

City of Fayetteville Staff Review Form

2015-0373

Legistar File ID

9/15/2015

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

Chris Brown

8/28/2015

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a budget adjustment recognizing revenue (\$7,000) from the Beaver Watershed Alliance (BWA), approval of the 2015 memorandum of agreement with BWA and approval of USGS joint funding agreement in the amount of \$7,000 (City's share) for continued water quality sampling on the West Fork of the White River East of Fayetteville (Mally Wagnon Road).

Budget Impact:

<p>4470.9470.5314.00</p> <hr/> <p align="center">Account Number</p> <p align="center">02097.1</p> <hr/> <p align="center">Project Number</p>	<p>4470-Sales Tax Capital Improvements</p> <hr/> <p align="center">Fund</p> <p align="center">Stormwater Quality Management (Stormwater Quality Mgmt/Nutrient Reduction)</p> <hr/> <p align="center">Project Title</p>																		
<p>Budgeted Item? Yes</p> <hr/> <p>Does item have a cost? Yes</p> <hr/> <p>Budget Adjustment Attached? Yes</p> <hr/>	<table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Current Budget</td> <td style="width: 5%;">\$</td> <td style="width: 35%; text-align: right;">211,755.00</td> </tr> <tr> <td>Funds Obligated</td> <td>\$</td> <td style="text-align: right;">40,237.86</td> </tr> <tr> <td>Current Balance</td> <td>\$</td> <td style="text-align: right;">171,517.14</td> </tr> <tr> <td>Item Cost</td> <td>\$</td> <td style="text-align: right;">7,000.00</td> </tr> <tr> <td>Budget Adjustment</td> <td>\$</td> <td style="text-align: right;">7,000.00</td> </tr> <tr> <td>Remaining Budget</td> <td>\$</td> <td style="text-align: right;">171,517.14</td> </tr> </table>	Current Budget	\$	211,755.00	Funds Obligated	\$	40,237.86	Current Balance	\$	171,517.14	Item Cost	\$	7,000.00	Budget Adjustment	\$	7,000.00	Remaining Budget	\$	171,517.14
Current Budget	\$	211,755.00																	
Funds Obligated	\$	40,237.86																	
Current Balance	\$	171,517.14																	
Item Cost	\$	7,000.00																	
Budget Adjustment	\$	7,000.00																	
Remaining Budget	\$	171,517.14																	

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

MEETING OF SEPTEMBER 15, 2015

TO: Mayor and City Council

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

FROM: Alan Pugh, Staff Engineer

DATE: August 28, 2015

SUBJECT: Approval of a budget adjustment recognizing revenue (\$7,000) from the Beaver Watershed Alliance (BWA), approval of the 2015 memorandum of agreement with BWA and approval of USGS joint funding agreement in the amount of \$7,000 (City's share) for continued water quality sampling on the West Fork of the White River East of Fayetteville (Mally Wagnon Road)

RECOMMENDATION:

Staff recommends approval of a budget adjustment recognizing revenue (\$7,000) from the Beaver Watershed Alliance (BWA), approval of the 2015 memorandum of agreement with BWA and approval of USGS joint funding agreement in the amount of \$7,000 (City's share) for continued water quality sampling on the West Fork of the White River East of Fayetteville (Mally Wagnon Road).

BACKGROUND:

Funding for the stream gauge in question as well as the water quality sampling has historically been provided by a partnership between the USGS, Beaver Water District and the Arkansas Natural Resources Commission (ANRC). In the summer of 2015 it became known that ANRC was not able to continue their participation in the gauge which covers the measurement of total suspended solids (TSS) which is directly related to turbidity. Beaver Watershed Alliance (BWA) has agreed to provide matching funds for the USGS cooperative funds which are available to continue this measurement. However, BWA is not a qualifying public entity and in turn is not eligible for cooperative funds.

DISCUSSION:

Due to the fact BWA is not eligible for cooperative funds, they have requested that the City of Fayetteville aid in the administration by agreeing partner with the USGS for the water quality sampling portion of the gauge. BWA will in turn provide the required matching funds (\$7,000) for the 2015-2016 fiscal year to the City of Fayetteville who will utilize those funds to match the USGS cooperative funds (\$7,000). The total amount of funding required for the water quality measurements is \$14,000 and no additional funding will be required by the City of Fayetteville. Future funding for the sampling is uncertain at this time and the proposed agreement would only cover the 2015-2016 fiscal year unless BWA continues to match the USGS cooperative funds in

similar fashion. In which case the City of Fayetteville would continue the administrative measures only. The City of Fayetteville would not have an obligation to provide funding in future years.

In order to document this partnership, both a Memorandum of Agreement (MOA) between BWA and the City of Fayetteville and a Joint Funding Agreement (JFA) between the City of Fayetteville and USGS can be found attached. These agreements outline the funding amounts and sources identified above.

BUDGET/STAFF IMPACT:

As stated the total cost of the program would be \$14,000 with the USGS contributing \$7,000 in funding. The remaining \$7,000 would be paid by BWA through the City of Fayetteville. No Additional funding will be required by the City of Fayetteville.

Attachments:

MOA with BWA
JFA with USGS

City of Fayetteville - Purchase Order Request (PO)

(Not a Purchase Order)

All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov.
Purchase shall not be made until an actual PO has been issued.

Requisition No.:	Date: 8/11/2015
P.O Number:	

Vendor #: 6123	Vendor Name: US Geological Survey (USGS)	Mail <input type="checkbox"/> YES <input type="checkbox"/> NO	Legistar#: 2015-0373
Address: RMT 3		FOB Point:	Expected Delivery Date:
City:	State:	Zip Code: Ship to code:	
Requester: Alan Pugh		Requester's Employee #: 4073	Extension: 8208

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #
1	2015 USGS JFA Water Quality (West Fork White River/Mally Wagnon Rd)	1	Lot	7,000.00	\$7,000.00	4470.9470.5614.00	02097.2016		
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: <u> \$7,000.00</u> Tax: <u> \$0.00</u> Total: <u> \$7,000.00</u>
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Approvals:

Mayor: _____	Department Director: _____	Purchasing Manager: _____
Chief Financial Officer: _____	Budget Director: _____	IT Director: _____
Dispatch Manager: _____	Utilities Manager: _____	Other: _____

**Memorandum of Agreement
Between the City of Fayetteville and the Beaver Watershed Alliance**

Whereas, Portions of the West Fork White River Watershed are within the City of Fayetteville;

Whereas, the West Fork White River is listed on the Environmental Protection Agency and State of Arkansas 303(d) list of impaired waterbodies;

Whereas, the West Fork White River is slated for Total Maximum Daily Load (TMDL) development for turbidity;

Whereas, the Arkansas Natural Resource Commission discontinued funding of Total Suspended Sediment water quality measurements on stream gage number 07048550 on the West Fork-White River in summer 2015;

Whereas, the City of Fayetteville will benefit from continued measurement of Total Suspended Sediment, through being able to measure sediment load reductions which contribute to excessive turbidity, and demonstrate making progress towards removal from the impaired rivers list;

Whereas, the mission of the Beaver Watershed Alliance (BWA) is to proactively protect, enhance and sustain the water quality of Beaver Lake and its tributaries through outreach and education, voluntary best management practice implementation, and scientific investigation;

Whereas, a goal of BWA is to de-list and restore the West Fork-White River;


Whereas, BWA is not a qualifying public entity to utilize the United States Geological Survey – Cooperative Match on stream gaging stations, but the City of Fayetteville is a qualifying public entity to utilize the USGS Cooperative Match on stream gaging stations;

Now, therefore, BWA and the City of Fayetteville enter into this MOA.

Agreement

1. On or about September 4, 2015, BWA will submit \$7,000 to the City of Fayetteville to pay USGS for Total Suspended Sediment measurements on gage number 07048550 on the West Fork White River in order to utilize the \$7,000 USGS cooperative funding match which represents the full cost of the measurements (\$14,000)
2. The City of Fayetteville will enter into a joint funding agreement with USGS to maintain the current level of sampling and testing at gage number 07048550.
3. This MOA will remain in effect until at least July 2016, after which it may be automatically extended for an additional calendar year provided the cost is again shared between USGS and BWA or terminated if funding is not available.

This Memorandum of Agreement between the City of Fayetteville and Beaver Watershed Alliance is entered into this 25th **day of** August **2015.**


John Pennington, Executive Director
Beaver Watershed Alliance

City of Fayetteville



United States Department of the Interior
U.S. GEOLOGICAL SURVEY
Lower Mississippi-Gulf Water Science Center
Little Rock Office
401 Hardin Road
Little Rock, Arkansas 72211

August 12, 2015

Mr. Chris Brown, City Engineer
City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701
(479) 575-8206

Dear Mr. Brown:

Enclosed is a Joint Funding Agreement (JFA) for the 2016 Federal fiscal year (October 1, 2015 to September 30, 2016) in the amount of \$14,000 for collection and analysis of suspended sediment at the West Fork White River gaging station. This is a collaborative effort between the USGS, Arkansas Natural Resources Commission, Beaver Water District, Beaver Watershed Alliance and the City of Fayetteville. If the proposed program meets your approval, please have the Mayor sign the JFA and return it to the attention of Sandra Dolls, our Administrative Management Officer. She may be reached by phone at (501) 228-3604 or e-mail at srdolls@usgs.gov.

Work performed with funds from this agreement will be conducted on a fixed-price basis and billed annually. We acknowledge Mary Alice, (479) 575-8206, to be the administrative contact at the City of Fayetteville for this project. Our budget contact is Lakeisha Raybon, (334) 395-4127.

The results of all work under this agreement will be available for publication by the U.S. Geological Survey and can be accessed by using the following link:
<http://ar.water.usgs.gov/>.

We look forward to working with you during this project. If you have any questions or comments, please contact Dan Wagner at (479) 442-4888, ext. 201.

Sincerely,

W. Scott Gain, Director
Lower Mississippi-Gulf Water Science Center

Enclosures

JEF:rkc

U.S. DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

JOINT FUNDING AGREEMENT

FOR

Water Resources Investigations

Customer #: 6000000775
Agreement #: 16ESAR000000003
Project #:
TIN #: 71-6018462
Fixed Cost
Agreement YES

THIS AGREEMENT is entered into as of the, 1st day of October, 2015 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the CITY OF FAYETTEVILLE, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation for collection and analysis of suspended sediment at the West Fork White River gaging station.

herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of \$0.00
 - (a) by the party of the first part during the period

Amount	Date	to	Date
\$7,000.00	October 1, 2015		September 30, 2016
 - (b) by the party of the second part during the period

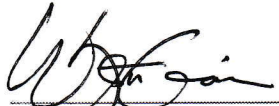
Amount	Date	to	Date
\$7,000.00	October 1, 2015		September 30, 2016
 - (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of:

Description of the USGS regional/national program:
 - (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
 - (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

- 7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
- 8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
- 9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered annually. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

<p>U.S. Geological Survey United States Department of the Interior <u>USGS Point of Contact</u></p>	<p>CITY OF FAYETTEVILLE <u>Customer Point of Contact</u></p>
<p>Name: Daniel Wagner Address: USGS Lower Mississippi-Gulf Water Science Center Northwest Arkansas Field Office 700 West Research Center Boulevard, MS 36 Fayetteville, AR 72701 Telephone: (479) 442-4888, ext. 201 Email: dwagner@usgs.gov</p>	<p>Name: Lioneld Jordan, Mayor Address: City of Fayetteville 113 West Mountain Street Fayetteville, AR 72701 Telephone: (479) 575-8330 Email: mayor@ci.fayetteville-ar.us</p>

Signatures and Date

<p>Signature:  Date: 8/13/15</p>	<p>Signature: _____ Date: _____</p>
<p>Name: W. Scott Goin Title: Director, LMG Water Science Center</p>	<p>Name: Lioneld Jordan Title: Mayor, City of Fayetteville</p>