

City of Fayetteville Staff Review Form

2022-0549

Legistar File ID

7/5/2022

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

Chris Brown

6/14/2022

ENGINEERING (621)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a resolution of intent to establish a stormwater utility for the purposes of funding needed stormwater and flood management water quality projects through a monthly stormwater fee to be paid by most property owners in Fayetteville; and to request city staff to continue with analysis and supporting activities; and approval of Amendment 3 to the Stormwater Feasibility Study professional services contract with Jacobs in an amount not to exceed \$199,660 (total contract amount \$582,942) are complete and to approve a budget adjustment.

Budget Impact:

1010.090.6600-5314.00

General Fund

Account Number

Fund

17008.1

Stormwater Utility Feasibility Study

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 2,890.00

Funds Obligated \$ 2,889.92

Current Balance \$ 0.08

Does item have a cost? Yes

Item Cost \$ 199,660.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 199,660.00

Remaining Budget \$ 0.08

Purchase Order Number: 2018-498

Previous Ordinance or Resolution # 131-18, 209-19, 250-19

Change Order Number: 2

Approval Date:

Original Contract Number: 2018-23

Comments:



MEETING OF JULY 5, 2022

TO: Mayor and City Council

THRU: Susan Norton, Chief of Staff
Chris Brown, Public Works Director

FROM: Alan Pugh, Staff Engineer

DATE: June 14, 2022

SUBJECT: Approval of a resolution of intent to establish a stormwater utility for the purposes of funding needed stormwater and flood management water quality projects through a monthly stormwater fee to be paid by most property owners in Fayetteville; and to request city staff to continue with analysis and supporting activities; and approval of Amendment 3 to the Stormwater Feasibility Study professional services contract with Jacobs in an amount not to exceed \$199,660 (total contract amount \$582,942) are complete and to approve a budget adjustment.

RECOMMENDATION:

Staff recommends approval of a resolution of intent to establish a stormwater utility for the purposes of funding needed stormwater and flood management water quality projects through a monthly stormwater fee to be paid by most property owners in Fayetteville; and to request city staff to continue with analysis and supporting activities; and approval of Amendment 3 to the Stormwater Feasibility Study professional services contract with Jacobs in an amount not to exceed \$199,660 (total contract amount \$582,942) are complete and to approve a budget adjustment.

BACKGROUND:

Like many cities throughout the state and nation, the City of Fayetteville experiences issues with stormwater runoff. These issues stem from many sources including, but not limited to, aging infrastructure, maintenance of system capacity, manpower to perform systematic inspections and the lack of formal drainage systems in many older areas of the City. In order to address these concerns, the City has historically funded maintenance and new projects directly from the Sales Tax Capital Improvement Program (CIP). However, there are many needs within the City that require funding from the CIP and, at least in recent years, the funding for stormwater has been inadequate to comprehensively address stormwater issues. To develop a comprehensive solution, funding is required for manpower and equipment as well as multiple capital projects, some of which will require more than \$1 million dollars for each project. Given the current funding levels, it would take many years to address just one of those projects.

The City Council recognized these needs and approved moving forward with a feasibility study on June 5, 2018 via resolution 131-18 and amended that agreement on two occasions; resolution 209-19 and 250-19 to provide additional investigation.

DISCUSSION:

With the feasibility portion of the project complete and accepted by the City Council, the next phase will include preparation for the actual implementation should Council ultimately decide to move forward. In the immediate future the proposed work would include developing a billing database and procedure, finalizing the credit system, analyzing the latest impervious area and finalizing the proposed rate structure. The proposed project will also, with the help of the City's Communications Division, include a robust outreach program to educate the public about the program once the analysis is complete. While there will be checkpoints along the way, the contract also includes a full 24 months of support which will take the project all the way through the implementation process.

With the amount of work remaining, the stormwater committee would like City Council to consider the attached resolution of intent along with the amendment to the contract. This resolution would only state Council's intent to move forward with the program and would not establish the program at this time. Once the applicable items in contract Amendment #3 are complete, staff would bring forth an ordinance for Council consideration to establish the stormwater utility and move forward with the implementation.

BUDGET/STAFF IMPACT:

The overall cost proposed is \$199,660 which would bring the total of all services to \$582,942 and is proposed to be set aside from the general fund as was the case with the original funding for the study.

Attachments:

Draft Resolution of Intent
Amendment 2 to Stormwater Feasibility Contract
Budget Adjustment
Resolution 131-18
Resolution 209-19
Resolution 250-19

RESOLUTION NO. _____

A RESOLUTION OF INTENT TO ESTABLISH A STORMWATER UTILITY FOR THE PURPOSES OF FUNDING NEEDED STORMWATER AND FLOOD MANAGEMENT WATER QUALITY PROJECTS THROUGH A MONTHLY STORMWATER FEE TO BE PAID BY MOST PROPERTY OWNERS IN FAYETTEVILLE, AND TO REQUEST CITY STAFF TO CONTINUE WITH ANALYSIS AND SUPPORTING ACTIVITIES.

WHEREAS, the City of Fayetteville experienced major floods in 2008, 2011, 2015 and 2017, each of increasing frequency and magnitude; and

WHEREAS, additional funds are needed for measures to protect the long-term resiliency of the City's infrastructure and its ability to protect public safety and access to public roads, as well as increase flood mitigation measures for the protection of private property; and

WHEREAS, the City became a regulated small Municipal Separate Storm Sewer System (MS4) community under the State of Arkansas' General Permit (ARR040000) in 2003 with no corresponding federal or state funding for its mandated MS4 Stormwater Management Program; and

WHEREAS, the Minimum Control Measures that the City is required to implement, track and report as part of its MS4 Stormwater Management Program have increased with each 5-year permit renewal cycle since 2003 and will likely increase again soon to reflect our substantially increasing population; and

WHEREAS, the City's MS4 assets and responsibilities continue to increase with new development built in Fayetteville while additional routine maintenance, repair and replacement of the City's existing MS4 required infrastructure becomes necessary as these assets age; and

WHEREAS, the City will likely meet the population threshold of 100,000 by the 2030 Decennial Census for Arkansas to become a medium MS4 community, triggering additional mandated activities and infrastructure; and

WHEREAS, the City's current funding sources, including Street Fund, General Fund, Sales Tax Capital Improvements Fund, and the intermittent issuance of revenue bonds, are no longer adequate to provide and sustain these stormwater, flood management and water quality services; and

WHEREAS, the 2019 *Flood Management and Water Quality Funding Study* identified a Stormwater Utility Fee to help pay for these services based upon the impervious area of houses, buildings, driveways, etc. as the most equitable mechanism for funding these increasing needs when paired with the Sustainable Credit Program available to all customers.

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 expresses its intention to adopt a Stormwater Utility and Stormwater Utility Fee upon satisfactory completion of the following tasks which are necessary for a complete Stormwater Utility Ordinance:

- a. Development of an accurate billing database with the attributes needed to facilitate billing.
- b. Completion of a final validation of the original financial model using updated program costs and the Customer Billing Database and develop final billing rates to complete.
- c. Development, Expansion and Finalization of the Sustainable Credit Framework, to include eligibility, application requirements, inspection and verification procedures and duration between renewal.
- d. Negotiate, if possible, Interlocal Cooperation Agreements with other public property owners in the City, such as the University of Arkansas and Washington County.
- e. Develop and implement stakeholder engagement and education materials and strategies including an interactive map that will allow property owners to see information specific to their property, including impervious areas and potential rates and monthly billing amounts.
- f. Review and consider municipal exemptions for rights of way, parking lots and other City properties.
- g. Development of a robust customer service program with processes allowing customers to request an audit/map supporting their fee amount, to answer questions, and to facilitate appeals of fee amounts and credits.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves Contract Amendment No. xx with Jacobs in the amount of \$xxx,xxx for additional services necessary to complete the tasks in section 1.

PASSED and APPROVED this 1st day of March, 2022.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
KARA PAXTON, City Clerk/Treasurer

SCOPE CHANGE AUTHORIZATION

Project:	Amendment 3 to the Stormwater Feasibility Study Contract	Date Prepared:	June 15, 2022
Jacobs Project No.:	705896CH	Date Revised:	
Client:	City of Fayetteville, AR	Client Project No.:	
Project Manager:	Heather H. Dyke	Change No.:	3

1. The attached proposal for changes in the scope of the work are hereby authorized:

As an amendment to our existing agreement, Resolution 131-18, File Number 2018-0267.

2. The effect of these changes in scope is as follows:

a. Fee	(1) Change	Labor: \$191,460 + Travel: \$8,200 = \$199,660
	(2) New Total	\$582,942
b. Schedule		August 2022 to July 2024, or 24 months from NTP.
c. Construction	(1) Cost	N/A
	(2) Schedule	N/A
d. Other		N/A

3. The reason for these changes in the scope of the work are as follows:

The purpose of Phase III is for Jacobs to provide an additional 24 months of support to prepare the City of Fayetteville for the initial billing of a customer-neutral fee based on impervious area (IA) as recommended by the 2019 Funding Study and subsequent analysis by the City Council Special Stormwater Subcommittee.

4. Project Manager's comments:

On behalf of Jacobs, I greatly appreciate the opportunity to support the City with potential implementation of its Flood Management and Water Quality Funding Program.

Approved by Client:

Date:

Agreed to by JEG:

Date: 6/15/2022



Heather Larysson, PE
Jacobs
Manager of Projects | BIAF



June 10, 2022

Chris Brown, PE
Public Works Director
City of Fayetteville
125 W. Mountain Street
Fayetteville, AR 72701

Subject: Flood Management and Water Quality Funding Program Implementation, Phase III

Dear Mr. Brown:

Jacobs is pleased to submit this proposal for an amendment to our existing agreement for the purposes of assisting the City of Fayetteville (the "City") with the implementation of the findings of the Flood Management and Water Quality Funding Study (prepared under Resolution 131-18, File Number 2018-0267) and subsequent analysis for Funding Program Implementation (Resolution 250-19, File Number 2019-0596). As a result of these efforts, our Team uniquely understands the many drivers for the City establishing an equitable and sustainable long-term funding source for its MS4 stormwater, flood management and water quality needs. Similarly, we recognize the importance of the remaining work for the City's leadership, staff and citizens.

The overall purpose of Phase III of the Flood Management and Water Quality Funding Program Implementation ("Phase III") is for Jacobs to provide 24 months of support as described in the attached documents to facilitate the initial billing of a customer-neutral fee based on impervious area (IA). As part of Phase III, Jacobs will support the City as it develops its internal billing policies to support its diverse range of customers, a current customer billing database, and a Sustainable Stormwater Credit Manual with Application and Instructions. Similarly, Jacobs will provide technical content for the City's Communication Department to utilize with stakeholders and facilitate a Customer Billing Preview & Notification Study paired with a public-facing Billing Preview tool for customers to view the draft billing data (parcel boundaries and impervious area). The proposal attached provides the following information:

- Article A. Purpose and Scope of Services
- Article B. Schedule and Fee

We greatly appreciate the opportunity to provide this proposal for the City's consideration. If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Heather Layrisson".

Heather Layrisson/BTR

A handwritten signature in blue ink that reads "Heather H. Dyke".

Heather H. Dyke, AICP

Flood Management and Water Quality Funding Program Implementation for the City of Fayetteville, Arkansas

Article A. Purpose and Scope of Services

This scope of work would provide the City of Fayetteville, Arkansas with support in implementing the findings of the 2019 Flood Management and Water Quality Funding Study (prepared under Resolution 131-18, File Number 2018-0267) and subsequent analysis for Funding Program Implementation (Resolution 250-19, File Number 2019-0596). The purpose of Phase III is to provide 24 months of support to the City of Fayetteville to facilitate the initial billing of a Stormwater, Flood Management and Water Quality fee. This customer-neutral fee, based on impervious area (IA), was identified as the most equitable method of funding its drainage and federally mandated, albeit unfunded, Municipal Separate Storm Sewer System (MS4) permit compliance needs by the 2019 Funding Study.

Under Phase III, Jacobs would first provide as needed services to City staff to navigate final policy decisions and implement robust stakeholder engagement and education and develop credit and customer service programs. Secondly, Jacobs would facilitate the creation of an updated Customer Billing Database by the City and perform a final validation of the original financial model using updated program costs and the updated Billing Database. Lastly, Jacobs will work with City staff to conduct a Customer Billing Preview & Notification Study at least 6 months in advance of the first billings using the draft Customer Billing database. This study will notify customers of their anticipated fee amount without credits, provide them with the Draft Sustainable Stormwater Credit Manual, including a Credit Program Application and Instructions as an attachment, and allow them to view the underlying parcel boundaries and impervious area via a City-developed and hosted map tool. If the customer finds a discrepancy in this source data an online link or form will be provided to request an appeal.

The Jacobs Project Team would continue to be led by Heather Dyke, AICP with support from Mike Matichich and other Jacobs staff already familiar with the Funding Study and subsequent Program Implementation Findings.

Scope of Services

Project Understanding

Phase III of the Flood Management and Water Quality Funding Program includes the interim activities necessary to establish a fee program. After consideration and passing of a Resolution by City Council, the Jacobs team would work closely with City staff to forward these activities in a cost-effective, stepwise and collaborative fashion. The following table summarizes the Project Team's understanding of City-led activities versus Jacobs-led deliverables by task, which are described further in the next section. For example, it is assumed that the City will lead Stakeholder Education and Outreach activities with technical support and content provided by Jacobs. Similarly, Task 5 is now dedicated to the development of robust, sustainable customer service program in which Jacobs would support the City as it develops a responsive program, including processes for customers to request a brief audit / map supporting their fee amount, to answer questions, and facilitate appeals of fee amounts and credits.

Task #	Task Name	City-led Activities	Jacobs Deliverables
1	Stakeholder Engagement and Education	<ul style="list-style-type: none"> Overall Flood Management and Water Quality Stakeholder Engagement and Education Program Strategy and Action Plan including methods, milestones and schedule for necessary technical content from Jacobs. 	<ul style="list-style-type: none"> Technical content for SpeakUp Fayetteville, the Customer Billing Preview & Notification Study, Example Fee Calculations and Frequently Asked Questions. Meeting materials and attendance for up to 8 Meetings, Workshops or Briefings (4 individual trips).
2	Final Stormwater Program Costs and Rate Analysis	Development of underlying billing database source data in Task 3, which will also be an input for the financial / rate model.	<ul style="list-style-type: none"> Updated stormwater cost of services, 2024 to 2034. Updated stormwater financial / rate model, with detailed 5-year cash flow analysis and planning level projections over a 20-year time frame.
3	Stormwater Customer Billing Database	<ul style="list-style-type: none"> Obtain and process underlying billing database source data Develop public-facing Billing Preview tool for customers to view the draft 2024 Customer Billing Data (parcel boundaries and impervious area) and submit a request for City staff review as part of Notification Distribute Customer Billing Preview & Notification 	<ul style="list-style-type: none"> Billing Policy Paper Workshops with City GIS and Utility Billing staff Customer Billing Database Workplan Draft 2024 Customer Billing Database Customer Billing Preview & Notification Study Final 2024 Customer Billing Database
4	Sustainable Stormwater Credit Program	<ul style="list-style-type: none"> City staff will take the lead soliciting input from City stakeholders on the range of credit opportunities that should be offered, see Task 1, with technical support from Jacobs. City staff will negotiate Interlocal Cooperation Agreements with other public governments relating to their credits 	<ul style="list-style-type: none"> Revisit Phase II Credit Framework and assess the cost / benefits of providing additional credits. Draft and Final Sustainable Stormwater Credit Manual with Application and Instructions
5	Customer Service and Administration	<ul style="list-style-type: none"> Sustainable Customer Service Program Drainage Easement Equity Plan Plan for Private Residential Detention Pond Program (inventory, contact, procedures and a schedule) 	<ul style="list-style-type: none"> Draft and Final Customer Service Fee and Credit Appeal processes and procedures Draft and Final CS processes and procedures for administering the Credit Program and Billing Database.
6	Ordinances and Intergovernmental Agreements	<ul style="list-style-type: none"> Confirm Section 52.03 – Applicability. Negotiate Interlocal Cooperation Agreements 	<ul style="list-style-type: none"> Up to 3 draft Interlocal Cooperation Agreements Revise Ordinance Section 52.07, if needed.

Project Tasks

Task 1. Stakeholder Engagement and Education

The Jacobs Team understands that the City's goal is to continue to reach as many people as practical throughout the stakeholder engagement and education process. Further, that additional involvement and education of the owners of rental property, large industries, non-profits and other traditionally exempt property may be needed to ensure they understand how equitable the fee is, the services it provides and that the City is providing a robust, Sustainable Credit Program to recognize existing, functional stormwater practices. Task 1 will provide the technical content for the City's Communication Department to use to raise awareness among citizens and businesses of the need for additional funding and the equity / fairness of Funding Program selected. Other technical content would support Stakeholder awareness of the Customer Billing Preview & Notification Study planned for at least 6 months in advance of initial billing.

Task 1.1 General Meetings, Workshops and Briefings

The Jacobs Team will support City staff in engaging internal and external stakeholders via a variety of in person meetings, workshops and briefings. Elected officials will be briefed either through the Special Stormwater Subcommittee established during the Funding Study or through full City Council presentation(s). This scope of work would cover 4 meetings over 2 trips by the Jacobs Project Manager plus 1 additional staff member, as needed.

Task 1.2 Stakeholder Materials

The Team will work closely with the City's Communications and Marketing Department and the Media Services Division to support the implementation of a robust and innovative stakeholder engagement and education strategy that reflects the City's long history of reaching out to its citizens. Jacobs will develop the draft technical content of Stakeholder Materials while City staff will finalize the materials for posting and distribution.

Task 1 Deliverables and Assumptions –

- Meeting materials and 1 – 2 team members for up to 8 Meetings, Workshops or Briefings (4 individual trips).
- Up to 4 PowerPoint presentations
- Technical content for SpeakUp Fayetteville, the Customer Billing Preview & Notification Study, Example Fee Calculations and Frequently Asked Questions.
- Staff with the City's Communications and Marketing Department and the Media Services Division will now lead this Task with technical support from the Jacobs Team.

Task 2. Final Stormwater Program Costs and Rate Analysis

Task 2 would update the costs associated with the City providing the Extent of Service (EOS) and Level of Service (LOS) planned for its Stormwater Program based on inflation and additional stakeholder feedback. Similarly, the financial planning and rate analysis activities performed in Phases I and II will be updated and validated using these updated costs, the draft Stormwater Customer Billing Database from

Task 3, and other potential changes to the underlying assumptions to confirm the fee schedule needed to support its desired EOS / LOS.

Task 2 Deliverables and Assumptions –

- Final projected stormwater cost of services tabulated from 2024 to 2034.
- Final stormwater pro forma financial spreadsheet model (financial / rate model) with a detailed 5-year cash flow analysis and planning level projections over a 20-year time frame.
- The EOS/LOS assumptions used for generating the final stormwater program costs will not vary substantially from those in Phase II.

Task 3. Stormwater Customer Billing Database

Jacobs will work in collaboration with City staff in Task 3 to develop a current Stormwater Customer Billing database. The resulting draft and final databases will serve multiple purposes for implementation, including accurately identifying the top 20 Stakeholders for engagement (Task 1), estimating fee amounts for the purposes of negotiating interlocal agreements (Tasks 4 and 6) as well as determining efficient methods for billing non-fee simple properties and properties administered as rentals by management companies. Jacobs anticipates the City needing to follow the steps below to identify and develop a customer billing database that meets its needs:

- 1) A *Billing Policy Paper* to identify and evaluate the full range of policy questions in advance of designing the Customer Billing Database of a parcel-based fee as a new module within the City's monthly utility billing system. Examples of topics to be addressed during a Task Kickoff with City staff include but are not limited to:
 - a) Will most undeveloped properties inherently not have a utility account?
 - b) What are cost-effective (long term) methods for?
 - i) Linking parcel ownership to the existing utility billing system?
 - ii) Calculating and administering fees for non-fee simple properties and properties administered as rentals by management companies?
 - iii) Calculating and administering credit amounts?
- 2) Develop a *Customer Billing Database Workplan* based on findings of the Policy Paper and a series of workshops with City GIS and Utility Billing staff. The workshops will:
 - a) Identify a wide range of attributes needed for billing, the structure of this data and cost-effective processing steps to generating it.
 - b) Establish procedures for billing rental and multi-family properties.
 - c) Establish procedures for resolving database exceptions and customer appeals.
- 3) Generating a *draft 2024 Customer Billing Database*, as described in the Workplan.
- 4) Perform a *Customer Billing Preview & Notification Study* with the *draft 2024 Customer Billing database* at least 6 months in advance of the initial billing to notify owners of their anticipated fee amount without credits and to provide the *Sustainable Credit Program Manual*, including an Application and Instructions, with a proposed period for owner submittals of appeal and credit applications and subsequent City processing (see Task 5) before billing.
- 5) Generate *final 2024 Customer Billing Database* with credit amounts to date and adjustments resulting from the Customer Billing Preview & Notification Study.

Jacobs will provide support to the City while it generates a draft and final Customer Billing database. Should the City decide to proceed with Phase III, it is assumed that the City would self-perform the majority of Task 3, including the extensive QA/QC and database processing efforts needed to test for accuracy of the resulting bills and reduce the likelihood of excessive customer appeals. Examples of self-performed efforts include generating:

- Current Impervious Area (IA) data that reflects the City's definition of IA and growth that has occurred since 2018.
- Parcel / Property Boundary Verification (attributed with PIN [parcel identification number], physical address and owner)
 - Purpose: Parcel boundaries are needed for calculating a fee, no matter the billing method selected. The *PIN* or *physical address* will serve as the method of joining the customer billing database to the City's utility billing system.
 - Existing data: Substantial database processing could be needed to examine the extent that parcel boundaries are reasonably correct. Moderate database processing will be needed for all parcels to be attributed with PINs and Ownership. Lastly, while the fee is customer-neutral, there are multiple benefits to retaining, or adding, attributes to indicate customer type / class.

Task 3 Deliverables and Assumptions –

1. Deliverables:
 - a. Up to 8 virtual, or in-person, if possible, workshops with City staff from corresponding Departments to develop the *Billing Policy Paper*, *Customer Billing Database Workplan* and *Customer Billing Preview & Notification Study*.
 - b. Draft and Final Billing Policy Paper
 - c. Draft and Final Customer Billing Database Workplan
 - d. Draft and Final 2024 Customer Billing Database
 - e. Technical Support of Customer Billing Preview & Notification Study.
2. Other as needed support includes:
 - a. Technical input as City GIS staff leads (and hosts) the development of a simple, public-facing tool for customers to view the draft 2024 Customer Billing Database, i.e., quick map of the property boundaries and IA, for verification. The tool will also allow customers to request an audit if something looks amiss in advance of billing.
3. Assumptions:
 - a. The City will be responsible for providing Jacobs with an updated ArcGIS geodatabase of an "intersect" or "identity" between the following data sources as an input to the Draft 2024 Customer Billing Database:
 - i. Its version of the Washington County Tax Parcels with the attributes, highlighted below:

Parcel: 765-13492-000		Washington County Report	ID: 48804
Prev. Parcel: 146654-000-00			
As of: 2/9/2022			
Property Owner		Property Information	
Name:		Physical Address: 1772 N COLLEGE AVE	
Mailing Address: PO BOX 6538 FORT SMITH, AR 72906-6538		Subdivision: 3-16-30 FAYETTEVILLE OUTLOTS Block / Lot: N/A / N/A S-T-R: 03-16-30	
Type: (CI) Comm. Impr. Tax Dist: (011) FAYETTEVILLE SCH, FAY Millage Rate: 57.95		Size (Acres): 0.336	

Building 1					
Age/YC	Condition	Effective Age	Stories	Grade	
1972	Average	14	1	C2	
Avg. Floor Area: 1978		Common Wall:			
Avg. Perimeter: 196		Total Floor Area: 1978			
No. Floors: 1		Total Height: 10			
Avg. Floor Hgt: 10		Unit Multiplier: 1			
Occupancy		Heating/Cooling	Sprinkler		
Primary	Restaurant - Fast Food (100%)	WrmCl Air (100%)	N/A		
Secondary	N/A	N/A	N/A		
Outbuildings and Yard Improvements					
Item	Type	Size/Dim	Unit Multi.	Quality	Age
Cooler (35 F)		7x12			
Fence, Metal	WIRON4	300			
Freezer (0 F)		10x7			
Lighting	MVAPFX		7		
Lighting	LGTP	34	3		
Paving	ASPH	5000			
Sign Posts or Poles		6x2			
Flagpole	NCV				
Lighting	LGTP	20	1		
Paving	CONC	4500			
Walls, Masonry	CONCB4	180			

- ii. Current impervious area (IA) data of all hard surfaces in the City, including compacted gravel.
- iii. Its best available data source for accurately determining legal ownership type between the following buckets:
 1. Private – Fee Simple
 2. Private - Condominium
 3. Public – City owned within the public rights of way,
 4. Public – City owned, Drake Field,
 5. Public – Other City owned lands such as parks and trails,
 6. Public – Fayetteville Public Schools,
 7. Public – Washington County,
 8. Public – State of Arkansas,
 9. Public – University of Arkansas (main campus and annexes),
 10. Public – Federal
 11. Other – Traditionally tax-exempt properties.
- iv. Use of the City's Utility Billing System will also necessitate the need for a corresponding linkage via meter location address or other method.

Task 4. Sustainable Stormwater Credit Program

As described further in the 2019 Funding Study and 2021 Sustainable Credit Framework memo, a stormwater credit is an ongoing, renewable reduction in the fee charged to a property for mitigating its impact on the City's stormwater system. The Framework provides all customers with an opportunity to meaningfully reduce their fees by demonstrating activities or stormwater practices that reduce the water quality and quantity burden imposed on the City's drainage system. As part of Task 4, Jacobs will finalize the Sustainable Credit Program by:

- Revisiting the range of credit opportunities listed in draft Subsection 52.12 – Sustainable Credit Framework, with input from City stakeholders.
- Assessing the administrative costs versus direct and indirect benefits of providing additional credits, or a rebate program, for smaller residential stormwater practices such as rain barrels.

- Producing a draft and final Sustainable Stormwater Credit Manual, including sections addressing applicability and eligibility, application documentation, and processes for enforcement, renewal and appeals. Application instructions and forms would be provided as appendices to the Manual.

Task 4 Deliverables and Assumptions –

1. Draft and Final Sustainable Stormwater Credit Manual, including a Credit Program Application and Instructions as an attachment.
2. It is assumed that City staff will take the lead soliciting input from City stakeholders on the range of credit opportunities that should be offered, see Task 1, with technical support from Jacobs.
3. It is assumed that corresponding internal administrative procedures for the Sustainable Stormwater Credit are in Task 5.

Task 5. Customer Service and Administration Support

For Task 5, Jacobs will provide as needed support to the City in developing the internal Customer Services processes and procedures to administer the Fee Program. This includes providing technical support to a City-led Drainage Easement Equity Plan and Plan for Private Residential Detention Ponds. Implementation of an enhanced stormwater management program would also require developing and defining specific policies and procedures to convey to key stakeholders identified in Task 1, what is covered in the program, where the City will provide services and what will remain the responsibility of private property owners. As part of Task 5, the Jacobs team will:

- Work with the City to develop the processes and procedures for reviewing appeals to customers fee amounts as well as appeals of the credits granted if the owner does not concur.
- Work with the City to develop the processes and procedures for administering the Sustainable Credit Program including the review credit applications, determining the credit amount is warranted and then integrating into the Customer Billing database.
- After granted, a long-term process for tracking credits, validation and renewal would be developed for City staff. Similarly, Jacobs will work with City staff to identify a cost-effective method for administering and tracking of credits for education and involvement activities as well as individual residential practices, if needed.

Task 5 Deliverables and Assumptions –

- Up to 4 virtual, or in-person, if possible, workshops with City staff from corresponding Departments to develop the City-specific process and procedures.
- Draft and Final Customer Service Fee and Credit Appeal processes and procedures
- Draft and Final Customer Service processes and procedures for administering the Sustainable Stormwater Credit Program and the Customer Billing Database.

Task 6. Ordinances and Interlocal Cooperation Agreements

As part of Task 6, the Jacobs Team will work closely with the City's legal staff to update draft Chapter 52, Stormwater Utility further, if needed, based on the findings of Tasks 1 – 5. They will support the City as it negotiates Interlocal Cooperation Agreements, under § 25-20-104 and § 14-54-704, with other public property owners such as the University of Arkansas, Washington County and Fayetteville Public Schools in recognition of their own MS4 permits or efforts to reduce stormwater runoff. Jacobs will develop up

to 3 draft Intergovernmental Agreements for City staff that clearly delineate the extent and level of stormwater services to be provided by the City, the rights and responsibilities of each party as well as mutual obligations, compensation and miscellaneous terms.

Task 6 Deliverables and Assumptions:

1. Draft and Final revisions to Chapter 52. Stormwater Utility.
2. Up to 3 Interlocal Cooperation Agreements.

Task 7. Overall Project and Quality Management

The objective of this task is to recharter the project by defining the individual project roles, points of contact and project controls for the next 24 months. This includes managing, coordinating and proactively communicating the status of project resources, schedule and budget.

Task 7 Deliverables and Assumptions –

1. 24 monthly invoices and progress reports.
2. Monthly or quarterly status calls, including an agenda, updated schedule, and action items.

Project Deliverables

Task #	Task Name	Deliverables
1	Stakeholder Engagement and Education	<ol style="list-style-type: none"> 1. Technical content for SpeakUp Fayetteville, the Customer Billing Preview & Notification Study, Example Fee Calculations and Frequently Asked Questions. 2. Meeting materials and 1 – 2 team members for up to 8 Meetings, Workshops or Briefings (4 individual trips).
2	Final Stormwater Program Costs and Rate Analysis	<ol style="list-style-type: none"> 3. Final stormwater cost of services tabulated from 2024 to 2034. 4. Final stormwater pro forma financial spreadsheet model (financial / rate model) with a detailed 5-year cash flow analysis and planning level projections over a 20-year time frame.
3	Stormwater Customer Billing Database	<ol style="list-style-type: none"> 5. Up to 8 virtual, or in-person, if possible, workshops with City staff from corresponding Departments to develop the Billing Policy Paper, Customer Billing Database Workplan and Customer Billing Preview & Notification Study. 6. Draft and Final Billing Policy Paper 7. Draft and Final Customer Billing Database Workplan 8. Draft and Final 2024 Customer Billing Database 9. Technical Support of Customer Billing Preview & Notification Study.
4	Sustainable Stormwater Credit Program	<ol style="list-style-type: none"> 10. Revisit Phase II Sustainable Credit Framework, including the range of credit opportunities and assessing the administrative costs versus direct and indirect benefits. 11. Draft and Final Sustainable Stormwater Credit Manual with sections addressing applicability and eligibility, application documentation, and processes for enforcement, renewal and appeals. Application instructions and forms would be provided as appendices to the Manual 12. It is assumed that corresponding internal administrative procedures for the Sustainable Stormwater Credit are in Task 5.
5	Customer Service and Administration	<ol style="list-style-type: none"> 13. Up to 4 virtual, or in-person, if possible, workshops with City staff from corresponding Departments to develop City-specific process and procedures (2 individual trips). 14. Draft and Final Customer Service Fee and Credit Appeal processes and procedures 15. Draft and Final Customer Service processes and procedures for administering the Sustainable Stormwater Credit Program and the Customer Billing Database.
6	Ordinances and Interlocal Cooperation Agreements	<ol style="list-style-type: none"> 16. Draft and Final revisions to Chapter 52. Stormwater Utility. 17. Up to 3 Interlocal Cooperation Agreements
7	Overall Project and Quality Management	<ol style="list-style-type: none"> 18. 24 monthly invoices and progress reports. 19. Monthly or quarterly status calls, including an agenda, updated schedule, and action items.

Project Conditions and Assumptions

- A period of performance not to exceed 24 months.

- Travel expenses for up to 4 individual trips in support of up to 8 total meetings are included.
- It is assumed that all deliverables will consist of no more than 2 drafts and 1 final.
- Unless specified, all deliverables will be provided in electronic format.
- Staff with the City's Communications and Marketing Department and the Media Services Division will now lead Task 1. Stakeholder Engagement and Education, with technical support from the Jacobs Team.
- The EOS/LOS assumptions used for generating the final stormwater program costs in Task 2 will not vary substantially from those in Phase II.
- For Task 3, the City will be responsible for providing Jacobs with an updated ArcGIS geodatabase of an "intersect" or "identity" between its version of the Washington County Tax Parcels, current impervious area (IA) data, and its best available data source for accurately determining legal ownership type. If the City's Utility Billing System is selected, the geodatabase will also need to have a corresponding linkage via meter location address or other method.
- For Task 4, it is assumed that City staff will take the lead soliciting input from City stakeholders on the range of credit opportunities that should be offered, see Task 1, with technical support from Jacobs.

Article B. Schedule and Fee

JACOBS will commence work within 10 working days of receiving the City's order for the project services. The schedule will be developed in consultation with City staff with activities anticipated to be complete within 24 months.

The fee for the Scope of Services is calculated based on the hourly rates, and the estimated Level of Effort (LOE) for this Scope of Services is shown in Table 1. Compensation will be on a not-to-exceed basis, and the project compensation will not exceed a value of \$199,660 without written authorization from the City.

The City will be provided with a monthly breakdown of hours spent along with a summary of activities performed.

Table 1 - Estimated Level of Effort and Expenses

	Role	Principal Manager	Senior Technologist	Senior Project Manager	Project Consultant	Staff Engineer	Technician	Project Assistant
	Rate	\$225	\$190	\$175	\$160	\$100	\$90	\$85
	Hours by Role	100	24	625	192	168	16	60
	Hours	Cost						
Task 1: Stakeholder Engagement and Education	140	\$ 24,680						
Labor- Technical Content for City Lead	60	\$ 10,280	8	40			8	
Labor- Meetings and Workshops (up to 8)	80	\$ 14,400	8	72				
Task 2: Final Stormwater Program Costs and Rate Analysis	170	\$27,890						
Labor – Final Stormwater Cost of Services	50	\$7,290	2	8	24	16		
Labor – Final Financial / Rate Model	120	\$20,600	16	24	80			
Task 3: Stormwater Customer Billing Database Support	296	\$48,720						
Labor – Policy Paper	60	\$10,840	8	40	8			
Labor – Customer Billing Database Workplan	36	\$6,380	4	24	8			
Labor – Draft and Final Customer Billing Database	152	\$24,160	16	80	40	16		
Labor – Customer Billing Preview & Notification Study	48	\$7,340	4	16	8	16		
Task 4: Sustainable Stormwater Credit Program	192	\$28,240						
Labor – Revisit Phase II Framework with Cost / Benefit Analysis	92	\$14,580	8	36	24	16		
Labor – Draft and Final Sustainable Credit Manual	100	\$13,660	4	24	16	40	8	
Task 5: Customer Service and Administration	124	\$19,780						
Labor – Workshops with City staff	32	\$5,740	4	24	4			
Labor – Policies and Procedures for Fee / Credit Appeals	44	\$6,700	4	24		16		
Labor – Administration of Credit Program and Billing Database	48	\$7,340	4	24	4	16		
Task 6: Ordinance and Interlocal Cooperation Agreements	66	\$12,110						
Labor – Revisions to Phase II draft of Chapter 52, SWU Ordinance	24	\$4,460	4	16				
Labor – Draft Interlocal Cooperation Agreements, up to 3	42	\$7,650	6	36				
Task 7: Project Management	144	\$28,000						
Labor - PM (24 months)	144	\$19,800		84				60
Expenses - Travel		\$8,200						
Phase III Total	1,185	\$199,660						



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

Resolution: 131-18

File Number: 2018-0267

STORMWATER UTILITY STUDY CONTRACT:

A RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL ENGINEERS, INC., PURSUANT TO RFQ 18-02, IN AN MOUNT NOT TO EXCEED \$229,222.00 FOR A STORMWATER UTILITY FEASIBILITY STUDY, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, on August 15, 2017, the City Council passed Resolution No. 175-17 expressing the City Council's intent to fund a study to evaluate the feasibility of creating a stormwater utility program and authorizing City staff to move forward with the selection of a professional consultant to complete the study.

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 sign a professional services agreement with CH2M Hill Engineers, Inc., pursuant to RFQ 18-02, in an amount not to exceed \$229,222.00 for a stormwater utility feasibility study.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

PASSED and APPROVED on 6/5/2018

Approved:

A handwritten signature in blue ink, appearing to read "Lionel Jordan", is written over a horizontal line.

Lionel Jordan, Mayor

Attest:

A handwritten signature in blue ink, appearing to read "Sondra E. Smith", is written over a horizontal line.

Sondra E. Smith, City Clerk Treasurer





City of Fayetteville, Arkansas

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

Text File

File Number: 2018-0267

Agenda Date: 6/5/2018

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 2

STORMWATER UTILITY STUDY CONTRACT:

A RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL ENGINEERS, INC., PURSUANT TO RFQ 18-02, IN AN AMOUNT NOT TO EXCEED \$229,222.00 FOR A STORMWATER UTILITY FEASIBILITY STUDY, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, on August 15, 2017, the City Council passed Resolution No. 175-17 expressing the City Council's intent to fund a study to evaluate the feasibility of creating a stormwater utility program and authorizing City staff to move forward with the selection of a professional consultant to complete the study.

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 sign a professional services agreement with CH2M Hill Engineers, Inc., pursuant to RFQ 18-02, in an amount not to exceed \$229,222.00 for a stormwater utility feasibility study.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2018-0267

Legistar File ID

6/5/2018

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

Chris Brown

5/15/2018

ENGINEERING (621)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of the Stormwater Feasibility Study professional services contract with CH2M Hill Engineers, Inc in an amount not to exceed \$229,222 and to approve a budget adjustment.

Budget Impact:

1010.090.6600-5314.00

General Fund

Account Number

Fund

17008.1

Stormwater Utility Feasibility Study

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 200,000.00

Funds Obligated \$ 275.40

Current Balance \$ 199,724.60

Does item have a cost? Yes

Item Cost \$ 229,222.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 29,498.00

Remaining Budget \$ 0.60

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # 175-17

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF JUNE 5, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: May 21, 2018

SUBJECT: Approval of the Stormwater Feasibility Study professional services contract with CH2M Hill Engineers, Inc in an amount not to exceed \$229,222 and to approve a budget adjustment.

RECOMMENDATION:

Approval of the Stormwater Feasibility Study professional services contract with CH2M Hill Engineers, Inc in an amount not to exceed \$229,222 and to approve a budget adjustment.

BACKGROUND:

Like many cities throughout the state and nation, the City of Fayetteville experiences issues with stormwater runoff. These issues stem from many sources including, but not limited to, aging infrastructure, maintenance of system capacity, manpower to perform systematic inspections and the lack of formal drainage systems in many older areas of the City. In order to address these concerns, the City has historically funded maintenance and new projects directly from the Sales Tax Capital Improvement Program (CIP). However, there are many needs within the City that require funding from the CIP and, at least in recent years, the funding for stormwater has been inadequate to comprehensively address stormwater issues. In order to develop a comprehensive solution, funding is required for manpower and equipment as well as multiple capital projects, some of which will require in excess of \$1 million dollars for each project. Given the current funding levels, it would take many years in order to address just one of those projects.

The City Council recognized these needs and expressed the City's intent to move forward with a stormwater feasibility study on August 15, 2017 as noted in resolution 175-17.

DISCUSSION:

Upon approval by the Council in August of last year, staff began working with the purchasing division to draft an appropriate scope of work to go along with a request for professionals to submit their qualifications for consideration. This scope was shared with the Water and Sewer Committee and any comments from the committee were addressed. The RFQ was then published on January 2, 2018 and qualifications were due on or before February 8, 2018.

The City received statements of qualifications from 7 firms and from these the top 3 were interviewed by the selection committee. Of the top three firms, CH2M Hill was selected as the most qualified and contract negotiations began. It should be noted that CH2M Hill was recently acquired by Jacobs and accordingly some of the following materials reference both firms. Although both are licensed in the state of Arkansas, the contract itself would be with CH2M Hill Engineers Inc.

Subsequent to the selection of CH2M Hill as the most qualified firm, staff has worked to develop a contract that meets the expectations of the Administration and the City Council. This contract is attached for your consideration. Although it does slightly exceed the original approved amount, staff feels that all aspects are necessary for a thorough and complete study. This includes a robust public outreach program as well as the financial analysis and other aspects required to complete the study. It will also provide the platform should Council decide to move forward with implementation of the stormwater utility. It should be noted that there are also stopping points built into the contract so that at various times throughout the study, staff and CH2M Hill would present the findings to council committee at which time the City would have the option to discontinue the study should it be necessary.

BUDGET/STAFF IMPACT:

The overall cost proposed is \$229,222 which does include the opportunity for some additional services should they be required. The council originally set aside \$200,000 from the general fund in order to pay for the study. This request also includes a budget adjustment that would provide the additional \$29,222 from that same fund, and cover the cost of advertising the request for qualifications, for a total budget adjustment of \$29,498.

Attachments:

Resolution 175-17
Stormwater Utility Contract



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

Resolution: 209-19

File Number: 2019-0510

**JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC.
AMENDMENT NO. 1:**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$3,860.00 FOR ADDITIONAL TRAVEL AND LABOR EXPENSES, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, on June 4, 2018, the City Council approved a contract with CH2M Hill Engineers, Inc., now known as Jacobs Engineering Group, Inc., to evaluate the feasibility of creating a stormwater utility program; and

WHEREAS, City staff is requesting additional funds for to allow the Jacobs Engineering Group, Inc. project manager to attend the presentation to the City Council and answer any questions about the study.

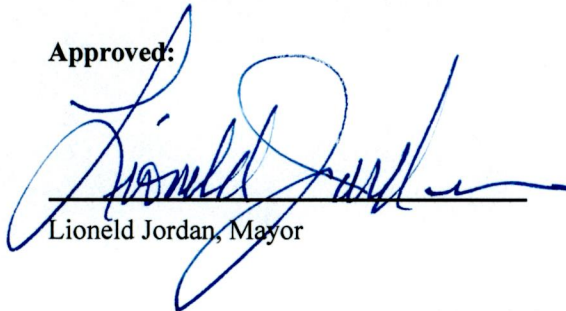
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves and authorizes Mayor Jordan to sign Amendment No. 1 to the Professional Services Agreement between the City of Fayetteville, Arkansas and Jacobs Engineering Group, Inc. formerly CH2M Hill Engineers, Inc. in the amount of \$3,860.00 for additional travel and labor expenses for the Jacobs Engineering Group, Inc. project manager to be present for the stormwater utility feasibility study presentation to the City Council


Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

PASSED and APPROVED on 9/17/2019

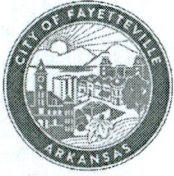
Approved:


Lioneld Jordan, Mayor

Attest:


Lisa Branson, Deputy City Clerk





City of Fayetteville, Arkansas

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

Text File

File Number: 2019-0510

Agenda Date: 9/17/2019

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 6

JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. AMENDMENT NO. 1:

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$3,860.00 FOR ADDITIONAL TRAVEL AND LABOR EXPENSES, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, on June 4, 2018, the City Council approved a contract with CH2M Hill Engineers, Inc., now known as Jacobs Engineering Group, Inc., to evaluate the feasibility of creating a stormwater utility program; and

WHEREAS, City staff is requesting additional funds for to allow the Jacobs Engineering Group, Inc. project manager to attend the presentation to the City Council and answer any questions about the study.

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 authorizes Mayor Jordan to sign Amendment No. 1 to the Professional Services Agreement between the City of Fayetteville, Arkansas and Jacobs Engineering Group, Inc. formerly CH2M Hill Engineers, Inc. in the amount of \$3,860.00 for additional travel and labor expenses for the Jacobs Engineering Group, Inc. project manager to be present for the stormwater utility feasibility study presentation to the City Council

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2019-0510

Legistar File ID

9/17/2019

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Chris Brown

5/15/2018

ENGINEERING (621)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of Amendment 1 to the Stormwater Feasibility Study professional services contract with Jacobs, formerly CH2M Hill, in an amount not to exceed \$3,860 (total contract amount \$233,082) and to approve a budget adjustment.

Budget Impact:

1010.090.6600-5314.00		General Fund	
_____ Account Number		_____ Fund	
17008.1		Stormwater Utility Feasibility Study	
_____ Project Number		_____ Project Title	
Budgeted Item?	Yes	Current Budget	\$ 229,222.00
		Funds Obligated	\$ 229,222.00
		Current Balance	\$ -
Does item have a cost?	Yes	Item Cost	\$ 3,860.00
Budget Adjustment Attached?	Yes	Budget Adjustment	\$ 3,860.00
		Remaining Budget	\$ -

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # 131-18

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF SEPTEMBER 17, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: August 20, 2019

SUBJECT: Approval of Amendment 1 to the Stormwater Feasibility Study professional services contract with Jacobs, formerly CH2M Hill, in an amount not to exceed \$3,860 (total contract amount \$233,082) and to approve a budget adjustment.

RECOMMENDATION:

Approval of Amendment 1 to the Stormwater Feasibility Study professional services contract with Jacobs, formerly CH2M Hill, in an amount not to exceed \$3,860 (total contract amount \$233,082) and to approve a budget adjustment.

BACKGROUND:

Like many cities throughout the state and nation, the City of Fayetteville experiences issues with stormwater runoff. These issues stem from many sources including, but not limited to, aging infrastructure, maintenance of system capacity, manpower to perform systematic inspections and the lack of formal drainage systems in many older areas of the City. In order to address these concerns, the City has historically funded maintenance and new projects directly from the Sales Tax Capital Improvement Program (CIP). However, there are many needs within the City that require funding from the CIP and, at least in recent years, the funding for stormwater has been inadequate to comprehensively address stormwater issues. To develop a comprehensive solution, funding is required for manpower and equipment as well as multiple capital projects, some of which will require more than \$1 million dollars for each project. Given the current funding levels, it would take many years to address just one of those projects.

The City Council recognized these needs and approved moving forward with a feasibility study on June 5, 2018 via resolution 131-18.

DISCUSSION:

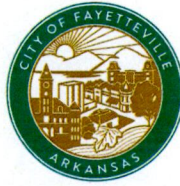
As the feasibility study nears completion, staff is requesting additional funds so that Jacobs may be present for the presentation of the study to the City Council. We feel it is important for the Council to hear the findings of the study and for the Council to be able to ask any questions of Jacobs in person.

BUDGET/STAFF IMPACT:

The overall cost proposed is \$3,860 which includes one additional trip not included in the original contract. This would bring the total of all services to \$233,082 and is proposed to be set aside from the general fund as was the case with the original funding for the study.

Attachments:

Amendment 1 to Stormwater Feasibility Contract
Budget Adjustment
Resolution 131-18



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

Resolution: 250-19

File Number: 2019-0596

JACOBS ENGINEERING, INC. AMENDMENT NO. 2:

A RESOLUTION TO ACCEPT AND ADOPT THE STORMWATER STUDY FOR FLOOD MANAGEMENT AND WATER QUALITY FUNDING, TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$150,200.00 FOR ADDITIONAL SERVICES RELATED TO THE DEVELOPMENT OF FINAL RECOMMENDATIONS FOR THE CREATION OF A STORMWATER UTILITY, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, on August 15, 2017, the City Council passed Resolution No. 175-17 expressing the City Council's intent to fund a study to evaluate the feasibility of creating a stormwater utility program and authorizing City staff to move forward with the selection of a professional consultant to complete the study; and

WHEREAS, on June 5, 2018 the City Council passed Resolution 131-18 authorizing a contract with CH2M Hill Engineers, Inc. for the feasibility study; and

WHEREAS, the feasibility study has been completed and is being presented to the City Council for final acceptance and adoption of the findings and recommendations; and

WHEREAS, if the study is accepted and adopted, staff also recommends the approval of Amendment No. 2 to the contract for Jacobs Engineering, Inc., the parent company of and successor in interest to CH2M Hill Engineers, Inc., to develop final recommendations for the creation of a stormwater utility in the City of Fayetteville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

FAYETTEVILLE, ARKANSAS:

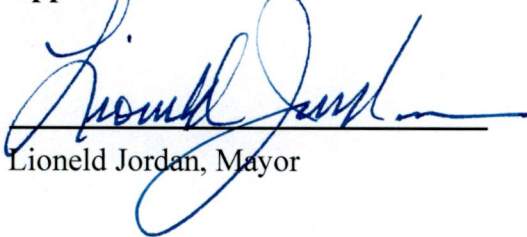
Section 1: That the City Council of the City of Fayetteville, Arkansas hereby accepts and adopts the Stormwater Study for Flood Management and Water Quality Funding, a copy of which is attached to this Resolution.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves Amendment No. 2 to the Professional Services Agreement with Jacobs Engineering, Inc., a copy of which is attached to this Resolution, in the amount not to exceed \$150,200.00 for additional services related to the development of final recommendations for the creation of a stormwater utility.

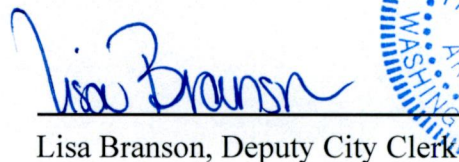
Section 3: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

PASSED and APPROVED on 11/5/2019

Approved:


Lioneld Jordan, Mayor

Attest:


Lisa Branson, Deputy City Clerk





City of Fayetteville, Arkansas

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

Text File

File Number: 2019-0596

Agenda Date: 11/5/2019

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 3

JACOBS ENGINEERING, INC. AMENDMENT NO. 2:

A RESOLUTION TO ACCEPT AND ADOPT THE STORMWATER STUDY FOR FLOOD MANAGEMENT AND WATER QUALITY FUNDING, TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$150,200.00 FOR ADDITIONAL SERVICES RELATED TO THE DEVELOPMENT OF FINAL RECOMMENDATIONS FOR THE CREATION OF A STORMWATER UTILITY, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, on August 15, 2017, the City Council passed Resolution No. 175-17 expressing the City Council's intent to fund a study to evaluate the feasibility of creating a stormwater utility program and authorizing City staff to move forward with the selection of a professional consultant to complete the study; and

WHEREAS, on June 5, 2018 the City Council passed Resolution 131-18 authorizing a contract with CH2M Hill Engineers, Inc. for the feasibility study; and

WHEREAS, the feasibility study has been completed and is being presented to the City Council for final acceptance and adoption of the findings and recommendations; and

WHEREAS, if the study is accepted and adopted, staff also recommends the approval of Amendment No. 2 to the contract for Jacobs Engineering, Inc., the parent company of and successor in interest to CH2M Hill Engineers, Inc., to develop final recommendations for the creation of a stormwater utility in the City of Fayetteville.

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 accepts and adopts the Stormwater Study for Flood Management and Water Quality Funding, a copy of which is attached to this Resolution.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves Amendment No. 2 to the Professional Services Agreement with Jacobs Engineering, Inc., a copy of which is attached to this

Resolution, in the amount not to exceed \$150,200.00 for additional services related to the development of final recommendations for the creation of a stormwater utility.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2019-0596

Legistar File ID

11/5/2019

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

Chris Brown

10/17/2019

ENGINEERING (621)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of the Flood Management and Water Quality Funding Study recommendations as well as contract amendment 2 with Jacobs, formerly CH2M Hill, in an amount not to exceed \$150,200 (total contract amount \$383,282) for additional services and approval of a budget adjustment

Budget Impact:

4470.621.8810-5817.00	Sales Tax Capital Improvement
_____ Account Number	_____ Fund
17008.1	Stormwater Utility Feasibility Study
_____ Project Number	_____ Project Title
Budgeted Item? <u>Yes</u>	Current Budget \$ 233,082.00
	Funds Obligated \$ 233,082.00
	Current Balance \$ -
Does item have a cost? <u>Yes</u>	Item Cost \$ 150,200.00
Budget Adjustment Attached? <u>Yes</u>	Budget Adjustment \$ 150,200.00
	Remaining Budget \$ -

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # 131-18

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF NOVEMBER 5, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: October 16, 2019

SUBJECT: Approval of the Flood Management and Water Quality Funding Study recommendations as well as contract amendment 2 with Jacobs, formerly CH2M Hill, in an amount not to exceed \$150,200 (total contract amount \$383,282) for additional services and approval of a budget adjustment.

RECOMMENDATION:

Staff recommends approval of the Flood Management and Water Quality Funding Study recommendations as well as contract amendment 2 with Jacobs, formerly CH2M Hill, in an amount not to exceed \$150,200 (total contract amount \$383,282) for additional services and approval of a budget adjustment.

The contract amendment would further refine the stormwater utility framework by developing final recommendations for the extent and level of service with associated rates, investigating and developing the credit program, investigating the necessary ordinance revisions associated with the program and other services.

BACKGROUND:

Like many cities throughout the state and nation, the City of Fayetteville experiences issues with stormwater runoff. These issues stem from many sources including, but not limited to, aging infrastructure, maintenance of system capacity, manpower to perform systematic inspections and the lack of formal drainage systems in many older areas of the City. In order to address these concerns, the City has historically funded maintenance and new projects directly from the Sales Tax Capital Improvement Program (CIP). However, there are many needs within the City that require funding from the CIP and, at least in recent years, the funding for stormwater has been inadequate to comprehensively address stormwater issues. To develop a comprehensive solution, funding is required for manpower and equipment as well as multiple capital projects, some of which will require more than \$1 million dollars for each project. Given the current funding levels, it would take many years to address just one of those projects.

The City Council recognized these needs and approved moving forward with a feasibility study on June 5, 2018 via resolution 131-18

DISCUSSION:

The Flood Management and Water Quality Funding Study final draft is attached for review. However, in general it finds that the most equitable way to fund the Stormwater needs into the future is with a fee for service based on the customer's impact to the system. Impervious area was selected as the basis for the fee as it is directly related to the customer's impact to the system. Impervious area causes an increase in the amount of water entering the drainage system which can then increase the chance of flooding, stream bank erosion and sedimentation. Runoff from impervious area also carries pollutants that can impact water quality. These include, among others, sediment, herbicides and pesticides, meals and bacteria from things such as pet waste. For these reasons, impervious area is an equitable basis for the fee because larger developments, businesses and homes generate a greater need for Stormwater services because of the greater amount of runoff they generate.

Given the feedback from stakeholders, residents and the council committee, Option A/B was selected as it provides an adequate level of service, extends services to areas of town not currently served and provides additional services not currently in the stormwater program. It includes a 20-year capital program schedule and routine maintenance. This maintenance would include cleaning/inspecting approximately 20% of the overall drainage system annually (approximately 400,000 LF), replacing 2.5% of the drainage system annually (approximately 8,500 LF), performing maintenance on residential detention basins (approximately 110 total) and providing for approximately \$1.1 million annually for capital projects.

Table ES-2. Tiered Rate Structure

Tier Range (SF of Impervious Area)	Proposed Monthly Fee Without Current Funding ^a
Tier 1 (0 and 2,000)	\$2.31
Tier 2 (2,000 and 3,500)	\$5.09
Tier 3 (3,500 and 5,000)	\$7.86
Tier 4 (5,000 and 6,500)	\$10.64
Tier 5 (6,500 and 8,000)	\$13.41
Tier 6 (over 8,000)	\$1.85/1,000 SF

a. If there is an onsite stormwater management facility, there could be a reduced fee based on a sustainable credit program established by the City.

A tiered system based on impervious area was selected as the most equitable way to distribute the cost of the program based on the items noted above. The proposed tiers can be found below, and additional information can be found within the attached study.

CONTRACT AMENDMENT SUMMARY:

The contract amendment with Jacobs will include several of the recommended additional tasks based on the outcome of the feasibility study and feedback received during the public outreach efforts. These tasks include additional stakeholder engagement and education, final stormwater program definition and rate analysis, refinement of stormwater customer billing database, development of a sustainable credit system, fee-in-lieu-of program assessment, review or ordinances and intergovernmental agreements and overall project and quality management.

- Stakeholder Engagement and Education: this item will include additional stakeholder engagement through workshops, public meetings, etc... in order to further educate the public and targeted stakeholders of the need for a sustainable stormwater program.

- Stormwater program definition and rate analysis: this item will include final definition of the stormwater program extent and level of service as well as a final rate analysis. This will include a review of an alternate rate structure using percentage of impervious area to lot size rather than an absolute rate based on public feedback.
- Stormwater Customer Billing Database: while the majority of this task will be handled by staff, Jacobs will provide support where necessary as guidance. The billing database will not be finalized until such time that a final decision is made on the billing mechanism and implementation.
- Sustainable Credit System: the next phase of the contract will begin to define further the credit system and how it will apply to the various tiers shown in the current proposal
- Fee-in-lieu-of Program Assessment: assessment of the potential for a fee-in-lieu-of improvement in instances where the project site may be limited and there is potential for the City or other parties to make regional improvements.
- Ordinances and Intergovernmental Agreements: review ordinances to include all aspects of water quality and water quantity. This will include an analysis of the current exemptions of 1 and 2 family from the grading and drainage permit requirements as well as development of agreements with certain entities that would be included in the stormwater program.
- Overall project quality and management: this item will include the overall project and quality management associated with the continuation of the project.

BUDGET/STAFF IMPACT:

The overall cost proposed amendment is \$150,200 which includes additional tasks outlined above as well as those listed in more detail on the attached contract amendment. This would bring the total of all services to \$383,282. A budget adjustment is proposed to move funding from two existing drainage projects into the stormwater utility study project.

The overall cost of the additional services, if approved, would include additional staff and consultant time as well as additional consultant expenses. If approved, it is anticipated that these additional tasks could take up to one year, at which point an ordinance to establish the utility could be presented to the Council. An additional period would then be required to finalize the billing database and begin collecting the fee from users.

Attachments:

Final Draft Stormwater Study for Flood Management and Water Quality Funding
Contract Amendment 2 to the Stormwater Feasibility Contract