

City of Fayetteville Staff Review Form

2019-0447

Legistar File ID

8/6/2019

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

Ted Jack, Park Planning Superintendent

7/17/2019

PARKS & RECREATION (520)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Fayetteville Park and Recreation recommends approval of the contract with the NWA Trailblazers for implementation of the natural surface trails plan developed for Centennial Park in preparation for the hosting of the 2022 World Cyclocross Championship.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? NA

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

Purchase Order Number:

Previous Ordinance or Resolution # 64-18, 125-18, 140-19

Change Order Number:

Approval Date:

Original Contract Number:

Comments:

V20180321



**MEETING OF AUGUST 6, 2019**

**TO:** Mayor and City Council

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

**FROM:** Ted Jack, Park Planning Superintendent

**DATE:** July 17, 2019

**SUBJECT:** Contract approval with the NWA Trailblazers for implementation of the natural surface trails plan developed for Centennial Park in preparation for the hosting of the 2022 World Cyclocross Championship.

---

**RECOMMENDATION:**

Park and Recreation staff recommends approval of the contract with the NWA Trailblazers (Trailblazers) for implementation of the natural surface trails plan developed for Centennial Park in preparation for the hosting of the 2022 World Cyclocross Championship.

**BACKGROUND:**

In early 2018, the City of Fayetteville accepted a grant from The Walton Family Foundation, Inc. to purchase approximately 228 acres known as "Centennial Park at Millsap Mountain" for the development and expansion of a soft surface trails system for competitive and general recreation opportunities. As designated in the grant and as planning guidance, the Trailblazers, in conjunction with the City and general public, developed a master plan for the park. This plan was reviewed and approved by Fayetteville City Council on June 4, 2019.

Soon after the City's acquisition of the property, it was announced the Fayetteville and Centennial Park would host the 2022 World Cyclocross Championship. In order to implement the master plan and prepare the site for the 2022 event, Fayetteville and the Trailblazers have proposed combining efforts for construction of the plan's phase 1, with the City concentrating efforts on park infrastructure and the Trailblazers concentrating on construction of the soft surface cycling infrastructure.

**DISCUSSION:**

Based on this division of responsibilities, a contract is recommended that details the responsibilities of the City and those of the Trailblazers. The Trailblazers have sufficient resources and funding to construct the necessary soft surface trail improvements as generally outlined in Phase One of the Master Plan for Centennial Park at Millsap Mountain. In addition, the City has sufficient resources to construct the necessary phase one park infrastructure. The purpose of this agreement is to establish the terms by which the Trailblazers will coordinate the management, contracting, and construction of soft surface trails, trail features, and related trail-

based development at Centennial Park, in preparation for the planned event in 2022. These terms are detailed in the attached agreement between the City of Fayetteville and the NWA Trailblazers.

**BUDGET/STAFF IMPACT:**

There is no city budget associated with this contract to build these trails. Staff will be delegating time to supervise the contract as needed.

**Attachments:**

Contract with NWA Trailblazers  
Resolution 64-18  
Resolution 125-18  
Resolution 140-19

## CONTRACT

This contract is entered into and agreed to by and between the City of Fayetteville ("City") and the Bentonville / Bella Vista Trailblazer's Association ("Trailblazers"), Incorporated, D/B/A NWA Trailblazers.

WHEREAS, the City of Fayetteville accepted a grant and no interest loan from The Walton Family Foundation to purchase approximately 228 acres known as "Centennial Park at Millsap Mountain" for the development and expansion of soft surface trails, recreation, and tourism; and

WHEREAS, pursuant to stated grant outputs, Trailblazers in coordination with the City and the public, developed a master plan for Centennial Park at Millsap Mountain (Attachment A) which was approved by the Fayetteville City Council on June 4, 2019; and

WHEREAS, the City and Trailblazers are combining efforts for construction of phase one improvements at Centennial Park at Millsap Mountain, with the City concentrating efforts on park infrastructure, such as a road and parking lot, and Trailblazers concentrating efforts on soft surface trail cycling infrastructure; and

WHEREAS, the City is hosting the 2022 World Cyclocross Championship and time is of the essence in preparing the site for hosting the event; and

WHEREAS, Trailblazers has sufficient resources and funding to have the necessary soft surface trail improvements as generally outlined in Phase One (Attachment B) of the Master Plan for Centennial Park at Millsap Mountain constructed; and

WHEREAS, the City has sufficient resources to have the necessary phase one park infrastructure as generally outlined in Phase One (Attachment B) of the Master Plan for Centennial Park at Millsap Mountain constructed; and

WHEREAS, the purpose of this agreement is to establish the terms for the Trailblazers to coordinate efforts, including management, contracting, and construction of soft surface trails, trail features, and related development at Centennial Park on Millsap Mountain.

**NOW, THEREFORE, IN CONSIDERATION OF AND IN AGREEMENT WITH ALL OF THE TERMS, CONDITIONS, PROMISES, COVENANTS AND OBLIGATIONS** within this agreement, the City and Trailblazers promise and covenant as follows:

1. Trailblazers agrees that it has the exclusive obligation to timely and satisfactorily perform and accomplish (possibly through its general contractor or contract manager) the following duties and responsibilities related to the design and construction of the phase one soft surface trail infrastructure:

- a. Providing the necessary and normal project coordination needed to create the soft surface trail improvements required to host the 2022 World Championship. Project shall be substantially completed no later than May 31, 2020. Substantial completion shall be defined as the date when the trail system is sufficiently complete to host public riding, Cyclocross and mountain bike events and competitions.
- b. Providing complete trail design of the overall soft surface trail infrastructure and each component therein;
- c. Providing a preliminary long-term maintenance plan and cost estimate for maintenance of the soft surface trail system over a period of five years.
- d. Building the trail system and its components to industry standards including standards illustrated in *"Lightly on the Land – The Student Conservation Association's Trailbuilding and Maintenance Manual,"* and the USDA Forest Service, *Trail Construction and Maintenance Handbook*, and *"Trail Solutions – The International Mountain Bicycling Association's Guide to Building Sweet Singletrack."* All trails and features are to be tested to insure they operate properly and as intended before being open to the public.
- e. Submitting conceptual plans to the City for review on or before November 1, 2019. Deviating from the master plan must be approved in advance by the City.
- f. Working with contractors and subcontractors to reduce environmental impacts to the site during construction, including avoiding existing springs, large trees, and other environmentally sensitive areas.
- g. Ensuring signage is in place before the trails are open to the public cautioning the public about the use, risk, and challenges of the trails. Signage shall be coordinated and approved by the City prior to installation.
- h. Working to ensure the safety of the public during the construction of the soft surface trail area. Such area may be closed to the public with appropriate warning signage upon authorization by the City Engineer.
- i. Coordinating with professional mountain bike riders to field test, inspect and flow check all of the trails and trail race features built for the project.
- j. Paying all contractors, subcontractors, materials suppliers and professional service providers in a proper, complete, and timely manner;
- k. Resolving, settling, and/or paying all legitimate claims related to the construction of the soft surface trail infrastructure;
- l. Paying all applicable taxes on services and equipment related to its obligations in a prompt and full manner;

- m. Maintaining adequate insurance from the date of commencement until the date of acceptance of the work by the City. Trailblazers shall maintain the following minimum amount of insurance coverage:
    - i. Commercial general liability, \$1 million minimum
    - ii. Workers Compensation, as required by state statute
    - iii. \$1 million minimum Commercial automobile liability
  - n. Consulting with the City if any public funds are received for any portion of the project related to the soft surface trails prior to the expenditure or pledge of such public funds to ensure compliance with all applicable state and local laws.
2. The City of Fayetteville agrees that it shall:
- a. Provide access to the project site at hours approved by the Parks & Recreation Director.
  - b. Reasonably cooperate with Trailblazers during the application and approval process for any required permits if applicable.
3. Trailblazers agrees that the City of Fayetteville has no responsibility or liability for any of the obligations listed in paragraph 1 and that the City of Fayetteville's responsibility is to manage, coordinate, and fund the construction of the remaining park infrastructure identified in Phase One of the Master Plan as shown on Attachment B.
4. Trailblazers shall follow all federal, state and local laws for the entire contract term of this project including but not limited to applicable licensing and regulations required by the Arkansas Contractor's Licensing Board.
5. Trailblazers agrees to indemnify and hold harmless the City of Fayetteville, its officers and employees from any and all claims, demands, liabilities, and costs including attorney fees related to the design and/or construction of the soft surface trails.
6. Trailblazers agrees to fully and promptly comply with the Arkansas Freedom of Information Act and acknowledges that any documents, reports, statements, etc. relating to the use of public funds for this project are subject to the Freedom of Information Act.

In agreement with all the terms, conditions, promises and agreements previously stated, we sign our names below and expressly covenant that we are legally empowered to bind the entity for which we sign.

**NWA TRAILBLAZERS**

**CITY OF FAYETTEVILLE**

By: Erin Rushing

R. Erin Rushing  
Printed name

Title: Executive Director

Date: \_\_\_\_\_, 2019

By: \_\_\_\_\_  
LIONELD JORDAN  
Mayor

**WITNESS:**

**ATTEST:**

By: Gina Nida

Gina Nida  
Printed name

Title: Executive Assistant

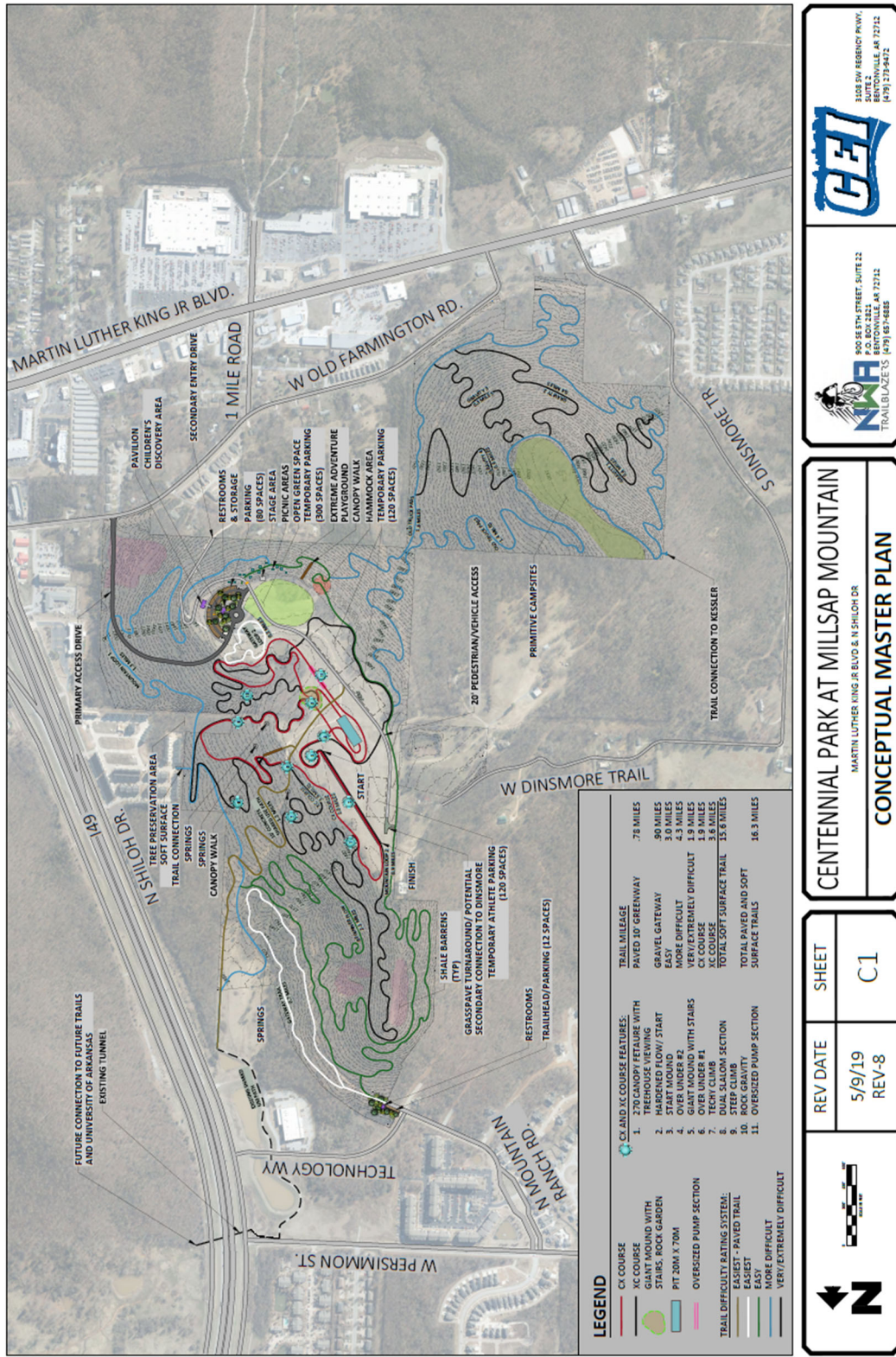
Date: \_\_\_\_\_, 2019

\_\_\_\_\_  
Sondra E. Smith, City Clerk

Date: \_\_\_\_\_, 2019

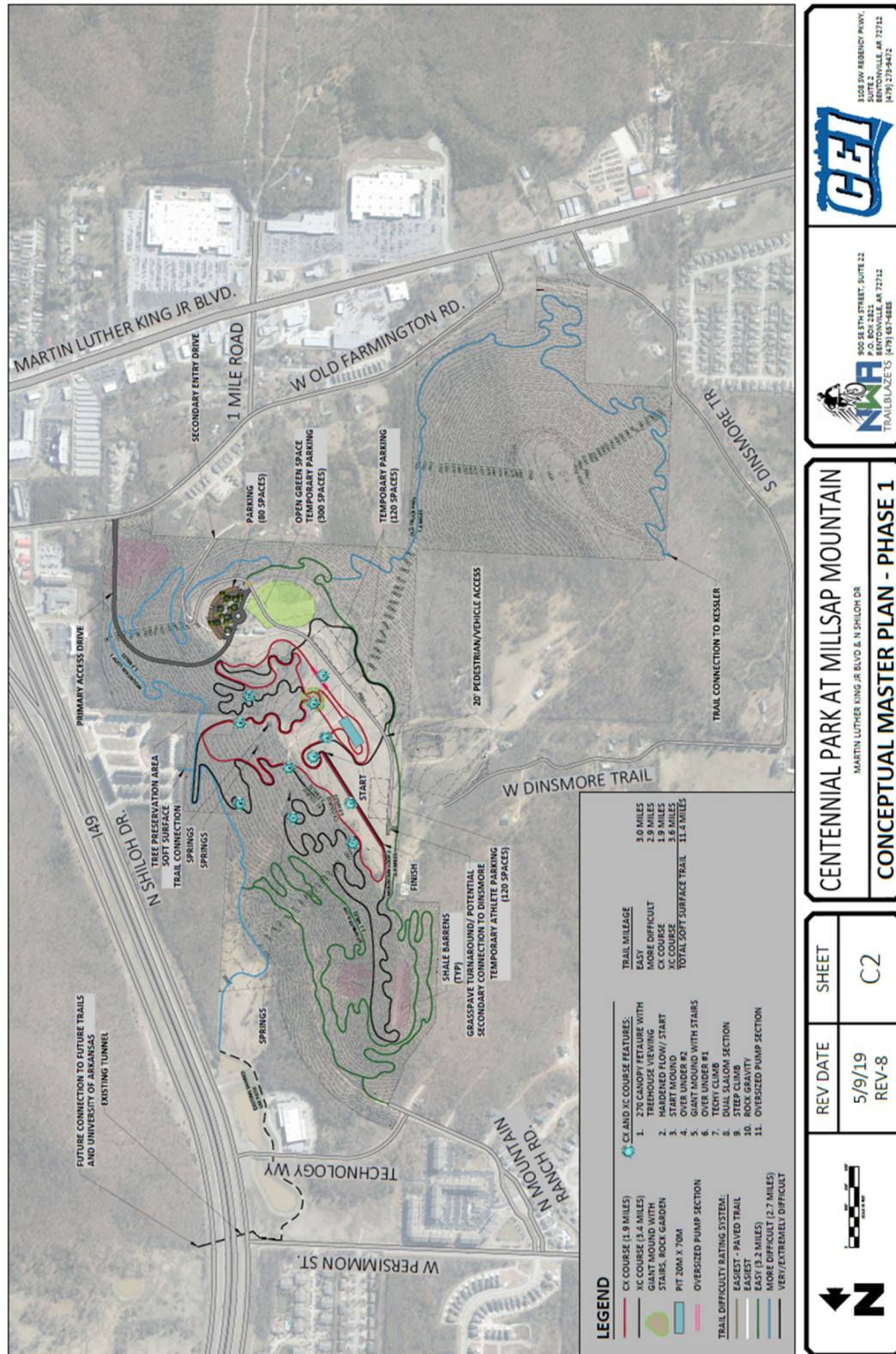


# Attachment A – Master Plan





## Attachment B – Phase One





113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

**Resolution: 125-18**

---

**File Number: 2018-0278**

**CENTENNIAL OPEN SPACE:**

A RESOLUTION TO ACKNOWLEDGE THE CITY COUNCIL'S CONTRACTUAL OBLIGATION AND INTENT TO MAINTAIN THE 228 ACRE CENTENNIAL OPEN SPACE AS PUBLIC RECREATION LAND IN PERPETUITY

**WHEREAS**, the City of Fayetteville, with significant financial assistance from the Walton Family Foundation in the form of a 50/50 matching grant and a no interest five-year loan, purchased 228 acres of land near I-49 and Martin Luther King, Jr. Boulevard; and

**WHEREAS**, the grant agreement with the Walton Family Foundation requires the City to "permanently place the 228 acres in the public domain and preserve the land as greenspace/open space in perpetuity, sufficiently allowing for natural surface and greenway trail development and other open space amenities typical for a park or open space."


**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 acknowledges the City of Fayetteville's contractual duty and intent to maintain the 228 acres known as the Centennial Open Space in the public domain and preserve the land as greenspace/open space in perpetuity with the expectation that the property will be used for natural surface and greenway trail development and other amenities typical for a park or open space.

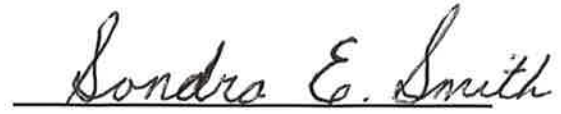
Section 2: That the City Council of the City of Fayetteville, Arkansas hereby agrees to provide to the Walton Family Foundation a proposed master plan for the property to ensure that the plan appropriately preserves, protects and maintains the property, including trails, park amenities, and reserved natural areas, in accordance with the grant agreement.

PASSED and APPROVED on 6/5/2018

**Approved:**

  
Lioneld Jordan, Mayor

**Attest:**

  
Sondra E. Smith, City Clerk Treasurer





113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

**Resolution: 64-18**

---

**File Number: 2018-0105**

**CENTENNIAL OPEN SPACE ACQUISITION:**

A RESOLUTION TO APPROVE THE ATTACHED REAL ESTATE CONTRACT IN WHICH CENTENNIAL BANK AGREES TO SELL AND CONVEY TO THE CITY OF FAYETTEVILLE APPROXIMATELY 228 ACRES PURSUANT TO A SPECIAL WARRANTY DEED FOR \$3,302,250.00, TO AUTHORIZE MAYOR JORDAN TO APPLY FOR AND ACCEPT A GENEROUS 50/50 MATCHING GRANT FROM THE WALTON FAMILY FOUNDATION FOR THIS ACQUISITION, TO AUTHORIZE MAYOR JORDAN TO ENTER INTO A NO INTEREST FIVE YEAR LOAN FROM THE WALTON FAMILY FOUNDATION IN THE AMOUNT OF \$1,651,125.00 AND TO APPROVE THE ATTACHED BUDGET ADJUSTMENT

**WHEREAS**, the Walton Family Foundation has generously offered the City of Fayetteville a 50/50 matching grant to assist the City to obtain parcels of land containing about 228 acres known as portions of Mountain Ranch; and

**WHEREAS**, Centennial Bank has agreed to sell and convey marketable title to these parcels for a total sale price of \$3,302,250.00; and

**WHEREAS**, these parcels will be primarily used as parkland for mountain biking and hiking trails and accessory uses with efforts to eventually connect these parcels to Kessler Mountain Regional Park and possibly other city property to both preserve much of the natural scenic beauty of these areas and to create an unsurpassed mountain biking destination and experience.

**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 approves the attached Real Estate Contract with Centennial Bank to purchase about 228 acres for a price of \$3,302,250.00 and authorizes Mayor Jordan to sign this Contract.


Section 2. That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to apply for and accept a generous 50/50 matching grant from the Walton Family Foundation to enable the City to afford to acquire these 228 acres by furnishing about \$1,661,215.00 of the purchase price.

Section 3. That the City Council of the City of Fayetteville, Arkansas hereby approves a no interest loan in the amount of about \$1,651,125.00 from the Walton Family Foundation to be paid back within five (5) years with the first \$275,187.50 payment due upon closing of the property and authorizes Mayor Jordan to execute all necessary documents for this loan.

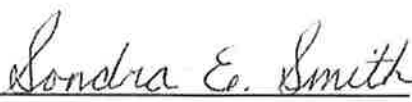
Section 4. That the City Council of the City of Fayetteville, Arkansas hereby approves an attached budget adjustment necessary for accepting the grant and paying for the purchase of these 228 acres.

PASSED and APPROVED on 2/20/2018

Approved:

  
Lioneld Jordan, Mayor

Attest:

  
Sondra E. Smith, City Clerk Treasurer





113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

**Resolution: 140-19**

---

**File Number: 2019-0305**

**CENTENNIAL PARK CONCEPTUAL MASTER PLAN:**

A RESOLUTION TO APPROVE AND ADOPT THE CENTENNIAL PARK AT MILLSAP MOUNTAIN CONCEPTUAL MASTER PLAN CREATED BY NWA TRAILBLAZERS, CEI ENGINEERING ASSOCIATES, INC., AND CITY OF FAYETTEVILLE STAFF

**WHEREAS**, on February 20, 2018, the City Council accepted a generous 50/50 matching grant from the Walton Family Foundation to purchase 288 acres of property west of I-49 on Millsap Mountain to be "used as parkland for mountain biking and hiking trails and accessory uses", to provide connections for residents and visitors to Kessler Mountain Regional Park and other parks and City property, and to preserve the natural scenic beauty of the area; and

**WHEREAS**, staff from the Mayor's Office, Parks and Recreation Department, Engineering Division, Trail Coordination Division, and Transportation Department worked with the NWA Trailblazers and CEI Engineering Associates, Inc. to develop the proposed Conceptual Master Plan of Centennial Park at Millsap Mountain, which envisions a cycling-activated park with state of the art cyclo-cross and mountain biking courses; and

**WHEREAS**, the master plan was unanimously approved by the Parks and Recreation Advisory Board on May 6, 2019.

**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 approves and adopts the Centennial Park at Millsap Mountain Conceptual Master Plan created by NWA Trailblazers, CEI Engineering Associates, Inc. and City of Fayetteville staff, a copy of which is attached to this


Resolution 140-19

File Number: 2019-0305


Resolution.

PASSED and APPROVED on 6/4/2019

Approved:

  
Lioneld Jordan, Mayor

Attest:

  
Sondra E. Smith, City Clerk Treasurer

