

City of Fayetteville Staff Review Form

2014-0324

Legistar File ID

8/5/2014

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Alison Jumper

7/18/2014

Parks & Recreation /
Parks & Recreation Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Parks and Recreation requests City Council approval of a resolution to authorize the City to apply for \$250,000 from the Arkansas Parks and Tourism Outdoor Recreation Grants Program for construction of a large pavilion with restrooms at the Fayetteville Regional Park.

Budget Impact:

2250.9255.5806	2250-Parks Development
Account Number	Fund
02002.1	Regional Park
Project Number	Project Title
Budgeted Item? <u>Yes</u>	Current Budget \$ 4,476,766.00
	Funds Obligated \$ 803,568.00
	Current Balance \$ 3,673,198.00
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>No</u>	Budget Adjustment
	Remaining Budget \$ 3,673,198.00

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____



Approval Date: _____

Comments:

[Signature] 7/16/14

Paul a. Butler 7-16-2014

[Signature] 7-16-14

[Signature]



CITY COUNCIL AGENDA MEMO

MEETING OF AUGUST 5, 2014

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Connie Edmonston, Parks and Recreation Director

FROM: Alison Jumper, Park Planning Superintendent

DATE: July 18, 2014

SUBJECT: Resolution to Apply for the 2015 Arkansas Outdoor Recreation Grant

RECOMMENDATION:

Parks and Recreation requests City Council approval of a resolution to authorize the City to apply for \$250,000 from the Arkansas Parks and Tourism Outdoor Recreation Grants Program for the construction of a large pavilion with restrooms at the Fayetteville Regional Park.

BACKGROUND:

The Arkansas Department of Parks and Tourism annually offers a matching grant opportunity through its Outdoor Recreation Grants Program. Each year eligible entities may apply for funds for projects that create opportunity for outdoor recreation. The grant is funded from two sources. The Land and Water Conservation Fund (LWCF) is a federal program with funds derived from the sale of federal surplus real estate property, federal motor boat fuel tax, and Outer Continental Shelf mineral receipts. The Natural and Cultural Resources Grant and Trust Fund (NCRGTF) is a state program with funds collected from a tax on the transfer of certain real estate in the State of Arkansas. LWCF and NCRGTF funds are included in the Department of Parks and Tourism's Outdoor Recreation Grants Program for funding outdoor recreation facilities. Only incorporated cities and counties may apply. This is a 50/50 reimbursable matching grant with a \$250,000 maximum request on matching funds.

Arkansas Parks and Tourism has awarded our City with several grants for the development of improvements to Doc Mashburn Park, Sweetbriar Park, Bryce Davis Park, Braden Park, Grinders Skate Park at Walker Park, Gulley Park, Veterans Memorial Park at Lake Fayetteville Park and the Botanical Garden of the Ozarks at Lake Fayetteville Park. The 2015 grant application deadline is August 29, 2014. A resolution from the City of Fayetteville is required to apply for the grant (see attached sample resolution).

A public hearing was held at City Hall, Room 326 on June 26, 2014 to gather input from the public regarding recreation needs and to prioritize an eligible grant project (see attached public hearing affidavit of publication and minutes). Outreach to groups such as ethnic minority populations, the elderly and persons with disabilities was attained through additional group meetings. Specific projects for the grant application were not defined at the outreach meetings or the public hearing.

DISCUSSION:

After consideration of public input, available matching funds and current projects staff recommends applying for funds for the construction of a large pavilion and restroom to be located in the Regional Park (see attached conceptual plans).

The grant application must include detailed budgets, plans, specifications and bid documents that are ready for immediate bid and construction and asks the applicant to specify how funding meets the needs of the community.

This grant contains twelve (12) obligations covering items such as compliance of the Americans for Disabilities Act and requiring that the property be retained in perpetuity for outdoor recreation use (see attached grant obligations). The project area of the Regional Park meets all of these obligations.

Section 6(f) (3) of the LWCF Act states "No property acquired or developed with the assistance under this section shall, without the approval of the Secretary of the United States Department of the Interior, be converted to other than public outdoor recreation use." If this property must ever be used for anything other than outdoor recreation use, it is possible to convert the park boundary.

The Parks and Recreation Advisory Board approved the selection of this project for the 2015 Arkansas Parks and Tourism Outdoor Recreation Grant. The conceptual plan was approved by PRAB on July 7, 2014 (see attached PRAB meeting minutes).

BUDGET/STAFF IMPACT:

This grant application is for \$250,000. The Arkansas Outdoor Recreation Grant is a 50/50 matching grant. If the full amount requested is awarded, the City is responsible for matching \$250,000 towards the project. Currently, the Regional Park project has \$3,673,273 budgeted.

Attachments:

- Sample Resolution
- Public Hearing Affidavit of Publication
- Public Hearing Minutes and Sign In Sheet from June 26, 2014
- Conceptual Plans
- Arkansas Outdoor Recreation Grant Obligations
- PRAB Meeting Minutes from July 7, 2014

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A 50/50 MATCHING GRANT, THROUGH THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM'S OUTDOOR RECREATION GRANT PROGRAM, IN THE AMOUNT OF \$250,000.00 FOR IMPROVEMENTS AT THE FAYETTEVILLE REGIONAL PARK

WHEREAS, the City of Fayetteville seeks to improve recreation facilities at the Fayetteville Regional Park 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 area has been prepared and the price therefore has been established; and

WHEREAS, the City Council of the City of Fayetteville 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; and

WHEREAS, the City Council of the City of Fayetteville is 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 CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to make application to the Arkansas Department of Parks and Tourism for assistance to develop recreational facilities in the Fayetteville Regional Park located in the City of Fayetteville; therefore such application shall be submitted as expediently as possible.

Page 2
Resolution No.

PASSED and **APPROVED** this 5th day of August, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

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

RESOLUTION NO. _____

WHEREAS, _____, 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.

City Council/Quorum Court is 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 City Council/Quorum Court of _____, Arkansas that the Mayor/County judge is hereby authorized to make application to the Arkansas Department of Parks and Tourism for assistance to develop recreational facilities in _____ park located at _____ for the City/County; therefore such application shall be submitted as expediently as possible.

Passed this _____ day of _____, 2012.

APPROVED: _____
Mayor/County Judge

Clerk

NORTHWEST ARKANSAS DEMOCRAT-GAZETTE

THE MORNING NEWS OF SPRINGDALE

THE MORNING NEWS OF ROGERS

NORTHWEST ARKANSAS TIMES

BENTON COUNTY DAILY RECORD

NORTHWEST ARKANSAS NEWSPAPERS LLC

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AFFIDAVIT OF PUBLICATION

I, Karen Caler, do solemnly swear that I am the Legal Clerk of the Northwest Arkansas Newspapers, LLC, printed and published in Washington and Benton County, Arkansas, of bona fide circulation, that from my own personal knowledge and reference to the files of said publication, the advertisement of:

CITY OF FAYETTEVILLE
Parks and Recreation
Public Meeting Invitation

Was inserted in the Regular Editions of
The Northwest Arkansas Times

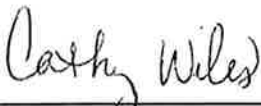
Date(s) of publication: June 19, 2014

Publication Charges: \$ 155.64



Karen Caler
Legal Advertising Clerk

Subscribed and sworn to before me
This 24 day of June, 2014.



Notary Public
My Commission Expires: 2/20/2024



Public Meeting Invitation

The City of Fayetteville invites its citizens and other interested persons to a public meeting to be held at Room 326 at City Hall located at 113 W. Mountain Street on Thursday, June 26, 2014 at 5:30 p.m.



The purpose of this meeting is to identify potential outdoor park and recreation needs and priorities for 2015. Following the identification process, city officials will select those priorities to be submitted to the Arkansas Department of Parks and Tourism for a matching grant application.

Ethnic minorities, persons with special needs, elderly persons over 55, and special interest groups are encouraged to attend and participate.

For those unable to attend the meeting, you may phone Fayetteville Parks and Recreation at 479-444-3471. Written comments may be submitted to Fayetteville Parks and Recreation, 113 West Mountain, Fayetteville, AR 72701 or parks_and_recreation@fayetteville-ar.gov.

****NOTE****

Please do not pay from Affidavit. Invoice will follow.



A public hearing was held on June 26, 2014 at City Hall Room 326 located at 113 West Mountain. There were 13 people in attendance plus three City of Fayetteville employees. The hearing began at 5:35 PM. The hearing was filmed by the City of Fayetteville Cable Administration staff to be broadcast on the government channel at a later date. Parks staff in attendance were:

Connie Edmonston	Parks and Recreation Director
Alison Jumper	Park Planning Superintendent
Carole Jones	Park Planner II

Connie Edmonston greeted the attendees and opened the meeting with a brief description of the Arkansas Parks and Tourism's Outdoor Recreation Grant Program. Alison Jumper described the details of the 50/50 match process and how the land must remain in outdoor recreation use forever. Jumper explained that funds could be used for land acquisition, park development or a combination of both. Jumper mentioned that the grant is reimbursable and therefore funding must be in place. She also mentioned past projects that utilized grant funds. Carole Jones went over the grant criteria and requirements, including the grant deadline and ADA requirements. Jones then asked the public for comments and ideas.

Comments and ideas from the public included:

- Citizen expressed the need to build splash pads within the city limits of Fayetteville. She presented the results of an online survey that included 379 responses in favor of having this amenity. She stated that some people who responded did not live in the city limits, indicating there was a potential tourism aspect. She also expressed interest in having a splash pad located along a trail.
- Five citizens expressed the need for purchasing / obtaining the property adjacent to Gulley Park that is for sale. Citizens had various ideas about the use of the additional property, such as, community garden space, outdoor classroom space, additional parking for the park, and a dog park.
- Citizen expressed the need for improvements to the nature trails at Mt. Sequoyah Woods and Mt. Kessler.
- Citizen expressed the need for restrooms that would remain open year round along the shared use trails.
- Citizen expressed the need for additional trash cans along the trails, possibly some that are animal proof. She also mentioned a possible volunteer program for emptying and maintaining.
- Citizen expressed the need for additional bicycling opportunities including a free ride trail area (similar to Slaughter Pen in Benton County).
- Citizen expressed the need for interpretive / educational signage with tree identification, native plant information and invasive plant information.

Parks staff stated that comment sheets would be available on the city's website, and persons who were unable to attend the hearing could submit their comments to the Parks and Recreation Department by e-mail, U.S. mail or by phone until July 3. Staff stated that the grant application and potential project will be discussed at the next Parks and Recreation Advisory Board meeting on Monday, July 7. The public hearing concluded at 6:15 PM.



ORGP Public Hearing
June 26, 2014
City Hall Room 326
113 West Mountain Street





Arkansas Department of Parks and Tourism
 2015 Outdoor Recreation Grant Program Public Hearing
 City Hall Room 326
 5:30 PM Thursday, June 26, 2014
 Sign In Sheet

1. Name	Address	Phone	E-mail
1. Carlo Priest	1010 Sunset	251-7992	mpriest@experiencefayetteville.com
2. Nan Lawler	68 S. KESTREL	442-2263	nlawler@uark.edu
3. Richard Covey	68 S. KESTREL	442-2263	
4. Robert Gay	1678 N Gaddy Ln	444-1427	bobgay@cox.net
5. David L. Priest	1010 Sunset	251-7992	davidlpriest@hotmail.com
6. Tamara Snyder	2737 Golden Oaks	521-1962	tsnyder@uark.edu
7. Tom DUREKA	19 W PIKE	442-1783	tdureka@gmail.com
8. Vande Southerland	405W. Lakeview Dr. Sp. Dale	419-9649	jvsoutherland@cox.net
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Arkansas Department of Parks and Tourism
2015 Outdoor Recreation Grant Program Public Hearing
City Hall Room 326
5:30 PM Thursday, June 26, 2014
Sign In Sheet

Name	Address	Phone	E-mail
1. Ben Putman	353 Rollston Ave	479-790-0700	wputman@uark.edu
2. Kate Mihaleuch	420 E. Lafayette	422-7448	kmihale@me.com
3. Billy McKnight	1169W Archer	444-7633	jbmcnk@cox.net
4. Chuck Maxwell	1063 N. Kings Dr	466-7436	chymax@uspsa.com
5. Brandy Allen	2107 N Old Wire Rd.	205-820-4785	brandyk.carter@gmail.com
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FAYETTEVILLE REGIONAL PARK

FINAL MASTER PLAN ENLARGEMENT

FAYETTEVILLE, ARKANSAS



FAYETTEVILLE REGIONAL PARK PAVILION FAYETTEVILLE, ARKANSAS

JUNE 6, 2014
LM 13144-2
MATTHEW GRAMER, ARCHITECT

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WHERE TO SEND THE APPLICATION

Outdoor Recreation Grants Program
Department of Parks and Tourism
One Capitol Mall
Little Rock, Arkansas 72201

WHO CAN PREPARE THE APPLICATION?

- The application can be prepared locally.
- The application can be prepared by consultants. (Grant preparation cannot be paid for with grant funds).
- The application can be prepared by the local areawide Planning or Economic Development Districts or the Regional Planning Commissions.

WHAT ARE OUR OBLIGATIONS IF WE RECEIVE A GRANT?

We are jointly committed! Both the Department of Parks and Tourism's Outdoor Recreation Grants Program and the project sponsor are committed to long term program compliance. After the project is completed and all grant funds have been disbursed, our commitment to the requirements of the Arkansas Matching Grant Program continues. These ongoing commitments include:

1. Once a public park project boundary has been identified by the local project sponsor and provided to the Department of Parks and Tourism, all facilities constructed within that boundary, at any future time, must be in compliance with the rules and regulations of the Outdoor Recreation Grants Program *Project Management Guide*. This also applies to those facilities constructed in whole or in part with local funds.
2. Property acquired or developed with grant funds must be retained in perpetuity for outdoor recreation use and will be subject to inspection by the State at least once every five years. In addition each project will be inspected by the State during construction and before final reimbursement is made.
3. No overhead utility lines are allowed within the project boundary. All existing utility lines located within the park boundaries must be placed underground. This regulation applies to any overhead lines including electric lines, phone lines and public announcement system wiring. No vehicular right-of-way easements are allowed within the boundary.
4. A permanent sign stating that federal LWCF or state ANCRGTF monies were used to acquire and/or develop public outdoor recreation facilities must be maintained within the park in perpetuity. Guidelines for the size, placement and design of the signs will be presented to each applicant after grant approval. Upon project completion the applicant will be required to describe the location of the sign, and state that the sign location will not change.
5. All public recreation facilities constructed within a Matching Grant Program-assisted park must be accessible to persons with disabilities. This also applies to those facilities constructed in whole or part with local funds.
6. Property acquired or developed with assistance from the fund must be open to entry and use by all persons regardless of race, color, religion, sex, or national origin. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

7. Property acquired or developed with assistance from the Matching Grant Program shall be operated and maintained in perpetuity. The property shall be maintained so as to appear attractive and inviting to the public. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards. Properties shall be kept safe for public use. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their functional lifetime to prevent undue deterioration and to encourage public use. Facilities that have reached an age that renders them obsolete or worn out may be removed with written permission of the Arkansas Department of Parks and Tourism's Outdoor Recreation Grants Program Director. Permission must be obtained prior to removal of the facilities.
8. The Arkansas ORGP staff will conduct periodic post completion inspections of the project area to ensure that program compliance continues after the project is completed. These inspections will be unannounced. Sponsors who fail to comply with long term commitment may jeopardize future eligibility for matching grant funds for new projects and/or be subject to legal actions by the State or Federal government to enforce program compliance.
9. The property shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility. Property which is not operated and maintained in good condition may jeopardize the awarding of future grant funds to that jurisdiction.
10. Participants may impose reasonable limits on the type and extent of use of areas and facilities acquired or developed with Matching Grant Program assistance when such a limitation is necessary for maintenance or preservation. Thus, limitations may be imposed on the type of users (i.e. hunters or four-wheelers, etc.). All limitations must be in accord with the applicable grant agreement and amendments.
11. All recipients of Matching Grant Program monies must comply with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973, and the Americans

With Disabilities Act, of 1990 Title II and Title III.

12. Properties (parks and recreation areas) acquired or developed with LWCF/ ANCRGTF assistance are prohibited by Section 6(f)(3) of the LWCF Act of 1965, as amended, from conversion to any use other than public outdoor recreation use.

Section 6(f)(3) of the LWCF Act states that "No property acquired or developed with assistance under this section shall, without the approval of the Secretary, U. S. Department of the Interior, be converted to other than public outdoor recreation use. The Secretary shall approve such conversion only if he/she finds it to be in accordance with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP) and only upon such conditions as he/she deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location."



MINUTES

Parks and Recreation Advisory Board
July 7, 2014 at 5:30 p.m.
City Administration Building, Room 111
113 West Mountain Street
Fayetteville, AR 72701

Members: Phillip Watson—Chair, John M. Paul- Vice-Chair, Wade Colwell, Richie Lamb, Terry Lawson, Chuck Maxwell, Phillip McKnight, David Priest, David Proffitt

City Staff: Connie Edmonston, Director; Byron Humphry, Maintenance Superintendent; Alison Jumper, Parks Planning Superintendent; Alan Spann, Recreation Superintendent; Melanie Thomas, Senior Secretary

Parks and Recreation Advisory Board members present were Watson, Colwell, Lamb, Lawson, Maxwell, McKnight, and Priest. Paul arrived later. Member absent was Proffitt.

1. **Arkansas Parks and Tourism Outdoor Grant Application: Alison Jumper, Park Planning Superintendent**

Staff Recommendation will be presented at the meeting.

Jumper said that Parks has applied for a 50/50 Arkansas Parks and Tourism Outdoor Grant. The required public meetings were held, and the requests from the public were taken. She said the funds must be in place in order to apply for this grant. Staff is recommending putting the grant toward Regional Park for a large pavilion.

Watson asked how much the grant is for.

Jumper said \$250,000, and the match to total \$500,000.

Priest wanted to know if the money had been budgeted.

Jumper said yes.

Maxwell said that it makes sense to put it toward Regional Park.

Paul asked how much was in the budget.

Jumper said it was around \$500,000.

Maxwell said the budget is for \$500,000, but the costs will probably be higher.

Edmonston said the grant will only go toward the pavilion.

Maxwell asked if the funding was in place for the fourth ball field.

Jumper said no, not yet.

Priest said that Parks needs input for the HMR impact for the ball field.

A guest said that \$500,000 is a lot of money. He questioned if it should be spent on a pavilion, or on other recreational activities.

Jumper said there were other avenues for other grants for projects.
The guest said it seemed like a lot of money for a pavilion.

Edmonston said that wasn't a lot for a pavilion.

Priest wanted to know if it was likely that Parks would receive the grant.

Edmonston said yes, because the pavilion would be versatile. She said it could be rented out for income. She added that pavilion use in Fayetteville Parks is high.

PRAB Motion: Priest motioned to approve the application for the grant, and McKnight seconded it. Motion passed 8-0-0 by voice vote.

