

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 – Tracy Pennartz
At Large Position 6 – Kevin Settle
At Large Position 7 – Don Hutchings

AGENDA ~ Summary

**Fort Smith Board of Directors
REGULAR MEETING
July 7, 2015 ~ 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
AND ONLINE AT <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>**

INVOCATION & PLEDGE OF ALLEGIANCE

Director Don Hutchings

ROLL CALL

- All present
- Mayor Sandy Sanders presiding

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)

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

APPROVE MINUTES OF THE JUNE 16, 2015 REGULAR MEETING AND JUNE 23, 2015 SPECIAL MEETING

Unanimously approved as written with the exception of the June 16, 2015 minutes, which was approved to revise the paragraph on the last page to include the underlined portion below:

“Pennartz, seconded by Hutchings, moved acceptance of the above named nominations and deference of the appointment to the Housing Authority. The members all voting aye, with the exception of Good who abstained on the appointment to the Transit Advisory Commission, the Mayor declared the motion carried.”

ITEMS OF BUSINESS:

1. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to a Planned Zoning District by classification located at 8401 McClure Drive*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 45-15
2. Ordinance rezoning identified property and amending the zoning map (*from Commercial Regional (C-4) to Commercial Heavy (C-5) by extension located at 1200 South "U" Street*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 46-15
3. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structures to occur, and for other purposes (*608 North 16th Street & two rear buildings and 1732 North 12th Street*)
APPROVED 7 in favor, 0 opposed / Ordinance No. 47-15
4. Ordinance amending the 2015 Budget
APPROVED 7 in favor, 0 opposed / Ordinance No. 48-15
5. Consent Agenda
 - A. Ordinance authorizing a contract with Playcore Wisconsin, Inc. doing business as GameTime for the development of neighborhood parks on Fianna Way and Texas Road and declaring exceptional situations and waiving the requirements of competitive bidding (\$158,589.55 / Parks Department / Budgeted – 1/8% Sales and Use Tax) ♦ ~ Tabled at the June 16, 2015 regular meeting ~
APPROVED 6 in favor, 1 opposed (Catsavis) / Ordinance No. 49-15
 - B. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Goodwin & Goodwin, Inc. for the South 46th Street Rogers Avenue Sewer Replacement (\$223,079.00 / Utility Department / Budgeted - 2014 Sales and Use Tax Bonds)
APPROVED 7 in favor, 0 opposed / Resolution No. R-116-15
 - C. Resolution authorizing Change Order No. 1 with Forsgren, Inc. for the construction of the 3571 Gary Street Sewer Repair (\$28,945.50 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds)
APPROVED 7 in favor, 0 opposed / Resolution No. R-117-15
 - D. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for construction of the 3571 Gary Street Sewer Repair (\$158,486.00 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds)
APPROVED 7 in favor, 0 opposed / Resolution No. R-118-15

- E. Resolution accepting the bid of and authorizing the Mayor to execute a contract with Hudson Excavation, Inc. for the Lee Creek Reservoir Buoy Line Replacement (\$53,187.00 / Utility Department / Budgeted – Water & Sewer Operating Budget)
APPROVED 7 in favor, 0 opposed / Resolution No. R-119-15
- F. Resolution authorizing the City Administrator to enter into an office space lease with Stephens Media, LLC at 3600 Wheeler Avenue (\$7,061.83 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds)
APPROVED 6 in favor, 1 opposed (Catsavis) / Resolution No. R-120-15
- G. Resolution accepting the bid for the purchase of a wheel loader (\$239,900.00 / Sanitation Department / Budgeted – Sanitation Sinking Fund)
APPROVED 7 in favor, 0 opposed / Resolution No. R-121-15
- H. Resolution authorizing the execution of a memorandum of understanding between the City of Fort Smith, Arkansas, and Sebastian County, Arkansas, regarding the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
APPROVED 7 in favor, 0 opposed / Resolution No. R-122-15
- I. Resolution authorizing the City Administrator to execute and deliver a consent to assignment of lease with Spirit Master Funding VI, LLC to use a portion of North 31st Street right-of-way (Harps Marketplace, 3100 Grand Avenue)
APPROVED 7 in favor, 0 opposed / Resolution No. R-123-15

OFFICIALS FORUM ~ presentation of information requiring no official action

(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

EXECUTIVE SESSION (approximately 6:21 p.m.)

Performance evaluation – City Administrator ~requested by Administrator Gosack~
No action taken

ADJOURN

7:13 p.m.

1.

ORDINANCE NO. 45-15

**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 6-6-15 to rezone certain properties hereinafter described, and, having considered said request, recommended on June 9, 2015, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

SECTION 1: That the following properties to-wit:

Part of the Southeast Quarter of Section 6, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at an existing ½" rebar with cap stamped PLS 1272 at the Southeast Corner of said Section 6; Thence along the south line of said Southeast Quarter of Section 6, N87°14'55"W, 992.76 feet; Thence S00°00'00"E, 29.74 feet; Thence N86°54'42"W, 414.63 feet; Thence 671.39 feet along the arc of a curve to the right, said curve having a radius of 1035.00 feet and being subtended by a chord having a bearing of N68°19'41"W and a distance of 659.68 feet; Thence N49°44'40"W, 204.05 feet; Thence 57.34 feet along the arc of a curve to the left, said curve having a radius of 965.00 feet and being subtended by a chord having a bearing of N51°26'48"W and a distance of 57.33 feet; Thence N53°08'55"W, 4.48 feet; Thence N40°30'48"E, 70.14 feet to the Point of Beginning and a set 1/2" rebar with cap stamped MWC 1369; Thence N53°08'55"W, 288.03 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N36°51'05"E, 63.48 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N32°44'57"W, 105.46 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N17°05'56"E, 206.66 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N66°40'59"W, 20.51 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N20°48'19"E, 173.51 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N00°58'20"W, 217.61 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N25°09'18"W, 99.28 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N25°53'57"W, 105.39 feet to a set 1/2" rebar with cap stamped MWC 1369 on the southeasterly line of the Sebastian County Bike Trail Parcel; Thence along said southeasterly line the following courses: N48°31'29"E, 403.12 feet to a set 1/2" rebar with cap stamped MWC

1369; N40°37'28"E, 268.41 feet to a set 1/2" rebar with cap stamped MWC 1369; N58°28'39"E, 209.30 feet to a set 1/2" rebar with cap stamped MWC 1369; N39°51'14"E, 261.60 feet to a set 1/2" rebar with cap stamped MWC 1369; N46°26'37"E, 21.74 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence leaving said southeasterly line, S51°50'04"E, 714.08 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence 76.04 feet along the arc of a curve to the left, said curve having a radius of 50.00 feet and being subtended by a chord having a bearing of S05°55'00"E and a distance of 68.92 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence S40°30'48"W, 1799.98 feet to the Point of Beginning. Containing 30.00 acres, more or less.

more commonly known as 8401 McClure Drive, should be, and is hereby rezoned from Not Zoned to a Planned Zoning District by Classification. The approved change in zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zone Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS 7th DAY OF July, 2015.

ATTEST:



City Clerk

APPROVED:



Mayor

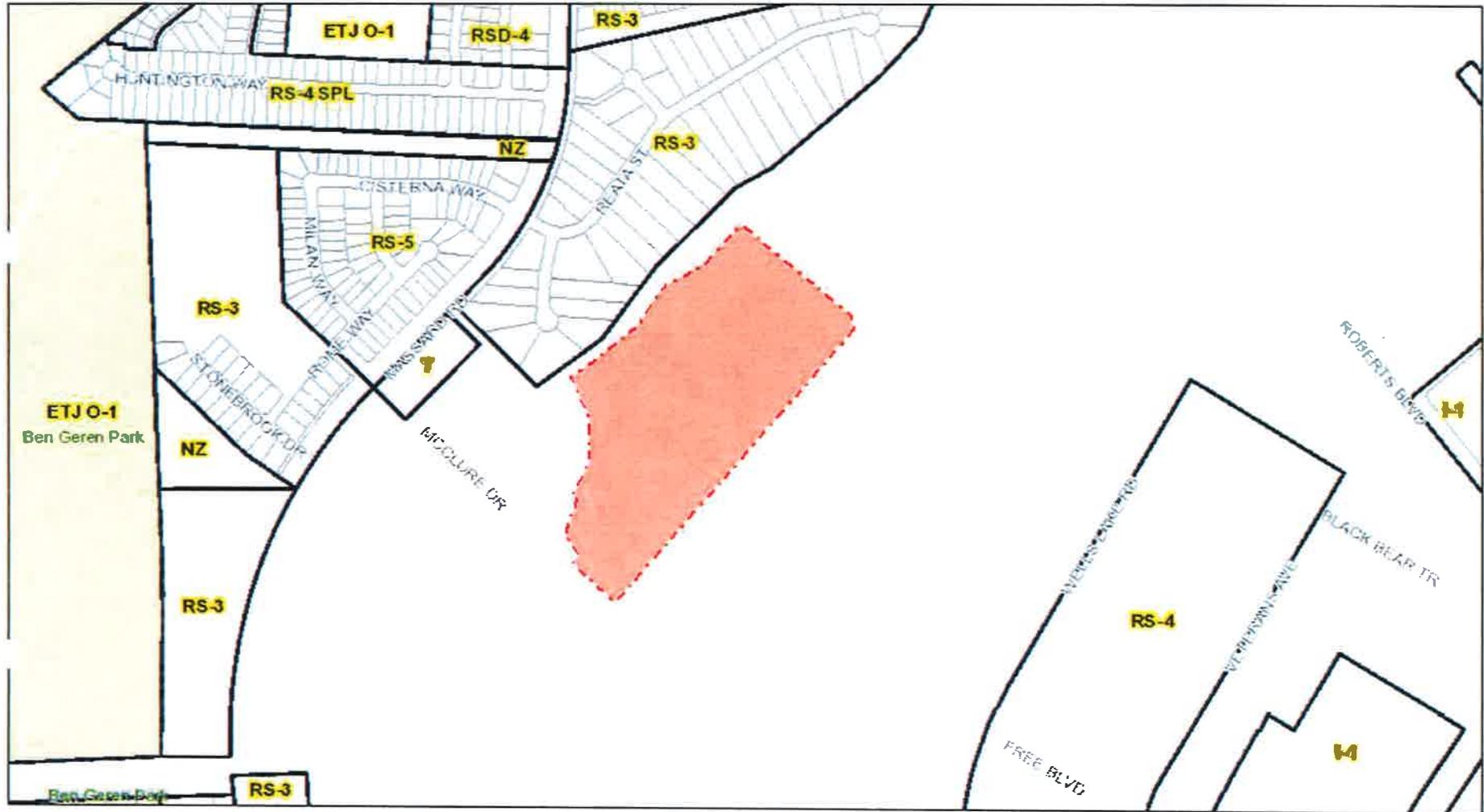
Approved as to form:



Publish One Time

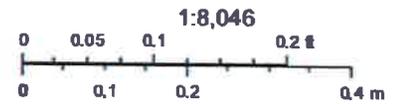
Rezoning #6-6-15: From Not Zoned to Planned Zoning District (PZD) 8401 McClure Drive

36



May 20, 2015

- [] Fort Smith City Limits
- [] Zoning
- [] Subdivisions



ORDINANCE NO. 46-15

**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 7-6-15 to rezone certain properties hereinafter described, and, having considered said request, recommended on June 9, 2015, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

SECTION 1: That the following properties to-wit:

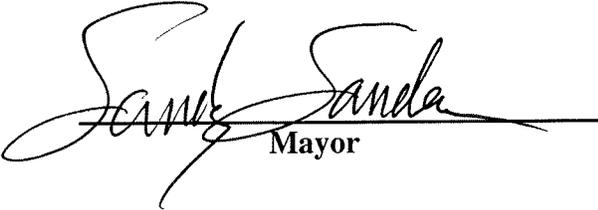
A part of the South Half of the Northwest Quarter of the Southwest Quarter of Section 21, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas, as follows: Starting at the Northwest Corner of said South Half of the Northwest Quarter of the Southwest Quarter; thence East 35.00 feet to a point on the East right-of-way line of Towson Avenue or U.S. Highway 71 and 271; thence South 14.00 feet; thence North 89 degrees 59 minutes East, 315.00 feet along a line which is the South right-of-way line of South "U" Street to the point of beginning; thence North 89 degrees 59 minutes East along said South line of South "U" Street, a distance of 300.00 feet; thence South and parallel to the East boundary line of said South Half of the Northwest Quarter of the Southwest Quarter, a distance of 306.00 feet; thence South 89 degrees 59 minutes West and parallel with said South line of South "U" Street, a distance of 300.00 feet; thence North 306.00 feet to the point of beginning, less and except public roads and rights of way.

more commonly known as 1200 South "U" Street, should be, and is hereby rezoned from Commercial Regional (C-4) to Commercial Heavy (C-5) by Extension.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS 7th DAY OF July, 2015.

APPROVED:



Mayor

ATTEST:



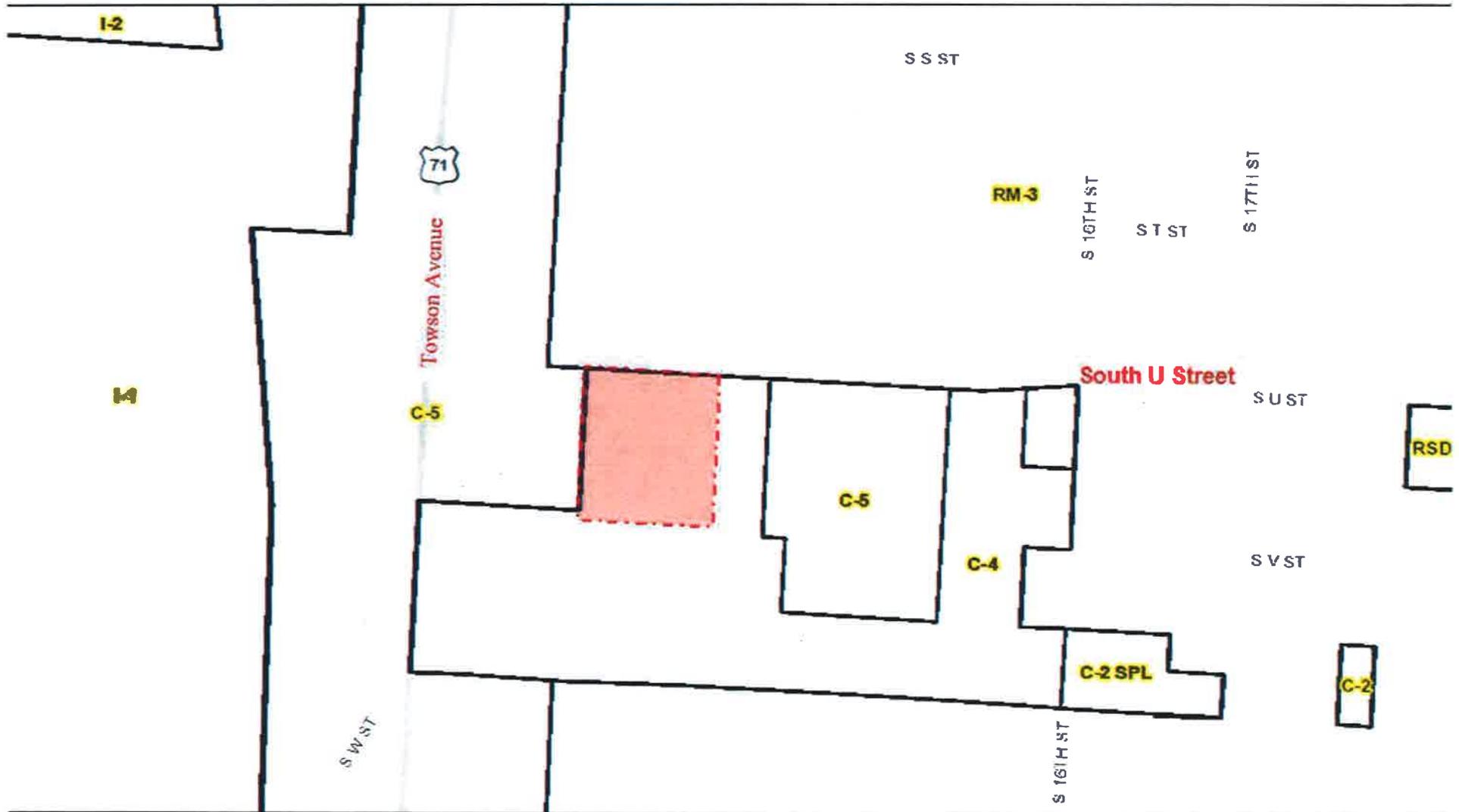
City Clerk

Approved as to form:



Publish One Time

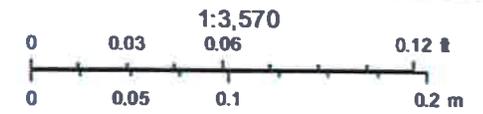
Rezoning #7-6-15: From Commercial Regional (C-4) to Commercial Heavy (C-5) 1200 South "U" Street



July 2, 2015

 Fort Smith City Limits

 Zoning



3

ORDINANCE NO. 47-15

AN ORDINANCE ORDERING THE OWNERS OF CERTAIN DILAPIDATED AND SUBSTANDARD STRUCTURES TO DEMOLISH SAME, AUTHORIZING THE CITY ADMINISTRATOR TO CAUSE THE DEMOLITION OF SUCH STRUCTURES TO OCCUR, AND FOR OTHER PURPOSES.

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: It is hereby determined by the Board of Directors that the hereinafter described tract of real property, and the improvements located there, are dilapidated, unsafe and otherwise detrimental to the public health and constitute structural, fire and health hazards:

Street Address: **608 NORTH 16TH STREET & 2 REAR STRUCTURES-N 35' OF LOT 2 & S 30' OF LOT 3,**

BLOCK 34; FITZGERALD ADDITION

1732 NORTH 12TH STREET-LOT 9, BLOCK 8; FISHBACK #2 ADDITION

SECTION 2: The owners of the tract of real property described in Section 1 are hereby ordered to remove or raze the improvements located on the said tract of property and to remedy the unsightly and unsanitary conditions otherwise located on said tract of real property within thirty (30) days from the date of this ordinance.

SECTION 3: With reference to any tract identified in Section 1 as to which compliance with the direction of Section 2 has not occurred within thirty (30) calendar days from the date of passage of this ordinance, the City Administrator is hereby authorized to execute a contract, based on the bid(s) accepted on the date of this action or at a later date, for the removal or razing of the described improvements on the tract of real property.

SECTION 4: The provisions of this ordinance are hereby declared to be severable to the extent that a decision by any court of competent jurisdiction determining that any portion of this ordinance or any application thereof is unconstitutional, invalid or otherwise illegal shall not affect the constitutionality, validity or legality of the other provisions and/or applications of the ordinance.

SECTION 5: Emergency Clause. It is hereby found and declared by the Board of Directors that the dilapidated, unsanitary condition of the tracts of real property and improvements described herein constitute an

immediate menace to the health, welfare and safety of the citizens of the City so that an emergency is hereby declared and that this ordinance shall be effective from and after the date of its passage.

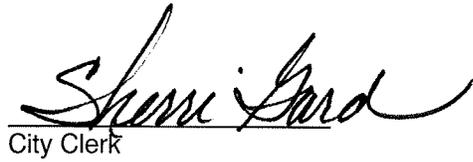
This Ordinance adopted this 7th day of July 2015.

APPROVED:



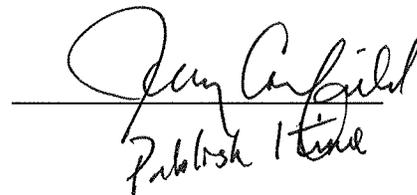
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish Here

AN ORDINANCE AMENDING THE 2015 BUDGET

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

There is hereby authorized an appropriation of \$85,000 from the unobligated balance of the Street Maintenance Fund (1101) to the Street Equipment Reserve (6641-000-1101) for capital purchases in 2015.

THIS ORDINANCE ADOPTED THIS 7th DAY OF July, 2015.

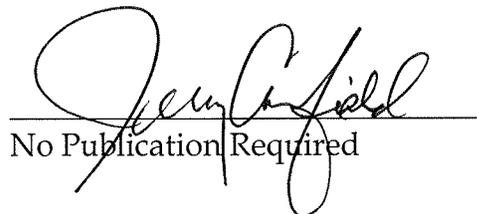
APPROVED:


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM


No Publication Required

ORDINANCE NO. 49-15

AN ORDINANCE AUTHORIZING A CONTRACT WITH GAMETIME FOR THE DEVELOPMENT OF NEIGHBORHOOD PARKS ON FIANNA WAY AND TEXAS ROAD AND DECLARING EXCEPTIONAL SITUATIONS AND WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

SECTION 1: The Mayor, his signature acknowledged by the City Clerk, is hereby authorized to execute a contract with Playcore Wisconsin, Inc., doing business as GameTime, for an amount not to exceed \$158,589.55 for performing the Fianna Way Park – Phase 1 Program and the Texas Road Park – Phase 1 Program.

SECTION 2: Based on the mutual membership of the City and Playcore Wisconsin, Inc., doing business as GameTime, in the U.S. Communities Government Purchasing Alliance, and pursuant to the purchasing procedures authorized by A.C.A. § 19-11-249 and Ordinance 93-05, the contract authorized by Section 1 is confirmed. It is hereby determined that an exceptional situation exists which makes any further requirement of competitive bidding to be not feasible so that further competitive bidding requirements, if any, are hereby waived.

PASSED AND APPROVED THIS 7th DAY OF July, 2015.

APPROVED:

Sandy Smide
Mayor

ATTEST:

Sherril Gard
City Clerk

APPROVED AS TO FORM

Jim Cifull npr

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR
TO EXECUTE A CONTRACT WITH GOODWIN & GOODWIN, INC., FOR
THE SOUTH 46TH STREET AND ROGERS AVENUE SEWER REPLACEMENT

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

SECTION 1: The bid of Goodwin & Goodwin, Inc., for the construction of the South
46th Street and Rogers Avenue Sewer Replacement, Project Number 15-20-C1, is hereby
accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Goodwin &
Goodwin, Inc., for an amount of \$223,079.00, for performing said construction.

This Resolution adopted this 7th day of July 2015.

APPROVED:



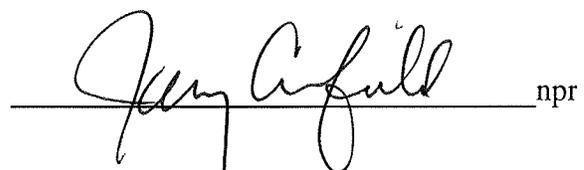
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE WITH FORSGREN, INC., FOR THE CONSTRUCTION OF THE 3571 GARY STREET SEWER REPAIR

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

Change Order Number One in the amount of \$28,945.50, adjusting the final contract amount to \$158,486.00, and adding 12 calendar days to the contract with Forsgren, Inc., for the 3571 Gary Street Sewer Repair, Project Number 15-09-C1, is hereby approved.

This Resolution adopted this 7th day of July 2015.

APPROVED:



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING
FINAL PAYMENT TO FORSGREN, INC., FOR CONSTRUCTION OF
THE 3571 GARY STREET SEWER REPAIR

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

SECTION 1: The construction of the 3571 Gary Street Sewer Repair, Project Number
15-09-C1, is accepted as complete.

SECTION 2: Final payment to Forsgren, Inc., in the amount of \$158,486.00, is
hereby approved.

This Resolution adopted this 7th day of July 2015.

APPROVED:



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR
TO EXECUTE A CONTRACT WITH HUDSON EXCAVATION, INC., FOR
THE LEE CREEK RESERVOIR BUOY LINE REPLACEMENT

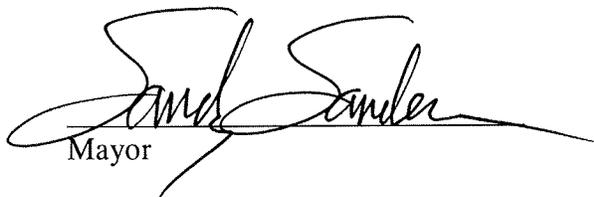
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The bid of Hudson Excavation, Inc., for the construction of the Lee Creek
Reservoir Buoy Line Replacement, Project Number 15-18-C1, is hereby accepted.

SECTION 2: The Mayor is hereby authorized to execute a contract with Hudson
Excavation, Inc., for an amount of \$53,187.00, for performing said construction.

This Resolution adopted this 7th day of July 2015.

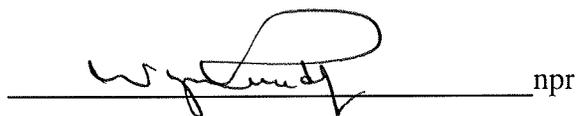
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

 npr

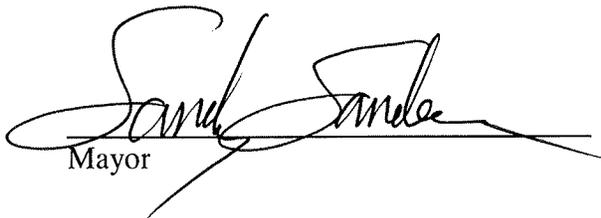
RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR
TO ENTER INTO AN OFFICE SPACE LEASE WITH
STEPHENS MEDIA, LLC, AT 3600 WHEELER AVENUE

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

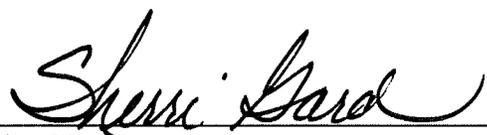
The City Administrator is authorized to enter a lease agreement on behalf of the City of Fort Smith for office space at 3600 Wheeler Avenue with Stephens Media, LLC, for an amount of \$7,061.83 monthly for the purpose of providing interim office space for the Utility Department's use related to performing the requirements of the Consent Decree entered in U.S. District Court Case No. 2:14-cv-002266-PKH.

This Resolution adopted this 7th day of July 2015.

APPROVED:

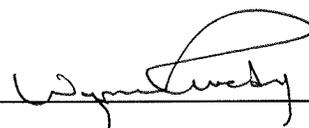

Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



npr

RESOLUTION NO. R-121-15

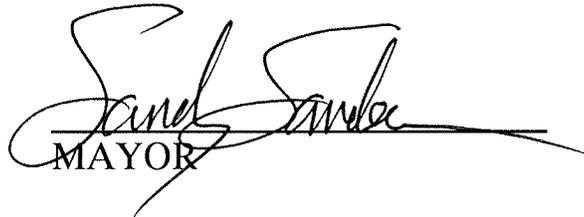
RESOLUTION ACCEPTING BID FOR THE PURCHASE OF A
WHEEL LOADER

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

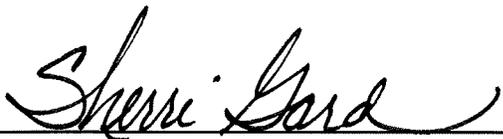
The bid, as indicated by enclosure on the attached Bid Tabulation
6305-SF-BA for the purchase of a wheel loader from Stribling Equipment for
\$239,900, is accepted.

This Resolution adopted this 7th day of July, 2015.

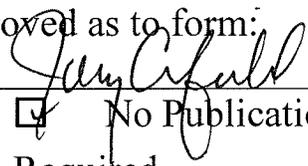
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:



No Publication
Required

Publish _____ Times

5G

Inter office Memorandum

TO: Ray Gosack, City Administrator
COPY TO: Baridi Nkokheli, Director of Sanitation
FROM: Alie Bahsoon, Purchasing Manager 
SUBJECT: Purchase of Wheel Loader
DATE: July 1, 2015
BID TAB: 6305-SF-BA



Attached you will find the bid tabulation for the purchase of a wheel loader truck for use by the Department of Sanitation, Sanitary Landfill Division.

As indicated in the enclosed memorandum from Mr. Nkokheli, this loader will be a replacement of Asset 016, a 1997 Caterpillar 950F loader which was destroyed by fire on March 22, 2014.

Funding for this loader has been appropriated for in the 2015 Budget in the "Reserve for Sanitation Equipment-Sinking Fund Account" in the amount of \$294,490.

This purchase fulfils all of the purchasing obligations as mandated by both state and local purchasing requirements and I am therefore recommending that the bid noted by enclosure on the attached bid tabulation, be accepted and approved by the Board.

Please let me know if you should have any questions.

Tabulation of Bids - City of Fort Smith WHEEL LOADER - Bid Tab #6305-SF-BA					
Vendor	A	B	C	D	
Description					
Year	2015	2015	2015	2015	
Make	Doosan	Volvo	John Deere	Caterpillar	
Model	DL300-5	L110H	644K	950M	
Cost					
GP Bucket	\$9,950.00	\$14,220.00	\$6,864.00	\$10,300.00	
WC Bucket	\$15,950.00	\$33,314.00	\$13,472.00	\$21,156.00	
LR Bucket	\$19,288.42	\$14,207.00	\$18,052.00	\$19,974.00	
Wheel Loader	\$172,734.22	\$184,949.00	\$201,512.00	\$238,164.00	
Freight/Other	n/a	n/a	n/a	n/a	
Total price	\$217,922.64 *	\$246,690.00	\$239,900 ✓	\$289,594.00	
Delivery terms	120 days	90 days	60 days	90 days	

A: Alma Tractor (Alma, AR) * Does not meet bid specifications

B: Hugg & Hall (Ft. Smith, AR)

C: Stribling Equipment (Ft. Smith, AR) ✓

D: JA Riggs (Ft. Smith, AR)

✓ Recommended bid award

5G



MEMORANDUM

July 2, 2015

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director *NK*

Subject: Wheel Loader Purchase for Program 6305

In March 2014, our 1997 CAT 950F wheel loader (asset 16) caught fire during daily operations. There were no injuries; however, the machine was a total loss. The landfill division has since been utilizing a rented wheel loader. The wheel loader is used daily in the composting facility to load yard waste, trees, grindings, and compostable material into the grinder or screener and create the static piles and windrows. This machine is vital to our overall landfill operations and assists us in maintaining compliance with state regulations and our landfill permit.

The 2015 Budget earmarks funding for a new wheel loader in our sanitary landfill division (program 6305) in the amount of \$294,490. Bids were recently solicited by the Purchasing Department with Stribling Equipment providing the lowest qualified bid (\$239,900) which meets or exceeds the required minimum specification.

Alma Tractor's loader does not meet all of the specifications on the bid sheet.

- Alma Tractor's loader is 120 working days out, whereas the Stribling Equipment loader is 60 working days out, which will increase the rental fee by approximately \$16,000 decreasing the total cost difference.
- The unit also utilizes a power drive system (engine) which reduces overall operating cost and provides cleaner emissions (meets U. S. EPA Tier 5F, or final, refers to the NSPS emissions standards). Tier 5F represents the highest level of clean air regulations to date.
- The 130-amp vs 100-amp alternator is required to allow for the 25-amp converter for installation of the 12-volt two-way radio, cooling fans and strobe lights. This increase in amperage also allows for the outfitting of different types attachments to improve the machine's versatility such as front forks and grapples, and other various hydraulic-driven attachments. These attachments will allow the equipment to perform a broad range of tasks increasing the amount of time an operator can spend using the wheel loader productively.
- Alma Tractor's is three inches shorter than specifications. The operator would not be able to tilt the bucket up, over and down to unload into the grinder, screener and dump trucks.

The additional 3 inches that the Stribling Equipment loader provides meets the required height/clearance to dump into the equipment without affecting the pivot points, joints and hydraulics. In addition, we need to allow for normal tire wear and tire size differential between equipment.

Staff recommends the bid be awarded to Stribling Equipment and the resolution presented by the Purchasing Department be approved.

Please contact me should you have any questions or would like additional information regarding this request.

5G



RESOLUTION NO. R-122-15

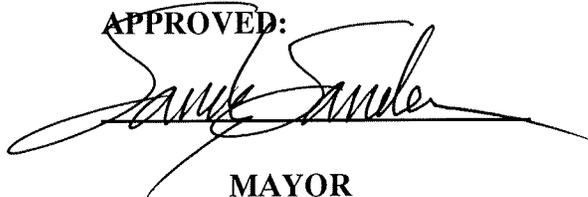
A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FORT SMITH, ARKANSAS, AND SEBASTIAN COUNTY, ARKANSAS, REGARDING THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

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

Section 1. The Memorandum of Understanding between the City of Fort Smith, Arkansas, and Sebastian County, Arkansas, which shall be substantially in the form attached hereto, is hereby approved and provides for the terms, conditions, and mutual understandings concerning the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program between the two parties.

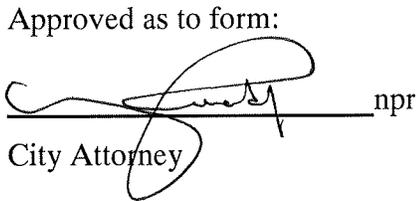
Section 2. The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute this Memorandum of Understanding to which the City of Fort Smith is a party.

THIS RESOLUTION ADOPTED THIS 7th DAY OF July, 2015.

APPROVED:

MAYOR

ATTEST:


CITY CLERK

Approved as to form:
 npr
City Attorney

RESOLUTION NO. R-123-15

A RESOLUTION AUTHORIZING THE CITY ADMININSTRATOR TO EXECUTE AND DELIVER A CONSENT TO ASSIGNMENT OF LEASE WITH SPIRIT MASTER FUNDING VI, LLC, TO USE A PORTION OF NORTH 31ST STREET RIGHT-OF-WAY

WHEREAS, on May 18, 1993, the City of Fort Smith entered a lease agreement with TFJ Nominee Trust (lessee) to allow the lessee to utilize a portion of North 31st Street as parking associated with the Harp's Grocery Store located at 3100 Grand Avenue, and;

WHEREAS, the lessee has sold the grocery store to Spirit Master Funding VI, LLC, and in compliance with the terms of the lease agreement requests an assignment of the lease, and;

WHEREAS, Judith J. Scherer, as Trustee of the TFJ Nominee Trust, and James Family Properties, LLLP, has requested that the City of Fort Smith consent to the proposed assignment to Spirit Master Funding VI, LLC, a Delaware limited liability company.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas that:

The City Administrator is hereby authorized to execute and deliver a consent to assignment of the lease with Spirit Master Funding VI, LLC.

This Resolution passed this 7th day of July 2015.

APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM

 npr