

City of Fayetteville Staff Review Form

C. 8
Regional Urban Stormwater
Education Program
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City Council Agenda Items
and
Contracts, Leases or Agreements

3/5/2013

City Council Meeting Date
Agenda Items Only

Sarah Wrede

Engineering

Development Services

Submitted By

Division

Department

Action Required:

Approval of an ordinance waiving competitive bidding and approval of a one-year contract in the amount of \$42,240.78 with the Northwest Arkansas Regional Planning Commission for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.

\$ 42,240.78

Cost of this request

\$ 228,499.99

Category / Project Budget

Stormwater Quality Mgmt/Nutrient Reduct

Program Category / Project Name

4470.9470.5817.00

Account Number

\$ 1,336.08

Funds Used to Date

Bridge & Drainage Improvements

Program / Project Category Name

02097

Project Number

\$ 227,163.91

Remaining Balance

Sales Tax Capital Improvement

Fund Name

Budgeted Item

Budget Adjustment Attached

[Signature]
Department Director

02-14-2013
Date

Previous Ordinance or Resolution # _____

[Signature]
City Attorney

2-15-13
Date

Original Contract Date: _____

Original Contract Number: _____

[Signature]
Finance and Internal Services Director

2-18-2013
Date

Received in City Clerk's Office
02-15-13 P12:06 RCVD
[Signature]

[Signature]
Chief of Staff

2-18-13
Date

Received in Mayor's Office
ENTERED
2/15/13
[Signature]

[Signature]
Mayor

2/19/13
Date

Comments:

CITY COUNCIL AGENDA MEMO

Council Meeting of March 5, 2013

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director JP
Chris Brown, City Engineer CB

From: Sarah Wrede, Staff Engineer SMW

Date: February 14, 2012

Subject: Approval of an ordinance waiving competitive bidding and approval of a one-year contract in the amount of \$42,240.78 with the Northwest Arkansas Regional Planning Commission for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.

PROPOSAL: Since 2003, the cities of Bentonville, Bethel Heights, Elkins, Elm Springs, Farmington, Fayetteville, Greenland, Johnson, Little Flock, Lowell, Springdale and Rogers along with Benton and Washington Counties and the University of Arkansas have been operating under EPA's federally mandated Phase II Stormwater regulations as Municipal Separate Storm Sewer Systems (MS4s). The cities of Bella Vista, Cave Springs, Centerton, Pea Ridge, Prairie Grove, and Tontitown were recently designated as MS4s based on the 2010 census and these cities are joining the education program this year. While these jurisdictions obtained separate National Pollutant Discharge Elimination System (NPDES) permits, they jointly contracted with Cooperative Extension Service (CES) through the NWA Regional Planning Commission as a successful and cost-effective means of implementing the following minimum control measures required in their Phase II permits:

- 1) Public Education and Outreach
- 2) Public Involvement and Participation
- 6) Pollution Prevention and Good Housekeeping (training for municipal employees)

A summary of the tasks associated with each of these is attached.

Positive feedback from ADEQ and participating MS4s has led to the CES and the NWARPC partnering for an additional urban stormwater education program in support of the MS4s' new 2009-2013 stormwater management permits. This contract is for participation in a 1-Year Regional Stormwater Education and Coordination Program.

RECOMMENDATION: Staff recommends approval of an ordinance to waive the requirements of competitive bidding and to authorize the Mayor to execute a Memorandum of Understanding with the Northwest Arkansas Regional Planning Commission for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension service.

BUDGET IMPACT: Currently, there is \$227,163.91 in the Stormwater Quality Mgmt/Nutrient Reduct account that has been designated for use to fund projects that improve stormwater quality in the City of Fayetteville. This project will be paid for from these funds.

ATTACHMENTS

Memorandum of Understanding
Urban Stormwater Education Program 2010-2014 Summary
Cost Allocation Summary

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE MS4 JURISDICTIONS AND THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$42,240.78 FOR THE REGIONAL URBAN STORMWATER EDUCATION PROGRAM TO BE PROVIDED BY THE UNIVERSITY OF ARKANSAS COOPERATIVE EXTENSION SERVICE TO SATISFY PORTIONS OF THE NPDES PHASE II STORMWATER PERMIT REQUIREMENTS

WHEREAS, the provisions of the attached Memorandum of Understanding meet the City of Fayetteville's need for Stormwater Education and Outreach as part of its Stormwater Phase II permit requirements; and

WHEREAS, the University of Arkansas Cooperative Extension Service can efficiently and effectively provide this service at a significant savings to the citizens of Fayetteville.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a Memorandum of Understanding (marked as Exhibit "A" attached hereto and made a part hereof) between the City of Fayetteville, Arkansas, the MS4 Jurisdictions and the Northwest Arkansas Regional Planning Commission in the amount of \$42,240.78 for the Regional Urban Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension Service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.

PASSED and APPROVED this 5th day of March, 2012.

APPROVED:

By: _____
LIONELD JORDAN, Mayor

ATTEST:

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**MEMORANDUM OF UNDERSTANDING FOR THE MS4
JURISDICTIONS OF NORTHWEST ARKANSAS AND
THE NORTHWEST ARKANSAS REGIONAL PLANNING
COMMISSION**

WHEREAS, eighteen cities in Benton and Washington Counties, the counties themselves, and the University of Arkansas meet the U.S. Environmental Protection Agency's "small" urbanized area municipal separate storm sewer (MS4) criteria, and must comply with national Phase II Stormwater Regulations; and

WHEREAS, the Arkansas Department of Environmental Quality (ADEQ), the state agency authorized by EPA to issue National Pollutant Discharge Elimination System (NPDES) permits requiring and ensuring compliance, will establish dates for affected entities to be covered under Arkansas' general permit for MS4s; and

WHEREAS, said permit requires development, implementation, and evaluation of a stormwater management plan, that addresses each of the six minimum control measures identified in the Phase II Storm Water Regulations contained in 40 CFR 122.26 and outlined in Part I.B.; and

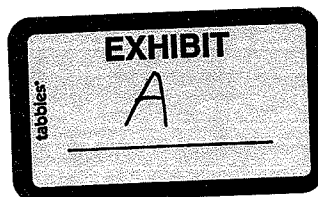
WHEREAS, the Northwest Arkansas Regional Planning Commission (NWARPC) has coordinated meetings between representatives of affected jurisdictions in an effort to determine, in the interest of economy and efficiency, whether certain stormwater permit components could be addressed collectively, rather than individually; and

WHEREAS, it has been determined that a cost effective, regional approach to certain minimum control measures required as part of the permit – namely Public Education and Outreach, Public Involvement and Participation, and the education component of Pollution Prevention/Good Housekeeping – is both logical and appropriate; and

WHEREAS, the NWARPC previously requested and received statements of qualifications from interested institutions and firms with demonstrated water quality educational expertise, and has, in cooperation with representatives of affected MS4 jurisdictions, endorsed the attached proposal from the University of Arkansas Cooperative Extension Service; and

WHEREAS, the ADEQ has endorsed the regional concept and proposal for addressing said minimum control measures; and

WHEREAS, said representatives of affected MS4s have also endorsed the distribution of costs associated with the proposal as shown on the attached cost allocation plan; and



Fayetteville

WHEREAS, the Board of Directors of the NWARPC have authorized the Commission to act as the financial clearinghouse and primary contractor, on behalf of said MS4s, in connection with said proposal.

NOW, THEREFORE BE IT RESOLVED THAT WE, THE UNDERSIGNED MS4 JURISDICTION, AND THE BOARD OF DIRECTORS OF THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION, AGREE AS FOLLOWS:

SECTION 1. To participate in a 1-Year Regional Stormwater Education and Coordination Program (January 1, 2013 – December 31, 2013), to be carried out by the University of Arkansas Cooperative Extension Service through an engagement with the Northwest Arkansas Regional Planning Commission, with costs based on each jurisdiction's pro-rated share of region's 2010 urbanized area population; it being understood that said services to be provided shall satisfy requirements for the federally mandated minimum control measures referenced herein. Commitments for participation in said program in future years will require governing body approval on a year-to-year basis.

SECTION 2. To participate financially in accordance with the attached cost allocation plan. Any increases in the costs allocated to the undersigned MS4 due to the failure of other MS4 jurisdictions to participate shall be subject to the approval of the undersigned MS4.

SECTION. 3. That all funds received by NWARPC from MS4s shall be utilized in their entirety for stormwater management program services and coordination activities in connection with EPA Phase II Stormwater Program requirements, and shall be accounted for separately from all other Commission funds.

Dated this _____ day of _____, 2013.

Fayetteville MS4 Jurisdiction

Jeff Hawkins

Jeff Hawkins NWARPC

Urban Stormwater Education Program 2010-2014

University of Arkansas Division of Agriculture Cooperative Extension Service

Introduction

As the public education branch of the University of Arkansas Division of Agriculture, the mission of the Cooperative Extension Service (CES) is to provide research-based information through non-formal education to help Arkansans improve their economic well-being and the quality of their lives. Since 2004, the City of Fayetteville has jointly contracted with CES through the Northwest Arkansas Regional Planning Commission as a successful and cost-effective means of implementing the following minimum control measures required in our Phase II permits:

- #1) Public Education and Outreach
- #2) Public Involvement and Participation
- #6) Pollution Prevention and Good Housekeeping – municipal employee training component

Program Planning and Evaluation

The City of Fayetteville participates in monthly meetings of the NWA Stormwater Compliance Group and has representation on the NWA Regional Stormwater Education Steering Committee. We also have representation on the Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater issues and target audiences and program methods and public relations strategies.

BMPs and Measurable Goals

Minimum Control Measure #1 - Public Outreach and Education

Develop and distribute electronic and printed educational materials

Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics have been identified, fact sheets, podcasts, e-learning modules, website content, newsletters, press releases, and PSAs will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Stormwater management and pollution prevention messages will be provided to participating MS4s for inclusion in municipal utility bill mailings to their residents.

Create displays and staff educational booths

Displays highlighting the annual topics of emphasis will be created and set up/staffed at libraries, banks, schools, local festivals, county fairs, etc.

Conduct hand-on youth stormwater/water quality education programs

Educational programs for school youth will focus on the water cycle, watersheds, stormwater dynamics, water quality and pollution prevention using the EnviroScape surface runoff model, groundwater simulator, hands-on exercises from Project WET, Project WILD, and Project Learning Tree and creekside classrooms. Programs conducted will support the Arkansas State Frameworks required curriculum.

Conduct stormwater programs for adult audiences

Educational presentations will be given to illustrate stormwater dynamics, identify potential pollutants and pathways, describe techniques to reduce stormwater pollution and encourage voluntary BMP implementation according to the annual topic/audience emphases outlined in the SWMP.

Measureable Goals:

A minimum of 20 electronic and printed educational materials will be developed
The # of educational materials distributed will be documented
Stormwater displays will be created and used at a minimum of 5 events/locales
At least 20 stormwater education programs will be conducted for youth audiences
At least 10 stormwater education programs will be conducted for adult audiences

Performance Standard:

Urban stormwater outreach/education programs will reach at least 26,220 residents (50% of the urbanized area population).

Minimum Control Measure #2 - Public Participation and Involvement

Train and Utilize Volunteer Educators

“Train-the-trainer” processes will be used to engage public volunteers and educators in teaching stormwater and pollution prevention (e.g. Benton and Washington County Master Gardeners, Master Naturalists, LakeSmart Leaders, etc.)

Conduct Public Participation/Involvement Events

Citizen and youth groups will participate in public involvement events (litter pick up, establishing demonstration rain gardens, planting riparian vegetation, stenciling storm drain inlets, etc.).

Engage Residents in Stormwater Policy Development

Information will be included through multiple outlets (website, newsletters, press releases, etc.) to encourage public input/involvement as MS4 stormwater management policy evolves.

Measureable Goals:

At least 5 train-the-trainer programs will be conducted.
At least 3 public participation events will be coordinated.

Performance Standard:

At least 5 public participation and involvement activities will be conducted.

Minimum Control Measure #6 – MS4 Employee Training

Train MS4 employees

MS4 employees will be equipped with a knowledge and understanding of how to reduce the potential impact of their municipal operations activities on stormwater quality.

Measureable Goal:

A minimum of 10 training programs will be conducted for MS4 employees.

Performance Standard:

Training will be conducted for eligible employees annually.

**Cost Allocation* of U of A Cooperative Extension Service NWA Regional Stormwater Education Program
and NWA Regional Planning Commission Stormwater Coordination for NWA MS4 Jurisdictions
based on the Urbanized Area Population of the 21 NWA MS4 Jurisdictions in the 2010 US Census**

2010 Block Census Data

Jurisdiction	Urbanized Area Population	% Urbanized Area Population	Cost for 2013 NWA Regional Urban Stormwater Education Program
Bella Vista	22,841	7.74%	\$14,739.78
Benton County	5,339	1.81%	\$3,445.07
Bentonville	33,801	11.45%	\$21,812.50
Bethel Heights	2,359	0.80%	\$1,522.31
Cave Springs	969	0.33%	\$625.32
Centerton	9,135	3.10%	\$5,895.01
Elkins	1,991	0.67%	\$1,284.83
Elm Springs	973	0.33%	\$627.90
Farmington	4,964	1.68%	\$3,203.37
Fayetteville	65,457	22.18%	\$42,240.78
Greenland	721	0.24%	\$465.28
Johnson	3,123	1.05%	\$2,015.34
Little Flock	1,742	0.59%	\$1,124.15
Lowell	6,574	2.23%	\$4,242.34
Pea Ridge	4,298	1.46%	\$2,773.59
Prairie Grove	69	0.02%	\$44.85
Rogers	54,897	18.60%	\$35,426.19
Springdale	88,088	29.07%	\$56,956.52
Tontitown	71	0.02%	\$45.82
U of A	5,801	1.97%	\$3,743.51
Washington County	1,868	0.63%	\$1,205.46
Totals	295,081	100.00%	\$190,422.00

Note: Budget year runs from January 1 through December 31 of each calendar year

* These dollar breakouts assume all jurisdictions participate.

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:	Date: C. 8	Regional Urban Stormwater
	2/14/2013	Education Program
P.O Number:	Expected Delivery Date:	Page 10 of 10

Vendor #: 8810	Vendor Name: NWA Regional Planning
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Mail Yes: _____ No: _____

Address:	Fob Point:	Taxable Yes: _____ No: _____
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Quotes Attached Yes: _____ No: _____

City:	State:	Zip Code:	Ship to code: RMT 1	Divison Head Approval:
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Extension: 206

Requester: Tandi Taylor	3062
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Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	NWA Stormwater Education Program 2013	1			\$42,240.78	4470.9470.5817	02097		
2					\$0.00				
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
+	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal:	\$42,240.78
Tax:	_____
Total:	<u>\$42,240.78</u>

Approvals:

Mayor: _____	Department Director: _____	Purchasing Manager: _____
Finance & Internal Services Director: _____	Budget Manager: _____	IT Manager: _____
Dispatch Manager: _____	Utilities Manager: _____	Other: _____