



Mayor – Sandy Sanders

City Administrator – Ray Gosack

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith Lau

Ward 2 – Andre’ Good

Ward 3 – Mike Lorenz

Ward 4 – George Catsavis

At Large Position 5 – Pam Weber

At Large Position 6 – Kevin Settle

At Large Position 7 – Philip H. Merry Jr.

AGENDA

Fort Smith Board of Directors REGULAR MEETING

July 15, 2014 ~ 6:00 P.M.

**Fort Smith Public Schools Service Center
3205 Jenny Lind Road**

THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT ACCESS CHANNEL 214

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING

(Section 2-37 of Ordinance No. 24-10)

APPROVE MINUTES OF THE JULY 1, 2014 REGULAR MEETING

ITEMS OF BUSINESS:

1. Presentation: Air National Guard 188th Wing to City of Fort Smith
2. Resolution of intent of the Board of Directors of the City of Fort Smith, Arkansas, regarding the issuance of bonds for the purpose of assisting in the financing of an industrial facility to be located within the city (*ArcBest Corporation*)
3. Resolution authorizing the providing of legal defense and reimbursement of legal fee and expenses with reference to litigation styled as Jack Swink v. the City of Fort Smith, et al
4. Resolution to approve financial assurance agreements in lieu of a performance/payment bond, providing financial security to the City that the River Valley Sports Complex will be completed as provided within the agreement

5. Ordinance amending the Fort Smith Municipal Code regarding formulation of board meeting agendas ~ *Weber/Merry placed on the agenda at the July 1, 2014 regular meeting ~*
6. Consent Agenda
 - A. Resolution authorizing a change order for the construction of 2013 Street Striping Replacement, Project No. 13-85-A (\$445.29 / *Engineering Department / Budgeted – Street Sales Tax Program Fund*)
 - B. Resolution to accept completion of and authorize final payment for the construction of 2013 Street Striping Replacement, Project No. 13-85-A (\$28,917.98 / *Engineering Department / Budgeted – Street Sales Tax Program Fund*)
 - C. Resolution to accept the bids and authorize a contract for the construction of Streets/Overlays Reconstruction, Project No. 14-03-A (\$2,080,125.67 / *Engineering Department / Budgeted – Street Sales Tax Program Fund*)
 - D. Resolution to accept the bids and authorize a contract for the construction of Street Overlay/Reconstruction, Project No. 14-03-C (\$2,024,864.75 / *Engineering Department / Budgeted – Street Sales Tax Program Fund*)
 - E. Resolution authorizing a franchise utility relocation agreement for the Jenny Lind Road & Ingersoll Avenue Widening, Project No. 07-01-A (\$214,204.19 / *Engineering Department / Budgeted – Street Sales Tax Program Fund*)
 - F. Resolution authorizing the acquisition of real property interests for the Jenny Lind Road and Ingersoll Avenue Widening, Project No. 07-01-A (\$128,100.00 / *Engineering Department / Budgeted – Street Sales Tax Program Fund*)
 - G. Resolution authorizing the Mayor to execute a notice of an amendment to the Property Development Decision Document with the Arkansas Department of Environmental Quality for the Arkansas Brownfields Program in connection with the Zero Street Pump Station Wet Weather Improvements
 - H. Resolution authorizing the Mayor to make application to the Arkansas Department of Parks and Tourism for grant funding assistance

OFFICIALS FORUM ~ presentation of information requiring no official action
(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

EXECUTIVE SESSION

- Performance evaluation – City Administrator ~ *Announced at the February 4, 2014 regular meeting ~*
- Appointments: Fort Smith Municipal Employees Benevolent Fund Board of Advisors (1), Historic District Commission (2), Outside Agency Review Panel (2), Port Authority (1) and Property Owners Appeal Board (1)

ADJOURN

RESOLUTION NO. _____

A RESOLUTION OF INTENT OF THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS REGARDING THE ISSUANCE OF BONDS FOR THE PURPOSE OF ASSISTING IN THE FINANCING OF AN INDUSTRIAL FACILITY TO BE LOCATED WITHIN THE CITY.

WHEREAS, the City of Fort Smith, Arkansas (the “City”) is authorized under the provisions of the Municipalities and Counties Industrial Development Revenue Bond Law, Arkansas Code Annotated §§14-164-201 *et seq.* (1998 Repl. & 2013 Supp.) (the “Act”), to own, acquire, construct, reconstruct, improve, equip and lease facilities to secure and develop industry and to assist in the financing thereof by the issuance of bonds payable from the revenues derived from such facilities; and

WHEREAS, as defined in the Act, “industry” includes corporate and management offices for distribution facilities; and

WHEREAS, ArcBest Corporation, a Delaware corporation engaged in the freight transportation and logistics business, has evidenced its interest in acquiring, constructing and equipping a corporate management and administrative headquarters facility (the “Project”) to be located at Chaffee Crossing within the corporate boundaries of the City if permanent financing for the Project can be provided through the issuance of revenue bonds under the authority of the Act; and

WHEREAS, in order to secure and develop industry within the City in accordance with the provisions of the Act, the City desires to assist ArcBest Corporation or a subsidiary thereof (the “Company”) in the acquisition, construction and equipping of the Project through the issuance of the City’s Not to Exceed \$46,000,000 Taxable Industrial Development Revenue Bonds (ArcBest Corporation Project);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

Section 1. It is the City’s present intention to assist the Company in the financing of the proposed Project through the issuance of industrial development revenue bonds under the authority of the Act. It is presently estimated by the Company that bonds in the aggregate principal amount of approximately \$46,000,000 would be required for this purpose. However, the City’s intent is to issue the bonds from time to time, pursuant to the terms of the Act, in such amount as shall be requested by the Company for accomplishing all or any part of the Project, whether or not such amount is more or less than the above estimate and whether or not the facilities and improvements finally acquired, constructed and equipped are identical to or different from the facilities presently expected to constitute the Project.

Section 2. In conjunction with any issuance of bonds to assist in the financing of the Project, the City states its intention to enter into an agreement with the Company providing for annual payments by the Company in lieu of ad valorem taxes in an amount equal to fifty percent (50%) of the aggregate amount of ad valorem taxes that would otherwise be due with respect to the Project facilities but for the City's issuance of the bonds. It is the City's present intention that (i) with respect to the Project real property, the bond financing would be in the approximate principal amount of \$30,000,000 and said bonds and the corresponding agreement for payments in lieu of ad valorem taxes would have a term of approximately twelve years, (ii) with respect to the Project personal property, the bond financing would be in the approximate principal amount of \$16,000,000 and said bonds and the corresponding agreement for payments in lieu of ad valorem taxes would have a term of approximately twelve years (except for computer equipment, which would be exempt from ad valorem taxes and subject to an agreement for payments in lieu of ad valorem taxes for approximately five to seven years, based on the expected life of such equipment). Any payment made in lieu of ad valorem taxes would be distributed to the political subdivisions which would have received ad valorem tax payments with respect to the Project facilities in the proportion that the millage levied by each affected political subdivision bears to the total millage levied by all affected political subdivisions.

Section 3. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED this _____ day of July, 2014.

By: _____
Mayor

ATTEST:

By: _____
City Clerk

(SEAL)



MEMORANDUM

July 10, 2014

TO: Mayor and Board of Directors

FROM: Ray Gosack, City Administrator

SUBJECT: ArcBest Corporation - Industrial Revenue Bonds

ArcBest Corporation has requested the use of industrial revenue bonds (IRB's) for its new corporate headquarters building project at Chaffee Crossing. An attorney who specializes in IRB issuances has confirmed that these bonds may be used for corporate office building projects. The principal advantage of IRB's is a property tax reduction. The state will also be supporting ArcBest's project with incentives.

ArcBest anticipates adding 975 new jobs over the next 7 years, and investing \$30 million in its new building and approximately \$16 million in office furnishings and computer equipment. Because the equipment and building purchased with the bond proceeds is technically owned by the city, the equipment is exempt from property taxation. However, ArcBest would make annual payments in lieu of taxes in the amount of 50% of the normal taxes. These payments would be distributed to the school district, the county and the city as tax payments normally are. The term would be 12 years except for the computer equipment, which has a shorter life. The bonds aren't general obligations of the city, and are payable solely by ArcBest Corporation.

Attached is a resolution which states the city's intent to issue approximately \$46 million in industrial revenue bonds for ArcBest. Issuance of the bonds would require approval of an ordinance by the board at the time the bond issuance is ready to proceed. The bonds likely won't be issued until near the end of construction of the new office building when final costs are known.

The staff recommends approval of the attached resolution. The investment will support one of the board's top goals: economic development and job creation.

A handwritten signature in black ink, appearing to read "Ray", is enclosed in a white rectangular box.

Attachments

cc: Walter Echols, ArcBest Corporation
Tim Allen, Fort Smith Regional Chamber of Commerce
Dr. Benny Gooden, Fort Smith Public Schools
David Hudson, Sebastian County Judge
Ivy Owen, Fort Chaffee Redevelopment Authority



July 7, 2014

P.O. Box 10048 (72917-0048)
3801 Old Greenwood Road
Fort Smith, AR 72903
479.785.6000
arcb.com

Mr. Ray Gosack
City Administrator
City of Fort Smith
P.O. Box 1908
Fort Smith, AR 72902

WALTER J. ECHOLS
Vice President – Real Estate
wjechols@arcb.com
p: 479-785-8702
f: 479-785-6015

Re: ArcBest Corporation
Industrial Development Revenue Bonds (IRBs)
Corporate Headquarters Building at Chaffee Crossing

Dear Ray:

I want to thank you for working on our behalf to provide the opportunity for the issuance of the IRBs.

ArcBest periodically administers construction developments throughout the United States. In such cases, whether it be a truck terminal or an office building construction, municipalities generally offer IRBs as a vehicle to attract capital investment and job creation. Our most recent program is in northern Ohio and which includes a 50 percent tax reduction over a period of 15 years. Certainly, in the case of our planned Chaffee Crossing general office construction, coupled with its corresponding job creation, if ArcBest were to consider building this facility in any other city in the state of Arkansas or other state, we would be besieged with various incentives, including similar bond offerings. Needless to say, participation by and between ArcBest and the City of Fort Smith on the issuance of a favorable industrial revenue bond program ensures an economically viable and competitive environment for all parties involved.

As we have discussed, the Headquarters Building Project is loosely estimated at \$30 million, which is essentially the construction cost. We target furnishings costs to be in the range of \$7.5 million, and computer equipment (IT, UPS, generator, etc.) to be in the range of \$5 – 8.5 million. As soon as we are able to identify more precise total costs of this project, I will promptly forward that information to you.

Ray, please let me know what steps remain to further the issuance of the IRBs.

Sincerely,

Walter J. Echols

cc: Real Estate File

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE PROVIDING OF LEGAL DEFENSE AND REIMBURSEMENT OF LEGAL FEES AND EXPENSES WITH REFERENCE TO LITIGATION STYLED AS JACK SWINK V. THE CITY OF FORT SMITH, ET AL.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The City’s legal counsel, Daily & Woods, P.L.L.C., is hereby authorized to provide a defense of all claims made by the Plaintiff in litigation styled “Jack Swink v. City of Fort Smith, Arkansas, et al., Sebastian County Circuit Court Action CV-14-1605 (I).” Reimbursement or payment of expenses and legal fees incurred by Director Keith Lau is authorized if Director Keith Lau elects to retain other legal counsel for his defense. The City of Fort Smith will be bound by no settlement agreement made by Director Keith Lau without the concurrence of the Board of Directors of the City.

THIS RESOLUTION ADOPTED THIS ____ DAY OF July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



City Attorney
No Publication Required



MEMORANDUM

July 11, 2014

TO: Mayor and Board of Directors

FROM: Ray Gosack, City Administrator

SUBJECT: Legal Representation -
Jack Swink v. City of Fort Smith, et. al.

As you know, Jack Swink (who is represented by attorney Joey McCutchen) filed litigation against the City of Fort Smith. The litigation (copy attached) also names the city clerk and 4 directors as defendants. Legal defense for this litigation is being tendered by the city attorney, as provided by the municipal code.

Director Keith Lau has requested that he be allowed to retain his own legal representation. He is concerned that the possibility of being named individually as a defendant could lead to the consideration of misdemeanor violations under the Arkansas Freedom of Information Act. Such a possibility could affect his ability to hold professional licenses which are essential to his livelihood. The use of outside legal counsel requires approval by the board of directors.

There is a precedent for this request. In 2005, the board authorized 3 city directors and the former city administrator to obtain their own legal counsel in litigation filed by Robert Johnson (former airport director) against the city and individual directors.

Attached is a resolution which authorizes Director Lau to retain his own legal counsel and for the city to pay the expense of this counsel.

Attachments

A handwritten signature in black ink that reads "Ray".

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH DIVISION

JACK SWINK

I

FILED
FT. SMITH DIST.

2014 JUL 1 PM 2 43

Sandy Waggoner

CIR. CLERK SEB. CO.

No. CV-14-CV-14-0605

PLAINTIFF

SHERRI GARD, in her official capacity as City Clerk;
MIKE LORENZ, GEORGE CATSAVIS, KEITH LAU,
and KEVIN SETTLE, in their official capacity as City
Directors; and the CITY OF FORT SMITH,
ARKANSAS.

DEFENDANTS

AFOIA COMPLAINT AND REQUEST FOR HEARING

1. This is an appeal from a denial of rights under the Arkansas Freedom of Information Act (“AFOIA”) pursuant to Arkansas Code Annotated § 25-19-107(a).

Parties, Jurisdiction, and Venue

2. Plaintiff Jack Swink is an adult citizen of the State of Arkansas, whose address is 9816 Jenny Lind Road, Fort Smith, AR 72908; he brings this action as a matter of right under Arkansas Code Annotated § 25-19-107.
3. Defendant Sherri Gard, in her official capacity, functions as the City Clerk for the City of Fort Smith, Arkansas; the office of the City Clerk is a governmental department or other public office duly existing under the law of Arkansas.
4. Defendants Mike Lorenz, George Catsavis, Keith Lau, and Kevin Settle, in their official capacities, are duly elected member of the Board of Directors of the City of Fort Smith, Arkansas; the Board of Directors are tasked with complying with the open-meetings

provisions of the Arkansas Freedom of Information Act (“AFOIA”), codified at Ark. Code Ann. § 25-19-106.

5. Defendant City of Fort Smith, Arkansas (“the City”), is a municipal corporation located in Sebastian County and formed pursuant to the laws of the State of Arkansas; the City is bound by the open-meetings provisions of the AFOIA, Ark. Code Ann. § 25-19-103(4).
6. This court has subject-matter jurisdiction pursuant to Arkansas Code Annotated section 25-19-107(a).
7. Venue lies in Sebastian County, Arkansas, under Ark. Code Ann. § 25-19-107(a).

Factual Background

8. On June 3, 2014, Director Phillip Merry moved at a Board of Directors meeting to discuss possible overbilling and a need for an independent audit of, and review of the contractual relationship with, Daily & Woods, based on public allegations that Daily & Woods had improperly billed the City of Fort Smith in Daily & Woods’ role as City Attorney.
9. Director Merry’s items, which were seconded by Director Pam Weber, were placed on the agenda for the June 17, 2014 Board of Directors meeting.
10. Subsequent to June 3, 2014, Defendant Mike Lorenz contacted Defendant Sherri Gard and informed her that he wanted Director Merry’s items removed from the June 17 agenda.
11. Defendant Gard then contacted the other members of the Board of Directors, polling each member individually as to whether each wanted Director Merry’s items to appear on the June 17 agenda.

12. Once Defendant Gard had received four votes to remove the items from the agenda – those votes having been supplied by Defendants Lorenz, Settle, Catsavis, and Lau – Gard contacted the remainder of the board as well as City Administrator Ray Gosack, Mayor Sandy Sanders, and “other interested parties,” informing all that the items had been removed pursuant to Fort Smith City Ordinance 2-31 (4).
13. At the June 17, 2014 Board of Directors meeting, Director Merry again raised the issue of an audit of Defendant Daily & Woods’ invoices and a review of the cost-effectiveness of the city’s contract with Daily & Woods generally.
14. Director Weber seconded Director Merry’s motion at the meeting, but the items failed to receive the required number of votes to be added to the agenda for that meeting; accordingly and by rule, the items were placed on the agenda for the July 1, 2014 Board of Directors meeting.
15. On June 26, 2014, Defendant Lorenz again contacted Defendant Gard, informing her that he wished to have Director Merry’s items removed from the July 1 agenda.
16. Defendant Gard then again contacted each member of the Board of Directors, polling them as to whether each wanted Director Merry’s items removed from the July 1 agenda.
17. When Defendant Gard received four votes to remove the items from the July 1 agenda – those votes having been supplied by Defendants Lorenz, Settle, Catsavis, and Lau – Gard contacted the remainder of the board as well as City Administrator Ray Gosack, Mayor Sandy Sanders, and “other interested parties” (including some media outlets), informing all that the items had been removed pursuant to Fort Smith City Ordinance 2-31 (4).

CLAIM: Violation of the Open-Meetings Provisions of the AFOIA

18. Plaintiff restates the facts and allegations in paragraphs 1 through 18, *supra*, as if laid out in full herein.
19. Under the Arkansas Freedom of Information Act (“AFOIA”), “except as otherwise specifically provided by law, all meetings, formal or informal, special or regular, of the governing bodies of all municipalities . . . supported wholly or in part by public funds or expending public funds, shall be public meetings.” Ark. Code Ann. § 25-19-106(a).
20. The Arkansas Supreme Court has held that contact of individual members of the Fort Smith Board of Directors by the City Administrator to obtain approval of action to be taken by the Board as a whole constituted an informal Board meeting subject to the AFOIA. *See Harris v. City of Fort Smith*, 359 Ark. 355, 197 S.W.3d 461 (2004).
21. The actions of Defendants Gard, Lorenz, Settle, Catsavis, and Lau are indistinguishable from the improper actions in *Harris*; Defendants Gard, Lorenz, Settle, Catsavis, and Lau held an informal meeting within the meaning of the AFOIA and Defendant Gard obtained approval of an action to be taken by the Board as a whole.
22. To justify their actions, Defendants mistakenly rely upon Fort Smith City Ordinance 2-31 (4), which states: “Any item of business may be denied a place on or removed from the agenda by notice of four (4) directors to the city clerk prior to the date of the meeting of the proposed consideration. The city clerk shall immediately notify the city administrator, the mayor, the directors and other interested persons of such action.”
23. It is axiomatic that a city ordinance cannot give public officials the power to do something that would otherwise be prohibited under state law, including the open-meetings provisions of the AFOIA. *See Ark. Const., Art. 12, § 4* (“No municipal

corporation shall be authorized to pass any laws contrary to the general laws of the state”).

24. Thus, to the extent that Defendants argue that Fort Smith City Ordinance 2-31 (4) authorizes their actions, that ordinance is invalid on its face, and it can provide no defense for the Defendants.
25. Because Defendants Lorenz, Settle, Catsavis, and Lau could not have had individual conversations to discuss whether to remove the items from the meeting agendas, they similarly cannot circumvent the AFOIA by using a third party – Defendant Gard – to have those individual conversations with them. *See City of Fayetteville v. Edmark*, 304 Ark. 179, 801 S.W.2d 275 (1990).
26. Indeed, the Arkansas Supreme Court has held that the polling of individual board members via telephone, rather than having a meeting to discuss an issue, violated the AFOIA because there was neither notice as required by the AFOIA nor the opportunity for the public and press to attend. *See Rehab Hospital Servs. Corp. v. Delta-Hills Health Systems Agency, Inc.*, 285 Ark. 397, 687 S.W.2d 840 (1985).
27. Defendant Gard’s private polling of the Defendant board members deprived the public of their right to learn not only the actions being taken by the board, but also the reasons for the action. *See John J. Watkins & Richard J. Peltz*, “The Arkansas Freedom of Information Act” (5th ed.), at 297 (citing *Arkansas Gazette Co. v. Pickens*, 258 Ark. 69, 522 S.W.2d 350 (1975)).

Prayer for Relief

WHEREFORE, based on the foregoing, Plaintiff prays that this Court will:

28. Find that Defendants failed to comply with the AFOIA with respect to the removal of Director Merry's items from the agendas for the June 17, 2014 meeting and the July 1, 2014 meeting.
29. Issue an injunction, prohibiting the Defendants from removing any items from future board agendas in any manner that violates the AFOIA.
30. Fix and assess a day the petition is to be heard within seven (7) days of the date of this application, and hear and determine the case as required by Arkansas Code Annotated section 25-19-107(b).
31. Award Plaintiff his reasonable fees and costs, including reasonable attorney's fees.
32. Order any other relief that this Court deems proper.

Respectfully submitted,

By:


Joey McCutchen, AR Bar No. 88-045
MCCUTCHEN & SEXTON-THE LAW
FIRM
P.O. Box 1971
Fort Smith, AR 72902-1971
479-783-0036
479-783-1568 (fax)

Service of any documents by e-mail will not be received by counsel for the Plaintiff unless copied to pam@mccutchenlawfirm.com

RESOLUTION NO. _____

A RESOLUTION APPROVING FINANCIAL ASSURANCE AGREEMENTS
IN LIEU OF A PERFORMANCE/PAYMENT BOND, PROVIDING FINANCIAL
SECURITY TO THE CITY THAT THE RIVER VALLEY SPORTS COMPLEX WILL
BE COMPLETED AS PROVIDED WITHIN THE AGREEMENT

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS, that:

The Board of Directors hereby accepts the assurance from River Valley Sports
Complex in lieu of a performance/payment bond as noted in Section 4 of the agreement
approved by Resolution R-20-14, said assurance being attached hereto as Exhibit A.

This Resolution adopted this _____ day of July, 2014.

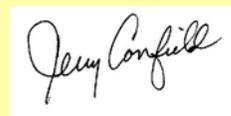
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM



_____npr



Memo:

July 11, 2014

To: Ray Gosack, City Administrator
From: Mike Alsup, Director of Parks and Recreation *Mike Alsup*
Re: Resolution for River Valley Sports Complex Financial Assurances

The City of Fort Smith and River Valley Sports Complex (RVSC) entered into an agreement in March of this year for the construction and operation of the sports complex. The project is an eight (8) field softball complex being built by RVSC on City property in Chaffee Crossing. The City agreed to provide funding in the amount of \$1.6 million with conditions.

Section 4 of the agreement states:

In lieu of a performance/payment bond, the City, by its Board of Directors, may, at its discretion, accept a combination of financial/insurance agreements providing financial security to the City that the agreed Sports Complex will be completed as provided herein and in the time period provided herein. The performance/payment bond or other City accepted financial security, shall remain in effect until one year after the date the final payment comes due.

Exhibit A was provided by RVSC as the assurance required by Section 4. The assurance is a list of equipment or work with stated discounts or donations. With the exception of the donation of the counter tops, the assurance does not identify the source of any of the donations.

As provided in Section 6., the City made the first payment to RVSC for \$100,000 on March 21. The next payment will be due upon approval of the engineering and architectural plans for the complex. No additional payments will be made till the financial assurance is approved by the Board.

We have had regular phone conferences with the Army Reserve concerning the training exercises which include grading for the ball fields, building pads, and parking lots. The Reserve will be on site the month of August. The site has been cleared and is ready for this work. Funding will be needed to support the Army Reserve's work, and funds will be needed to stabilize the site when they are finished. Most of the funds for the project will be expended after this work is completed.

If the Board is satisfied with the offered assurance, they should adopt the resolution.

River Valley Sports Complex
8 field complex

Date July 9, 2014
Progress Report on Financial Assurances

	Per Field	Total (x8)	Actual	Real/Estimated Donated	Total Value	Estimated Real Cost	
Property (62.9 acres) valued at \$17,500/acre	\$ 137,594	\$ 1,100,750		\$ 943,500	\$ 1,100,750	\$ -	
Engineering, MEP, Design	\$ 7,500	\$ 60,000	\$ 60,000	\$ 60,000	\$ 420,000	\$ 60,000	
Clearing (required by Guard to start)			\$ 40,785			\$ 40,785	Completed 38.4 acres
National Guard Sitework	\$ 150,000	\$ 1,200,000		\$ 1,200,000	\$ 1,200,000	\$ -	
Top Soil (4" depth) placed and laser graded	\$ 11,250	\$ 90,000			\$ 90,000	\$ 90,000	
Solid Sodding	\$ 5,945	\$ 47,560			\$ 47,560	\$ 47,560	
Skinned infield & warning track/ placed and graded	\$ 19,500	\$ 156,000			\$ 156,000	\$ 156,000	
Surface field conditioner 24 tons	\$ 3,400	\$ 27,200			\$ 27,200	\$ 27,200	
Fencing (backstop, foul line, dugout, outfield)	\$ 24,000	\$ 192,000			\$ 192,000	\$ 180,000	
Lighting (50/30fc)	\$ 65,000	\$ 520,000	\$ 458,000		\$ 520,000	\$ 458,000	Firm Bid
Dugouts (roof, seating, concrete)	\$ 10,000	\$ 80,000			\$ 80,000	\$ 80,000	
Bleachers and pad	\$ 13,000	\$ 104,000			\$ 104,000	\$ 104,000	
Irrigation	\$ 9,000	\$ 72,000			\$ 72,000	\$ 72,000	
Scoreboards	\$ 5,000	\$ 40,000		\$ 40,000	\$ 40,000	\$ -	
Concession & rest rooms (2 identical bldgs @ \$200,000/ea)	\$ 50,000	\$ 400,000		\$ 150,000	\$ 250,000	\$ 250,000	
Utilities	\$ 3,125	\$ 25,000			\$ 25,000	\$ 25,000	
Total Line	\$ 514,314	\$ 4,114,510			\$ 4,324,510	\$ 1,590,545	

Notes:

We are awaiting final plans to be complete so that we can get firm commitments on exact items such as lumber, brick, fixtures, etc. We have gotten great responses on every item we have inquired about.
 The lighting bids have all come in and we are \$62,000 under budgeted costs for the lighting package for all the fields.
 The Guard is slated to be here on August 1, and do a 28 day mission to complete the earthwork portion for us.
 With a full set of plans, we will be able to price out each item and continue with our progress.
 There is nothing we have found that would lead us to believe that anything is different than our initial projections.

Financial Assurances/ Donations or in-kind

Concrete	23% discount Supplier
Fencing	At cost/ direct from manufacturer
Plumbing Equipment	At distributor cost
Electrical Equipment	At cost
HVAC Equipment	Plan on donation
Irrigation	At cost
All trade labors	At labor cost with no markup
Countertops	Donated by Plunkett Distributing
Parking Lot Material	Still working on
Lumber	Waiting on final construction plans
Brick	Waiting on final construction plans
Block	Waiting on final construction plans
Landscaping	Donated or at cost

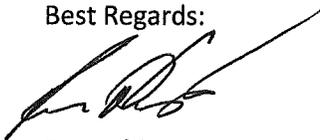
Regarding Item No. 4, this information (containing 21 pages) was received on Tuesday, July 14, 2014 and such was distributed to the Board of Directors on same date.

To whom it may concern:

Upchurch Electrical Supply has decided to help Mr. Webb on the cost of River Valley Sports Complex concession facility. After talking with Wes Cantrell we felt that we need to sell the materials on this job at cost. We will also ask the vendors that supplied material to donate some of the material to be used on this project. Upchurch has helped many communities on projects by either donating or selling material at cost.

Fort Smith and the surrounding areas have helped this company to be successful and we feel that helping our community is good for everyone.

Best Regards:



Ron White

UPCHURCH
ELECTRIC

A

B&A Electric Inc.

HUBBELL FIXTURES

1st bid received
6-9-14

PO Box 1512, Ft. Smith, AR 72902

Office: (479)452-9369

Fax: (479)484-1935

Quotes: Fort Chaffee Ballfields 50/30 light levels

Scope: This price includes all labor and materials required for a complete electrical installation using 16 pole lights. There are some deductions below that can be made if trenching and the boring of holes for the light pole bases is done separately.

This price includes all poles, fixtures, 2-600 amp panels, 2-75 KVA transformers, and 2- 200 amp low voltage panels.

30 year warranty included.

Base Price: \$458,000

Deducts:

Trenching (approximately 5000 feet) : \$4,900

Boring holes for bases: \$8,000

If rock is encountered while drilling for the pole bases, it will be removed at a cost of \$325 per foot.

Submitted by: Brian Buzbee VP B&A Electric Inc. Date: 6-9-2014

Accepted by: _____ Date: _____

AR Contractors License # 0128570415 OK Contractors License # 00100999

Due to the fluctuating costs of construction materials, this price is good for 30 days, at which point, the quote will need to be reevaluated

B-1



Fort Smith Softball Complex

January 30, 2014

Fort Smith Softball Association

*estimated
cost
Jan 2014*

The following is a Turnkey estimate based upon Musco Design #155225 to light Fort Smith Softball Complex at River Valley.

This estimate includes lighting equipment, installation, underground wiring and delivery to site. Musco will provide our Light-Structure Green™ – engineered from foundation-to-poletop in 5 Easy Pieces™ – and Control-Link® systems.

Turnkey Estimate:

Fort Smith 8 Softball Fields - Two (2) Wagon Wheel:

\$641,000

Budget Estimate Criteria

- Offloading, assembly and installation of the Musco equipment, installation of branch circuits from main disconnect panel to each pole location and installation of the main disconnect panel by a licensed electrical contractor will be provided by others
- Musco is a lighting manufacturer and not an electrical contractor. Installation estimates are based upon projects similar in scope.
- Getting electrical power to the site, coordination with the utility, and any power company fees are responsibility of the owner.
- Standard soil conditions. Rock, bottomless, wet or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Energy savings of more than 50% over a standard lighting system
- Guaranteed light levels of 50 footcandles in the infield and 30 in the outfield
- Musco Constant 25™ product assurance and warranty program that eliminates 100% of your maintenance costs for 25 years, including labor and materials
- Control Link® Control & Monitoring System for flexible control and solid management of your lighting system

Thank you for considering Musco for your sports-lighting needs. We look forward to helping you make your project a success.

Jeremy Lemons
Arkansas Field Sales Representative
Musco Sports Lighting, LLC
Phone: 501.249.8056
E-mail: Jeremy.lemons@musco.com
Fax: 800.374.6402

*B-2
ESTIMATE*

July 14th 2014

To: Whom it may concern.

K&K Farm Supply has agreed to sell chainlink fencing, posts wire and all accessories to River Valley Sports Complex thru Lee at Economy Feed in Fort Smith, Ar. Pricing will be at a wholesale level. Price will be confirmed at time of order. We are proud to be a partner of the local community.

Sincerely,

Jeff Freitag

KFS Sales Manager

C

BKG Tile
Van Buren, Arkansas

We agree to provide any tile labor at cost for the River Valley Sports Complex. We are glad to be a part of a great community project like this, and we look forward to helping see them reach completion.

Brian Gentry

July 14th 2014

To: Whom it may concern.

K&K Farm Supply has agreed to sell chainlink fencing, posts wire and all accessories to River Valley Sports Complex thru Lee at Economy Feed in Fort Smith, Ar. Pricing will be at a wholesale level. Price will be confirmed at time of order. We are proud to be a partner of the local community.

Sincerely,

Jeff Freitag

KFS Sales Manager

E

ACME BRICK COMPANY

A Berkshire Hathaway Company

Quotation

QUOTING

OFFICE: ACME BRICK COMPANY DATE: 7/14/14

2001 Old Greenwood Road JOB NAME: Fort Smith Sports Complex @ Chaffee Crossing

Fort Smith, Arkansas 72903



JOB LOCATION: Fort Smith

ARCHITECT:

BID DATE:

*We quote the following prices on materials, F. O. B. _____ present freight rate allowed to _____
Any increase in present freight rates to be added.*

<u>Retail</u>			<u>Quoted/Discounted</u>
\$379/M	95,000 K/S Brick	5.0 Brick per foot	\$300/M
\$550/M	68,000 Estate Size	3.6 Brick per foot	\$475/M
\$1100/M	56,000 Utility Size (from closed Eureka Brick Plant)	3.0 Brick per foot	\$850/M

There is a chance that we can also donate some product to job site.

*****NOTE:** Prices on Quotations are protected for 30 days after date of Quotation. Prices on entered orders will be protected for 180 days after the date of order. For any shipments after 180 days from the order date, the current price at the time of shipment will apply. No returns or pick up of excess material.

ACME BRICK COMPANY

BY Kelly Haley
Kelly Haley - Branch Manager

ALL QUOTATIONS SUBJECT TO TERMS AND CONDITIONS SHOWN ON THE REVERSE SIDE. PERFORMANCE ON ALL ORDERS SHALL BE SUBJECT TO STRIKES, CAR SHORTAGES AND OTHER CAUSES BEYOND OUR CONTROL, ALL QUOTATIONS SUBJECT TO A.S.T.M. SPECIFICATIONS.

TERMS AND CONDITIONS OF QUOTATION AND/OR SALE

1. All Orders are subject to the approval of our Credit Department.
2. If quoted for a specific job designated herein, these quotations are good for 30 days unless definitely stated otherwise. Quotations which are not made for a specific job are subject to charge without notice. Acceptance of orders taken by the dealers or representatives of the seller are not binding until accepted and acknowledged by the seller.
3. All quotations are based, and all orders accepted, upon present lawful freight rates. Any increase in present freight rates shall be borne by the purchaser on any portion of the order remaining unshipped at time such increase becomes effective.
4. Unless otherwise specified herein, these prices are based on full carload shipment. The purchaser is responsible for any LCL, excess freight, express, or parcel post charges involved in shipments of small additions to carload orders, replacement of breakage, etc., if such shipments cannot be included in a carload movement.
5. Rail transportation charges will not be prepaid except too prepaid points or stations or upon split cars shipped to two different purchasers, transportation and excess charges will be prepaid only as the agent of the purchaser and at his request. All prepaid rail, truck, express and parcel post charges will be invoiced as a separate item payable with invoice of material.
6. All orders are accepted upon the express understanding that while the seller will make all effort to meet delivery schedule of the purchaser, delays, the result of: War; labor shortages; strikes; fires; breakdowns; transportation restrictions or car shortages; Federal priority, Conservation or Limitation Orders or regulations; or other causes clearly beyond the control of the seller, shall be waived by the purchaser.
7. While it is the intention that title shall pass at the plant, unless otherwise provided, a condition of the sales is that seller's yard count shall govern settlement. The purchaser will count the material before unloading if possible, otherwise during the unloading, and if there is an apparent shortage will telegraph or otherwise immediately notify the seller so that the latter may come and settle shortage before any of the material is used, with the understanding that the purchaser will pay the expense if the plant count is correct. No shortage claim will be recognized by seller under any other circumstances. All material shall be considered accepted after the purchaser or his agent has had reasonable opportunity for its inspection. In no event shall the seller be in any way liable after the material has been used.
8. Taxes. Any Federal, State or Local Tax in effect at time of shipment shall be borne by purchaser.
9. All material is sold subject to the specifications and grading rules and guarantee of ASTM and/or the Facing Tile Institute for the quantities quoted.
10. Orders for special sizes, shapes, shades, or textures (including charges for special dies) in process of Manufacture or completed are not cancelable in whole or part.
11. No allowances will be made by the manufacturer for shortages or damage incurred in transit. If there is any loss or damage when a car is received, consignee must immediately report to local freight agent and require his endorsement on freight bill as to condition of contents to avoid difficulties when making a claim against the railroad.
12. Return of material. Material ordered by mistake or in excess of requirement cannot be returned for credit.
13. No claims and/or back charges will be allowed for sorting and/or handling of damaged and/or defective material until manufacturer or his appointed agent has approved charge after checking and verifying that such material is not acceptable; and in no event shall a claim be recognized if material has been improperly handled.
14. TERMS: 30 days net-on items where cash discount applies payments shall be made at semi-monthly intervals to earn the cash discount; 10th of month for shipments made 16th to last day of preceding month, and 25th of month for shipments made 1st to 15th of current month. All bills are payable at P. O. Box designated in the "Remit To" section on the face of invoice, free of expense to the seller. If no P. O. Box is designated, remit to the nearest address shown. Past due accounts for merchandise shall bear interest at 8% per annum.
15. Should purchaser default hereunder and an action be brought by seller against purchaser based upon this purchase order, purchaser shall pay an additional reasonable amount to be fixed by the court as attorney's fees.
16. This quotation contains the entire agreement of the parties, and no statement or promises, or verbal or other agreement not contained herein shall in any manner affect or modify any of the terms or provisions herein contained.
17. These terms and conditions cancel and supersede any previous issue.



FORT CHAFFEE
REDEVELOPMENT
AUTHORITY

July 14, 2014

Jake Files, Arkansas State Senate
Lee Webb, Sebastian County Election Commission Chairman

Re: Chaffee Crossing Softball Field Construction

Dear Jake and Lee,

This letter is to confirm that Fort Chaffee Redevelopment Authority agrees to furnish shale in the amount necessary to accommodate the development of the softball field complex.

If you or anyone has any questions regarding this matter please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ivy Owen'.

Ivy Owen
Executive Director & CEO

IO/jg

Value \$1.19/ft
x 237,000 ft used
\$282,030 value of
donation

Ben Green Bids

for comparison on
price/donation

3. ALTERNATES Alternate bids include all variations in profit, overhead, bonds, insurance, and similar related items.

Deductive Alternates:

Deductive Alternate No. 1: Remove from base bid: Asphalt paving and tack coat at northern parking area. (Includes 57 parking spaces and drives.) Note: Concrete handicapped parking, gravel sub base and 3' undercut to remain for entire north parking area.

DEDUCT the sum of thirty six thousand seven hundred ^{seventy three & 00/100} Dollars (\$ 36,773.⁷³)
(Amount shown in words shall govern.)

Deductive Alternate No. 2: Remove from base bid: Litter receptacles (2), benches (2), stone seat wall at planter (Note: include 6" curb instead of seat wall), and 2,800 sq of common bermuda sod at warm up area (Note: include hydromulch common bermuda instead of sod).

DEDUCT the sum of \$ Seven thousand & ⁰⁰/100 Dollars (\$ 7,000.⁰⁰)
(Amount shown in words shall govern.)

Deductive Alternate No. 3: Remove from base bid: Shade structures (4) over bleacher seating.

DEDUCT the sum of \$ Eighty five thousand & ⁰⁰/100 Dollars (\$ 85,000.⁰⁰)
(Amount shown in words shall govern.)

Unit Prices:

THESE ARE FOR INCREASE OR DECREASE OF MATERIALS BY CHANGE ORDER OR FOR MEETING PROJECT BUDGET. THIS IS A LUMP SUM CONTRACT.

If the required quantities of the items listed below are increased or decreased by change order or to meet the project budget, the unit prices set forth below shall apply to such quantities. Unit prices to include all labor, materials, delivery, installation, services, equipment, insurance, profit, applicable taxes, and overhead related items necessary to construction. Amounts shall be written in words and figures. In case of discrepancy between the written amount and the figures, the written amount will govern.

Item	Unit	Description of item with bid prices written in words	Unit Price
1	SF	8" depth Class 7 sub base parking lot @ DOLLARS & CENTS <u>one dollar & 19/100</u>	\$ <u>1.19 SF</u>
2	SF	Asphalt (2" paving and tack coat) @ DOLLARS & CENTS <u>one dollar & 38/100</u>	\$ <u>1.38/SF</u>

237,000 Feet
\$ 282,030
ESTIMATION

H-1

3	SY Sod Common Bermuda @	DOLLARS & CENTS	\$
		One dollar & 68/100	1.68 SF
4	LF Mow Strip @	DOLLARS & CENTS	\$
		Eight dollars & 00/100	8.00 LF
5	SF Sidewalk (5" thick conc., reinforced) @	DOLLARS & CENTS	\$
		four dollars & 00/100	4.00 SF
6	LF 6' Ht. Chain link Fence @	DOLLARS & CENTS	\$
		nineteen dollars & 00/100	19.00 /LF
7	LF 18" ht. Stone Seat Wall @	DOLLARS & CENTS	\$
		one hundred forty & 00/100	140.00 /LF
8	CY Undercut and Haul off of weathered shale that requires large tracked excavators or dozers (Caterpillar D-8 or larger) with a single tooth ripper. @	DOLLARS & CENTS	\$
		ten dollars & 00/100	10.00
9	CY Undercut and Haul Off Unsuitable Material @	DOLLARS & CENTS	\$
		ten dollars & 00/100	10.00 /cy
10	CY Haul in & Compact Select Fill @	DOLLARS & CENTS	\$
		twenty dollars & 00/100	20.00 /cy

H-2

004113-BID FORM

BID FROM: LJB Construction, Inc
423 Rogers Ave. Ste 103-A
Fort Smith, AR 72901

DATE: 6-4-13

BID TO: City of Fort Smith
3301 S. M. Street
Fort Smith, AR 72903

PROJECT: Ben Geren Park Softball Addition

Gentlemen:

1. Having carefully examined the Bidding, Contract, and General Requirements, the Drawings and Specifications, and Addenda, as prepared by Jacobs, Inc., 10816 Executive Center, Suite 300, Little Rock, AR 72211 acting as and in these Contract Documents entitled the A/E, as well as the premises and all conditions affecting the proposed construction, the undersigned proposes to provide all labor, materials, services, and equipment necessary for, or incidental to, the construction of the project in accordance with the Contract Documents within the time set forth, for the sums shown on the Bid Schedule contained in this Bid Form for the lump sum base bid:

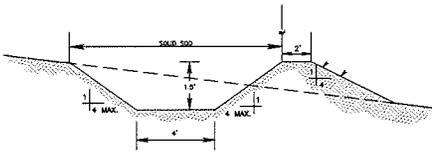
BASE BID

- 1) Restroom and Concessions Building
(Building and all related utilities to 5' outside building including all work not included in base bid items below.) \$366,900.00
- 2) Parking and Drives
(Maintenance and North Parking area including earthwork and paving.) \$95,716.00
- 3) Fields, walks, and all site elements.
(Maintenance and North Parking area including earthwork and paving.) \$1,099,249.00
- 4) Site utilities 5' outside building and beyond.
(Water, sewer, electrical, and drainage.) \$60,572.00
- 5. ACA 22-9-212 requires the contractor to indicate on this bid form the cost of Trenching Safety Systems. FAILURE TO SHOW THIS COST WILL INVALIDATE THE BID. (NOTE THIS COST SHALL BE INCLUDED IN THE BASE BID.) \$1,000
- 6. Construction Allowance of \$20,000 for additional improvements at the discretion of the owner. \$20,000.00

LUMP SUM TOTAL BASE BID

one million six hundred forty two thousand four Dollars \$1,642,437.00
hundred thirty seven (Amount shown in words shall govern.)
dollars.

H-3

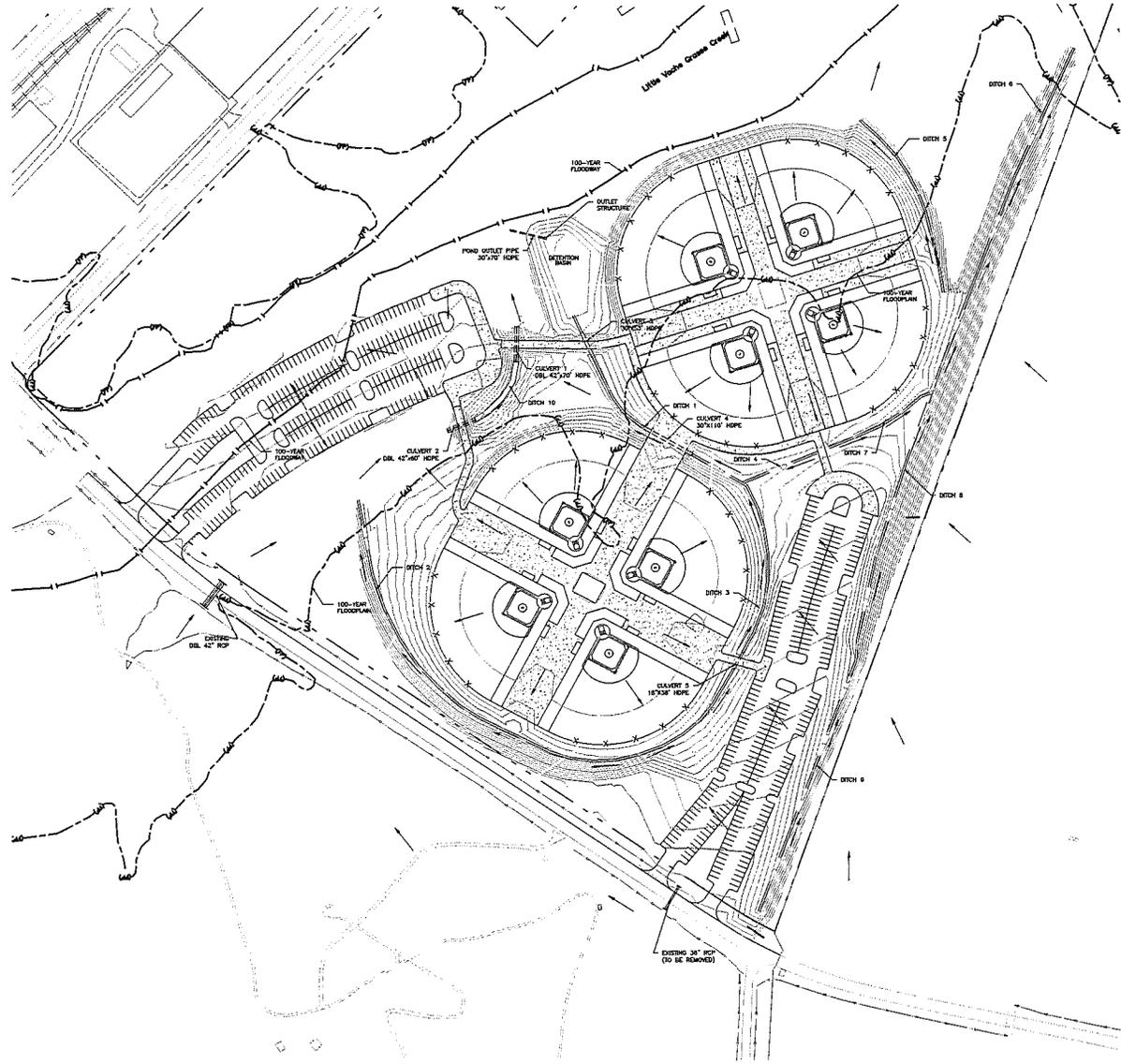


TYPICAL SECTION OF GRASS LINED SWALE

NOTE:
ALL SWALES TO BE SOLID 50.0.

DITCHES

DITCH NO.	DEPTH (FT.)	BOTTOM WIDTH (FT.)	SIDE SLOPE H:V.	LENGTH
DITCH 1	1.5'	4'	4:1	50.0, 50.0
DITCH 2	1.5'	4'	4:1	50.0, 50.0
DITCH 3	1.5'	4'	4:1	50.0, 50.0
DITCH 4	1.5'	4'	4:1	50.0, 50.0
DITCH 5	1.5'	4'	4:1	50.0, 50.0
DITCH 6	1.5'	4'	4:1	50.0, 50.0
DITCH 7	1.5'	4'	4:1	50.0, 50.0
DITCH 8	1.5'	4'	4:1	50.0, 50.0
DITCH 9	3.0'	4'	4:1	50.0, 50.0
DITCH 10	4.0'	10'	5:1	50.0, 50.0



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Date:	4/22/14
Drawn By:	CHB
Approved:	CHB
Job No.:	14-0000
Sheet:	1 of 1

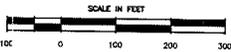
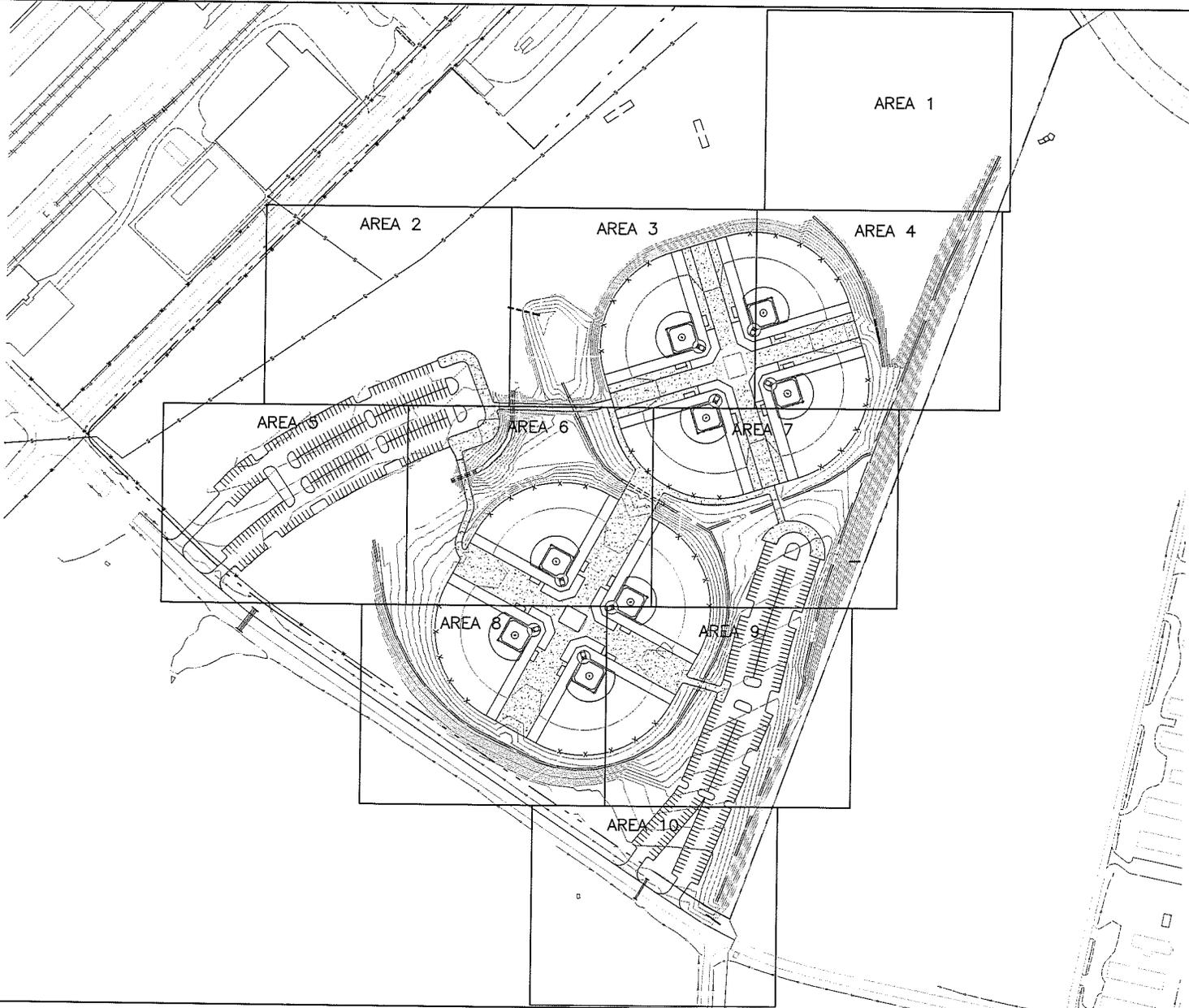
DRAINAGE PLAN
RIVER VALLEY SPORTS COMPLEX
FOR THE CITY OF SEBASTIAN,
SEBASTIAN COUNTY, ARKANSAS





BRIXEY ENGINEERING & LAND SURVEYING, INC.
CONSULTING ENGINEERS — LAND SURVEYORS
8233 East Highway 45, P.O. Box 8190, Fort Smith, Arkansas 72904 (479) 644-8284





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The information on this plan was derived from a survey conducted by Brixey Engineering & Land Surveying, Inc. on or about 11/14/14. The information on this plan is based on the survey data and is not intended to be used for any other purpose.

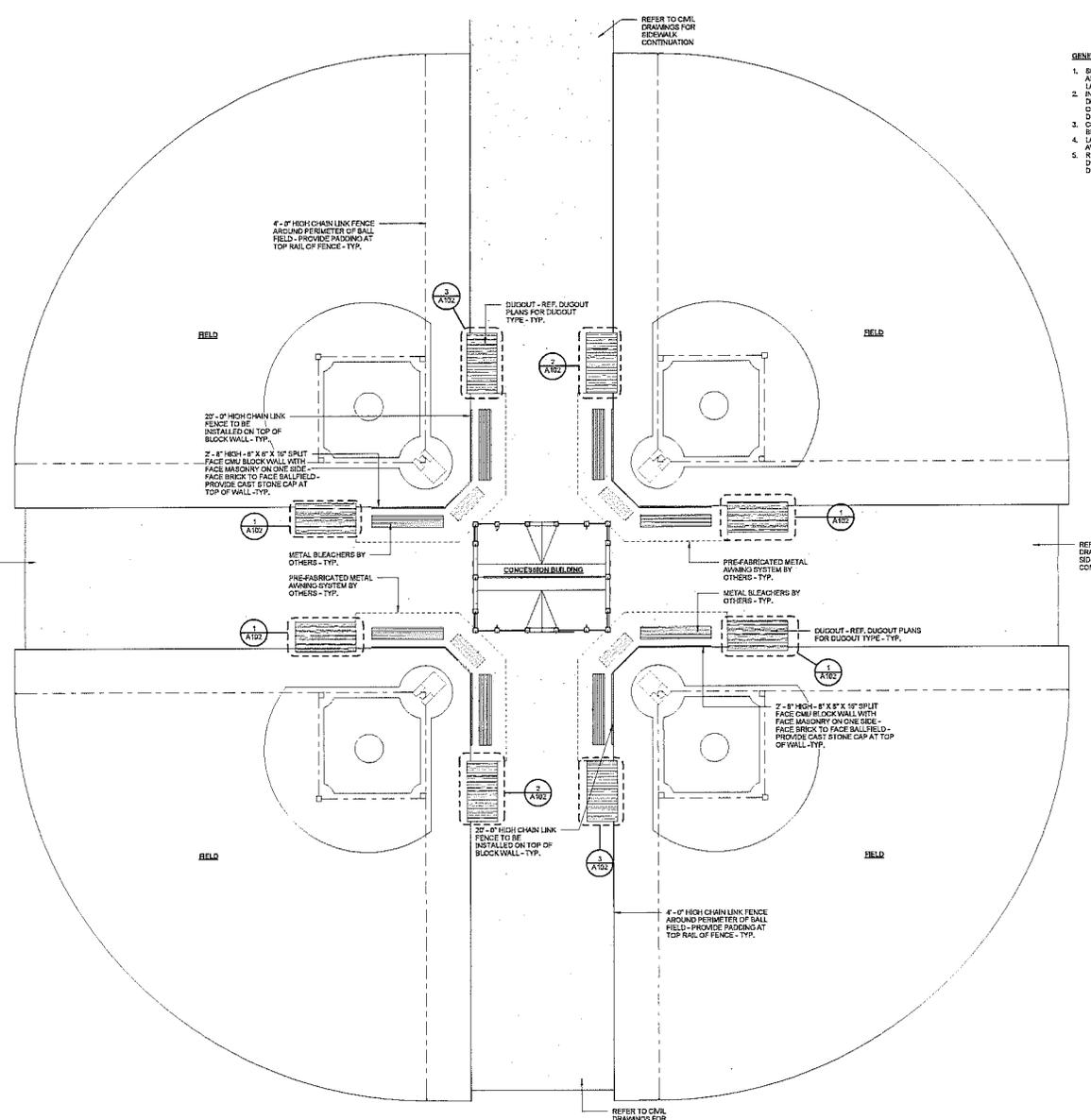
FILE NUMBER: 15-00000001-11-0000 RIVER VALLEY SPORTS COMPLEX GRADING
DATE: 9/27/14
DRAWN BY: CAG
JOB NO.: 14-0000
SHEET: 7

GRADING ORIENTATION PLAN
RIVER VALLEY SPORTS COMPLEX
CITY OF FORT SMITH
SEBASTIAN COUNTY, ARKANSAS
Prepared For: CITY OF FORT SMITH



**BRIXEY ENGINEERING &
LAND SURVEYING, INC.**
CONSULTING ENGINEERS - LAND SURVEYORS
8223 East Highway 45 P.O. Box 690 Fort Smith, Arkansas 72808 479-644-4344





- GENERAL SITE NOTES:**
1. SCREEN MECHANICAL UNITS WITH LANDSCAPING OR ARCHITECTURAL SCREENS. CONSULT ARCHITECT FOR NON LANDSCAPING SCREENING METHODS.
 2. INSTALL EROSION CONTROL MEASURES PRIOR TO START OF SITE DISTURBANCE. EROSION CONTROL MEASURES ARE TO BE CONTINUOUSLY MAINTAINED THROUGHOUT THE PROJECT DURATION.
 3. CONTRACTOR IS TO ASSURE POSITIVE DRAINAGE AWAY FROM BUILDING FOR ALL NATURAL AND FINED SURFACES. LANDINGS AND SIDEWALKS AT EXTERIOR DOORS TO SLOPE 2% AWAY FROM DOOR FOR APPROX. 1555.14.
 4. REFER TO CIVIL DRAWINGS FOR EXACT ORIENTATION, SITE DIMENSIONS, CONTIGUOUS, AND LOCATIONS OF COMPLEX. DRAWING SHOWN ON SP1 IS FOR REFERENCE PURPOSES ONLY.

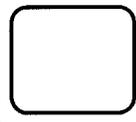
1 TYPICAL BALLFIELD LAYOUT
SP1
1" = 30'-0"

REVISIONS		
#	DESCRIPTION	DATE

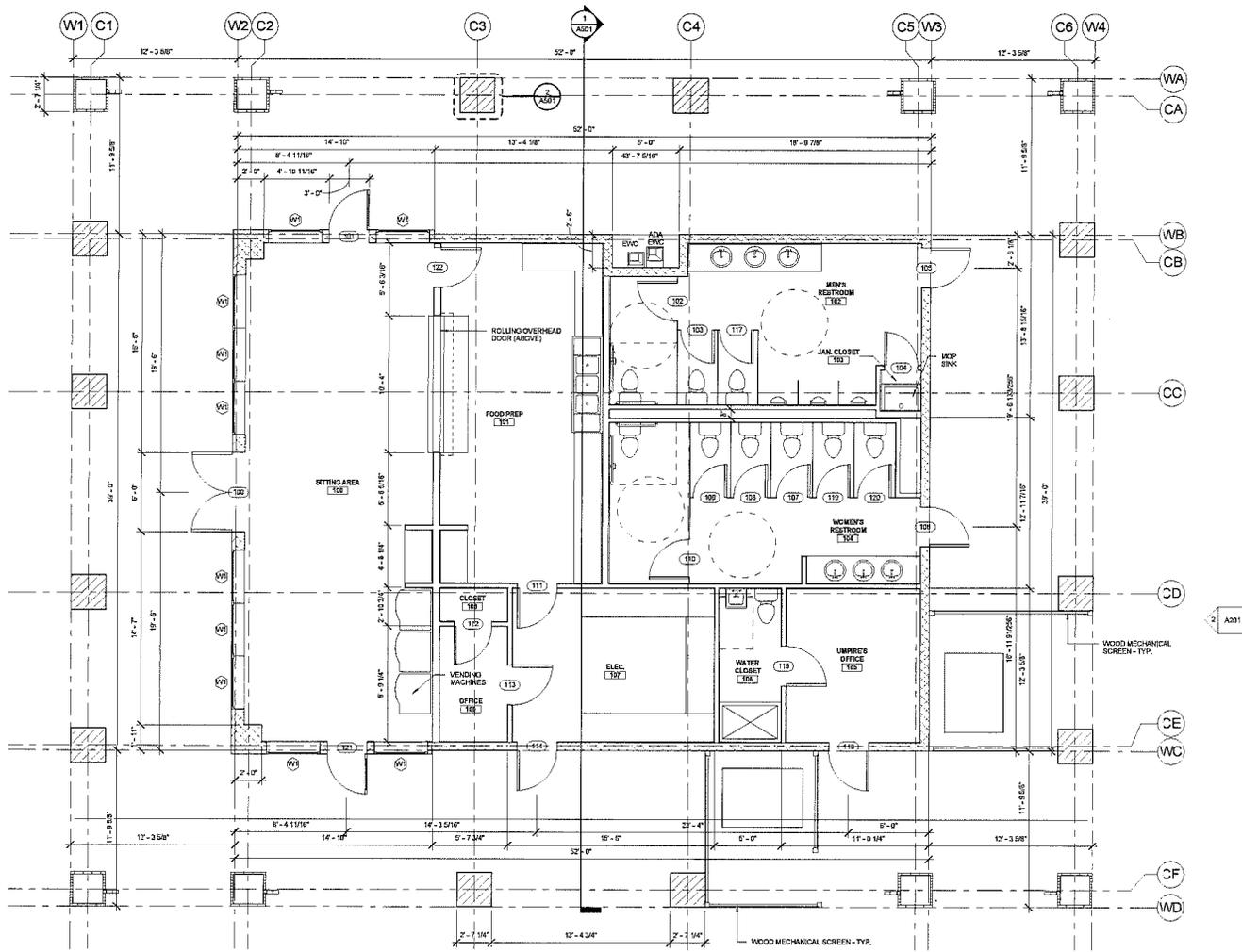
8/13/2014 4:47:45 PM

chasen b. garrett
ARCHITECTS, PLLC
P.O. Box 8336
Fort Smith, AR 72902 479-652-0175

RIVER VALLEY SPORTS COMPLEX
FORT SMITH, ARKANSAS
SITE PLAN



Date
Issue Date
Sheet Number
SP 1



CONCESSION BUILDING FLOOR PLAN
 1/4" = 1'-0"

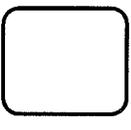
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8/10/2014 4:57:33 PM

chasen b. garrett
 ARCHITECTS, PLLC

P.O. Box 8336
 Fort Smith, AR 72902 479-652-0175

RIVER VALLEY SPORTS COMPLEX
 FORT SMITH, ARKANSAS
 CONCESSION BUILDING FLOOR PLAN



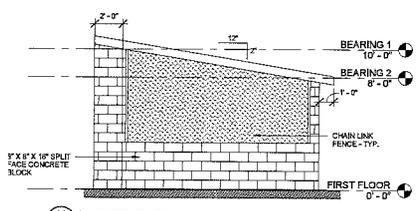
Date
 Issue Date
 Sheet Number
A101

REVISIONS		
#	DESCRIPTION	DATE

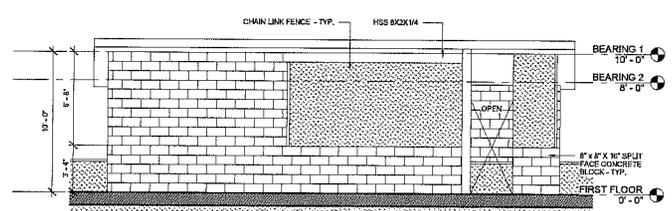
chasen b. garrett
ARCHITECTS, P.L.L.C.
P.O. Box 8336
Fort Smith, AR 72902 479-652-0175

RIVER VALLEY SPORTS COMPLEX
FORT SMITH, ARKANSAS
DUGOUT PLANS

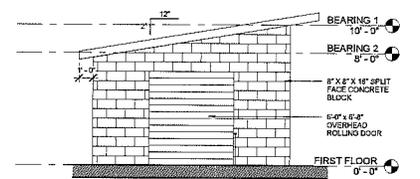
Date
Issue Date
Sheet Number
A102



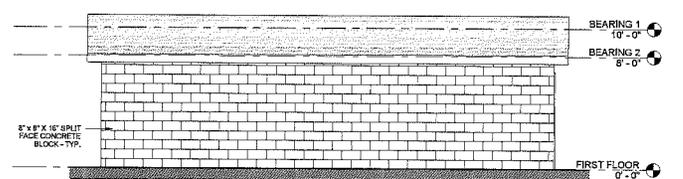
11 DUGOUT ELEVATION
1/4" = 1'-0"



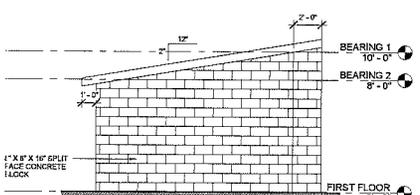
7 DUGOUT ELEVATION
1/4" = 1'-0"



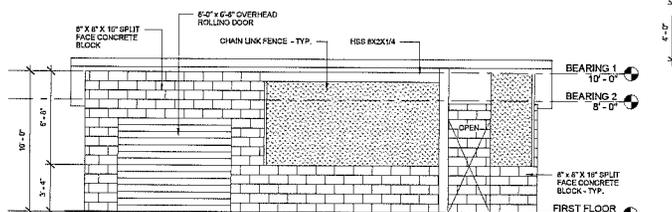
10 DUGOUT ELEVATION
1/4" = 1'-0"



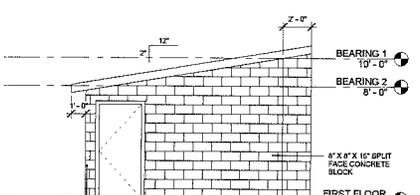
6 DUGOUT ELEVATION
1/4" = 1'-0"



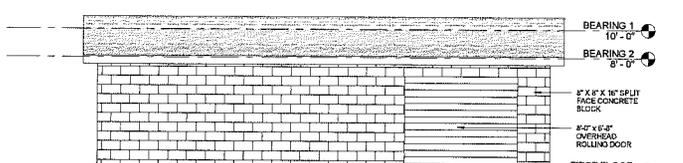
9 DUGOUT ELEVATION
1/4" = 1'-0"



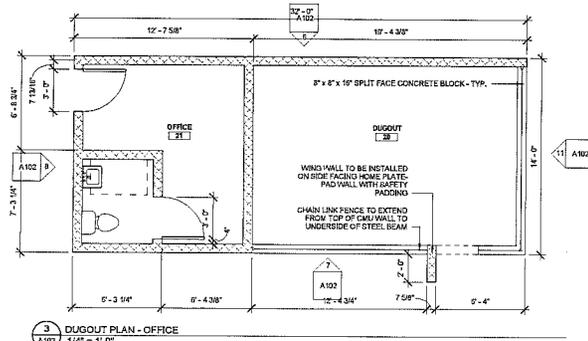
5 DUGOUT ELEVATION
1/4" = 1'-0"



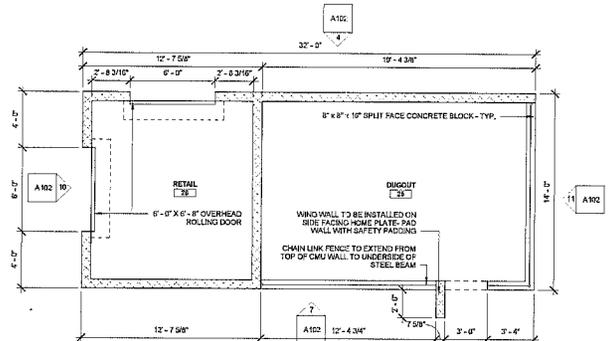
8 DUGOUT ELEVATION
1/4" = 1'-0"



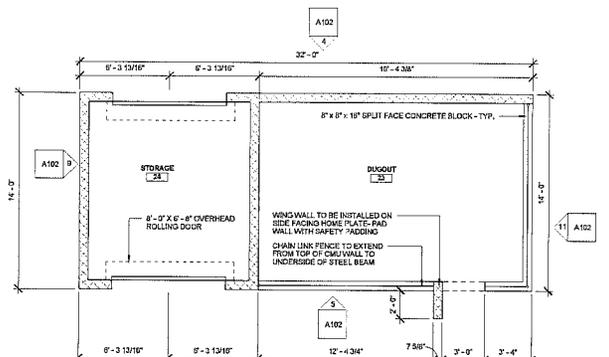
4 DUGOUT ELEVATION
1/4" = 1'-0"



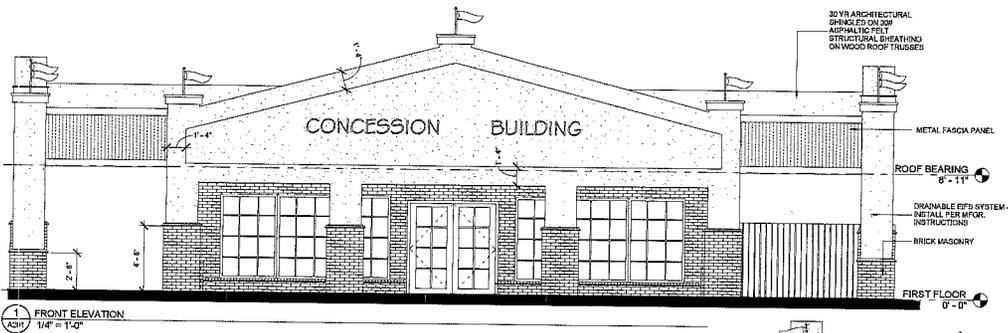
3 DUGOUT PLAN - OFFICE
1/4" = 1'-0"



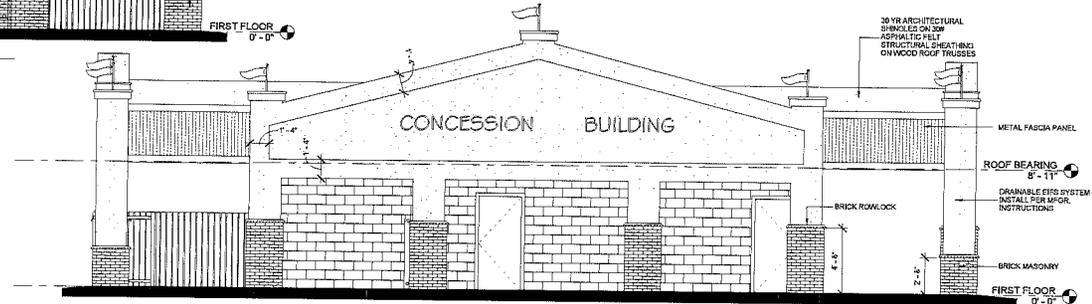
2 DUGOUT PLAN - RETAIL
1/4" = 1'-0"



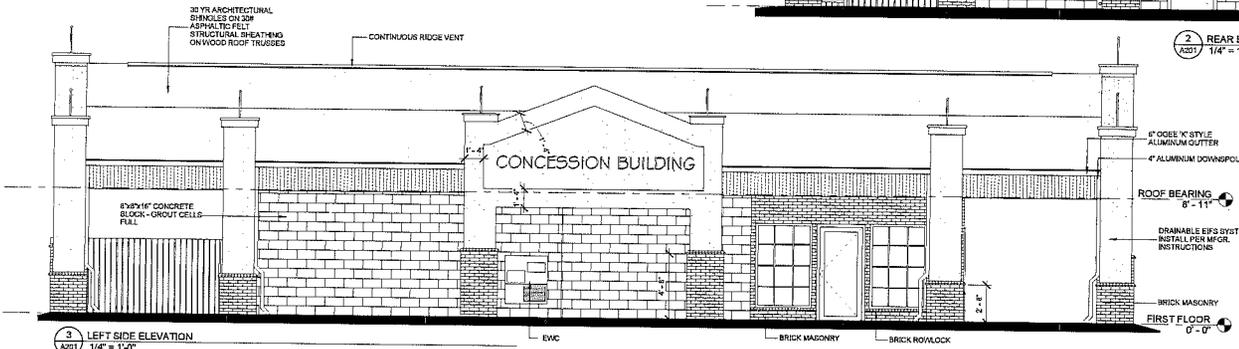
1 DUGOUT PLAN - STORAGE
1/4" = 1'-0"



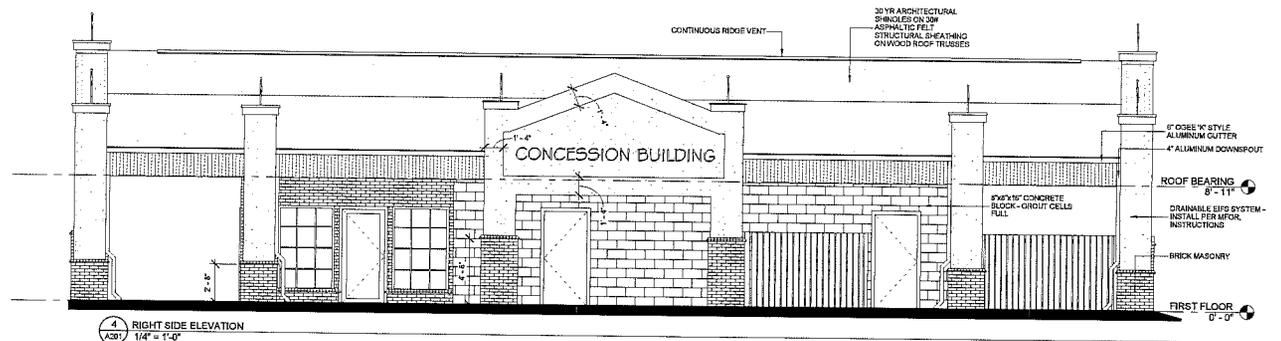
1 FRONT ELEVATION
1/4" = 1'-0"



2 REAR ELEVATION
1/4" = 1'-0"



3 LEFT SIDE ELEVATION
1/4" = 1'-0"



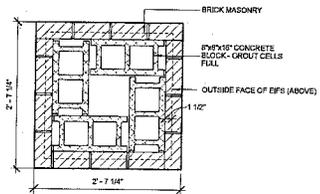
4 RIGHT SIDE ELEVATION
1/4" = 1'-0"

REVISIONS		
#	DESCRIPTION	DATE

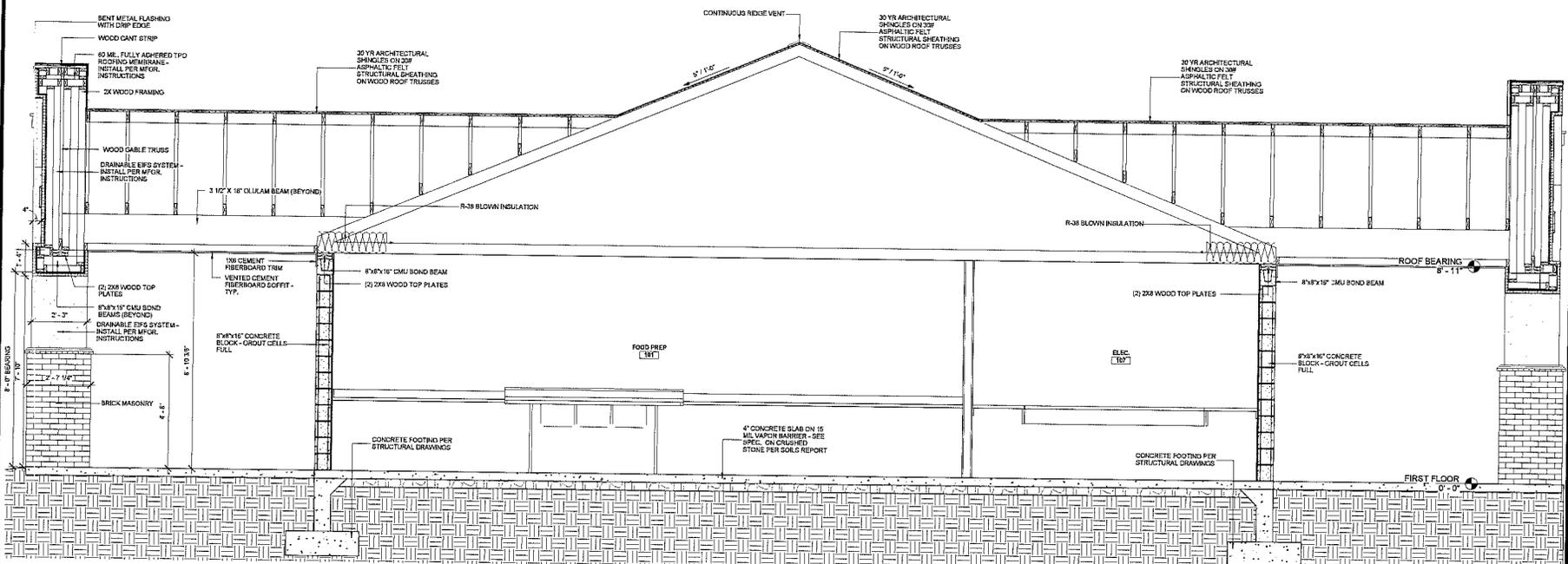
chasen b. garrett
ARCHITECTS, PLLC
P.O. Box 8336
Fort Smith, AR 72902 479-652-0175

RIVER VALLEY SPORTS COMPLEX
FORT SMITH, ARKANSAS
CONCESSION BUILDING ELEVATIONS

Issue Date
Sheet Number
A201



2 DETAIL AT COLUMN BASE
ASB 1" = 1'-0"



1 CONCESSION BUILDING SECTION
ASB 1/2" = 1'-0"

REVISIONS		
#	DESCRIPTION	DATE

chasen b. garrett
ARCHITECTS, PLLC
P.O. Box 8936
Fort Smith, AR 72902 479-652-0175

RIVER VALLEY SPORTS COMPLEX
FORT SMITH, ARKANSAS
CONCESSION BUILDING SECTION

Date

Issue Date
Sheet Number
A501



YOUR **TOTAL** LAWN MAINTENANCE
SOLUTION.

River Valley Sports Complex

To whom it may concern:

We would like to thank you for considering Greenview Lawns, Inc. for participation in the process of building the River Valley Sports Complex. We will do our part by contributing the landscape and irrigation services for the cost of materials and employee labor only. We will also do our part in working with our suppliers and vendors to see if we can get some materials donated or bought at a discount price.

Let us know if we can be of further assistance to you.

Sincerely,

A handwritten signature in black ink that reads "Cory Green". The signature is fluid and cursive, with the first and last names clearly legible.

Cory Green
Greenview Lawns, Inc.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE FORT SMITH MUNICIPAL CODE
REGARDING FORMULATION OF BOARD MEETING AGENDAS**

BE IT ORDAINED AND ENACTED by the Board of Directors of the City of Fort Smith, Arkansas that:

SECTION ONE - AMENDMENT TO CODE:

- (a) Section 2-31, subparagraph 4 of the Fort Smith Municipal Code is hereby deleted in its entirety.
- (b) Section 2-37(a) of the Fort Smith Municipal Code is hereby amended by the deletion of the phrase "unless removed by a majority of the board" in the fifth sentence of said section.

SECTION TWO - EMERGENCY CLAUSE:

The immediate effectiveness of this Ordinance establishing procedures for the governing body of the City is required to provide for the orderly conducting of the affairs of the governing body and the City. Therefore, an emergency is declared, and this Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED and APPROVED this _____ day of July, 2014.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Publish 1 Time



MEMORANDUM

July 11, 2014

TO: Mayor and Board of Directors

FROM: Ray Gosack, City Administrator

SUBJECT: Board Meeting Agenda Formulation Ordinance

At the July 1st board of directors meeting, an ordinance regarding agenda formulation was requested. The specific request is to delete Section 2-31(4) of the Fort Smith Municipal Code, which reads

(4) Any item of business may be denied a place on or removed from the agenda by notice of four (4) directors to the city clerk prior to the date of the meeting of the proposed consideration. The city clerk shall immediately notify the city administrator, the mayor, the directors and other interested persons of such action.

After reviewing the entire section of the municipal code regarding agenda formulation, there's another section which will require an amendment. This is to avoid a conflict with the requested change. Attached is a copy of these sections of the municipal code. The portions to be deleted are shown in strikeout typeface and highlighted.

Attached is a summary of the times business items have been removed or added to an agenda using the procedures in section 2-31(3) and (4), over the past three years. These sections allow items to be removed or placed on an agenda with the concurrence of 4 directors. The removal procedure has been used five times (or seven times if the recent legal services items are counted as two separate actions), and the addition procedure has been used on four occasions to place five separate items on agendas.

Attached is an ordinance which amends the municipal code to delete the provisions which allow 4 directors to remove items from meeting agendas. Please contact me if there's any questions or a need for more information.

A handwritten signature in black ink on a white rectangular background. The signature consists of a short horizontal line followed by the word "Ray" in a cursive, handwritten style.

Attachments

Sec. 2-31. Formulation of agenda.

Each item of business for consideration by the board of directors at any regular, special, study session or executive session meeting of the board shall be first placed on a written agenda. The agenda shall be formulated and disseminated according to the following directions:

- (1) The preparation of the agenda for each regular, special, study session or executive session meeting of the board of directors shall be the duty of the city clerk, under the supervision of the mayor.
- (2) An item of business may be placed on the agenda for any regular, special, study session or executive session meeting of the board at a study session meeting preceding the meeting of consideration by the city administrator, or by the concurrence of any two (2) members of the board. An item of business may be placed on the agenda for any regular, special, study session or executive session meeting of the board at any time by the city administrator provided notice of the specific subject of the addition to the agenda is given to the mayor and the members of the board of directors at least forty-eight (48) hours before the meeting of consideration.
- (3) An item of business may be placed on the agenda at least forty-eight (48) hours prior to the time of the meeting of consideration by four (4) members of the board upon notice to the city clerk of the name of the proposed directors and the specific subject of the items of business to be considered. The city clerk shall immediately notify the directors, the city administrator and the mayor of the specific subject of the addition to the agenda.
- ~~(4) Any item of business may be denied a place on or removed from the agenda by notice of four (4) directors to the city clerk prior to the date of the meeting of the proposed consideration. The city clerk shall immediately notify the city administrator, the mayor, the directors and other interested persons of such action.~~
- (5) An item of business requiring immediate action by the board may be placed on the agenda within forty-eight (48) hours or at the meeting of consideration by notice from all seven (7) members of the board to the city clerk pursuant to subsection (c) above or by unanimous vote of the entire membership of the board. An absent member of the board may express consent to consideration by those present in writing, or by facsimile or electronic mail communicated to the city clerk.
- (6) An item of business presented at a regular or special meeting of the board, not placed on the agenda of the meeting at which presented, shall be automatically placed on the agenda of the following regular meeting unless its place on the agenda is denied, or it is removed as provided in this article.

(7) Any ordinance or resolution placed on the agenda of any regular or special meeting of the board requiring by its terms the appointment by the board of a person and the insertion of a person's name in the ordinance or resolution shall be automatically referred to and constitute a call of an executive session prior to adjournment of such meeting, and formal action on the ordinance or resolution shall take place in public session after the executive session.

(Ord. No. 24-10, § 1, 5-18-10)

Sec. 2-37. Agenda consideration at opening of meeting; public comment on agenda items

(a) After each regular or special meeting of the board of directors is called to order and the roll is called, the mayor shall inquire of the members of the board of directors if any director desires to present any item of business or other matter to the board during the meeting, or which is not already on the agenda of a regular or special meeting. If the mayor receives an affirmative response, the subject of all such items of business or matters for consideration shall be promptly determined. No person, except a member of the board of directors, shall be permitted by the mayor to discuss any item of business or other matter presented at the meeting for a place on the agenda until the item of business is placed on the agenda, or other matter is approved by the board for presentation at the meeting. The mayor shall submit separately to the board for vote without motion each item of business or other matter proposed by a director. A director presenting items requiring board action, but not placed on the agenda of the meeting at which presented, shall be told by the mayor that the item will be on the agenda for the next regular meeting of the board, unless removed by a majority of the board. At each regular or special meeting of the board the mayor may then ascertain the number of persons present for each item on the agenda and shall rearrange the order of the agenda subject to the approval of the board, so that the business of the largest groups of people present is first on the agenda.

CITY OF FORT SMITH
SUMMARY OF REMOVAL & ADDITION OF ITEMS ON AGENDA
July 2011 through July 2014

SECTION 2-31(4) - REMOVE ITEM(S) FROM AGENDA

- 1. Date: Tuesday, July 10, 2012**
Item: Follow-up discussion regarding residential sanitation service
~ *Director Weber requested at the June 19, 2012 regular meeting ~*
Requestor: Director Kevin Settle (*phone July 10, 2012*)
CONCUR (4) - Settle, Good, Hutchings & Catsavis
OBJECT (1) - Tyler
(*No response from Directors Weber & Merry*)
Disposition: **REMOVED** from July 24, 2012 study session
- 2. Date: Wednesday, January 9, 2013**
Item: Review proposal to relocate City offices to the Garrison Building
~*Tyler/Catsavis placed on January 22, 2013 study session agenda at the December 18, 2012 regular meeting ~*
Requestor: Director Kevin Settle (*phone January 9, 2013*)
CONCUR (4) - Settle, Lau, Good & Weber
OBJECT (1) - Catsavis
(*No response from Directors Lorenz & Merry, who later advised they concurred with the request.*)
Disposition: **REMOVED** from January 22, 2013 study session
- 3. Date: Friday, March 1, 2013**
Item: Ordinance to prohibit the installation of groundwater wells beneath certain identified lands within the city of Fort Smith, Arkansas; declaring an emergency; and for other purposes ~*Good/Lorenz placed on March 5, 2013 regular meeting at the February 12, 2013 study session ~*
Requestor: Director Keith Lau (*phone March 1, 2013*)
CONCUR (7) - Lau, Good, Lorenz, Catsavis, Weber, Settle & Merry
Disposition: **REMOVED** from March 5, 2013 regular meeting & rescheduled to the March 27, 2013 regular meeting
- 4A. Date: Wednesday, June 11, 2014**
Item: Resolution directing the performance of a financial audit of the billing records of Daily & Woods, P.L.L.C. for services rendered to the City of Fort Smith ~ *Merry/Weber placed on the June 17, 2014 regular meeting at the June 10, 2014 study session ~*
Requestor: Director Mike Lorenz (*phone June 11, 2014*)
CONCUR (5) - Lorenz, Lau, Good, Catsavis & Settle
OBJECT (2) - Weber & Merry
Disposition: **REMOVED** from June 17, 2014 regular meeting

PAGE 2 ~ SUMMARY OF REMOVAL AND ADDITION OF ITEMS ON AGENDA

SECTION 2-31(4) - REMOVE ITEM(S) FROM AGENDA (Continued)

- 4B. Date: Wednesday, June 11, 2014**
Item: Resolution creating a commission to review how the City of Fort Smith obtains legal services ~ *Merry/Weber placed on the June 17, 2014 regular meeting at the June 10, 2014 study session ~*
Requestor: Director Mike Lorenz (*phone June 11, 2014*)
CONCUR (4) - Lorenz, Lau, Catsavis & Settle
OBJECT (3) - Good, Weber & Merry
Disposition: **REMOVED** from June 17, 2014 regular meeting
- 5A. Date: Thursday, June 26, 2014**
Item: Resolution directing the performance of a financial audit of the billing records of Daily & Woods, P.L.L.C. for services rendered to the City of Fort Smith ~ *Merry/Weber placed on the June 17, 2014 regular meeting at the June 10, 2014 study session; Directors Lorenz, Lau, Good, Catsavis & Settle removed from the June 17, 2014 regular meeting on June 11, 2014; Merry/Weber placed on the July 1, 2014 regular meeting agenda at the June 17, 2014 regular meeting ~*
Requestor: Director Mike Lorenz (*email June 25, 2014 11:04 p.m.*)
CONCUR (4) - Lorenz, Lau, Catsavis & Settle
OBJECT (2) - Weber & Merry
(*No response from Director Good, who later advised he concurred with the request.*)
Disposition: **REMOVED** from July 1, 2014 regular meeting
- 5B. Date: Thursday, June 26, 2014**
Item: Resolution creating a commission to review how the City of Fort Smith obtains legal services ~ *Merry/Weber placed on the June 17, 2014 regular meeting at the June 10, 2014 study session; Directors Lorenz, Lau, Good, Catsavis & Settle removed from the June 17, 2014 regular meeting on June 11, 2014; Merry/Weber placed on the July 1, 2014 regular meeting agenda at the June 17, 2014 regular meeting ~*
Requestor: Director Mike Lorenz (*email June 26, 2014 11:04 p.m.*)
CONCUR (4) - Lorenz, Lau, Catsavis & Settle
OBJECT (2) - Weber & Merry
(*No response from Director Good, who later advised he objected to the request.*)
Disposition: **REMOVED** from July 1, 2014 regular meeting

PAGE 3 ~ SUMMARY OF REMOVAL AND ADDITION OF ITEMS ON AGENDA

SECTION 2-31(3) - ADDITION OF ITEM(S) TO AGENDA

- 1. Date: Monday, November 19, 2012**
Item: Ordinance amending the Fort Smith Municipal Code establishing incentives to encourage voluntary spay/neuter
Requestor: Director Philip H. Merry, Jr. (*email November 16, 2012 3:52 p.m.*)
CONCUR (3) - Merry, Tyler & Weber
OBJECT (3) - Good, Hutchings & Settle
(*No response from Director Catsavis, who later advised he concurred to the request; however, the response was not received at least 48 hours prior to the meeting as required.*)
Disposition: **DENIED** placement on November 20, 2012 regular meeting
- 2A. Date: Friday, February 21, 2013**
Item: Discussion of the City's support of the aquatic water park interlocal agreement for the base \$8,000,000 + the \$600,000 in-kind + the \$820,000 whereby ½ of the \$820,000 will be paid back by the City to the County over 4 years
Requestor: Director Philip H. Merry, Jr. (*email February 21, 2013 10:12 p.m.*)
CONCUR (3) - Merry, Catsavis & Weber
OBJECT (4) - Lau, Good, Lorenz & Settle
Disposition: **DENIED** placement on February 26, 2013 study session
- 2B. Date: Friday, February 21, 2013**
Item: To the extent possible, a discussion of the emails and media releases on employees and their observance of your chain of command protocols
Requestor: Director Philip H. Merry, Jr. (*email February 21, 2013 10:12 p.m.*)
CONCUR (3) - Merry, Catsavis & Weber
OBJECT (4) - Lau, Good, Lorenz & Settle
Disposition: **DENIED** placement on the February 26, 2013 study session
- 3. Date: Friday, May 3, 2013**
Item: Executive Session - Appointment to the Planning Commission (1)
Requestor: Director Keith Lau (*phone May 3, 2013*)
CONCUR (7) - Lau, Good, Lorenz, Catsavis, Weber, Settle & Merry
Disposition: **GRANTED** placement on the May 7, 2013 regular meeting
- 4. Date: Thursday, June 13, 2013**
Item: Have the upcoming board retreat meetings locally so as to optimize the area citizens access to our process
Requestor: Director Philip H. Merry, Jr. (*email June 12, 2013 10:05 p.m.*)
CONCUR (3) - Merry, Catsavis & Weber
OBJECT (4) - Lau, Good, Lorenz & Settle
Disposition: **DENIED** placement on the June 18, 2013 regular meeting

RESOLUTION _____

**A RESOLUTION AUTHORIZING A CHANGE ORDER
FOR THE CONSTRUCTION OF
2013 STREET STRIPING REPLACEMENT
PROJECT NO. 13-85-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: Change Order No. 1 with Advanced Workzone Services, LLC. for the 2013 Street Striping Replacement, Project No. 13-85-A, which increases the contract amount by \$445.29 to an adjusted contract amount of \$28,917.98, is hereby approved.

This resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



No Publication Required

RESOLUTION _____

**A RESOLUTION TO ACCEPT COMPLETION OF AND
AUTHORIZE FINAL PAYMENT FOR THE CONSTRUCTION OF
2013 STREET STRIPING REPLACEMENT
PROJECT NO. 13-85-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of the 2013 Street Striping Replacement, Project No. 13-85-A, as complete.

SECTION 2: Final payment is authorized in the amount of \$28,917.98 to the contractor Advanced Workzone Services, LCC., for the 2013 Street Striping Replacement, Project No. 13-85-A.

This resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator
FROM: Stan Snodgrass, P.E., Director of Engineering
DATE: July 8, 2014
SUBJECT: 2013 Street Striping Replacement
Project No. 13-85-A

The above subject project consisted of the replacement of street striping at various locations as noted on the attached list. The total length of street striping was approximately 87,000 feet. A project summary sheet is also attached.

Change Order No. 1 in the amount of \$445.29 (1.6%) is due to an overrun in the pavement marking removal which was required to eliminate a conflict with the existing striping.

Attached are Resolutions to approve Change Order No. 1 and to accept the project as complete and authorize final payment to the contractor. I recommend that the Resolutions be accepted by the Board of Directors at the next regular meeting.

Enclosures

Attachment "A"

2013 Striping List

Feet	Yellow Paint (4") & Pavement Marking Removal (4")				
950	North "H" St	From	N. 4th. St	To	N. 16th. St
1460	N. 13th. St	From	North "O" St	To	Garrison Ave
642	Kelley Hwy.	From	N. 6th. St	To	N. 27th. St
4424	Harriet Ln.	From	N. 6th. St	To	Newlon Rd
1190	Newlon Rd.	And	N. 6th. St	At	Intersection
4788	Dallas St.	From	S. 74th. St	To	S. 80th. St
Match Existing Striping At S. 74th. St					
1520	Kinkead Ave	From	Waldron Rd.	To	Albert Pike Ave
100	Kinkead Ave	And	Waldron Rd.	On	East side Of Int.
1640	Free Ferry Rd	From	Waldron Rd.	To	Albert Pike Ave
2010	Free Ferry Rd	From	Albert Pike Ave	To	Rogers Ave
1190	Dallas St.	From	S. 92nd. St	To	Meandering Way
954	Texas Rd.	From	Hwy. 271	To	Cavanaugh Rd
2862	Phoenix Ave	From	S. 46th. St	To	I-540 Overpass
4220	Phoenix Ave	From	Wheeler Ave	To	Stateline Rd
4744	Meandering Ave	From	Rogers Ave	To	Dallas St
490	South "B" St	From	Wheeler Ave	To	S. 74th. St
204	Navy Rd	And	Wheeler Ave	At	Intersection
33388	Total Yellow Paint & Pavement Marking Removal (4")				

Feet	White Paint (4") & Pavement Marking Removal (4")				
199	Kelley Hwy.	And	N. 6th. St	At	Intersection
237	Newlon Rd	And	N. 6th. St	At	Intersection
125	Free Ferry Rd	And	Waldron Rd	At	Intersection
285	Free Ferry Rd	And	Rogers Ave	At	Intersection
560	Phoenix Ave	From	S. 46th. St	To	I-540 Overpass
136	Phoenix Ave	From	Wheeler Ave	To	Stateline Rd
90	Meandering Way	And	Houston St	At	Intersection
91	Meandering Way	And	Rogers Ave	At	Intersection
82	Navy Rd	And	Wheeler Ave	At	Intersection
1805	Total White Paint & Pavement Marking Removal (4")				

Feet	Yellow Paint (4")				
662	Reed Ln	From	N. 6th. St	To	Rail Road Tracks
1694	North "O" St	From	N. 41st. St	To	N. 12th. St
22942	Kelley Hwy.	From	Midland Blvd	To	N. 58th. St
16672	N. 6th. St	From	Spradling Ave	To	Divison St
2584	N. 6th. St	From	Harriet Ave.	To	Riverfront Dr
160	S. 23rd. St	From	South "I" St	To	Dodson Ave
160	Geren Rd.	From	Hwy. 271	To	End Of Road
140	S. 28th. St	From	Hwy. 71	To	New Asphalt
600	South "F" St	From	S. 6th St	To	Wheeler Ave
45614	Total Yellow Paint (4")				

Attachment "A"

2013 Striping List

Feet	White Paint (4")				
332	Dallas St	From	S. 74th. St	To	S. 80th. St
329	N. 6th. St	And	Spradling Ave	At	Intersection
347	N. 6th. St	From	Harriet Ave.	To	Riverfront Dr
5514	Kelley Hwy	From	Midland Blvd	To	N. 58th. St
6522	Total White Paint (4")				

Total Pavement Marking Removal (4"):	35193 feet
---	-------------------

Total Yellow Paint (4"):	79002 feet
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Total White Paint (4"):	8327 feet
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SUMMARY SHEET

City of Fort Smith
 Project Status: Complete
 Today's Date: 7/8/2014
 Staff contact name: Stan Snodgrass
 Staff contact phone: 784-2225
 Contract time (no of days): 120
 Notice to proceed issued: 4/21/2014

Project Name: 2013 Street Striping Replacement
 Project Number: 13-85-A
 Consultant Engineer: City of Fort Smith
 Project Contractor: Advanced Workzone Services

	Dollar Amount	Bid Date	Contract Completion Date
Original bid award	\$28,472.69	12/19/2013	8/18/2014
Contract Revisions:			
1 Change Order No. 1	\$445.29		
2			
3			
Adjusted contract amount	\$28,917.98		
Payments to date (as negative):	\$0.00		
Amount of this payment	\$28,917.98		
Contract balance remaining	\$0.00		
Retainage held	0%		
Final payment	\$28,917.98		
Amount under original as a percentage	1.6%		

Final Comments:

Change Order No. 1 is due to an overrun in the pavement marking removal which was required to eliminate a conflict with the existing striping.

RESOLUTION _____

**A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE A
CONTRACT FOR THE CONSTRUCTION OF
STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 14-03-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Forsgren, Inc. received July 01, 2014 for the construction of Street Overlays/Reconstruction, Project No. 14-03-A, in the amount of \$2,080,125.67 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Forsgren, Inc. subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator
FROM: Stan Snodgrass, P.E., Director of Engineering
DATE: July 08, 2014
SUBJECT: Street Overlays/Reconstruction
Project No. 14-03-A

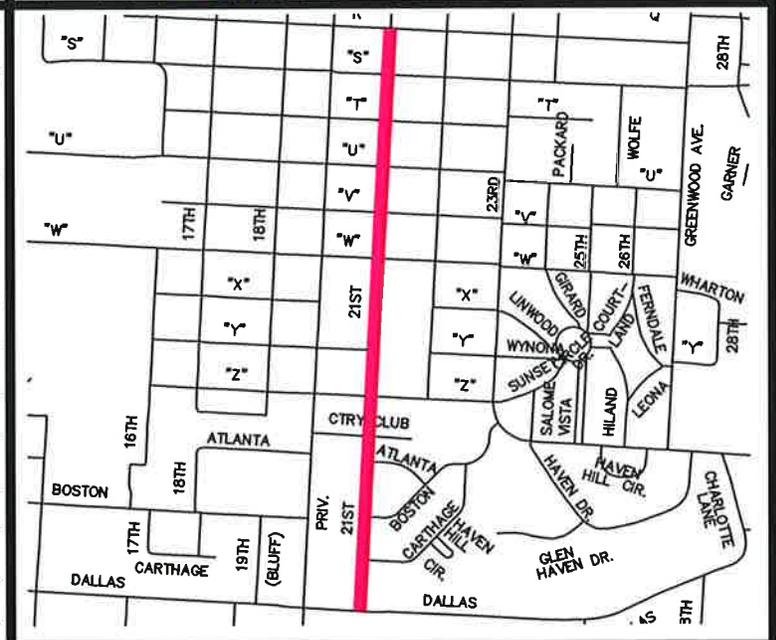
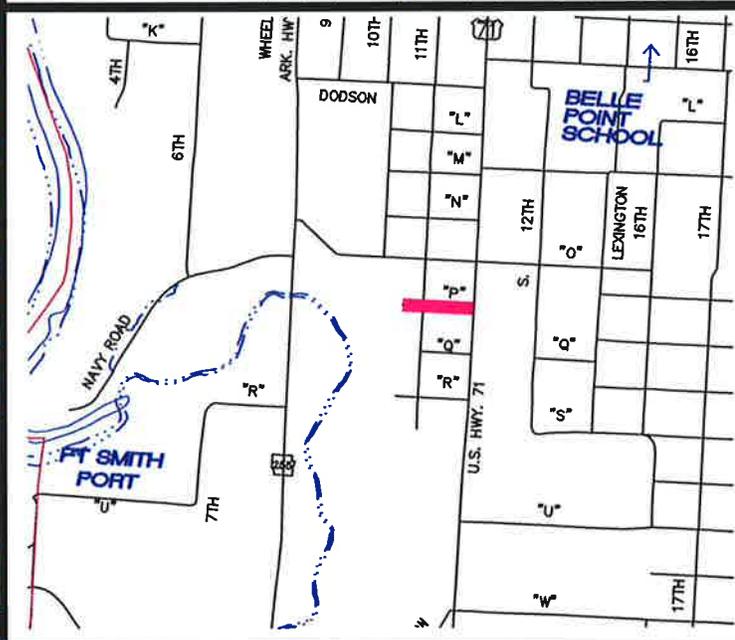
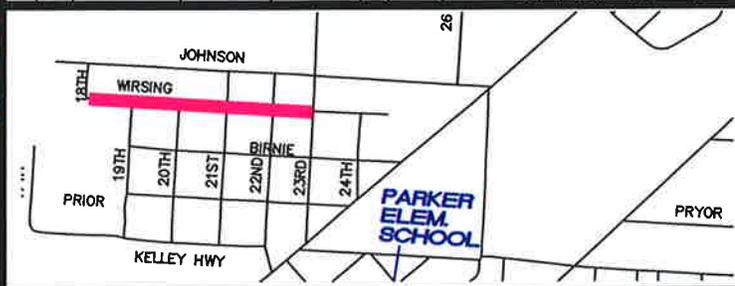
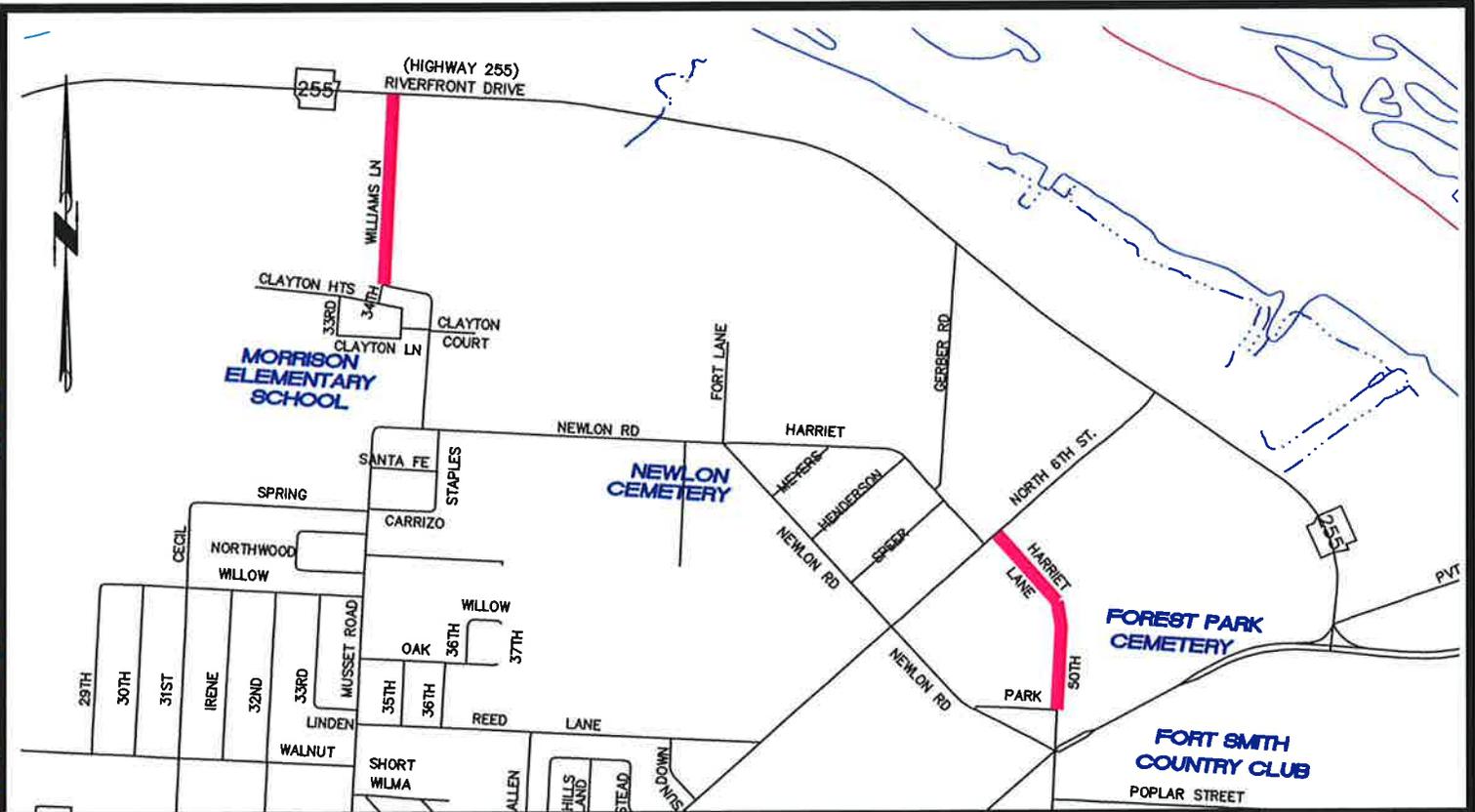
The above subject project consists of asphalt street overlays, reconstruction and minor drainage improvements as shown on the attached exhibit. The total length of streets to be improved is approximately 2.4 miles.

Construction plans and specifications were prepared by McGuire Engineering, Inc. of Fort Smith. An advertisement was published and bids were received on July 01, 2014. Six contractors requested plans and specifications and five bids were received which are summarized as follows:

CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Forsgren, Inc. Fort Smith, AR	\$2,080,125.67	4. Steve Beam Const. Fort Smith, AR	\$2,559,407.90
2. Goodwin & Goodwin Fort Smith, AR	\$2,119,857.00	5. Township Builders Little Rock, AR	\$2,591,153.00
3. T-N-T, Inc. Van Buren, AR	\$2,350,546.92	<i>Engineers Estimate</i>	<i>\$2,100,000.00</i>

I recommend that the lowest bid be accepted and that the construction contract be awarded to Forsgren, Inc. The estimated notice to proceed date for this contract is August 11, 2014. Based on the contract duration of 270 days, the estimated completion date would be May 7, 2015.

Attached is a Resolution to accomplish the above recommendation. Funds are available in the Sales Tax Program (1105).



2014 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION



Project: 14-03-A
Date: OCT 2013
Scale: NONE
Drawn By: RBR

RESOLUTION _____

**A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE A
CONTRACT FOR THE CONSTRUCTION OF
STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 14-03-C**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Forsgren, Inc. received July 08, 2014 for the construction of Street Overlays/Reconstruction, Project No. 14-03-C, in the amount of \$2,024,864.75 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Forsgren, Inc. subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator
FROM: Stan Snodgrass, P.E., Director of Engineering
DATE: July 09, 2014
SUBJECT: Street Overlays/Reconstruction
Project No. 14-03-C

The above subject project consists of asphalt street overlays, reconstruction and minor drainage improvements as shown on the attached exhibit. The total length of streets to be improved is approximately 1.8 miles.

Construction plans and specifications were prepared by EDM Consultants, Inc. of Fort Smith. An advertisement was published and bids were received on July 08, 2014. Seven contractors requested plans and specifications and four bids were received which are summarized as follows:

CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Forsgren, Inc. Fort Smith, AR	\$2,024,864.75	3. Township Builders Little Rock, AR	\$2,301,771.00
2. T-N-T, Inc Van Buren, AR	\$2,152,549.60	4. Goodwin & Goodwin Fort Smith, AR	\$2,303,875.00
<i>Engineers Estimate</i>	<i>\$2,300,000.00</i>		

I recommend that the lowest bid be accepted and that the construction contract be awarded to Forsgren, Inc. The estimated notice to proceed date for this contract is August 11, 2014. Based on the contract duration of 270 days, the estimated completion date would be May 7, 2015.

Attached is a Resolution to accomplish the above recommendation. Funds are available in the Sales Tax Program (1105).

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING A FRANCHISE
UTILITY RELOCATION AGREEMENT FOR
THE JENNY LIND ROAD & INGERSOLL AVENUE WIDENING PROJECT
PROJECT NO. 07-01-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The Mayor is authorized to execute a City - Franchise Utility Relocation Agreement with Arkansas Oklahoma Gas Corporation for the relocation of gas lines for the Jenny Lind Road and Ingersoll Avenue Widening project and payment in the amount of \$214,204.19 is approved.

This Resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



NPR

INTER-OFFICE MEMO
CITY OF FORT SMITH
ENGINEERING DEPARTMENT

TO: Ray Gosack, City Administrator

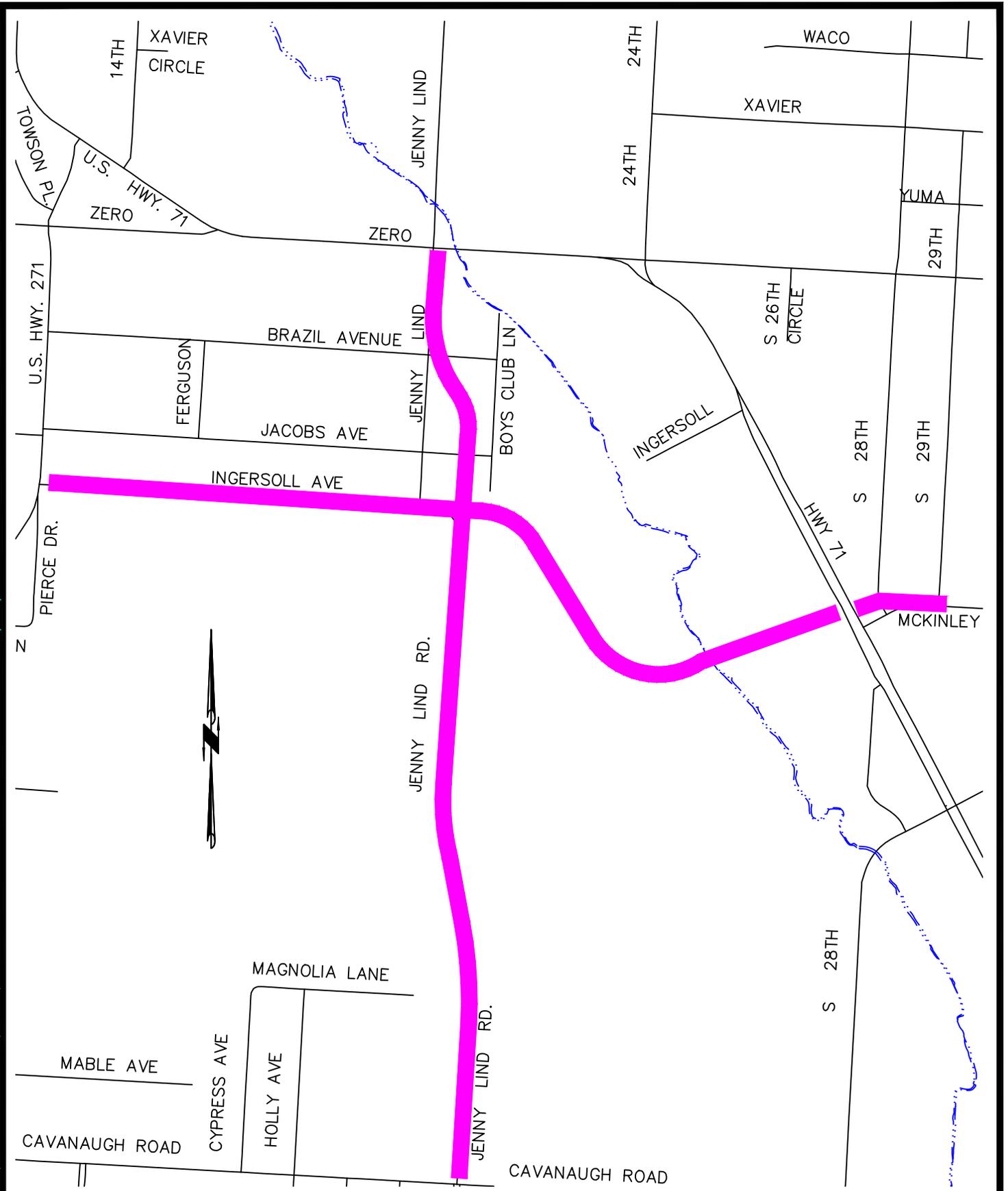
FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: July 8, 2014

SUBJECT: Jenny Lind Road & Ingersoll Avenue Widening Project
Project No. 07-01-A
Franchise Utility Relocations

The Jenny Lind Road & Ingersoll Avenue Widening Project includes the reconstruction and widening of Jenny Lind Road from Cavanaugh Road to Zero Street, widening of Ingersoll Avenue from Highway 271 to Jenny Lind Road, and the extension of Ingersoll Avenue from Jenny Lind Road to Highway 71 as shown on the attached exhibit. Coordination with the various franchise utilities for the relocation of their facilities is being finalized. The demolition contract to remove the structures is nearly complete and construction of roadway improvements is expected to begin later this year.

Negotiations with Arkansas Oklahoma Gas Corporation have been completed for the relocation of their gas facilities located within exclusive easements. The estimated amount for relocating these facilities is \$214,204.19. Payment will be based upon the actual cost of the work completed. Attached is a Resolution which authorizes the Mayor to execute the Franchise Utility Relocation agreement. Funds for this work are available in the street capital improvement budget. I recommend that the Resolution be adopted by the Board at the next regular meeting.



2014 CAPITAL IMPROVEMENTS PROGRAM
 JENNY LIND
 ZERO STREET TO CAVANAUGH ROAD



Project:	
Date:	SEPT. 2013
Scale:	NONE
Drawn By:	RBR

RESOLUTION _____

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL
PROPERTY INTERESTS FOR THE JENNY LIND ROAD AND
INGERSOLL AVENUE WIDENING
PROJECT NO. 07-01-A, AHTD JOB NO. 040471**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The City Administrator, or his designated agents, and the City Attorney are hereby authorized to acquire, by eminent domain, if necessary, for the indicated appraised amounts, the following described tracts required for the Jenny Lind Road & Ingersoll Avenue Widening project:

<u>TRACT</u>	<u>OWNER</u>	<u>APPRAISED VALUE</u>
29	American Realty Capital	\$ 64,300.00
31	Regions Bank	\$ 14,800.00
33	BIL-EL, LLC & ALLBEC, LLC & ELIS, LLC	\$ 38,200.00
34	Sutherland Lumber & Building HDQTRS, LP	\$ 6,000.00
57	Mark B. Sutherland, Trustee et al.	\$ 4,800.00

This resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: July 9, 2014

SUBJECT: Jenny Lind Road & Ingersoll Avenue Widening
Project No. 07-01-A, AHTD Job No. 040471
Acquisition on Tracts 29, 31, 33, 34 and 57

The Jenny Lind Road & Ingersoll Avenue Widening Project includes the re-construction and widening of Jenny Lind Road from Cavanaugh Road to Zero Street, widening of Ingersoll Avenue from Highway 271 to Jenny Lind Road, and the extension of Ingersoll Avenue from Jenny Lind Road to Highway 71 as shown on the attached sketch. We are nearing completion of the right of way acquisition on the Jenny Lind Road/Ingersoll Avenue project. The demolition contract to remove the 11 structures that have been acquired is nearly complete and work for relocation of franchise utilities has begun along the southern portion of the project. The roadway construction is scheduled to begin later this year.

On this project the City is benefitting from \$7.2 million in federal funds. As such, the acquisition of the right of way is subject to the Uniform Real Property Acquisition and Relocation Assistance Act. The firm of Universal Field Services is handling the acquisition of the right of way given the detail and complexities that are associated with these federal requirements.

At this time we are requesting authorization to proceed with the eminent domain process to acquire five tracts as summarized on page 2 and shown on the attached exhibits. These tracts are owned by larger corporations and we are having difficulty in reaching closure. We will continue to work with the property owners and expect that we can reach a settlement on these tracts without going to court. However, we are now at a point where we need to obtain possession of these tracts to prevent delaying construction of the project. As you will note in the summary below, negotiations on all of these tracts have been ongoing for over one year with some stretching back to 2012.

Attached is a Resolutions to accomplish the above recommendation. I recommend the Resolution be adopted by the Board at the next regular meeting.

Attachments

The City of Fort Smith Arkansas
Engineering Department
623 Garrison Avenue • P.O. Box 1908
Fort Smith, Arkansas 72902
Phone: 479-784-2225 • Fax: 479-784-2245

Tract 29 American Realty Capital (Wendy's)

Received Board approval in November 2012 to acquire the right of way/easements in the amount of \$64,300. Negotiations started in January 2013.

Tract 31 Regions Bank

Received Board approval in November 2012 to acquire the right of way/easements in the amount of \$14,800. Negotiations started in January 2013. The Daily and Woods firm has been working with Regions since late 2013 in an attempt to get the property acquired.

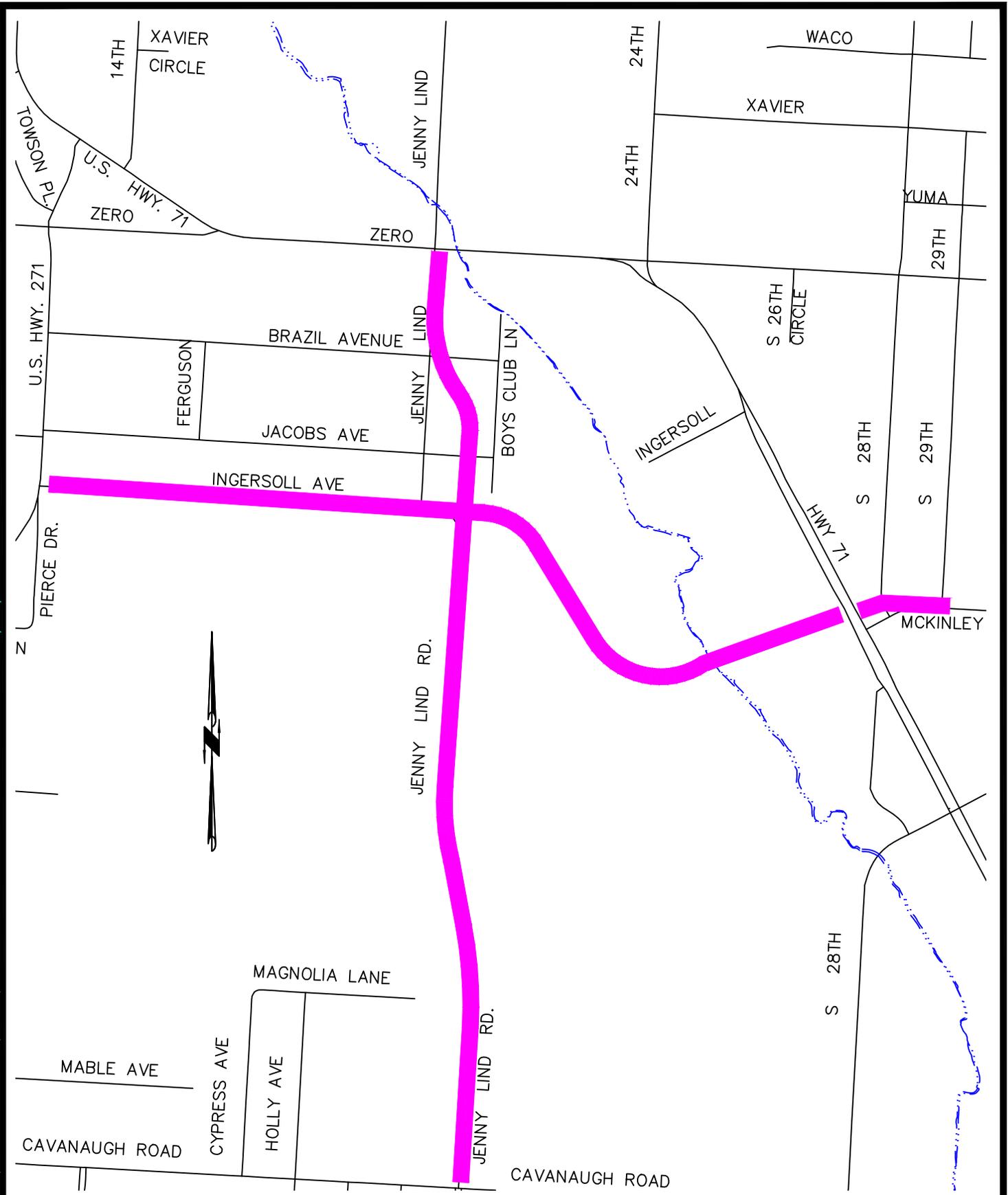
Tract 33 BIL-EL, LLC & ALLBEC, LLC & ELIS, LLC (Walgreens)

Received Board approval in June 2013 to acquire the right of way/easements in the amount of \$38,200. Negotiations started in July 2013.

Tract 34 Sutherland Lumber & Building HDQTRS, LP (Sutherlands)

Tract 57 Mark B. Sutherland, Trustee et al. (Sutherlands Mulch and More)

Both tracts are properties owned by Sutherlands and initial communication to acquire these tracts began in February 2012. Tract 34 was appraised at \$6,000 and Tract 57 was appraised at \$4,800. Negotiations started in February 2012.



2014 CAPITAL IMPROVEMENTS PROGRAM
 JENNY LIND
 ZERO STREET TO CAVANAUGH ROAD



Project:	
Date:	SEPT. 2013
Scale:	NONE
Drawn By:	RBR



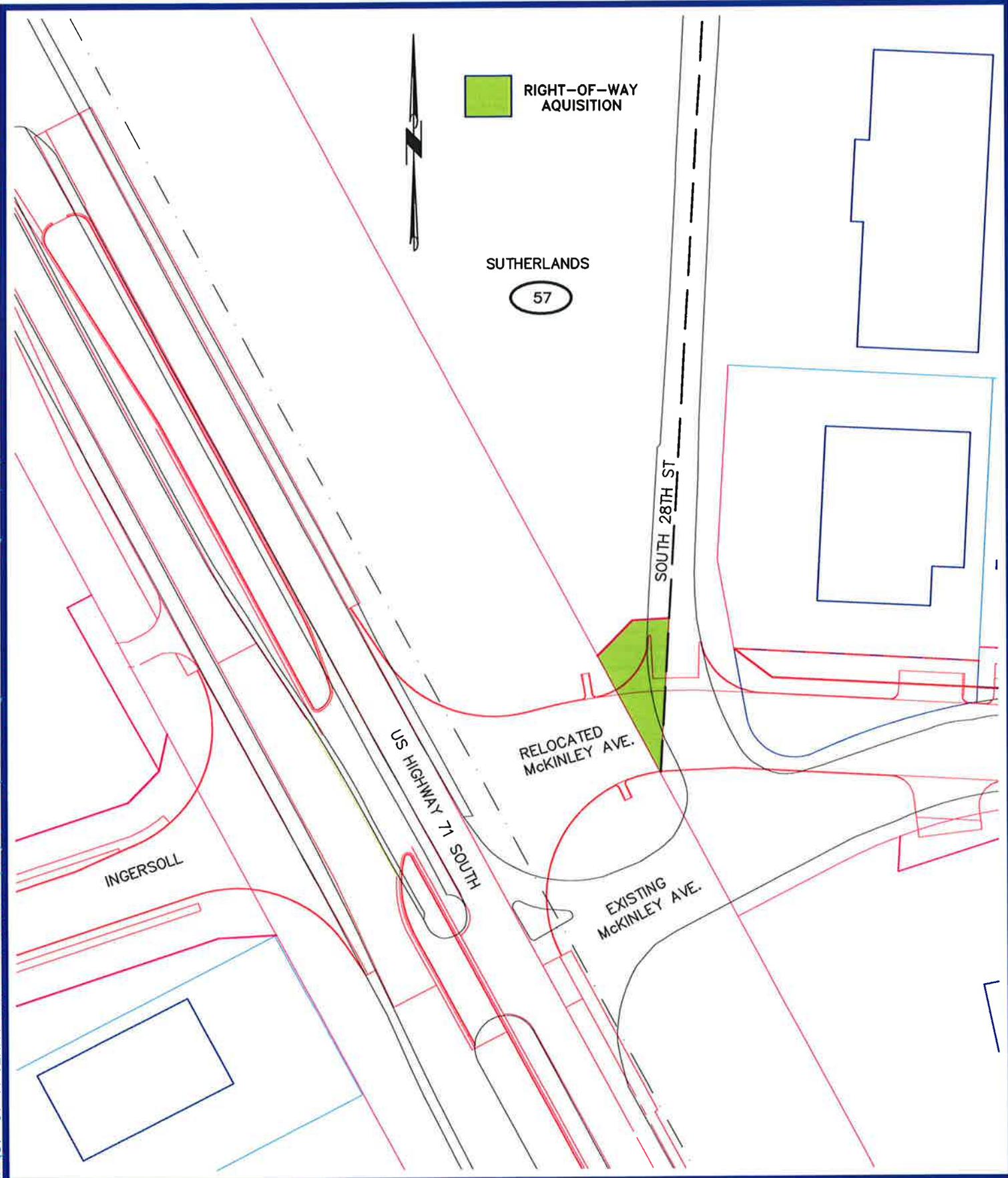
- RIGHT-OF-WAY AQUISITION
- TEMPORARY CONSTRUCTION EASEMENT
- UTILITY EASEMENT

**PROPERTY AQUISITION MAP
JENNY LIND ROAD RELOCATION
FORT SMITH, ARKANSAS**



Project:	07-01-A
Date:	JULY 2014
Scale:	NONE
Drawn By:	RBR

C:\DRAWINGS\CIP\07-01-A JENNY LIND - INGERSOLL\City Board\JL-ingersoll Exhibits 8.dwg 07/10/14-16:40 RBR TRACT 57



PROPERTY AQUISITION MAP
 JENNY LIND ROAD RELOCATION
 TRACT 57
 FORT SMITH, ARKANSAS



Project:	07-01-A
Date:	JULY 2014
Scale:	NONE
Drawn By:	RBR

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NOTICE OF AN AMENDMENT TO THE PROPERTY DEVELOPMENT DECISION DOCUMENT WITH THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE ARKANSAS BROWNFIELDS PROGRAM IN CONNECTION WITH THE ZERO STREET PUMP STATION WET WEATHER IMPROVEMENTS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The Mayor is hereby authorized to execute a Notice of an Amendment to the Property Development Decision Document dated April 2014 with the Arkansas Department of Environmental Quality for participation in the Arkansas Brownfields Program for the city property located at 5501 Jenny Lind Road, Fort Smith, Arkansas, in connection with the Zero Street Pump Station Wet Weather Improvements, Project 09-17-E1.

This Resolution adopted this _____ day of July 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: July 7, 2014

FROM: Steve Parke,  Director of Utilities

SUBJECT: Zero Street Pump Station Wet Weather Improvements
Project Number 09-17-E1

The city has completed the site remedial work at the location of the Zero Street pump station wet weather improvements site. This site was used as a former zinc smelter operation until the mid-1940s. The city entered into an Implementing Agreement with the Arkansas Department of Environmental Quality where the city would remediate the site as specified under the Arkansas Brownfields Program. In order to complete the Brownfields Program and receive the Certificate of Completion from ADEQ, a Notice of Amendment to the Property Development Decision Document must be signed by the Mayor on behalf of the city and recorded with the County Clerk of Sebastian County. The amendment covers additional remedial work performed by the city as required by ADEQ. A copy of the Notice of the Amendment to the Property Development Decision Document is attached for your review.

Staff recommends that the Board approve this Resolution authorizing the Mayor to execute the Notice of the Amendment to the Property Development Decision Document at their next regular scheduled meeting.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman

NOTICE

Notice is hereby given that the following described property in Sebastian County, Arkansas,

Part of the Southwest 1/4 of the Southeast 1/4 of Section 33, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas, lying east of Jenny Lind Road, west of the Union Pacific Railroad and north of a floodway running in a northeasterly and a southwesterly direction, less and except a parcel lying in the Northwest corner of the said Southwest 1/4 of the Southeast 1/4, running 105 feet north and south and 200 feet east and west, containing 15 acres, more or less

is subject to an Amendment to the Property Development Decision Document issued by the Arkansas Department of Environmental Quality dated April 2014, which allows unrestricted use for the property in the future, except for the restriction on groundwater for any purpose without prior written consent of the Arkansas Department of Environmental Quality and restricts the drilling or installation of any groundwater wells other than monitoring wells. A copy of the Amendment to the Property Development Decision Document is attached hereto as Exhibit A.

IN WITNESS WHEREOF, the above-named Titleholder has caused this Notice to be executed on the ____ day of _____ 2014.

CITY OF FORT SMITH

By: Sandy Sanders

Page 1 of 2

ACKNOWLEDGMENT

STATE OF ARKANSAS)§

COUNTY OF SEBASTIAN)§

BE IT REMEMBERED, that on this day before me, the undersigned Notary Public within and for the county and state aforesaid came, **Sandy Sanders Mayor of City of Fort Smith**, and stated that he had executed the foregoing document for the consideration and purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and seal on this ____ day of _____ 2014.

Notary Public

My Commission Expires:

Document Prepared By:

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, AR 72902-1446

**RESPONSE TO COMMENTS
&
FINAL DECISION**

on the

**PROPERTY DEVELOPMENT DECISION DOCUMENT
AMENDMENT**

**Jenny Lind Equalization Basin
(Zero Street Pump Station Wet Weather Improvements
Project)**

Fort Smith, Sebastian County, Arkansas

Arkansas Facility Identification Number: 66-01555

A. INTRODUCTION

On May 1, 2014, the Arkansas Department of Environmental Quality-Hazardous Waste Division (ADEQ) proposed a Property Development Decision Document (PDDD) Amendment as part of a Brownfields Implementing Agreement (IA), Legal Information System (LIS) No. 12-084, executed between the City of Fort Smith (Participant) and the ADEQ for a property located at 5501 Jenny Lind Road, Fort Smith, Sebastian County, Arkansas (Property) that was formerly occupied by a zinc smelting operation. The PDDD Amendment incorporates modifications approved by ADEQ to the remedial activities required by the original PDDD dated July 30, 2012.

This Response to Comments and Final Decision addresses and documents for the public record the comments and issues raised concerning the proposed PDDD Amendment; provides the ADEQ's response to the issues raised during the public participation process, if any; and sets forth the correction detailed in the PDDD Amendment attached herein.

B. PUBLIC PARTICIPATION ACTIVITIES

The ADEQ issued a public notice of the PDDD Amendment on May 1, 2014. The notice was published in the Times Record and comments were accepted for a thirty (30) day period. The

public comment period closed on June 2, 2014. A public hearing was not requested during the comment period.

C. PUBLIC COMMENTS AND THE DEPARTMENT'S RESPONSE

No comments were received during the thirty (30) day public comment period.

D. FUTURE ACTIONS.

Effective with this Decision, the PDDD Amendment is incorporated into and becomes a condition of the Brownfields IA between the City of Fort Smith and the ADEQ, LIS No. 12-084, as though set forth therein line for line and word for word. All other provisions of the Final PDDD shall remain in full effect and are hereby incorporated by reference in the PDDD Amendment.

E. DECLARATIONS.

The ADEQ believes that the remedy proposed in the Property Development Plan and set forth in the final PDDD is appropriate, technically feasible, reliable, and cost effective. With respect to risk management decisions made by the ADEQ, this remedy is deemed acceptable, and to be protective of human health and the environment.


Tammie J. Hynum
Chief
Hazardous Waste Division
Arkansas Department of Environmental Quality

6-12-2014
(Date)

Enclosure:
PDDD Amendment

**STATE OF ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY**

**AMENDMENT TO THE
PROPERTY DEVELOPMENT DECISION DOCUMENT (PDDD)**

**Jenny Lind Equalization Basin
(Zero Street Pump Station Wet Weather Improvements Project) Fort
Smith, Sebastian County, Arkansas
Arkansas Facility Identification Number: 66-01555
APRIL 2014**

AMENDMENT TO THE PROPERTY DEVELOPMENT DECISION DOCUMENT

On November 14, 2007, the Arkansas Department of Environmental Quality (hereafter ADEQ) received from the City of Fort Smith, Sebastian County, Arkansas (hereafter Participant), an Arkansas Brownfields Program application for the Proposed Jenny Lind Equalization Basin (Zero Street Pump Station Wet Weather Improvements Project) located at 5501 Jenny Lind Road, Fort Smith, Sebastian County, Arkansas (hereafter the Property). The ADEQ acknowledged and accepted the eligibility for participation in the Arkansas Brownfields Program on December 7, 2007. The ADEQ and the City of Fort Smith subsequently entered into an Implementing Agreement (IA), Legal Information System (LIS) No. 12-084, which became effective on May 1, 2012.

A Property Development Decision Document (PDDD) for the Jenny Lind Equalization Basin Property was finalized on July 30, 2012. The PDDD called for remedial activities that included excavation and off-site disposal of ash, slag, and contaminated overburden present on the property, including areas not proposed for additional waste water treatment component construction. After remedial activities were completed, remediated areas were then backfilled with on-site material. The Sampling and Analysis Plan used during the remediation was not submitted for review and approval prior to implementation. Based on the work documented in the Completion Report dated June 14, 2013, additional surface soil samples were requested by ADEQ. This Amendment to the PDDD will serve to amend the remedial requirements of the July 30, 2012, PDDD.

The additional surface soil data has been incorporated into this PDDD Amendment. An evaluation of additional data demonstrates that the property was remediated to acceptable risk levels. Therefore, Section 3.3, Comprehensive Site Assessment Information; Section 4.1, Contaminants and Waste Types of Concern and Site Risks; Section 4.2.1, Surface Soils and

Subsurface Soils; and Section 4.5, Clean-Up Levels, in said PDDD shall be amended to read as follows:

3.3 Comprehensive Site Assessment and Remedial Activities Information

In September 2008, EnSafe, Inc., on behalf of the ADEQ, conducted a Comprehensive Site Assessment (CSA) for two parcels as part of the requirements of the Arkansas Brownfields Program. Only the northern 15 acres is considered in this PDDD. The CSA indicated elevated levels of metals were present in the surface soil, subsurface soil, sediment and groundwater on the property. Smelter ash and slag was at the surface or buried to depths up to approximately three (3) feet, extending to the western edges of the property and to the south of the property. Continuous potential threats for present and future releases associated with the waste on site existed for both human health and the environment.

The analytical data set for the CSA was derived from 44 soil, 6 sediment, and 5 groundwater samples collected from 14 boreholes and 5 wells during sampling events in April and May 2008. The nature of contamination was determined in relation to each of the samples tested. The maximum chemical concentrations detected in the samples were compared to applicable United States Environmental Protection Agency (USEPA) human health screening values and ecological screening values.

Remedial activities were conducted from October 2012 through April 2013. The final quantity of material removed from the site and disposed of at the City of Fort Smith Landfill totaled 43,272 cubic yards. Throughout the course of remediation, visual observation of the subsurface material during excavation was utilized to determine the extent of excavation necessary to accomplish removal of ash and slag at the site. Twenty-two (22) confirmation soil samples were analyzed during completion of excavation activities. Of the 22 soil samples analyzed, 6 grab samples exceeded the clean-up levels set in the July 2012, PDDD. The site was then backfilled with on-site material. ADEQ requested further sampling be conducted in areas which were backfilled with on-site media following excavation and remediation activities to ensure clean-up levels were met. A Sampling and Analysis Plan (SAP) was submitted to the ADEQ on January 27, 2014 and approved on February 24, 2014. A total of 20 surface soil samples were collected for analysis. The analytical data from these samples revealed concentrations below clean-up levels set in the PDDD.

4.1 Contaminants and Waste Types of Concern and Site Risks

The smelter wastes generated and released on site include discharges of solid, liquid and vapor materials. The primary solid wastes were ash, slag, and dust. They were deposited both on the ground surface and/or released to air. These wastes contain appreciable amounts of metals,

including arsenic, cadmium, chromium, lead, manganese, and zinc. Along with the solid wastes, fugitive liquid and vapor emissions occurred and were released to the air. They contained metals, sulphur dioxide and sulphuric acid. Following release, much of the ash and slag was buried to depths of approximately 3 feet, together with other fill material.

Investigative samples were analyzed for Total Metals, Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs), Gasoline Range Organics, and Diesel Range Organics.

A screening level risk evaluation was performed at the site to identify contaminants of concern (COCs) in surface soils, subsurface soils, sediment, surface water, and groundwater. The screening evaluation indicated that metals are the predominant contaminants present at the site at concentrations above residential and industrial human health screening levels and ecological screening levels. Methyl tertiary butyl ether was also detected in one groundwater sample, but at approximately the same concentration as the tap water screening level. No other chemicals were detected above screening levels.

Residential and industrial screening levels were both used in the soil screening evaluation. Surface Soils were compared to Residential Soil Screening Levels, while subsurface soils were compared to Industrial Soil Screening Levels. The screening evaluation also included comparison of maximum concentrations of contaminants in groundwater to Maximum Contaminant Levels (MCLs), tap water screening levels, and ecological screening levels.

In general, the metals were associated with the samples from slag and soil layers. Rapid decreases in inorganic constituents were noted with increasing depth in underlying natural soils. Some acidic soil and groundwater samples were measured. Lower pH values in groundwater and migrating surface water serve to mobilize metals in the low permeability soil.

Remedial activities were conducted from October 2012 through April 2013, which entailed the excavation of contaminated soil 4-5 feet below ground surface (bgs). Excavated locations were backfilled with concrete, masonry structures, and soil from uncontaminated areas of the site. Backfill surface soil confirmation sampling revealed concentrations below clean-up levels stated in the PDDD issued on July 30, 2012; therefore, surface soil is protective of unrestricted residential use. Contaminated subsurface soils (greater than 4-5 feet bgs) were left in place above clean-up levels listed in the PDDD; however, these levels are protective of the future construction/excavation worker.

The following tables summarize COCs in each media at the site:

Human Health Contaminants of Concern

Surface and Subsurface Soils

Chemical	Maximum Concentration (mg/kg)	*Residential Screening Level (mg/kg)
Arsenic	65.2	0.39
Cadmium	302	39
Iron Lead	94,500	54,750
Manganese	4,290	400
Zinc	5,080	3,465
	30,500	23,464

*2008 Screening Tables

Sediment

Chemical	Maximum Concentration (mg/kg)	*Residential Screening Level (mg/kg)
Arsenic	34.3	0.39
Cadmium	76.9	39

*2008 Screening Tables

Groundwater

Chemical	Maximum Concentration (mg/L)	*Drinking Water Standard (mg/L)
Cadmium	0.166	0.005
Lead	0.027	0.015
Zinc	90.1	4.7

*2008 Screening Tables

Ecological Contaminants of Concern

Surface Soils

Chemical	Maximum Concentration (mg/kg)	Ecological Screening Level (mg/kg)
Aluminum	17,700	50
Arsenic	65.2	10
Barium	827	165
Beryllium	3	1.1
Cadmium	302	1.6
Chromium	122	0.4
Cobalt	74.8	20
Copper	760	40
Iron	94,500	200
Lead	4,290	50
Manganese	5,080	100
Mercury	0.14	0.1
Nickel	88.7	30
Selenium	3.6	0.81

Surface Soils (continued)

Chemical	Maximum Concentration (mg/kg)	Ecological Screening Level (mg/kg)
Silver	10.3	2
Vanadium	61.4	2
Zinc	30,500	50

Sediment

Chemical	Maximum Concentration (mg/kg)	Ecological Screening Level (mg/kg)
Aluminum	11,300	25.2
Arsenic	34.3	7.24
Iron	53,000	40
Lead	162	30
Manganese	838	630
Nickel	65.7	15.9
Cadmium	76.9	1
Chromium	106	52.3
Copper	55.6	18.7
Zinc	5,640	124

Surface Water

Chemical	Maximum Concentration (ug/L)	Ecological Screening Level (ug/L)
Aluminum	994	87
Barium	100	3.9
Cadmium	5.6	0.66
Cobalt	4.1	3
Iron	2,220	1,000
Lead	9.81	1.32
Manganese	844	80
Zinc	181	59

4.2.1 Surface Soils and Subsurface Soils

CSA soil samples indicated a total of 6 metals were detected at concentrations above residential soil screening levels in surface and subsurface soils. These metals are typically associated with smelter wastes and occurred at the surface and to depths of approximately 3 feet. In general, the highest constituent concentrations were associated with samples from zones with smelter waste. There is a noticeable rate of attenuation of these concentrations associated with increasing depth below the waste. Given the proximity of residential land use to the north, exposures to COCs in soil could occur directly through dermal contact, incidental ingestion, or inhalation of dust. Consequently, these same exposure pathways apply to trespassers and future industrial and construction workers.

Remedial activities were conducted from October 2012 through April 2013, which entailed the excavation of contaminated soil 4-5 feet bgs. Excavated locations were backfilled with concrete, debris, and soil from uncontaminated areas of the site. Backfill surface soil confirmation sampling revealed concentrations below clean-up levels stated in the PDDD issued on July 30, 2012; therefore, surface soil is protective of unrestricted residential use.

Clean-up levels were based on residential screening levels and background levels were considered for arsenic. Contaminated subsurface soils were left in place above residential clean-up levels listed in the PDDD; however, these clean-up levels are conservative and typical residential direct contact scenarios do not exceed one foot bgs. Subsurface soil encountered 4-5 feet bgs were evaluated under the construction/excavation worker. Based on the analytical data, on-site subsurface soil concentrations are protective of the future construction/excavation worker; therefore, additional controls are unnecessary as potential risks via contact with soil are not present under the construction/excavation scenario.

4.5 Clean-Up Levels

Clean-up levels for the site adhere to Risk-Based Concentrations (RBCs). The RBCs for COCs in soil are based on a future child resident scenario, which is the most sensitive receptor. Subsurface soil contaminants were left in place above residential clean-up levels listed in the PDDD; however, these concentrations are protective of the future construction/excavation worker. Groundwater clean-up levels are based on MCLs, when available. For chemicals without MCLs, clean-up levels are based on tap water screening levels. Removal of the surface and subsurface soils, together with residual industrial waste, is expected to remove the principal source of contamination from the site. In turn, the removal of source contamination is expected to reduce contaminant concentrations in surface water, sediment, and groundwater. However, since contaminant concentrations in groundwater exceed MCLs, groundwater use at the site should be prohibited. Therefore, clean-up levels for groundwater have been established and remain unchanged from the July 2012, PDDD.

Surface Soil Clean-Up Levels⁽¹⁾

Chemical	Clean-Up Level (mg/kg)
Arsenic	20*
Cadmium	70
Iron Lead	55,000
Manganese	400
Zinc	1,800
	23,000

(1) USEPA Residential Soil Screening Levels (November 2013)

* Clean-up level for arsenic is considered background in Arkansas

Subsurface Soil Clean-Up Levels⁽¹⁾

Chemical	Clean-Up Level (mg/kg)
Arsenic	20*
Cadmium	800
Iron Lead	720,000
Manganese	800
Zinc	23,000
	310,000

(1) USEPA Industrial Soil Screening Levels (November 2013)

* Clean-up level for arsenic is considered background in Arkansas

Groundwater Clean-Up Levels⁽¹⁾

Chemical	Clean-Up Level (ug/L)
Cadmium	5
Lead	15
Zinc	4,700

(1) USEPA Maximum Contaminant Levels (November 2013)

* USEPA Tapwater Screening Level (MCL Unavailable)

All other provisions of the PDDD shall remain in full effect and are hereby incorporated by reference in this Amendment.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO
MAKE APPLICATION TO THE ARKANSAS DEPARTMENT OF
PARKS AND TOURISM FOR GRANT FUNDING ASSISTANCE

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS, THAT:

WHEREAS, The City of Fort Smith, Arkansas seeks to improve the recreation facilities and wishes to seek grant funding assistance; and

WHEREAS, in order to obtain the funds necessary to develop and/or improve the site for such a recreation area, it is necessary to obtain a 50/50 Matching Grant from the Arkansas Department of Parks and Tourism's Outdoor Recreation Grant Program; and

WHEREAS, the plans for such recreation areas have been prepared and the price therefore has been established; and

WHEREAS, this governing body understands the grantee and grantor will enter into a binding agreement which obligates both parties to policies and procedures contained in the *Land and Water Conservation Fund Grants Manual* including, but not limited to the following; the park area defined by the project boundary map, submitted in the application, must remain in outdoor recreation use in perpetuity, regardless if the property is bought or developed with matching grant funds and; all present and future overhead utility lines within the project boundary must be routed away or placed underground and; the project area must remain open and available for use by the public at all reasonable times of the day and year; facilities can be reserved for special events, league play, etc. but cannot be reserved, leased or assigned for exclusive use, and; the project area must be kept clean, maintained, and operated in a safe and healthful manner.

The Board of Directors are well aware and apprised of the above-mentioned project, and will provide the local portion of the development cost of the entire project..

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Fort Smith, Arkansas that the Mayor is hereby authorized to make application to the Arkansas Department of Parks and Tourism for assistance to develop recreational facilities in Martin Luther King Jr. Park located at 1815 North Greenwood for the City; therefore such application shall be submitted as expediently as possible.

This Resolution adopted this _____ day of July, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM



No Publication Required



Memo:

July 11, 2014

To: Ray Gosack, City Administrator
From: Mike Alsup, Parks and Recreation Director *Mike Alsup*
Re: Resolution for Outdoor Recreation Grant

An application is being filed for an Outdoor Recreation Grant through the Arkansas Department of Parks and Tourism Department. As part of the application process, the Board of Directors must show support for the project with a resolution.

A public hearing to receive input on outdoor facilities for Martin Luther King Jr. Park was held Tuesday, June 24. Softball field, batting cages, fields for soccer and flag football were items mentioned at the meeting.

The project is located in Martin Luther King Jr. Park and includes plans to improve the softball field adding facilities for concessions, and score keepers box. The project is a joint venture with the Northside Alumni and Fort Smith Boys and Girls Club. This facility will be the home field for the Northside High School Grizzly Softball Team and will be used as a practice and game site for the Boys and Girls Clubs. The field will be available to others during times the field is not scheduled for games and practice.

This year's Sales and Use Tax Budget includes \$150,000 of the estimated \$400,000 project cost. The grant is a 50/50 matching grant with a \$250,000.00 maximum award. We are applying for \$150,000. The Northside Alumni will provide for any difference in the grant amount and city allotment. The grant is due to the State on August 29 and the award of grants is in December.

I recommend the Board of Directors approve the resolution. Please contact me if you have any questions regarding this matter.



**SOFTBALL FIELD
MARTIN LUTHER KING PARK
FORT SMITH, ARKANSAS**





MEMORANDUM

TO: Mayor and Board of Directors

FROM: Wendy Beshears, Administrative Assistant

DATE: July 10, 2014

SUBJECT: Fort Smith Municipal Employees Benevolent Fund Board of Advisors

The term of Larry Murry of the Fort Smith Municipal Employees Benevolent Fund Board of Advisors has expired June 30th, 2014. Mr. Murry does not wish to be reappointed.

The applicant available is:

Rhonda Royal

4200 North 6 Street

Appointments are **by the Board of Directors**, one appointment is needed. The term will expire June 30th, 2017.

FORT SMITH MUNICIPAL EMPLOYEES BENEVOLENT FUND BOARD OF ADVISORS

The Fort Smith Municipal Employee’s Benevolent Fund was established December 23, 1991. The fund provides for a trust fund to be used to provide emergency assistance to the employees of the City of Fort Smith and their immediate families, including immediate families of deceased employees of the various city departments whenever such employees or their immediate families sustain extraordinary expenses (including, but not limited to: housing, clothing, food, educational, medical and dental expenses). Distributions from the fund shall be at the discretion of the Board of Advisors of the fund.

The Board of Advisors consists of nine persons as follows: two members of the Police Department, two members of the Fire Department, two members of other city departments, and two other adults who are citizens of the City of Fort Smith. The Mayor serves as a member , ex-officio, and presides at meetings of the Board of Advisors. Members of the Board of Advisors are appointed by the Board of Directors. (Three year terms).

	<u>DATE APPOINTED</u>	<u>TERM EXPIRES</u>
<u>Police Department Representatives:</u>		
Barbara Williams 7113 South T Street (03) 414-3545 (h) 709-5155 (w) bwilliams@fortsmithpd.org	05/15/12	06/30/15
Jamie Hammond 705 Lost Bridge (72956) 410-1204 (h) 709-5119 (w) jhammond@fortsmithpd.org	05/21/13	06/30/16
<u>Fire Department Representatives:</u>		
Ronnie Rogers 1512 North 43 (04) 883-3131 (h) 783-4052 (w) rrogers@fortsmithar.gov	05/15/12	06/30/15

Teddy Abbey 1505 Quebec Dr (08) 649-8574 (h) 783-4052 (w) tabbey@fortsmithar.gov	05/21/13	06/30/16
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Other City Department Representatives:

Patrick Geels 4420 Park Avenue (03) 783-0045 (h) 788-8938 (w) pgeels@fortsmithar.gov	05/20/14	06/30/17
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April Byrd P.O. Box 396 Hackett, AR 72937 709-5178 (w) 479-353-1889 (h)	11/19/13	06/30/16
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Citizen Representatives:

Larry Murry Esquire 3000 Blackburn (03) 783-8984 (w) 783-8858 (h) larrymurry@att.net	08/20/02	06/30/14
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Mary C. Moore UAMS 3424 No. 27 Street (04) 424-3960 (w) 434-3658 (h) mcmoore@uams.edu	06/21/11	06/30/17
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CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Name: Rhonda Royal
Date: 06-02-14
Home Telephone: 479-461-4841
Home Address: 4500 N Elm St #518
Work Telephone: 479-984-8600
Zip: 72904
Email: RoyalR@att.net
Occupation: Claims Liaison - Sykes Enterprises
Education: BBA Busn Admin, Minor in Acctg
Professional and/or Community Activities: Former Board Member NAAACT House, NAACP officer, SCDCC, Women's Court, SEDW, ADBC

Additional Pertinent Information/References:

Are you a registered voter in the City of Fort Smith? Yes [checked] No
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense? Yes No [checked]
If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License _____ Date of Birth _____
information will be use to conduct a criminal back ground check of all applicants).

I am interested in serving on the (please check):

- () Audit Committee
() Advertising & Promoting Commission
() Airport Commission
() Arkansas Fair & Exhibition Facilities Bd
[X] Benevolent Fund Board
() Bldg. Bd. Of Adjustment and Appeals
() Central Business Improvement District
() Convention Center Commission
() Civil Service Commission
() Community Development Advisory Com.
() County Equalization Board
() Electric Code Board of Appeals & Appeals
() Fire Code Board of Appeals & Adjustments
() Historic District Commission
() Housing Assistance Board
() Housing Authority
() Library Bd of Trustees
() Mechanical Bd of Adjustments and Appeals
() Oak Cemetery Commission
() Outside Agency Review Panel
() Parking Authority
() Parks & Recreation Commission
[X] Planning Commission
() Plumbing Advisory Board
() Port Authority
() Property Owners Appeals Board
() Sebastian County Reg. Solid Waste Mgmt. Bd.
() Sister Cities Committee
() Transit Advisory Commission
() Residential Housing Facilities Board
() Comprehensive Plan Steering Committee



MEMORANDUM

TO: Mayor and Board of Directors

FROM: Wendy Beshears, Administrative Assistant

DATE: July 9, 2014

SUBJECT: Historic District Commission

The terms of Graham Sharum and Charles Lane of the Historic District Commission will expire July 31, 2014. Mr. Sharum and Mr. Lane wish to be reappointed.

There are no other applicants available at this time.

Appointments are **by the Mayor confirmed by the Board of Directors**, two appointments are needed. The term will expire July 31, 2017.

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

Historic District Commission

The commission is authorized to make an investigation and report on the historic significance of the buildings, structures, features, sites or surroundings included in any proposed historic district. The commission is also authorized to recommend an area or areas to be included in a historic district or districts and from time to time recommend amendments to established districts or additional districts.

Fort Smith has been designated a Certified Local Government (CLG) by the United States Department of Interior. One of the benefits of being a CLG is to be eligible for various grant funds each year. CLG's are required to attempt to appoint preservation related professionals to their Historic District Commissions, to the extent available in the community.

The commission has five members, who are electors of the city, **appointed by the Mayor** subject to confirmation by the Board of Directors and each serves alternate three-year terms.

Members shall be electors of the City and hold no salaried or municipal office. Regular meetings are the first Thursday of each month at 6:00 p.m. at the Darby Community Center. The study sessions are held the last Thursday of each month at 5:30 p.m., at the Darby Community Center, 220 North 7 Street.

	<u>Date Appointed</u>	<u>Term Expires</u>
Graham Sharum Architect 715 North 21 St (01) 478-9368 (h) 783-2480 (w) graham@childersarchitect.com	08/20/02	07/31/14
Charles Lane Manager, USA Truck 1219 Elizabeth Lane (03) 430-0711(h) 471-6680 (w) chad.lane@use-truck.com	11/21/12	07/31/14
Dianne Morrison 901 South 26 Street (01) 501-318-4446 (h) 479-785-2651 (w) Dmorrison@wapdd.org	04/15/14	07/31/15

Scott Martin
Pricing Analyst
6318 Ironwood (16)
783-1522 (h)
471-6589 (w)
scottmartin4@att.net

7/19/12

07/31/15

David Kerr
Retired
523 North 5 Street (01)
783-6384 (h)
dhkerr720@yahoo.com

06/18/13

07/31/16

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 5/29/14
 Name: CHARLES LANE Home Telephone: 479 430 0711
 Home Address: 142 E. LANE Work Telephone: 479 471 6680
 Zip: 72903 Email: Chad.lane@usa-truck.com
 Occupation: FINANCE / ACCOUNTING
 (If retired, please indicate former occupation or profession)
 Education: COLLEGE GRADUATE (BACHELOR OF SCIENCE, ACCOUNTING)
 Professional and/or Community Activities: UNITED WAY ALLOCATION COMMITTEE,
DIETITIAN - ABFCU (ARBEST FEDERAL CREDIT UNION)
 Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes No _____
 Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
 Yes _____ NO
 If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License _____ Date of Birth _____
 information will be _____ (background check of all applicants).

I am interested in serving on the (please check):

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Library Bd of Trustees |
| <input type="checkbox"/> Advertising & Promoting Commission | <input type="checkbox"/> Mechanical Bd of Adjustments and Appeals |
| <input type="checkbox"/> Airport Commission | <input type="checkbox"/> Oak Cemetery Commission |
| <input type="checkbox"/> Arkansas Fair & Exhibition Facilities Bd | <input type="checkbox"/> Outside Agency Review Panel |
| <input type="checkbox"/> Benevolent Fund Board | <input type="checkbox"/> Parking Authority |
| <input type="checkbox"/> Bldg. Bd. Of Adjustment and Appeals | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Central Business Improvement District | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Convention Center Commission | <input type="checkbox"/> Plumbing Advisory Board |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Port Authority |
| <input type="checkbox"/> Community Development Advisory Com. | <input type="checkbox"/> Property Owners Appeals Board |
| <input type="checkbox"/> County Equalization Board | <input type="checkbox"/> Sebastian County Reg. Solid Waste Mgmt. Bd. |
| <input type="checkbox"/> Electric Code Board of Appeals & Appeals | <input type="checkbox"/> Sister Cities Committee |
| <input type="checkbox"/> Fire Code Board of Appeals & Adjustments | <input type="checkbox"/> Transit Advisory Commission |
| <input checked="" type="checkbox"/> Historic District Commission | <input type="checkbox"/> Residential Housing Facilities Board |
| <input type="checkbox"/> Housing Assistance Board | <input type="checkbox"/> Comprehensive Plan Steering Committee |
| <input type="checkbox"/> Housing Authority | |



MEMORANDUM

TO: Mayor and Board of Directors
FROM: Wendy Beshears, Administrative Assistant
DATE: July 10, 2014
SUBJECT: Outside Agency Review Panel

The terms of Amy Manley (has expired March 31, 2014) and Charolette Tidwell of the Outside Agency Review Panel will expire July 17, 2014. Ms. Manley wishes to be reappointed and Ms. Tidwell does not.

The applicant available is:

Gregory Davis 9908 Foxboro Road

Appointments are by **the Board of Directors**, two appointments are needed. The terms will expire July 17th, 2016.

Outside Agency Review Panel

This review panel will review applications for outside agency services and recommending award amounts for approval by the Board of Directors. Members of this panel will be appointed by the Board of Directors.

Core Committee shall be comprised of three citizens who are knowledgeable of the city's nonprofit organizations and services they provide, and are not directly related to any agencies that are applying for funds available through this program, nor board of directors of the City of Fort Smith. (3 year terms)

Arts & Humanities comprised of two citizens who are knowledgeable of arts and humanities and are not directly related to any agencies that are applying for funds under this line item nor the Board of Directors of the City of Fort Smith. (1 year term and 1 two-year term initially, and two year terms thereafter).

Recreation Panel comprised of two citizens who are knowledgeable of recreation and are not directly related to any agencies that are applying for funds under this line item nor the Board of Directors of the City of Fort Smith. (1 one year term and 1 two-year term initially and two-year terms thereafter).

Social & Community Services comprised of two citizens who are knowledgeable of social and community organizations and are not directly related to any agencies that are applying for funds under this item nor the Board of Directors of the City of Fort Smith. (2 year terms). The panel meets on call.

Note: at the first full meeting of the 9-member panel, each appointee will draw a number, which will determine the length of service. Terms will expire on March 31st of each year.

	<u>Date Appointed</u>	<u>Term Expires</u>
<u>Core:</u>		
Sharon Barr Clinical Laboratory Director 1426 North 52 Street (04) 782-1185 (h) 441-5218 (w) sbarr@sparks.org	07/17/12	07/17/15
William Tyler Lamon First National Bank 1123 North 14 Street (01) 739-7142 (h) tylerlamon@gmail.com	07/17/12	03/31/16
Robert Morgan Sparks Hospital	03/18/14	03/31/17

2908 Marion Court (08)
649-8075 (h)
441-5426 (w)
morganvw@cox.net

Arts and Humanities:

Amy Manley Kimmons Band Director 114 North 25 Street (01) 785-2626 (w) 478-6196 (h) amanley@fortsmithschools.org	05/17/11	03/31/14
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Jeannie Cole 7410 Oxford Place (03) 452-4478 (h) jeannie@thecolefamily.com	03/27/13	03/31/16
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Recreation:

Charolette Tidwell Retired - Healthcare 1728 North 46 Circle (04) 459-0669 (h) cftidwell9793@att.net	03/27/13	07/17/14
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Scott McLain 1120 S. Albert Pike Avenue (03) (501) 779-7302 (w) smclain@mclain-group.com	08/20/13	08/20/14
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Social/Community Services:

Janice Sudbrink Nurse 3712 Pebble Court (03) 452-3516 (h) 459-8604 (c) Jdsudbrin1@aol.com	06/19/13	08/23/14
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Daniel Maher
Assistant Professor of Sociology
504 North 19 Street (01)
462-7872 (h)
788-7572 (w)
Daniel.Maher@uafs.edu

06/17/14

03/31/16

Amy

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Name: Amy Manley Date: 6-23-14
Home Address: 114 N. 25th St. Smith Home Telephone: 479-478-6196
Zip: 72901 Work Telephone: 479-719-2934
Occupation: Assistant Principal Danby Jr. High Email: amanley@fortsmithschools.org
(If retired, please indicate former occupation or profession)
Education: Masters 30
Professional and/or Community Activities: OAG Panel

Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes No _____
Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
Yes _____ NO

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License _____ Date of Birth _____
information will be use to conduct a criminal back ground check of all applicants).

I am interested in serving on the (please check):

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Library Bd of Trustees |
| <input type="checkbox"/> Advertising & Promoting Commission | <input type="checkbox"/> Mechanical Bd of Adjustments and Appeals |
| <input type="checkbox"/> Airport Commission | <input type="checkbox"/> Oak Cemetery Commission |
| <input type="checkbox"/> Arkansas Fair & Exhibition Facilities Bd | <input checked="" type="checkbox"/> Outside Agency Review Panel |
| <input type="checkbox"/> Benevolent Fund Board | <input type="checkbox"/> Parking Authority |
| <input type="checkbox"/> Bldg. Bd. Of Adjustment and Appeals | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Central Business Improvement District | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Convention Center Commission | <input type="checkbox"/> Plumbing Advisory Board |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Port Authority |
| <input type="checkbox"/> Community Development Advisory Com. | <input type="checkbox"/> Property Owners Appeals Board |
| <input type="checkbox"/> County Equalization Board | <input type="checkbox"/> Sebastian County Reg. Solid Waste Mgmt. Bd. |
| <input type="checkbox"/> Electric Code Board of Appeals & Appeals | <input type="checkbox"/> Sister Cities Committee |
| <input type="checkbox"/> Fire Code Board of Appeals & Adjustments | <input type="checkbox"/> Transit Advisory Commission |
| <input type="checkbox"/> Historic District Commission | <input type="checkbox"/> Residential Housing Facilities Board |
| <input type="checkbox"/> Housing Assistance Board | <input type="checkbox"/> Comprehensive Plan Steering Committee |
| <input type="checkbox"/> Housing Authority | |

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Gregory Davis
Professional and/or Community Activities:

Current:

- Fort Smith Public Schools, Partners in Education Advisory Board - Chairperson
- Western Arkansas Workforce Investment – Board Member
- Fort Smith Regional Alliance – Board Member
- Fort Smith Rotary

Past:

- Interfaith Community Center – Board Member
- Central Presbyterian Daycare Center – Board Member
- Touchstone Energy Cooperative – Board Member

References:

Gary Campbell
2711 Reeder St. Fort Smith, AR 72901
479-459-7314

Galen Hunter
10017 Foxboro Road, Fort Smith, AR 72903
479-782-1051

Pastor Marcus Brown
5101 Fresno St. Fort Smith, AR 72903
479-484-4411



MEMORANDUM

TO: Mayor and Board of Directors
FROM: Wendy Beshears, Administrative Assistant
DATE: July 9, 2014
SUBJECT: Port Authority

The term of Bob C. Worley of the Port Authority will expire July 31st, 2014. Mr. Worley does not wish to be reappointed.

The applicants available are:

Brian Beasley
Philip W. Doss

5615 Graystone Drive
2307 Camelot Drive

Appointments are **by the Mayor**, one appointment is needed. The term will expire July 31st, 2019.

Port Authority

The Port Authority consists of five qualified electors of the city, appointed by the **Mayor** and each serves alternate five-year terms. The Authority meets on call.

	<u>Date Appointed</u>	<u>Term Expires</u>
Bob C. Worley 3921 Park Avenue (03) 782-4220 (h) bcwhwt@att.net	06/23/09	07/31/14
Larry J. Combs 3016 Royal Scots Way (08) 648-3747 (h) 788-6343 (w) Larry.combs@apac.comm	06/21/11	07/31/15
Eddie Norman Sales 3415 South 29 Circle (01) 646-9602 (h) 646-7331 (w) 646-6053 (f) eddie.norman@ryerson.com	08/21/01	07/31/16
Jeff Taake Transportation Consultant 2932 South Cliff Drive(01) 782-0323 (w) 646-2718 jtaake@arkindtraffic.com	06/19/12	07/31/17
Dustin Collyge 2323 South 26 Street (01) 790-0696 (h) (800) 688-0616 (w) dcollyge@maverickusa.com	02/19/13	07/31/18

Marty Shell
Five Rivers
P.O. Bx 5606
72956
629-4306

(wfreeman@swtimes.com)
(mtilley@thecitywire.com)

200 Navy Road
785-2837

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: April 8, 2014
 Name: Brian Beasley Home Telephone: (479) 651-7399
 Home Address: 5615 Graystone Dr. Work Telephone: (479) 434-9561
 Zip: 72916 Email: bbeasley@cbf.com
 Occupation: Transportation
 (If retired, please indicate former occupation or profession)
 Education: Masters in Ops Management, BSBA Finance & Marketing
 Professional and/or Community Activities: _____

Additional Pertinent Information/References: _____

Are you a registered voter in the City of Fort Smith? Yes No _____
 Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?
 Yes _____ NO

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from consideration.

Drivers License _____ Date of Birth _____
 information will _____ back ground check of all applicants _____

I am interested in serving on the (please check):

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Library Bd of Trustees |
| <input type="checkbox"/> Advertising & Promoting Commission | <input type="checkbox"/> Mechanical Bd of Adjustments and Appeals |
| <input type="checkbox"/> Airport Commission | <input type="checkbox"/> Oak Cemetery Commission |
| <input type="checkbox"/> Arkansas Fair & Exhibition Facilities Bd | <input type="checkbox"/> Outside Agency Review Panel |
| <input type="checkbox"/> Benevolent Fund Board | <input type="checkbox"/> Parking Authority |
| <input type="checkbox"/> Bldg. Bd. Of Adjustment and Appeals | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Central Business Improvement District | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Convention Center Commission | <input type="checkbox"/> Plumbing Advisory Board |
| <input type="checkbox"/> Civil Service Commission | <input checked="" type="checkbox"/> Port Authority |
| <input type="checkbox"/> Community Development Advisory Com. | <input type="checkbox"/> Property Owners Appeals Board |
| <input type="checkbox"/> County Equalization Board | <input type="checkbox"/> Sebastian County Reg. Solid Waste Mgmt. Bd. |
| <input type="checkbox"/> Electric Code Board of Appeals & Appeals | <input type="checkbox"/> Sister Cities Committee |
| <input type="checkbox"/> Fire Code Board of Appeals & Adjustments | <input type="checkbox"/> Transit Advisory Commission |
| <input type="checkbox"/> Historic District Commission | <input type="checkbox"/> Residential Housing Facilities Board |
| <input type="checkbox"/> Housing Assistance Board | <input type="checkbox"/> Comprehensive Plan Steering Committee |
| <input type="checkbox"/> Housing Authority | |

Port Authority

CITY OF FORT SMITH
Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: 4/25/2014

Name: Philip W. Doss

Home Telephone: (479) 739-8182

Home Address: 2307 Camelot Dr.

Work Telephone: (479) 452-0709

Zip: 72903

Email: pdoss@summitbankdirect.com

Occupation: EVP/ Commercial Lending @ Summit Bank
(If retired, please indicate former occupation or profession)

Education: BSBA, MBA University of Arkansas Fayetteville

Professional and/or Community Activities: Served on boards for United Way, Red Cross, Heart Assoc, Church and school

Additional Pertinent Information/References: Leadership Fort Smith - 2007

Are you a registered voter in the City of Fort Smith? Yes No

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense?

Yes NO

If yes, please identify the offense and the approximate date. A "yes" answer will not automatically preclude you from

consideration

Drivers Licen

information w

Date of Birth

back ground check of all applicants).

I am interested in serving on the (please check):

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Library Bd of Trustees |
| <input type="checkbox"/> Advertising & Promoting Commission | <input type="checkbox"/> Mechanical Bd of Adjustments and Appeals |
| <input checked="" type="checkbox"/> Airport Commission | <input type="checkbox"/> Oak Cemetery Commission |
| <input type="checkbox"/> Arkansas Fair & Exhibition Facilities Bd | <input type="checkbox"/> Outside Agency Review Panel |
| <input type="checkbox"/> Benevolent Fund Board | <input type="checkbox"/> Parking Authority |
| <input type="checkbox"/> Bldg. Bd. Of Adjustment and Appeals | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Central Business Improvement District | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Convention Center Commission | <input type="checkbox"/> Plumbing Advisory Board |
| <input type="checkbox"/> Civil Service Commission | <input checked="" type="checkbox"/> Port Authority |
| <input type="checkbox"/> Community Development Advisory Com. | <input type="checkbox"/> Property Owners Appeals Board |
| <input type="checkbox"/> County Equalization Board | <input type="checkbox"/> Sebastian County Reg. Solid Waste Mgmt. Bd. |
| <input type="checkbox"/> Electric Code Board of Appeals & Appeals | <input type="checkbox"/> Sister Cities Committee |
| <input type="checkbox"/> Fire Code Board of Appeals & Adjustments | <input type="checkbox"/> Transit Advisory Commission |
| <input type="checkbox"/> Historic District Commission | <input type="checkbox"/> Residential Housing Facilities Board |
| <input type="checkbox"/> Housing Assistance Board | <input type="checkbox"/> Comprehensive Plan Steering Committee |
| <input type="checkbox"/> Housing Authority | |



MEMORANDUM

TO: Mayor and Board of Directors
FROM: Wendy Beshears, Administrative Assistant
DATE: July 9, 2014
SUBJECT: Property Owners Appeal Board

The term of Dolores Chitwood of the Property Owners Appeal Board will expire July 14th, 2014. Ms. Chitwood does not wish to be reappointed.

The applicant available is:

Dennis M. Shaeffer

11115 Vista Ridge Court

Appointments are **by the Board of Directors**, one appointment is needed. The term will expire July 14th, 2019.

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

Property Owners Appeals Board

The Property Owners Appeals Board was established by the Board of Directors April 15, 1997 to review City ordinances relative to clean up of lands for the purpose of making recommendations to the Board of Directors concerning amendments thereto, and to hear appeals of delinquent property owners charged by the City for abatement costs who feel themselves aggrieved by action of the City.

The Board consisted of five persons appointed by the Board of Directors who, following initial staggered terms, will serve five-year terms of office. The Board shall meet to hear appeals twice annually during the month of September, and may meet for other purposes as well. Meetings are scheduled for the second Monday of each month at 11:00 a.m. in the Planning conference room at 623 Garrison Avenue, room 326.

	<u>Date Appointed</u>	<u>Term Expires</u>
Dolores Chitwood 1815 North E Street (01) 783-0211 chitwood1@sbcglobal.net	6/17/97	7/14/14
Karen Lewis 5620 Free Ferry Road (03) 452-0647 (h)	6/17/97	7/14/15
Megan Raynor 504 Lecta (01) 420-1910 (h) 782-8808 mraynor@hannaoilandgas.com	06/15/10	7/14/15
Joel Culberson 2421 South O Street (01) 783-7207 (h) 494-6885 (w) ujculbe@gmail.com	2/19/13	7/14/18
Scott D. Monroe 2723 Dallas Drive (01) 784-8477 rsmonroe@cox.net	7/22/09	7/14/19

CITY OF FORT SMITH

Application for City Boards/Commissions/Committees

Note: As an applicant for a City Board, Commission or Committee, your name, address and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment.

Date: June 11, 2014

Name: Dennis M. Shaeffer Home Telephone: 479-646-0798; Cell: 489-414-0798

Home Address: 11115 Vista Ridge Court, Fort Smith; Work Telephone: 479-788-4775

Zip: 72916 Email: dmshaeffer@cox.net

Occupation: Adjunct Instructor at UAFS; 2006 – Current;

(If retired, please indicate former occupation or profession)

Retired from Goodyear Tire and Rubber Company after 32 years of service in Human Resources as Manager of Plant HR Systems (1988 – 1995), Corporate Organizational Effectiveness Consultant: (1996-2001) and HR Director for Wingfoot Commercial Tire Systems, Fort Smith, (2002-2005); Manager of Human Resources, Con-Agra Foods, Ozark, AR: 2006 – 2007; Manager of Human Resources, GNB, Fort Smith, 2007-2009.

Education: BA, University of Texas, Austin; Diploma of French Studies, University of Clermont, Clermont-Ferrand, France; Graduate Studies at Texas A&M, Commerce, TX; and Masters Degree Candidate at The University of Arkansas, Fayetteville.

Professional/Community Activities: President, Riley Farm Property Owners Association, 2009 – present. Co-Chair of the Architectural Control Committee of the Riley Farm Property Owners Association Board. President, River Valley Human Resource Association, 2006 – 2008; Member of Fort Smith Human Resource Managers Association, 2007 – 2009; SHRM Certified Senior Human Resource Professional: 1999 – 2009.

Other relevant information: Worked successfully with City Parks Director, Mike Alsup, in 2013 in a joint effort between the Riley Board and the City to upgrade the playground equipment in the Riley Farm Park. Regularly attend the Directors monthly meetings to keep abreast of events affecting Fort Smith Citizens. Participated in focus group interviews on a vision for Fort Smith. Volunteer tutor for the Fort Smith Literacy Council. Have lived in Fort Smith for 12 years.

Married 41 years to Lucy Shaeffer, mental health professional at Perspectives Behavioral Health Management and adjunct instructor of Psychology at UAFS.

Are you a registered voter in the City of Fort Smith? Yes No

Have you ever been convicted of a felony, misdemeanor, DWI/DUI or other serious traffic offense? Yes NO

If yes, please identify the offense and the approximate date. A “yes” answer will not automatically preclude you from consideration. _____

Driver's License: f Birth:

(This information will be used to conduct a criminal back ground check of all applicants).

I am interested in serving on the (please check):

- Audit Committee
- Advertising & Promoting Commission
- Airport Commission
- Arkansas Fair & Exhibition Facilities Bd
- Benevolent Fund Board
- Bldg. Bd. Of Adjustment and Appeals
- Central Business Improvement District
- Convention Center Commission
- Civil Service Commission
- Community Development Advisory Com.
- County Equalization Board
- Electric Code Board of Appeals & Appeals

- Fire Code Board of Appeals & Adjustments
- Historic District Commission
- Housing Assistance Board Comprehensive Plan Steering Committee
- Housing Authority
- Library Bd of Trustees
- Mechanical Bd of Adjustments and Appeals
- Oak Cemetery Commission
- Outside Agency Review Panel
- Parking Authority
- Parks & Recreation Commission
- Planning Commission
- Plumbing Advisory Board
- Port Authority
- Property Owners Appeals Board
- Sebastian County Reg. Solid Waste Mgmt. Bd.
- Sister Cities Committee
- Transit Advisory Commission
- Residential Housing Facilities Board

Please return this form to Wendy Beshears, P.O. Box 1908, FSM, AR 72902