



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Agenda Public Services Council Committee

Monday, December 20, 2010

4:30 PM

Huntington Building

Special Called Meeting

1. Call To Order

2. New Business

Resolutions To Be Introduced

RES-10:183 A RESOLUTION TO CONTRACT WITH THE ROTARY CLUBS OF JONESBORO

Sponsors: Parks & Recreation

Attachments: [Fort Rotary Original Contract](#)

[RES 09207](#)

[Rotary Contract Extension](#)

3. Adjournment



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: RES-10:183 **Version:** 1 **Name:**
Type: Resolution **Status:** To Be Introduced
File created: 12/17/2010 **In control:** Public Services Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO CONTRACT WITH THE ROTARY CLUBS OF JONESBORO
Sponsors: Parks & Recreation
Indexes:
Code sections:
Attachments: [Fort Rotary Original Contract](#)
[RES 09207](#)
[Rotary Contract Extension](#)

Date	Ver.	Action By	Action	Result
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title
A RESOLUTION TO CONTRACT WITH THE ROTARY CLUBS OF JONESBORO
body
WHEREAS, THE ROTARY CLUBS OF JONESBORO are Arkansas 501(c)3 organizations formed to provide service to others, to promote high ethical standards, and to advance world understanding, goodwill, and peace through its fellowship of business, professional, and community leaders.; and
WHEREAS, the CITY owns and maintains Craighead Forest Park and is encouraging collaboration in facility development; and

WHEREAS, THE ROTARY CLUBS OF JONESBORO and the CITY desire to enter this agreement for the purpose of extending the period of the contract for constructing a new playground and playground amenities at Craighead Forest Park Access #6;

WHEREAS, this agreement replaces other agreements previously adopted for this project;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The City of Jonesboro, Arkansas shall contract with the Rotary Clubs of Jonesboro to extend the period for constructing a new playground and playground amenities at Craighead Forest Park Access #6.

Section 2: The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council of the City of Jonesboro to execute all documents necessary to effectuate the agreement.

Construction Agreement Between The City of Jonesboro and the Rotary Clubs of Jonesboro

This Agreement is made by and between the Rotary Club of Jonesboro, Jonesboro University Rotary Club and the Jonesboro Metro Rotary Club further known as (THE ROTARY CLUBS OF JONESBORO) and the CITY OF JONESBORO PARKS AND RECREATION (CITY).

WHEREAS, THE ROTARY CLUBS OF JONESBORO are Arkansas not for profit 501 (c) 3 organizations formed to provide service to others, to promote high ethical standards, and to advance world understanding, goodwill, and peace through its fellowship of business, professional, and community leaders.; and

WHEREAS, the CITY owns and maintains Craighead Forest Park and is encouraging collaboration in facility development; and

WHEREAS, THE ROTARY CLUBS OF JONESBORO and the CITY desire to enter this agreement for the purpose of constructing a new playground and playground amenities at Craighead Forest Park Access #6.

NOW, THEREFORE in consideration of the promises and the mutual covenants and obligations contained herein, the parties agree as follows:

I. Term

The term of this contract is from October 21st, 2008 until the construction of a new playground and playground amenities is completed to the satisfaction of the City of Jonesboro or December 31st, 2009.

II. Description of Work

The CITY and THE ROTARY CLUBS OF JONESBORO wish to collaborate to construct the following playground and amenities at Craighead Forest Park access #6:

1. A large fort-themed playground estimated at \$352,000.00
2. Benches
3. Sidewalks

III. Obligations of the CITY

The CITY of Jonesboro shall:

1. Provide \$112,105.46 The specific funds are described below:
 - a. \$84,612.00 from Parks and Tourism Grant
 - b. \$4,398.06 from Bookout Restricted Fund
 - c. \$798.06 from Ray Kidd Restricted Fund
 - d. \$22,297.34 from Rotary Trail Fund
2. Issue a request for proposals for a \$350,000.00 fort themed playground.

3. Select the best playground design meeting specifications.
4. Contract with a playground manufacturer to install the playground equipment.
5. Provide any permits required for construction
6. Prepare the site for construction.
7. Oversee the construction of the playground equipment.
8. Install ADA compliant sidewalks from ADA parking spaces to the playground equipment.
9. Apply for Parks and Tourism Outdoor Recreation Grant Funds to construct a 4-hole bathroom at Access #6.
 - a. In the event that the grant is not secured for the bathroom project at Access #6 then the CITY shall put the project in its Parks Master Plan and request funding for the bathroom as a capital improvement in the 2010 CITY Budget.
10. Maintain the playground.

IV. Obligation of the THE ROTARY CLUBS OF JONESBORO

THE ROTARY CLUBS OF JONESBORO agree to:

1. Provide \$80,000 by December 31st, 2008. The funds specifically coming from the following sources.
 - a. \$25,000 from University Rotary
 - b. \$5,000 from Jonesboro Metro Rotary Club
 - c. \$50,000 from Rotary Club of Jonesboro
2. Provide \$160,000 by December 31st, 2009. The funds specifically coming from the following sources
 - a. \$25,000 from University Rotary
 - b. \$5,000 from Jonesboro Metro Rotary Club
 - c. \$50,000 from Rotary Club of Jonesboro
 - d. \$80,000 in additional fundraising by Rotary Clubs
3. Provide a playground design selection committee.
4. Provide sponsorship information for sponsor recognition.

V. Assignability and Exclusivity

This Agreement is a privilege for the benefit of THE ROTARY CLUBS OF JONESBORO may not be assigned in whole or in part by THE ROTARY CLUBS OF JONESBORO to any other person or entity.

VI. Miscellaneous Provisions

1. No modification of this Agreement shall be effective unless it is made in writing and is signed by the authorized representatives of the parties hereto.
2. This Agreement shall be construed under and in accordance with the laws of the State of Arkansas, and all obligations of THE ROTARY CLUBS OF

JONESBORO and the CITY created hereunder are performable in Craighead County, Arkansas.

3. Nothing in this Agreement shall be construed to make the CITY or its respective agents or representatives liable in situations it is otherwise immune from liability.
4. In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
5. Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body, and that this Agreement is binding and enforceable as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below.

ROTARY CLUB OF JONESBORO

By: Thom E Beasley
Name: Thom E Beasley
Title: President Elect Jonesboro Rotary
Date: 10/2/08

JONESBORO UNIVERSITY ROTARY CLUB

By: Len T. Frey
Name: Len T. Frey
Title: President - Jonesboro Rotary University
Date: 10/2/08

JONESBORO METRO ROTARY CLUB

By: Kristopher Wolf
Name: Kristopher Wolf
Title: President - Rotary Club of Jonesboro - Metro
Date: 10/2/08

CITY OF JONESBORO

By: _____
Name: _____
Title: Mayor
Date: _____

By: _____
Name: _____
Title: City Clerk
Date: _____



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Master

File Number: RES-09:207

File ID: RES-09:207

Type: Resolution

Status: Passed

Version: 1

Reference:

Controlling Body: Public Services
Council Committee

File Created Date : 12/09/2009

File Name:

Final Action: 01/05/2010

Title label: A RESOLUTION TO CONTRACT WITH THE ROTARY CLUBS OF JONESBORO

Notes:

Sponsors: Parks & Recreation

Enactment Date: 01/05/2010

Attachments:

Enactment Number: R-EN-002-2010

Drafter:

Hearing Date:

Contact: jwilkie@jonesboro.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Public Services Council Committee	12/14/2009	Recommended to Council				Pass
	Action Text:	A motion was made by Councilwoman Ann Williams, seconded by Councilman Chris Gibson, that this matter be Recommended to Council . The motion PASSED by an unanimous vote					
	Notes:	<i>Mr. Wilkie explained this is amendment to the contract that was passed in 2008 for the construction of Fort Rotary. He added the time frame the Rotary Club had to repay the funds was narrow and they are asking for a 1-year extension. He noted the Rotary Club will use the sports show to generate revenue to pay this off.</i>					
		<i>Chairman Frierson asked if this will require any funds from the City. Mr. Wilkie answered no.</i>					
		<i>Chairman Frierson questioned if these two items are in Legistar. Mr. Wilkie answered yes and it is his understanding is they will not be adopted until January.</i>					
		<i>Chairman Frierson stated he is impressed with the grants Mr. Wilkie has been able to receive.</i>					
1	City Council	01/05/2010	Passed				Pass
	Action Text:	This item was PASSED on the consent agenda.					

Text of Legislative File RES-09:207

A RESOLUTION TO CONTRACT WITH THE ROTARY CLUBS OF JONESBORO

WHEREAS, THE ROTARY CLUBS OF JONESBORO are Arkansas not-for-profit 501 (c) 3 organizations formed to provide service to others, to promote high ethical standards, and to advance world understanding, goodwill, and peace through its fellowship of business, professional, and community leaders.; and

WHEREAS, the CITY owns and maintains Craighead Forest Park and is encouraging collaboration in facility development; and

WHEREAS, THE ROTARY CLUBS OF JONESBORO and the CITY desire to enter this agreement for the purpose of extending the period of the contract for constructing a new playground and playground amenities at Craighead Forest Park Access #6, and

WHEREAS, this agreement replaces other agreements previously adopted for this project;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The City of Jonesboro, Arkansas shall contract with the Rotary Clubs of Jonesboro to extend the period for constructing a new playground and playground amenities at Craighead Forest Park Access #6.

Section 2: The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council of the City of Jonesboro to execute all documents necessary to effectuate the agreement.

PASSED AND ADOPTED this 5th day of January, 2010.

**Amended Construction Agreement Between the City of
Jonesboro and the Rotary Clubs of Jonesboro**

This Amended Agreement is made by and between the Rotary Club of Jonesboro, Jonesboro University Rotary Club and the Jonesboro Metro Rotary Club further known as (The Rotary Clubs of Jonesboro) and the City of Jonesboro Parks and Recreation (City).

The Rotary Clubs of Jonesboro and the City entered into a Construction Agreement which was adopted by the City Council on January 5, 2010. All terms contained in the original Construction Agreement which do not conflict with this Amended Construction Agreement shall remain in full force and effect.

It is agreed by The Rotary Clubs of Jonesboro and the City that the obligation of the Rotary Clubs of Jonesboro to make the final payment of \$72,000 to the City shall be changed to be due and payable on December 31, 2011.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below.

ROTARY CLUB OF JONESBORO

By: 

Name: John M. White

Title: Pres.

Date: 12/17/10

JONESBORO UNIVERSITY ROTARY CLUB

By: Joe Stallings
Name: JOE STALLINGS
Title: president
Date: 12-17-2010

JONESBORO METRO ROTARY CLUB

By: Dennis Zolper
Name: DENNIS ZOLPER
Title: PRESIDENT
Date: 12/17/2010

CITY OF JONESBORO

By: _____
Name: _____
Title: MAYOR
Date: _____

By: _____
Name: _____
Title: _____
Date: _____