	220	M.A. in ACHM Surf (1/2")		637.53	TON	637.53	$82.25	$52,436.84	963.00	$82.25	$79,206.75	1,600.53	$131,643.59
2	240	Cold Milling Asphalt Pavement		4,731.27	SY	4,731.27	$3.56	$16,843.32	9,144.00	$3.56	$32,552.64	13,875.27	$49,395.96
2	265	Mobilization (Change Order #2)		0.00	LS	0.00	$0.00	$0.00	1.00	$6,990.00	$6,990.00	1.00	$6,990.00
2	275	Maintenance of Traffic (Change Order #2)		0.00	LS	0.00	$0.00	$0.00	1.00	$12,750.00	$12,750.00	1.00	$12,750.00
2	280	Signs		88.00	SF	88.00	$10.50	$924.00	216.00	$10.50	$2,268.00	304.00	$3,192.00
2	820	Thermoplastic Pvmt Markings White (4")		245.00	LF	245.00	$1.05	$257.25	521.00	$1.05	$547.05	766.00	$804.30
2	840	Thermoplastic Pvmt Markings Yellow (4")		2,575.00	LF	2,575.00	$1.05	$2,703.75	4,255.00	$1.05	$4,467.75	6,830.00	$7,171.50
2	850	Thermoplastic Pvmt Markings Yellow (4")(Skip Line)		1,370.00	LF	1,370.00	$1.05	$1,438.50	3,420.00	$1.05	$3,591.00	4,790.00	$5,029.50
2	870	Thermoplastic Pvmt Markings (Arrows)		12.00	EA	12.00	$420.00	$5,040.00	20.00	$420.00	$8,400.00	32.00	$13,440.00
2	880	Thermoplastic Pvmt Markings (Words)		1.00	EA	1.00	$420.00	$420.00	5.00	$420.00	$2,100.00	6.00	$2,520.00
2	890	Thermoplastic Pvmt Markings White (12")		884.00	LF	884.00	$5.25	$4,641.00	198.00	$5.25	$1,039.50	1,082.00	$5,680.50
2	900	Thermoplastic Pvmt Markings White (24")		49.00	LF	49.00	$12.60	$617.40	287.00	$12.60	$3,616.20	336.00	$4,233.60
3	1130	Waterline Change Order		0.00	LS	0.00	$0.00	$0.00	1.00	$16,556.00	$16,556.00	1.00	$16,556.00
4		**Reconciliation Change Order**											
4	125	Undercut and Backfill		600.00	CY	600.00	$48.70	$29,220.00	88.01	$48.70	$4,286.09	688.01	$33,506.09
4	130	Soil Stabilization (Plan Quantity)		50.00	TON	50.00	$260.00	$13,000.00	(50.00)	$260.00	($13,000.00)	0.00	$0.00
4	170	Tack Coat		1,104.39	GAL	2,681.39	$3.56	$9,545.75	(1,906.39)	$3.56	($6,786.75)	775.00	$2,759.00
4	180	A.B. (PG70-22) ACHM Binder (1")		8.94	TON	8.94	$120.00	$1,072.80	0.62	$120.00	$74.40	9.56	$1,147.20
4	190	M.A. In ACHM Binder (1")		181.18	TON	181.18	$84.10	$15,237.24	17.10	$84.10	$1,438.11	198.28	$16,675.35
4	200	Asphalt Driveways (3" ACHM Binder Course)		16.12	TON	16.13	$155.00	$2,500.15	(5.07)	$155.00	($785.85)	11.06	$1,714.30
4	210	A.B. (PG70-22) ACHM Surf (1/2")		37.82	TON	94.82	$120.00	$11,378.40	0.42	$120.00	$50.40	95.24	$11,428.80
4	220	M.A. In ACHM Surf (1/2")		637.53	TON	1,600.53	$82.25	$131,643.59	68.00	$82.25	$5,593.00	1,668.53	$137,236.59
4	230	Asphalt Driveways (2" ACHM Surface Course)		10.75	TON	10.75	$138.00	$1,483.50	(3.59)	$138.00	($495.42)	7.16	$988.08
4	240	Cold Milling Asphalt Pavement		4,731.27	SY	13,875.27	$3.56	$49,395.96	(0.27)	$3.56	($0.96)	13,875.00	$49,395.00
4	250	Concrete Driveways		212.02	SY	212.02	$50.60	$10,728.21	(54.68)	$50.60	($2,766.81)	157.34	$7,961.40
4	320	Furn. & Instl. Prcst. Conc. Barr.		900.00	34.55	900.00	$34.55	$31,095.00	(68.00)	$34.55	($2,349.40)	832.00	$28,745.60
4	330	Relocate Prcst. Conc. Barr.		900.00	8.51	900.00	$8.51	$7,659.00	(68.00)	$8.51	($578.68)	832.00	$7,080.32
4	340	Temp. Impact Atten. Barr.		8.00	7350	8.00	$7,350.00	$58,800.00	(4.00)	$7,350.00	($29,400.00)	4.00	$29,400.00
4	350	Temp. Impact Atten. Barr. (Repair)		8.00	1050	8.00	$1,050.00	$8,400.00	(3.00)	$1,050.00	($3,150.00)	5.00	$5,250.00
4	360	Construction Pavement Markings		2,850.00	1.58	2,850.00	$1.58	$4,503.00	(34.00)	$1.58	($53.72)	2,816.00	$4,449.28
4	380	Removal of Permanent Pavement Markings		4,025.00	LF	4,025.00	$1.58	$6,359.50	(910.00)	$1.58	($1,437.80)	3,115.00	$4,921.70
4	390	Removal of Construction Pavement Markings		2,850.00	LF	2,850.00	$3.94	$11,229.00	(2,850.00)	$3.94	($11,229.00)	0.00	$0.00
4	400	Removal of Constr. Pvmt Mrkgs (Words, Arrows)		4.00	EA	4.00	$105.00	$420.00	(4.00)	$105.00	($420.00)	0.00	$0.00
4	420	18" Reinforced Concrete Pipe, Class IV		11.00	LF	11.00	$48.31	$531.41	(2.00)	$48.31	($96.62)	9.00	$434.79
4	470	Select Pipe Bedding		50.00	CY	50.00	$53.16	$2,658.00	(50.00)	$53.16	($2,658.00)	0.00	$0.00
4	520	Lime		0.38	TON	0.38	$278.00	$105.64	(0.38)	$278.00	($105.64)	0.00	$0.00
4	540	Mulch Cover		0.38	ACRE	0.38	$3,660.00	$1,390.80	(0.19)	$3,660.00	($695.40)	0.19	$695.40
4	550	Water		25.26	M.GAL	25.26	$10.50	$265.23	(25.26)	$10.50	($265.23)	0.00	$0.00
4	560	Temporary Seeding		0.19	ACRE	0.19	$3,142.00	$596.98	(0.19)	$3,142.00	($596.98)	0.00	$0.00
4	570	Wattle (20")		635.00	LF	635.00	$8.81	$5,594.35	(495.00)	$8.81	($4,360.95)	140.00	$1,233.40
4	580	Sand Bag Ditch Checks		110.00	BAG	110.00	$9.75	$1,072.50	140.00	$9.75	$1,365.00	250.00	$2,437.50
4	590	Rock Ditch Checks		3.00	CY	3.00	$164.00	$492.00	(3.00)	$164.00	($492.00)	0.00	$0.00

4	600	Silt Fence		635.00	LF	635.00	$4.11	$2,609.85	(117.00)	$4.11	($480.87)	518.00	$2,128.98
4	610	Sediment Removal and Disposal		5.20	CY	5.20	$102.00	$530.40	(5.20)	$102.00	($530.40)	0.00	$0.00
4	620	Second Seeding Application		0.19	ACRE	0.19	$1,575.00	$299.25	(0.19)	$1,575.00	($299.25)	0.00	$0.00
4	630	Solid Sodding		476.00	SY	476.00	$4.34	$2,065.84	(26.00)	$4.34	($112.84)	450.00	$1,953.00
4	640	Inlet Protection		13.00	EA	13.00	$280.54	$3,647.02	(13.00)	$280.54	($3,647.02)	0.00	$0.00
4	660	Concrete Curb and Gutter		1,090.00	LF	1,090.00	$15.59	$16,993.10	(13.00)	$15.59	($202.67)	1,077.00	$16,790.43
4	820	Thermo Pavement Marking White (4")		245.00	LF	766.00	$1.05	$804.30	27.00	$1.05	$28.35	793.00	$832.65
4	830	Thermo Pvmt Marking White (Skip Line) (4")		1,020.00	LF	1,020.00	$1.05	$1,071.00	(23.00)	$1.05	($24.15)	997.00	$1,046.85
4	840	Thermoplastic Pavement Marking Yellow (4")		2,575.00	LF	6,830.00	$1.05	$7,171.50	(18.00)	$1.05	($18.90)	6,812.00	$7,152.60
4	850	Thermo Pavement Marking Yellow (Skip Line) (4")		1,370.00	LF	4,790.00	$1.05	$5,029.50	(230.00)	$1.05	($241.50)	4,560.00	$4,788.00
4	860	Thermo Pavement Marking Yellow (8")		57.00	LF	57.00	$2.63	$149.91	86.00	$2.63	$226.18	143.00	$376.09
4	870	Thermo Pavement Marking Arrows		12.00	EA	32.00	$420.00	$13,440.00	(1.00)	$420.00	($420.00)	31.00	$13,020.00
4	880	Thermo Pavement Marking Words		1.00	EA	6.00	$420.00	$2,520.00	(1.00)	$420.00	($420.00)	5.00	$2,100.00
4	890	Thermo Pavement Marking White (12")		884.00	LF	1,082.00	$5.25	$5,680.50	(28.00)	$5.25	($147.00)	1,054.00	$5,533.50
4	900	Thermo Pavement Marking White (24")		49.00	LF	336.00	$12.60	$4,233.60	(162.00)	$12.60	($2,041.20)	174.00	$2,192.40
4	910	Raised Pavement Markers (Type II)		18.00	EA	18.00	$21.00	$378.00	87.00	$21.00	$1,827.00	105.00	$2,205.00
4	920	Standard Sign		11.25	SF	11.25	$21.00	$236.25	21.50	$21.00	451.5	32.75	$687.75
4	930	Channel Post Sign Support (Type U- 1)		1.00	EA	1.00	$105.00	$105.00	4.00	$105.00	$420.00	5.00	$525.00
4	940	Contingency Allowance		1.00	LS	1.00	$100,000.00	$100,000.00	(1.00)	$100,000.00	($100,000.00)	0.00	$0.00
4	960	6-inch or Smaller Waterline (C900 DR14 PVC)		15.00	LF	15.00	$220.50	$3,307.50	2.00	$220.50	$441.00	17.00	$3,748.50
4	980	Ductile Iron Fittings		570.00	LB	570.00	$5.78	$3,294.60	222.00	$5.78	$1,283.16	792.00	$4,577.76
4	1000	Tapping Sleeve and PIV (24"x6")		1.00	EA	1.00	$10,384.50	$10,384.50	(0.8681776)	$10,384.50	($9,015.59)	0.13	$1,368.91
4	1050	8" Cut, Cap With Ibeam & Abandon Existing Waterline		4.00	EA	4.00	$4,830.00	$19,320.00	(2.00)	$4,830.00	($9,660.00)	2.00	$9,660.00
4	1100	Asphalt Pavement Repair (As Directed By Engineer)		15.00	SY	15.00	$102.00	$1,530.00	60.50	$102.00	$6,171.00	75.50	$7,701.00
4	1110	CC & Gutter Repair (As Directed By Engineer)		50.00	LF	50.00	$73.00	$3,650.00	22.00	$73.00	$1,606.00	72.00	$5,256.00
4	1120	Contingency Allowance (Change Order #1)		1.00	LS	1.00	$20,000.00	$20,000.00	(0.3912625)	$20,000.00	($7,825.25)	0.61	$12,174.75

Agenda Item Form

Date of City Council Meeting	**1/12/2021**
Department	**Police Department**
Submitted by	**Jon Simpson**
Phone	**(479) 271-3173**

Item Type: *(Check All That Apply)*

☑ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

Budget Adjustment to recognize and accept funds totaling $4,500.00 from a Walmart Stores Inc. Local Grant (Neighborhood Mkt. on SW Regional and Supercenter on S. Walton in the amount of $2,500.00 and $2,000.00 respectively), and also funds from a private donation ($250.00) to be utilized to purchase two e-bikes and equipment for the Police Bike Team. All funds were received in December 2020.

Estimated Cost	**$4,750.00**
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded ***(briefly explain in space below)*:**

2020 donation and local grant will fund the 2021 expense.

Budget Adjustment Request

Date of City Council Meeting	**1/12/2021**
Department	**Police Department**
Submitted by	**Jon Simpson**
Phone	**(479) 271-3173**

Purpose of Budget Adjustment *(Enter purpose in space below):*

To recognize and accept funds totaling $4,500.00 from a Walmart Stores Inc. Local Grant (Neighborhood Mkt. on SW Regional and Supercenter on S. Walton in the amount of $2,500.00 and $2,000.00 respectively), and also funds from a private donation ($250.00) to be utilized to purchase two e-bikes and equipment for the Police Bike Team. All funds were received in December 2020.

General Ledger Account Information*				
Org (Department)	**Object**	**Account Description**	**Revenue + (-)**	**Expense + (-)**
102010.00	42510.00	Minor Equipment		$ 4,500.00
102010.00	42510.00	Minor Equipment		$ 250.00
		Totals	$ -	$ 4,750.00
		Net Impact on Fund Balance	$	(4,750.00)
*Final Account Number will be determined by Accounting Department after approval and purchase				

Agenda Item Form

Date of City Council Meeting	**1/5/2021**
Department	**Parks and Recreation**
Submitted by	**David Wright**
Phone	**479-271-6813**

Item Type: ***(Check All That Apply)***					
☐ Budget Adjustment	☐ Change Order	☑ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

City Council approval of Mayor Orman's recommendation to appoint Ryan Hollingsworth to the Parks and Recreation Advisory Board and the reappointment of Cortney Carlson and Dan Grover for their second terms.

Estimated Cost	$
Is this Item Budgeted?	☐ Yes ☐ No

If no, please explain how item will be funded ***(briefly explain in space below)*** **:**

Memo

To: City Council Members and Mayor Orman

From: David Wright, Parks and Recreation Director

Date: January 1, 2021

Re: City Council approval of Mayor Orman's recommendation to reappoint Cortney Carlson, Dan Grover and appoint Ryan Hollingsworth to the Parks and Recreation Advisory Board

---

Parks and Recreation Staff seeks approval of the appointment of one new member, as well as the reappointment of two current members to the Parks and Recreation Advisory Board (PRAB). The PRAB is comprised of nine (9) members and one (1) City Council Member. PRAB member terms are three years in length and members are able to serve two (2) consecutive terms. By ordinance, the Mayor recommends potential members to the City Council for approval.

In November, staff began advertising openings for this position on the board. During the six week advertising period, a total of 20 residents applied for the vacant position.

A committee was created to interview potential new candidates. The committee consisted of an existing PRAB Member, City Staff and myself. After interviewing the selected candidates, I forwarded our recommendations to the Mayor for her appointment. Cortney Carlson and Dan Grover were selected to return to the board and serve their second term. Ryan Hollingsworth will replace Whitney Sutherland.

Mr. Hollingsworth's first term will expire December 2023. Ryan comes to the board as a ten year resident of Bentonville. He and his family are avid park and trail explores. We feel he will prove to be a valuable assets to our department as we move forward.

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

Attachments:
PRAB Applications

1

January 7, 2021

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

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

I recommend Ryan Hollingsworth for appointment to the City of Bentonville's Parks and Recreation Advisory Board. Mr. Hollingsworth's term will expire on December 31, 2023.



Stephanie Orman

APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

RECEIVED 10.21.20

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

APPLICANT INFORMATION

Name Ryan Hollingsworth

If married, spouse's name Tiffany

Home Add [redacted]

City Bentonville Zip Code

Home/Cell Pho [redacted]

Business Phone

Email Address

Occupation operation manager

Employer FlexoOne (instocklabels.com)

Length of Residency in Bentonville 10½ years

REFERENCES

Name Heath Hoogshagen

Phone [redacted]

Email

Name Mike Robertson

Phone [redacted]

Email

Please select all commissions / boards for which you would like to be considered:

- ☐ Advertising & Promotion Commissions
- ☐ Airport Advisory Board
- ☐ Bentonville Facility Board
- ☐ Board of Adjustment
- ☐ Bentonville House Authority
- ☐ Criminal Nuisance Abatement Board
- ☐ Library Advisory Board
- ☐ NACA Board
- ☐ Ozark Regional Transit Authority (Bville representative)
- ☑ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☐ Public Art Advisory Committee
- ☐ Tree & Landscape Advisory Committee
- ☐ Utility Board

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter? I have an instagram called @bentonvillearkansas which has almost 27,000 local followers. Interact w/ locals regarding Parks, happenings etc around town. I keep people involved within our local community. I get a lot of feedback.
2. Why would you like to be considered for appointment to this commission or board?
   I feel I can help with ideas etc. I started a company 10 years ago with 3 people. We now have 43 employees & over 60,000 customers.

RETURN THIS APPLICATION TO: Submit by E-mail to Janice Hopkins, jhopkins@bentonvillear.com or deliver to the Mayor's Office, 117 West Central, Bentonville, AR 72712. If you have any questions, call 271-3112. If you are not appointed, your application will be kept for one year and will automatically be resubmitted during that time. After a year if you want to be considered for a position, you will need to reapply

Restrictions on Appointees

By signing below, applicants confirm their awareness that persons appointed to offices of the city are bound by the following rules:

1. It is unlawful to use or attempt to use a city position to gain special privileges or exemptions for yourself, family members, or others in a substantial financial relationship. A.C.A. § 21-8-304(a).

2. It is unlawful to accept employment or engage in public or professional conduct that would require or induce you to disclose confidential city information. A.C.A. § 21-8-304(b).

3. It is unlawful to use information gained by virtue of public service for personal gain or benefit. A.C.A. § 21-8-304(b).

4. It is unlawful to accept a gift or compensation, as defined by law, other than the income and benefits provided by the city, for the performance of the duties and responsibilities of your position. A.C.A. § 21-8-801(a).

5. It is unlawful to be interested, directly or indirectly, in the profits of any contract with the city unless disclosed and permitted by city council. A.C.A. § 14-42-107(b).

6. It is unlawful to receive or furnish utility services unless payment is made according to the usual and regular rates, and in the same manner as the general public. A.C.A. 14-42-108.

7. No person may serve as an officer of the city who has been convicted of a felony offense, or a misdemeanor offense that meets the following definitions:

    a. Embezzlement of public money,

    b. Bribery,

    c. Forgery,

    d. Abuse of office,

    e. Tampering, or

    f. An offense involving deceit, fraud, or false statement, including without limitation a misdemeanor offense related to the election process.

Signatur[redacted] Date 10/21/20

January 7, 2021

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Reappointment of Cortney Carlson and Dan Grover to the City of Bentonville's Parks and Recreation Advisory Board.

I recommend Cortney Carlson and Dan Grover for reappointment to the City of Bentonville's Parks and Recreation Advisory Board. Ms. Carlson and Mr. Grover's terms will expire on December 31, 2023.

Stephanie Orman

APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

APPLICANT INFORMATION

Name Cortney Carlson

If married, spouse's name Kelly Carlson

Home Addre [redacted]

City Bentonville Zip Code 72712

Home/Cell Phor [redacted]

Business Phone

Email Address

Occupation TCS

Employer Consultant

Length of Residency in Bentonville

REFERENCES

Name Stephanie Orman

Phone [redacted]

Email

Name Debra Lawton

Phone [redacted]

Email

Please select all commissions / boards for which you would like to be considered:

- [ ] Advertising & Promotion Commissions
- [ ] Airport Advisory Board
- [ ] Bentonville Facility Board
- [ ] Board of Adjustment
- [ ] Bentonville House Authority
- [ ] Criminal Nuisance Abatement Board
- [ ] Library Advisory Board
- [ ] NACA Board
- [ ] Ozark Regional Transit Authority (Bville representative)
- [x] Parks & Recreation Advisory Board
- [ ] Planning Commission
- [ ] Public Art Advisory Committee
- [ ] Tree & Landscape Advisory Committee
- [ ] Utility Board

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter?
   Degree in Marketing & Business Admin.
   8+ years of project management
   Born & raised in Bentonville.

2. Why would you like to be considered for appointment to this commission or board?
   After serving for a term, I have been able to better understand the workings of PARAB. The board is such an asset to our community & I would like to continue to be apart of the board.

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7. No person may serve as an officer of the city who has been convicted of a felony offense, or a misdemeanor offense that meets the following definitions:

    a. Embezzlement of public money,

    b. Bribery,

    c. Forgery,

    d. Abuse of office,

    e. Tampering, or

    f. An offense involving deceit, fraud, or false statement, including without limitation a misdemeanor offense related to the election process.

Signature: [redacted] Date 10/19/20

APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

APPLICANT INFORMATION

Name: Dan Grover

If married, spouse's name: Linsey Grover

Home Address: [redacted]

City: Bentonville Zip Code: 72712

Home/Cell Phone: [redacted]

Business Phone:

Email Address:

Occupation: Sales

Employer: Coca-Cola

Length of Residency in Bentonville: 12 years

* Must be a Bentonville resident to serve on a Bentonville Board or Commission.

REFERENCES

Name: Aubrey Patterson

Phone:

Email: [redacted]

Name: Steven George

Phone: [redacted]

Email:

Please select all commissions / boards for which you would like to be considered:

- ☐ Advertising & Promotion Commission
- ☐ Airport Advisory Board
- ☐ Bentonville Facility Board
- ☐ Board of Adjustment
- ☐ Bentonville Housing Authority
- ☐ Criminal Nuisance Abatement Board
- ☐ Library Advisory Board
- ☐ Ozark Regional Transit Authority (Bentonville representative)
- ☒ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☐ Public Art Advisory Committee
- ☐ Tree & Landscape Advisory Committee

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter?

--16 years as business professional, 11 years with Kraft Foods, 5 years to date with Coca-Cola
--Currently Group Director of Category Strategy for Coca-Cola serving Walmart and Sam's Club and leading a team of Directors and Sr. Managers
--MBA with Marketing emphasis from Regis University
--12-year Bentonville resident
--Coached multiple youth sports with Bentonville City and other groups like Boys and Girls Club and Upward for the last 10 years
--Lead www.onemanbookclub.com, a service to promote literacy among youth and adults by helping discerning adults and young readers find books they will like to read without being surprised by inappropriate content in the books they choose
--4th year as teacher of early morning class on religious studies for teenagers who attend Bentonville High School
--Father of six busy kids who attend Bentonville schools, use Bentonville Parks and Rec facilities, and participate in Bentonville Parks and Rec programs

2. Why would you like to be considered for appointment to this commission or board?

I would like to have to serve on the Parks and Rec Advisory Board for the following reasons:
1) I am a committed Bentonville resident and want to do my part to ensure the Bentonville of the future is the Bentonville I want to be a part of and raise my children in
2) As a father of six kids who rely on Bentonville Parks and Rec facilities and programs, I want to do my part to ensure they and the other families and children of Bentonville continue to have their needs met through Parks and Rec facilities and programs
3) I have experienced the good and bad parts of Bentonville Parks and Rec in my 12 years as a resident and a participant, and I and happy to share my knowledge and experience to help guide future growth and development of Bentonville Parks and Rec.

RETURN THIS APPLICATION TO: Submit by E-mail to Janice Hopkins, jhopkins@bentonvillear.com or deliver to the Mayor's Office, 117 West Central, Bentonville, AR 72712. If you have any questions, call 271-3112.

If you are not appointed, your application will be kept for one year and will automatically be resubmitted during that time. After a year if you want to be considered for a position, you will need to reapply.

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    b. Bribery,

    c. Forgery,

    d. Abuse of office,

    e. Tampering, or

    f. An offense involving deceit, fraud, or false statement, including without limitation a misdemeanor offense related to the election process.

Signature:	Date
Dan Grover	1/6/2021

Agenda Item Form

Date of City Council Meeting	**12-Jan-21**
Department	**Parks and Recreation**
Submitted by	**David Wright**
Phone	**(479) 271-6813**

Item Type: *(Check All That Apply)*

☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☑ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

City Council approval of Bid Award IFB-20-74, in the amount of $540,881.00, to 81 Construction for the park improvements and renovation for the Old Tiger Track.

Estimated Cost	**$540,881.00**
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded ***(briefly explain in space below)*:**

Project being funded by combination of City and A&P Funding. City is using approximetely $205,100.00 of budget funds, $317,891.00 of grant funds from A&P and is requesting to use $17,891.00 of new City funds through a budget adjustment.

Memo

To:	City Council, Mayor Orman
Thru:	David Wright, Parks and Recreation Director
From:	Wade Tomlinson, Parks Planner
Date:	January 1, 2021
Re:	Bid Award IFB-20-74 Old Tiger Stadium Public Improvement Project

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Parks and Recreation Staff is requesting City Council's approval a bid award of bid IFB-20-74 to 81 Construction to purchase services needed to build the planned renovations at Old Tiger Track.

The Bentonville Parks and Recreation Department is planning many changes to the park. Improvements include: an improved the track surface, pedestrian scale track lighting, a new restroom, a drinking fountain, a shade pavilion, patio and shelter, a bike rack and a 10' wide trail along NW D Street.

A bid was opened on December 9, 2020 by the purchasing department. 81 Construction was the low bidder for the project. Parks and Recreation has a history of working with 81 Construction and are confident they can complete the job.

The project bid from 81 Construction was $540,881. Parks and Recreation will pay for the improvement using a combination of City funds approved in multiple budget years and funds from Visit Bentonville. If approved, the City will contribute $222,991 and Visit Bentonville will pay $317,891. This does require an additional $17,891 in City Funds from what was already budgeted. The budget adjustment request is attached.

City Budget – Tiger Track Restrooms (2018)	$55,000
City Budget – Tiger Track Renovations (2020)	$188,000 (portion was used for 37,900 design contract)
Visit Bentonville – Tiger Track (2020)	$317,891
*City Budget – Tiger Track (2021)	$17,891

If you have any questions regarding this item, please let me know. Please call me at 464-7275 or email wtomlinson@bentonvillear.com.

IFB-20-74 BID TABULATION

Line Item	QTY	UOM	Description	81 Construction Group, Inc.	Extended Price	ONECON CO., LLC	Extended Price	Legacy Construction Management, Inc.	Extended Price
			Track Preparation and Rehabilitation						
1	2,887	SY	Mill 0.5" Existing Asphalt	$ 3.00	$ 8,661.00	$ 9.12	$ 26,329.44	$ 7.60	$ 21,941.20
2	900	LF	Crack Seal	$ 2.00	$ 1,800.00	$ 1.50	$ 1,350.00	$ 1.55	$ 1,395.00
3	2,887	SY	Seal Coat Existing Asphalt	$ 2.00	$ 5,774.00	$ 1.26	$ 3,637.62	$ 1.73	$ 4,994.51
4	2,740	LF	Sawcut Interior and Exterior Track Edges	$ 3.00	$ 8,220.00	$ 2.70	$ 7,398.00	$ 2.50	$ 6,850.00
5	2,740	LF	6"x18" Concrete Track Edge	$ 13.00	$ 35,620.00	$ 13.20	$ 36,168.00	$ 23.50	$ 64,390.00
6	2,887	SY	GlasPave 25 Pavement Reinforcement Mat with Tack Coat	$ 4.00	$ 11,548.00	$ 5.10	$ 14,723.70	$ 4.25	$ 12,269.75
7	2,887	SY	1-1/2" Asphalt Surface Coarse	$ 19.00	$ 54,853.00	$ 41.40	$ 119,521.80	$ 34.50	$ 99,601.50
8	2,887	SY	Beynon 200 Synthetic Track Surface with Striping	$ 41.00	$ 118,367.00	$ 46.71	$ 134,851.77	$ 38.93	$ 112,390.91
			Site Preparation						
9	1	LS	Clearing and Grubbing	$ 4,029.00	$ 4,029.00	$ 3,600.00	$ 3,600.00	$ 3,336.00	$ 3,336.00
10	180	CY	Excavation and Earthwork	$ 20.00	$ 3,600.00	$ 33.60	$ 6,048.00	$ 100.00	$ 18,000.00
11	1	LS	Tree Protection (all trees within limits of construction) and staking existing trees in the Northwest Quadrant of Site	$ 2,754.00	$ 2,754.00	$ 8,640.00	$ 8,640.00	$ 1,239.00	$ 1,239.00
12	1	LS	Erosion Control Measures	$ 20,000.00	$ 20,000.00	$ 19,200.00	$ 19,200.00	$ 17,276.00	$ 17,276.00
			Site Amenities						
13	9	CY	Class 7 Aggregate for the Restroom Subbase (12" Depth)	$ 65.00	$ 585.00	$ 20.40	$ 183.60	$ 130.00	$ 1,170.00
14	1	EA	CXT "Denali" Prefabricated Restroom with Brick Exterior Finish and Green Metal Roofing	$ 75,000.00	$ 75,000.00	$ 84,579.91	$ 84,579.91	$ 66,884.00	$ 66,884.00
15	1	EA	Water Foundation (Most Dependable Fountain 10135SM with FR Installation)	$ 8,181.00	$ 8,181.00	$ 9,458.40	$ 9,458.40	$ 4,553.00	$ 4,553.00
			Utilities						
16	101	LF	1-1/2" Water Service Line	$ 32.00	$ 3,232.00	$ 33.60	$ 3,393.60	$ 28.00	$ 2,828.00
17	11	LF	1" Water Service to Water Fountain	$ 90.00	$ 990.00	$ 96.00	$ 1,056.00	$ 28.00	$ 308.00
18	1	EA	RPZ Backflow Preventer	$ 1,300.00	$ 1,300.00	$ 1,440.00	$ 1,440.00	$ 2,400.00	$ 2,400.00
19	188	LF	4" Sewer Service Line	$ 25.00	$ 4,700.00	$ 26.40	$ 4,963.20	$ 22.00	$ 4,136.00
20	1	EA	4" Sewer Cleanout	$ 300.00	$ 300.00	$ 264.00	$ 264.00	$ 250.00	$ 250.00
21	1	LS	Lighting Package per Sheet C-106 (Appendix A)	$ 57,381.00	$ 57,381.00	$ 44,160.00	$ 44,160.00	$ 29,500.00	$ 29,500.00
			Sidewalk/Trail						
22	670	SY	Concrete Pavement	$ 40.00	$ 26,800.00	$ 54.00	$ 36,180.00	$ 49.50	$ 33,165.00
23	226	CY	Class 7 Aggregate Base Material for RCP Pipe Bedding and Concrete Pavement Subbase	$ 37.00	$ 8,362.00	$ 20.40	$ 4,610.40	$ 45.00	$ 10,170.00
24	280	SF	Concrete Headwall/Seatwall with Stone Veneer per Detail (Appendix A)	$ 41.00	$ 11,480.00	$ 36.00	$ 10,080.00	$ 82.50	$ 23,100.00
25	27	LF	12" RCP	$ 75.00	$ 2,025.00	$ 102.00	$ 2,754.00	$ 93.50	$ 2,524.50
			Demolition						
26	1	LS	Demolition and Removal of Existing 4' Sidewalk, CMP Storm Pipe, and Existing Asphalt from Track Interior per Sheet C-003 (Appendix A)	$ 7,815.00	$ 7,815.00	$ 18,000.00	$ 18,000.00	$ 10,025.00	$ 10,025.00
			Landscaping						
27	2,813	SY	Sod and 4" Topsoil per Sheet L-101 (Appendix A)	$ 8.00	$ 22,504.00	$ 8.44	$ 23,741.72	$ 6.50	$ 18,284.50
			Deductive Alternate Items						
28	1	LS	Coverworx Pavilion, complete as specified	$ 16,500.00	$ 16,500.00	$ 14,034.00	$ 14,034.00	$ 13,695.00	$ 13,695.00
29	1	LS	Cedar Pergola, complete as specified	$ 10,400.00	$ 10,400.00	$ 11,238.48	$ 11,238.48	$ 4,500.00	$ 4,500.00
30	1	LS	Site Furniture Installed, complete as specified	$ 8,100.00	$ 8,100.00	$ 3,973.20	$ 3,973.20	$ 4,350.00	$ 4,350.00
			Total Bid Price (Evaluated)		**$ 540,881.00**		**$ 655,578.84**		**$ 595,526.87**
			Vendor Submitted Total Bid Price		**$ 540,881.00**		$ 655,571.06		$ 709,700.00
			Discrepany between Evaluated Total Bid Price and Submitted Total Bid Price		$ -		$ (7.78)		$ 114,173.13

*Mathematical errors were found in the Legacy Construction Management and One-Con Co. bid submissions, resulting in discrepancies between the Evaluated Total Bid Price and the Submitted Total Bid Price.

Agenda Item Form

Date of City Council Meeting	**12-Jan-21**
Department	**Parks and Recreation**
Submitted by	**David Wright**
Phone	**(479) 271-6813**

Item Type: *(Check All That Apply)*

☑ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☑ Bid Award

Recommendation/Suggested Action ***(Enter recommendation in space below):***

City Council approval of Budget Adjustment, in the amount of $335,782.00, to recgonize $317,891.00 in revenue from Visit Bentonville's Parks Fund, and $17,891.00 in City Fund Balance to be used for renovations for the Old Tiger Track Project.

Estimated Cost	**$335,782.00**
Is this Item Budgeted?	☐ Yes ☑ No

If no, please explain how item will be funded ***(briefly explain in space below)*****:**

Total project cost is Project $540,881.00. This agendda item is to recognize the grant portion of the project - $335,782.00. The total project is being funded by combination of City and A&P Funding. City is using approximetely $205,100.00 of budget funds, $317,891.00 of grant funds from A&P and is requesting to use $17,891.00 of new City funds through a budget adjustment.

Budget Adjustment Request

Date of City Council Meeting	**1/1/2021**
Department	**Parks and Recreation**
Submitted by	**David Wright**
Phone	**(479) 271-6813**

Purpose of Budget Adjustment *(Enter purpose in space below):*

To recgonize funding from Visit Bentonville and City Fund Balance and allocate expenses for the Old Tiger Track Project.

General Ledger Account Information*				
Org (Department)	**Object**	**Account Description**	**Revenue + (-)**	**Expense + (-)**
105030	47390	Improv Other than Bldg/Other		$ 17,891.00
105030	47390	Improv Other than Bldg/Other		$ 317,891.00
105030	33810	Visit Bentonville - Parks & Facilities	$ 317,891.00	
		Totals	$ 317,891.00	$ 335,782.00
		Net Impact on Fund Balance	$	(17,891.00)
*Final Account Number will be determined by Accounting Department after approval and purchase				

Memo

To:	City Council, Mayor Orman
Thru:	David Wright, Parks and Recreation Director
From:	Wade Tomlinson, Parks Planner
Date:	January 1, 2021
Re:	Budget Adjustment for Old Tiger

Parks and Recreation Staff is requesting City Council's approval a budget adjustment to allocate funding for the Old Tiger Track Project. Construction Costs for the project are $540,881. Parks and Recreation is requesting approval to pay for the project via multiple funds and project budgets. A breakdown of funding is below:

City Budget – Tiger Track Restrooms (2018)	$55,000
City Budget – Tiger Track Renovations (2020)	$188,000 (portion was used for 37,900 design contract)
Visit Bentonville – Tiger Track (2020)	$317,891
*City Budget – Tiger Track (2021)	$17,891

As explained above, $243,000 was provided in 2018 and 2020 budgets for improvements at the park. Additional $317,891 in funding for the project comes from Visit Bentonville's Parks Fund. Staff is requesting Council to approve the final $17,891 in funding to allow for the complete buildout of the project.

If you have any questions regarding this item, please let me know. Please call me at 464-7275 or email wtomlinson@bentonvillear.com.

Attachments:

Budget Adjustment Request Form