

**City of Fayetteville  
 Staff Review Form  
 City Council Agenda Items  
 or  
 Contracts**

September 17, 2013  
City Council Meeting Date

Sarah Wrede  
 Submitted By

Engineering  
 Division

Development Services  
 Department

**Action Required:**

An ordinance to waive requirements for bidding for services costing less than \$20,000 and to approve a contract for \$10,000 with the Beaver Watershed Alliance to assist in the improvement of water quality in the Beaver Lake Watershed.

\$ 10,000.00  
 Cost of this request

4470.9470.5314.00  
 Account Number

02097.1  
 Project Number

\$ 225,044.00  
 Category / Project Budget

\$ 79,319.90

\$ 145,724.10  
 Remaining Balance

Storm Water Quality Mgmt./Nutrient Reduction  
 Program Category / Project Name

Professional Services  
 Program / Project Category Name

Sales Tax Capital Improvement  
 Fund Name

Budgeted Item

Budget Adjustment Attached

[Signature]  
 Department Director 8-28-2013  
 Date

Previous Ordinance or Resolution # \_\_\_\_\_

[Signature]  
 City Attorney 8-29-13  
 Date

Original Contract Date: \_\_\_\_\_

[Signature]  
 Finance and Internal Service Director 8-29-2013  
 Date

Original Contract Number: \_\_\_\_\_

[Signature]  
 Chief of Staff 8-30-13  
 Date

Received in City Clerk's Office  
 [Stamp: ENTERED 8/29/13]

[Signature]  
 Mayor 8/30/13  
 Date

Received in Mayor's Office  
 [Stamp: ENTERED 8/29/13]

Comments:

**CITY COUNCIL AGENDA MEMO**

Council Meeting of September 17, 2013

**To:** Mayor and City Council

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

**From:** Sarah Wrede, Staff Engineer *SMW*

**Date:** August 28, 2013

**Subject:** An ordinance to waive requirements for bidding for services costing less than \$20,000 and to approve a contract for \$10,000 with the Beaver Watershed Alliance to assist in the improvement of water quality in the Beaver Lake Watershed.

**PROPOSAL:** The Beaver Watershed Alliance (BWA) is a non-profit watershed group focused on water quality in Beaver Lake which is the drinking water source for Fayetteville. The Alliance Board of Directors represents stakeholders including government, business, agriculture, conservation, and academia. The mission of the BWA is to proactively protect, enhance, and sustain quality in Beaver Lake and the integrity of its watershed. The BWA has a nine element Watershed Protection Strategy, which was recently approved by the EPA.

This sponsorship will be used to execute BWA programming in 2013-2014 such as watershed recognition signage, conservation opportunity assessment for prioritized and targeted implementation of best management practices in the West Fork Watershed, War Eagle Watershed outreach, water quality workshops and symposiums, and other programs. Current sponsors include Beaver Water District, Walton Family Foundation, and other water districts, municipal governments, and Wal-Mart vendors.

**RECOMMENDATION:** Staff recommends approval of an ordinance to waive the procurement requirements for services costing less than \$20,000 and to approve a contract for \$10,000 with the Beaver Watershed Alliance to assist in the improvement of water quality in the Beaver Lake Watershed.

**BUDGET IMPACT:** The City of Fayetteville currently has adequate funds remaining in the Storm Water Quality Management/Nutrient Reduction Project for this contract.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE WAIVING THE REQUIREMENT FOR BIDS BY APPLYING §34.23(F) **PURCHASES AND CONTRACTS NOT IN EXCESS OF \$20,000.00** OF THE FAYETTEVILLE CODE OF ORDINANCES AND APPROVING A CONTRACT WITH THE BEAVER WATERSHED ALLIANCE IN THE AMOUNT OF \$10,000.00 TO ASSIST IN THE IMPROVEMENT OF WATER QUALITY IN THE BEAVER LAKE WATERSHED

**WHEREAS**, the Beaver Watershed Alliance possesses unique expertise and resources ideally suited to meet the City of Fayetteville’s need for community outreach, scientific investigation and voluntary best management practice implementation related to the Beaver Lake watershed; and

**WHEREAS**, the Beaver Watershed Alliance is uniquely positioned to perform this work on behalf of 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 waives the requirements for bids by applying §34.23(F) **Purchases and Contracts Not in Excess of \$20,000.00**, of the Fayetteville Code of Ordinances and approves a contract with the Beaver Watershed Alliance in the amount of \$10,000.00 for community outreach, source water protection, scientific investigation and restoration related to the Beaver Lake watershed. A copy of the contract is attached to this Ordinance as Exhibit “A” and incorporated herein.

**PASSED and APPROVED** this 17<sup>th</sup> day of September, 2013.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN**, Mayor

By: \_\_\_\_\_  
**SONDRA E. SMITH**, City Clerk/Treasurer

## CONTRACT

The Beaver Watershed Alliance and the City of Fayetteville, Arkansas agree to enter into the following contract on this 17<sup>th</sup> day of September, 2013.

WHEREAS, The Beaver Watershed Alliance is a non-profit corporation whose mission is to proactively protect, enhance, and sustain water quality in Beaver Lake and the integrity of its watershed through public outreach, scientific investigation, and voluntary best management practice implementation; and

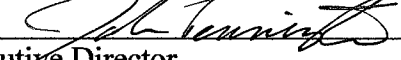
WHEREAS, The City of Fayetteville has a desire to protect and conserve the Beaver Lake Watershed which provides its drinking water and has a nutrient reduction agreement between the City of Fayetteville and Beaver Water District, and has budgeted funds for such education activities.

NOW, THEREFORE, the Beaver Watershed Alliance and the City of Fayetteville agree as follows:

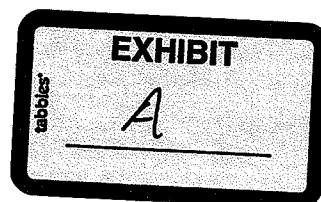
1. The City of Fayetteville agrees to purchase source water protection, scientific investigation and restoration, and community outreach services for its citizens from the Beaver Watershed Alliance for the sum of Ten Thousand Dollars (\$10,000.00).
2. The Beaver Watershed Alliance agrees to furnish a year long, extensive community outreach, source water protection, and scientific investigation services program throughout the Beaver Lake Watershed for the benefit of the City of Fayetteville and its citizens, during the period of December 1, 2013 through December 1, 2014, and further to provide implementation of and education about best management practices for stormwater management and ecosystem restoration in the Beaver Lake Watershed.
3. The Beaver Watershed Alliance agrees to provide an annual written report about its programs and activities to the Fayetteville City Council due on September 30, 2014.

BEAVER WATERSHED ALLIANCE

CITY OF FAYETTEVILLE,  
ARKANSAS

By:   
Executive Director  
Beaver Watershed Alliance

By: \_\_\_\_\_  
Mayor Lioneld Jordan



# BEAVER WATERSHED ALLIANCE

June 27, 2013

Attn: Mrs. Sarah Wrede  
City of Fayetteville  
113 West Mountain Street  
Fayetteville, AR 72701

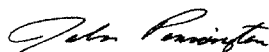
Dear Mrs. Wrede,

The Beaver Watershed Alliance (BWA) is a nonprofit watershed group focused on water quality in Beaver Lake – the drinking water source for Fayetteville and one in seven Arkansans. The mission of the BWA is to *proactively protect, enhance, and sustain quality in Beaver Lake and the integrity of its watershed.*

According to our recently EPA accepted Nine Element Watershed Protection Strategy, issues of the future that can impact Beaver Lake if no proactive measures are taken are the estimated quadrupling of municipal area, population growth by 80 percent, and associated land use changes within the watershed. Such issues can degrade our drinking water source, decrease economic vitality and quality of life for our region, and significantly increase water treatment costs. More direct and current issues affecting the quality of water within Beaver Lake, assuming no proactive measures are taken, are sediment and phosphorus loads estimated to increase by 50,000 tons, and 24,000 pounds per year respectively. Furthermore, the greatest potential impacts to Beaver Lake are expected to occur in the War Eagle and Beaver Lake-White River Watershed's – Nearly all of which lay outside of the City of Fayetteville.

Since BWA is poised to lead in source water protection and conservation for the watershed that provides us all with clean drinking water, economic development, and quality of life that is unparalleled elsewhere in the state – Financial support from the City of Fayetteville seems like a natural fit. This letter is to formally request that the City of Fayetteville sponsor the Beaver Watershed Alliance at the level of “Water Quality Champion” for the amount of \$10,000. This sponsorship will be used to execute our programming in 2013-2014 such as watershed recognition signage, conservation opportunity assessment for prioritized and targeted implementation of best management practices in West Fork Watershed, War Eagle Watershed outreach, water quality workshops and symposiums, and other programs. In return for a sponsorship, BWA will credit the City as a primary sponsor on a special “water quality partners” page on our website, and in any co-hosted events. I sincerely thank you for your consideration of this request, and I would be happy to be available at any time to answer questions about Beaver Watershed Alliance or our goals and activities.

Sincerely,



John H. Pennington  
Executive Director

John@BeaverWatershedAlliance.org

Beaver Watershed Alliance | 614 E. Emma Ave., Suite M438, Springdale AR, 72764 | 479-970-3550

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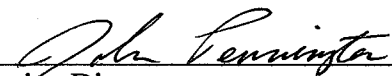
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BEAVER WATERSHED ALLIANCE

CITY OF FAYETTEVILLE,  
ARKANSAS

By:   
Executive Director  
Beaver Watershed Alliance

By: \_\_\_\_\_  
Mayor Lioneld Jordan



## Scope of Work for 2014

### Introduction:

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The Beaver Watershed Alliance (the Alliance) was incorporated in 2010 for the purpose of implementing the Beaver Lake Watershed Protection Strategy (BLWPS). There are five key elements of the BLWPS including:

- Establishing a Beaver Lake Watershed Council
- Implementation of core best management practices
- Development of a developer and contractor's lake protection certification program
- Establishing an education and stewardship program
- Devising a monitoring and adaptive management program.

The Beaver Watershed Alliance was established specifically to fulfill the first of the five key components.

The BLWPS further establishes minimum management measures that need to be implemented to assure maintenance of the quality of water in Beaver Lake at or better than the current condition of the water.

These management measures include:

- Land conservation
- Improved construction site management
- Riparian buffer and bank restoration
- Pasture management Best Management Practices (BMPs)
- Riparian buffer preservation
- Unpaved road improvements
- Stormwater BMP retrofits.

The long-term goal of the Alliance is to implement programs that assist the region in fulfilling the five key elements of the BLWPS and implementing the necessary management measures. The Alliance will work independently and cooperatively with our partners to meet this goal.

***Proposed programming for 2014 is based on anticipated funding;***

***programs will be prioritized based on available funds.***

## Priority Programs for 2014

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### **Key Element: Core BMPs - Land Conservation**

The Alliance adopted (1) land conservation, (2) stream restoration, (3) landowner outreach, (4) unimproved road maintenance as target best management practices (BMPs) to focus on in programming and projects. In an effort to provide long-term guidance for on the ground efforts, the Alliance proposes to develop an assessment and inventory of high-risk areas on the watershed and a prioritization of where work should be focused to attain maximum benefit in terms of water quality improvement. This “opportunity assessment” would serve as a tool for multiple organizations working to improve water quality, restore ecosystems on the watershed, and conserving land (The Northwest Arkansas Land Trust, Fayetteville Natural Heritage Association, Watershed Conservation Resource Center, etc.). Such a guiding document, when paired with the Beaver Lake Watershed Protection Strategy, would provide the backbone for project development and implementation in the future.

The assessment would begin with a landowner outreach and input campaign in the West Fork-White River and the updating and combining the former West Fork-White River assessment by WCRC and the FNHA’s Urban Forestry Assessment from updated GIS data. The assessment could then be expanded to other subwatersheds (with a focus on the War Eagle next). Partners such as WCRC, the Northwest Arkansas Land Trust, and local government and agencies could help guide efforts and add value to the end product. This approach has been submitted for funding through the Tyson Foods charitable giving program, and the Walton Family Foundation. The end product would be an interactive map displaying areas of high priority for BMP implementation and other efforts, and would also include a database that could be used to query and identify partners and landowners in a given area. This would be a useful tool in project planning, but could also prove valuable as BMP implementation and outreach and education tool.

### **Key Element: Core BMPs - Bank Restoration; Stormwater BMP retrofits**

The Alliance partnered with Dr. Marty Matlock and his bioengineering lab at the University of Arkansas to evaluate the potential of a constructed off-channel sediment catchment basin on the West Fork of the White River near AR Hwy 16 and Dead Horse Mountain Road in south Fayetteville. A senior design team completed initial surveys and modeling in fall 2012 and determined that if the feature was constructed, it would indeed provide a settling area for sediment during peak flow conditions and would therefore significantly reduce the amount of sediment reaching Beaver Lake. However, the location was not suitable, and so this program will be continued to find a suitable location and to determine cost of implementation and feasibility.



The project would be a stormwater retrofit and could also be used as a demonstration area for streamside landowners wishing to provide alternate water sources for livestock and to promote exclusion of livestock from streams with the benefit of raising property values through property improvements. If the actual feature is not constructed, the project has merit as an exploratory program with results being publishable and promoted for consideration elsewhere. This kind of technical innovation is a benefit to the Alliance's credibility as a body of experts in water quality.

## **Key Element: Education and Stewardship - Core BMPS: Buffer Preservation; Pasture Management**

War Eagle is listed as impaired for drinking water, agriculture, and industrial water use on the Arkansas 303d impaired waters list. The subwatershed is starting to face increasing pressure from population growth in rural residential subdivisions, particularly in aesthetically attractive areas surrounding Beaver Lake. As a result, there is significant new construction, including residential, commercial and industrial, roads, and other infrastructure. Since the War Eagle Creek flows through land that is owned by individuals, private corporations, and municipal and township areas in both rural and urban areas, this project provides an opportunity to engage a broad cross-section of watershed stakeholders from all walks of life who own riparian lands to collaboratively improve the water quality of the creek through improved appreciation for and management of the river and riparian buffers. This project will increase the unified ownership of water quality protection and improvement efforts among stakeholder groups that are linked through shared riparian corridors, and introduce the Beaver Watershed Alliance to stakeholders on the War Eagle Watershed.

The intent of this project is to follow the recommendations outlined in portions of the Beaver Lake Watershed Protection Strategy and the Arkansas Nonpoint Pollution Plan to: improve water quality of an impaired stream, ***foster watershed ownership, and incite voluntary urban, rural, and municipal stewardship actions among the residents of the War Eagle Watershed.*** The project is modeled after the University of Arkansas Extensions very successful outreach program on the Clear Creek watershed. The priorities of the overall project are to:

1. Identify and engage riparian landowners to increase their knowledge/understanding of riparian buffer functions and associated benefits for improving and maintaining water quality
2. Conduct riparian area assessments and encourage each landowner to consider options to protect/improve their riparian area(s)
3. Establish riparian management/improvement demonstrations
4. Establish a landowner-to-landowner educational program

The Alliance proposes to begin preliminary work in an outreach on items 1 and 2 above by:

- Developing a database of all riparian landowners (through collaboration with Benton, Madison, and Washington County Planning and Assessor staff).
- Initiate engagement of key stakeholders and landowners through input and planning focus groups at the community level.
- Engaging riparian landowners in the preservation, restoration, and management of riparian areas through project newsletters, the distribution of educational materials (such as the previously discussed Riparian Planting Guide), and individual site visits.
- Anecdotal stories will be shared as program successes. Newsletters and outreach materials would also encourage landowners to take advantage of available cost-share programs, tax incentive programs, and/or technical assistance to enhance their riparian management practices.

Benefits of this project to the Alliance include introducing ourselves as a partner and resource for rural communities and landowners, raising awareness of water quality issues in a high-priority subwatershed, and establishing a track record of success in terms of programming.

### **Key Element: Adaptive Management:**

The Alliance will evaluate progress in implementing the priority programs outlined above as well as the overall progress in implementing the BLWPS. A progress report will be submitted to Beaver Water District and its Board of Directors fall 2014 at the District's discretion this report will be made at the September, October or November meeting of the Board of Directors. At the same time, the Alliance will submit to the District a plan of action for 2015 programs.

### **Other Activities (several key elements and core BMPs):**

The Alliance strives to implement programs that are within the scope of our mission either acting independently or in cooperation with watershed and regional partners. Projects currently being pursued or in planning phases include:

- Watershed informational shorts at area theaters (ongoing)
- Beaver Lake Awareness Concerts and DVD (in development with partner groups; ;Key element: Education and Stewardship)
- Source drinking water awareness signage implementation throughout the Beaver Lake Watershed
- Beaver Lake Watershed Symposium
- Dirt road management symposium (in planning phase; Key element: Core BMPs, Unimproved road maintenance)

- Coordination of monitoring efforts by local and state partners (e.g. StreamSmart; ongoing; Key element: Monitoring and Adaptive Management)
- Volunteer and educational events throughout the watershed, including War Eagle Appreciation Day, West Fork and other cleanup events, support for Beaver Lake Secchi Day, etc. (ongoing; Key element: Education and Stewardship)
- Outdoor Watershed Education and Recreation Program

During 2013, the Alliance will continue to look for partnering opportunities and will participate as often as possible in public awareness events that advance the mission of the Alliance.

## Alliance Budget - FY2014

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### Anticipated Income

| Item                            | Amount              |
|---------------------------------|---------------------|
| FY2013 Carry Over               | \$30,000.00         |
| Watershed Education Endowment   | \$50,000.00         |
| Other Sponsors                  | \$218,000.00        |
| WFF Grant                       | \$123,998.00        |
| Energize NWA                    | \$20,000.00         |
| <b>Total Anticipated Income</b> | <b>\$441,998.00</b> |

### Anticipated Expenses

| Item                              | Amount              |
|-----------------------------------|---------------------|
| Personnel                         | \$158,939.00        |
| Operations                        | \$12,240.00         |
| WPS Implementation                | \$200,127.00        |
| <b>Total Anticipated Expenses</b> | <b>\$371,306.00</b> |

The Alliance will seek appropriate corporate and government grants, focused sponsorships, and in-kind support for projects and programs where possible.

\*Watershed Education Endowment is part of EnergizeNWA grant in order to make the outdoor watershed education and recreation grant available to underserved youth in a 4 county area in perpetuity.

## 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](mailto:Purchasing@ci.fayetteville.ar.us)**

|                  |  |
|------------------|--|
| Requisition No.: | Date: <span style="float: right;">D. 4</span>                            |
| P.O Number:      | 9/4/2013 <span style="float: right;">Beaver Watershed Alliance</span>    |
|                  | Expected Delivery Date: <span style="float: right;">Page 12 of 12</span> |

|                                   |   |  |                             |
|-----------------------------------|---|--|-----------------------------|
| Vendor #:<br><b>23661</b>         | Vendor Name:<br><b>Beaver Watershed</b> | Mail<br>Yes:___ No:___                 | Taxable<br>Yes:___ No:___   |
| Address:                          |   | Fob Point:                             |                             |
| City:                             | State:                                  | Zip Code:                              | Ship to code:<br><b>Pur</b> |
| Requester:<br><b>Tandi Taylor</b> |   | Requester's Employee #:<br><b>3062</b> | Extension:<br><b>8206</b>   |
|                                   |   | Divison Head Approval:<br>             |                             |

| Item | Description                                | Quantity | Unit of Issue | Unit Cost | Extended Cost | Account Numbers   | Project/Subproject # | Inventory # | Fixed Asset # |
|------|--|----------|---------------|-----------|---------------|-------------------|----------------------|-------------|---------------|
| 1    | Assistance in the improvement of the water |          |               |           | \$10,000.00   | 4470.9470.5314.00 | 02097.1              |             |               |
| 2    | quality in the Beaver Lake Watershed       |          |               |           | \$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: <b>\$10,000.00</b><br>Tax: _____<br>Total: <b><u>\$10,000.00</u></b> |
|-----------------------|--|

Approvals:

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