

City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final City Council Regular Meeting

Monday, January 14, 2019

7:00 PM

Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 ANNOUNCEMENTS AND RECOGNITIONS

5.0 APPROVAL OF AGENDA

6.0 CONSENT AGENDA

6.01 [18-584](#) Approval of Meeting Minutes:
November 27, 2018 - Special
December 3, 2018 - Work Session
December 10, 2018 - Discussion of Agenda Items
December 10, 2018 - Regular
December 11, 2018 - Special

Attachments: [112718 Special - Strategic Planning](#)
[120318 WKS](#)
[121018 Discussion of Agenda Items](#)
[121018 Regular](#)
[121118 Special](#)

6.02 [18-577](#) Gateway Definition and Sign Locations

Attachments: [city basemap_GATEWAY2018_IDENTIFIED_SITE Model Revised](#)

6.03 [18-578](#) Adoption of Capital Project Ordinance Amendment (CPOA) 2019-26
to Appropriate Additional Funding for a Hurricane Matthew Recovery
Project for Repair and Relocation of Facilities at 280 Lamon Street

Attachments: [CPOA 2019-26 \(Lamon St Facilities and Cross Creek Bank\)](#)
[PW1744 280 Lamon Street Award Letter](#)

6.04 [18-586](#) Special Revenue Fund Project Ordinance 2019-8 (FY19 Juvenile
Restitution Program)

Attachments: [SRO 2019-8 \(FY19 Juvenile Restitution\)](#)

- 6.05** [18-580](#) Bid Recommendation - Rockfish Creek WRF Filter Rehabilitation
- Attachments:** [Bid Recommendation - Rockfish Creek Water Reclamation Facility Filter Rehabi](#)
- 6.06** [18-587](#) Award Contract for Resurface Various Streets, 2019 - Phase II
- Attachments:** [2019 Phase II Multi-Use-Thermoplastic 1-3](#)
 [2019 Proposed Phase II Resurface MAPS](#)
 [Bid Tab - Resurface Various Streets 2019-Phase 2](#)
 [Street List for CCAM 2019 Phase 2](#)
- 6.07** [18-579](#) Renaming of the Cross Creek Linear Park Trail in Honor of Harry F. Shaw
- 6.08** [18-603](#) Calling for a Public Hearing on January 28, 2019 - Naming of City Property in Honor of Former Mayor Hurley.
- Attachments:** [City Council Policy 155-04 - Naming of City Properties](#)
 [City Council Policy 120-02 - Hearings \(Public and Non-Public\)](#)
 [Notice of Public Hearing - Naming City Property](#)
- 6.09** [18-596](#) Adoption of Legislative Priorities - Council Resolutions for 2019 NC General Assembly Long Session
- Attachments:** [Recall Resolution](#)
 [Local Multimodal Transportation Network Resolution](#)
 [Public Safety Resolution](#)
 [Texfi Resolution](#)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

- 7.01 [18-581](#) Airport Commission Annual Report to City Council - 2018

Attachments: [FAY Airport Annual Report 2018](#)

- 7.02 [18-590](#) Annual Report from the Joint Appearance Commission

Attachments: [Joint Appearance Commission-2018 Annual Report for City Council-To Be Pres](#)

8.0 PUBLIC FORUM

9.0 OTHER ITEMS OF BUSINESS

- 9.01 [18-606](#) Consideration of Cumberland County's Proposed Sales Tax
Distribution Interlocal Agreement

Attachments: [Cumberland County's Proposed Sales Tax Distribution Interlocal Agreement \(2018\)](#)
[Sales Tax Distribution PowerPoint Presentation for Dec 18 2018 Mayors Coalition](#)
[Illustration of Reimbursement Calculation Methodology For Years FY2021-2023](#)
[City Proposal 10.10.18](#)
[Per Capita vs Ad Valorem Comparison for FY18](#)
[Jan 14 2019 Sales Tax Interlocal Agreement Presentation](#)

10.0 ADMINISTRATIVE REPORTS

- 10.01 [18-583](#) Monthly Statement of Taxes for November 2019

Attachments: [Monthly Statement of Taxes - November 2018](#)

11.0 ADJOURNMENT

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located on the third floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

CLOSING REMARKS

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES **SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM**

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing thirteen (13) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

COUNCIL MEETING WILL BE AIRED

January 14, 2019 - 7:00 p.m.

Spectrum Cable Channel 7

Notice Under the Americans with Disabilities Act (ADA):

The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Human Relations at ynazar@ci.fay.nc.us, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-584

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.01

TO: Mayor and Members of City Council

THRU: Barbara Hill, Interim Assistant City Manager

FROM: Pamela J. Megill, MMC, City Clerk

DATE: January 14, 2018

RE:

Approval of Meeting Minutes:

November 27, 2018 - Special

December 3, 2018 - Work Session

December 10, 2018 - Discussion of Agenda Items

December 10, 2018 - Regular

December 11, 2018 - Special

COUNCIL DISTRICT(S):

ALL

Relationship To Strategic Plan:

Develop and maintain strong community connections.

Executive Summary:

The Fayetteville City Council conducted meetings on the referenced date during which they considered items of business as presented in the draft.

Background:

The draft minutes are from the meeting held on the above mentioned date.

Issues/Analysis:

N/A

Budget Impact:

N/A

Options:

1. Approve draft minutes
2. Amend draft minutes and approve draft minutes as amended
3. Do not approve the draft minutes and provide direction to staff.

Recommended Action:

Approve the draft minutes.

Attachments:

Draft minutes

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**FAYETTEVILLE CITY COUNCIL
STRATEGIC PLANNING RETREAT MINUTES
LAFAYETTE CONFERENCE ROOM
CITY HALL, FAYETTEVILLE, NC
NOVEMBER 27, 2018
5:30 P.M.**

Present: Mayor Mitch Colvin

Council Members Kathy Jensen (District 1) (arrived at 5:38 p.m.); Daniel Culliton (District 2) (arrived at 5:44 p.m.); Tisha S. Waddell (District 3); D.J. Haire (District 4); Johnny Dawkins (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Barbara Hill, Interim Assistant City Manager
Rebecca Jackson, Strategic Performance Analytics Director
Gina Hawkins, Police Chief
Mark Brown, PWC Customer Relations Director
Chris McMillan, SPA Management Analyst
Brandon Christian, Police Attorney
Lydian Altman, Consultant, UNC School of Government
Dale Smith, Consultant, UNC School of Government
Pamela Megill, City Clerk
Members of the Press

CALL TO ORDER

Mayor Colvin called the meeting to order at 5:30 p.m. and welcomed everyone in attendance.

BECOMING A HIGH PERFORMING ORGANIZATION

Ms. Lydian Altman and Mr. Dale Smith, facilitators of the meeting, provided an overview of the following objectives of the meeting:

1. Review and celebrate recent successes and accomplishments related to the Strategic Plan.
2. Review existing priorities from the Strategic Plan, add others that have emerged and are underway.
3. Clarify Council's expectations for what and how to share progress on the Strategic Plan.
4. Explore how Council wants to work together to accomplish this work.

Discussion ensued pertaining to 19 potential "Targets for Action".

Ms. Lydian Altman asked Mayor and Council to each decide upon the top five items they believe should be top priorities. The top eight items are as follows:

1. Stormwater Policy direction.
2. Murchison Road and corridor redevelopment.
3. Develop comprehensive review of Broadband capabilities in City to leverage City's fiber assets to improve speed, liability, and coverage.

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4. Develop an Internship Program.
5. Ensure Parks and Recreation Capital Bond Projects are on time and on budget.
6. Young Adult Engagement Program.
7. Review changes to the Unified Development Ordinance.
8. Complete Comprehensive Land Use.

Consensus of Council was to hold another mini Strategic Planning session in early January 2019; prior to the annual Strategic Planning Retreat which is scheduled for February 1 and 2, 2019.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:27 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

112718

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**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE CONFERENCE ROOM
DECEMBER 3, 2018
4:30 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2) (arrived at 5:06 p.m.); Tisha W. Waddell (District 3); D. J. Haire (District 4) (departed at 6:20 p.m.); Johnny Dawkins (District 5) (arrived at 6:09 p.m.); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Barbara Hill, Interim Assistant City Manager
Gina Hawkins, Police Chief
Jerry Newton, Development Services Director
Sheila Thomas-Ambat, Interim Public Services Director
Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director
Kevin Arata, Corporate Communications Director
Cindy Blot, Community and Economic Development Director
Jay Toland, Interim Chief Financial Officer
Alicia Young, Assistant City Attorney
Brandon Christian, Police Attorney
Kim Toon, Purchasing Manager
Michelle Eley, A&T State University
Andrew Pennink, FCEDC Chair
Wilson Lacey, MLK Committee Chair
Anna Stroble, Horne Consulting
Dawn Gregory, Horne Consulting
Sandra Maxwell, Horne Consulting
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Arp.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Arp moved to approve the agenda.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 Community Voices Information

Ms. Cindy Blot, Economic and Community Development Director, introduced this item and stated on August 6, 2018, Council Member Waddell presented this item to her fellow Council members, stating there was a movement to employ the "Community Voices" model throughout the City of Fayetteville. Community Voices is a leadership development program that trains participants to identify and resolve community issues. The opportunity is targeted to people not traditionally active in public decision-making processes and who may have experienced social and economic and educational limitations. Ms. Blot

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introduced Ms. Michelle Eley, PhD, Community and Economic Development Specialist, A&T State University. Ms. Eley presented "Community Voices - Leadership Development for Community Decision Making" with the aid of a PowerPoint presentation.

Discussion ensued.

Consensus of Council was to move this item forward.

4.02 Community-Wide Collaborative Branding Project - Request for Funding

Mr. Andrew Pennink, FCEDC Chair presented this item with the aid of a PowerPoint presentation and stated the Fayetteville-Cumberland Collaborative Branding Committee (FCCBC) is comprised of representatives from the City, the County, the Greater Fayetteville Chamber, the Fayetteville Cumberland Economic Development Corporation, Vision 2026, the Tourism Development Authority, Cool Spring Downtown District, the Fayetteville Area Convention and Visitors Bureau, Cumberland County Schools, the Crown Complex, and the Arts Council of Fayetteville/Cumberland County. They, and other outward facing organizations across the City, currently use their own disparate logos and taglines to help brand their particular organization and there is not a focused and concerted effort, or ability, to co-brand. It is the goal of the FCCBC to help connect the dots across multiple organizations to aggressively promote Fayetteville and Cumberland County as a superior destination in which to live, work, visit, explore, create or grow a business. We also desire to differentiate our community by elevating our brand above others with similar names and demographics, and demonstrate the unity and collaboration that exists between our public, private, and non-profit partners to the local community and external audiences.

Mr. Kevin Arata, Corporate Communications Director stated the opening of the Fayetteville Woodpeckers' baseball stadium, The Gathering at Prince Charles, and the future opening of the neighboring flagship hotel mark this as a prime opportunity to take advantage of what we anticipate will be a major step forward in continuing the City's downtown development and serving as a catalyst for future business opportunities across our region. FCCBC's goal is to change the messaging for our community, internal to residents and external to potential new residents and businesses that may choose Fayetteville as their home, soon after all those outwardly visible changes begin to take hold downtown. By contracting with a company focused on helping co-brand municipal organizations, the FCCBC will help guide the discussion that will result in a collaborative brand that can be used to better focus our future messaging to current residents, as well as potential new residents and businesses. North Star Ideas recently conducted research for and developed a successful co-branding effort for Catawba County and Hickory.

Mr. _____ stated FCEDC is seeking a City contribution of \$25,000.00 to help fund the anticipated \$150,000.00 to \$200,000.00 price tag associated with this project. To date, the Tourism Development Authority has committed \$50,000.00, FCEDC has committed \$25,000.00, and Vision 2026 has committed \$25,000.00. FCEDC is requesting \$25,000.00 from both the City and the County to help fund this project, and anticipates securing another \$25,000.00 from other outside sources.

Mr. _____ stated the Fayetteville-Cumberland Collaborative Branding Committee has chosen North Star Ideas as the firm that can best help shape and create a collaborative brand for our use in promoting our region's place branding--a specialized form of marketing that helps deliver a community's message based on market research, coupled with the use of focus groups and surveys. Our other option is to do nothing and let our regional branding efforts continue down their un-focused and un-coordinated paths.

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Discussion ensued.

Consensus of Council was to direct staff to move this item forward to the December 10, 2018, regular City Council meeting agenda.

Mayor Colvin recessed the meeting at 5:21 p.m., and reconvened the meeting at 5:27 p.m.

4.03 Update on Martin Luther King Jr. Memorial Park by the MLK Committee

Dr. Wilson Lacey, Martin Luther King Jr. Committee, Chair, presented this item and stated in March 2016 the City of Fayetteville passed a Parks & Recreation Bond Referendum that included the allocation of \$100,000.00 for improvements at Martin Luther King Jr. Memorial Park. Funding identified in the 2016 Parks and Recreation Bond Referendum for the Martin Luther King Jr. Memorial Park has not yet been utilized for improvements at the location. The master plan for the Martin Luther King Jr. Memorial Park was created in 2005 and is in need of an update to the schedule and cost analysis relative to the park. The Committee is requesting a \$42,000.00 commitment from the City of Fayetteville.

Mr. Walter Vick, Architect, presented renderings of updating and expanding the Martin Luther King Jr. Park, with cost estimates for the Memorial Park's construction and completion.

Discussion ensued.

Consensus of Council was to grant initial support; staff to bring this item back with options for providing the \$42,000.00 funding request.

4.04 CDBG-DR & HMGP Updates

Ms. Cindy Blot, Economic and Community Development Director, introduced this item and stated the City of Fayetteville received an HMGP allocation of \$4,700,000.00. Of the 207 applications received from residents, 33 properties met the expedited criteria and were cost effective and eligible to be funded under the HMGP and can be accommodated under this cap.

Ms. Blot stated Cumberland County was awarded the CDBG-DR funds from the NC Department of Public Safety as a sub-recipient. The State is only releasing to Cumberland County two-thirds of the funding for a two-year period in the amount of \$23,260,000.00. Of that amount, the City will receive \$15,325,000.00 during that period from Cumberland County as a sub-sub-recipient to carry out the various programs. The additional funding of the original \$34.9 million will be awarded to the County in the third year of the program.

Ms. Blot stated on August 7, 2018, Council approved a contract with Horne Consulting for project management services. Ms. Blot introduced Ms. Anna Stroble, Ms. Dawn Gregory, and Ms. Sandra Maxwell, and stated they are here as Horne representatives to answer any questions that Council may have.

Ms. Gregory stated the North Carolina Emergency Management (NCEM) completed its analysis of nearly 3,000 structures submitted for potential mitigation throughout the Hurricane Matthew disaster zone for consideration for the HMGP. Just under 800 properties qualified for the program throughout the impacted area based on availability of funding and eligibility criteria.

Ms. Gregory stated 33 properties within the City of Fayetteville initially qualified for the program with funding valued at \$4,700,000.00. Of those homes, 27 qualified for acquisitions, 3 qualified for elevations, and 3 qualified for reconstruction.

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Ms. Gregory stated the State of North Carolina received \$198 million of CDBG-DR funds from the Department of Housing and Urban Development (HUD) as a result of damage caused by Hurricane Matthew in October 2016. Cumberland County is expected to receive \$34,945,328.00 of this amount over a three-year period. Eligible Cumberland County residents who were directly impacted by the hurricane will have an opportunity to apply for assistance from a variety of Housing Recovery Programs. City staff worked with Cumberland County to develop a proposal to carry out a variety of housing and recovery programs. The proposal includes a Homeowner Recovery Program, Small Rental Repair Program, Multi-family Rental Housing, and a Community Recovery Program that will include a Day Center and a Homeless Shelter. Businesses will have to apply directly to the North Carolina Department of Commerce for available funding. Upon further review, several homes were not eligible for HMGP funds. CDBG-DR approval process is progressing.

Discussion ensued.

Consensus of Council was to direct staff to bring this item back to the January 7, 2019, City Council work session agenda.

4.05 2019-2020 CDBG & HOME Annual Action Plan

This item was deferred to the January 7, 2019, work session.

4.06 Stormwater Infrastructure Maintenance Policy

This item was deferred to the January 7, 2019, work session.

4.07 City Council Agenda Item Request - No Horn Zone - Council Member Culliton

This item was deferred to the January 7, 2019, work session.

4.08 City Council Agenda Item - Review of Council Policy 115.15 - Protocol and Code of Conduct - Mitch Colvin, Mayor

This item was deferred to the January 7, 2019, work session.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 6:42 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

120318

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**FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD ROOM
DECEMBER 10, 2018
6:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2) (arrived at 6:03 p.m.); Tisha S. Waddell (District 3) (arrived at 6:02 p.m.); D. J. Haire (District 4); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore W. Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: Council Member Johnny Dawkins (District 5)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Barbara Hill, Interim Assistant City Manager
Kevin Arata, Corporate Communications Director
Gerald Newton, Development Services Director
Jay Toland, Interim Chief Financial Officer
Cynthia Blot, Community and Economic Development Director
Alicia Young, Assistant City Attorney
Brandon Christian, Police Attorney
Tracey Broyles, Budget and Evaluation Director
Kecia Parker, Real Estate Manager
Robert Van Goens, FCEDC Director
Jonathan Charleston, Attorney
Jennifer Ayre, Deputy City Clerk
Members of the Press

Mayor Colvin called the meeting to order at 6:00 p.m.

CLOSED SESSION

MOTION: Council Member Haire moved to go into closed session for an attorney-client privileged matter.
SECOND: Council Member Wright
MOTION: UNANIMOUS (7-0)

The regular session recessed at 6:01 p.m. The regular session reconvened at 6:40 p.m.

MOTION: Mayor Pro Tem Mohn moved to go into open session.
SECOND: Council Member Crisp
MOTION: UNANIMOUS (9-0)

Council Member Crisp requested information on Item 6.09, Roxie Avenue Drainage Improvement Project Phase 1 - Bid Recommendation and Options. Discussion ensued. Mr. Kristoff Bauer, Deputy City Manager, stated the recommendation is to reject the bids.

Council Member Jensen stated she intends to pull Item 6.06, Joint Fayetteville State University Wellness / Senior Center Memorandum of Understanding - Capital Project Ordinance 2019-22 for Senior Center East, in order to allow for an explanation of the item and a separate vote.

Mr. Bauer stated staff handed out an update to the staff report for Item 6.07, Adoption of Budget Ordinance Amendment 2019-10 and Capital Project Ordinance Amendment 2019-23 for Stadium Construction. Mr. Bauer explained the column regarding fund balance available has changed due to the audit that had just been completed. Mr. Bauer explained the current fund balance has changed due to the way money is

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characterized. The current fund balance is just under 12 percent due to some funding being restricted to pay back current spending on park bonds. The money will return to the fund balance once the bond projects have been financed.

Ms. Tracey Broyles, Budget and Evaluation Director, stated the fund balance is at 11.86 percent and at \$3 million beyond the 10 percent policy minimum. With the action at the state, the City would be appropriating \$1.25 million from the \$3 million.

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

JENNIFER L AYRE
Deputy City Clerk

MITCH COLVIN
Mayor

121018

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**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
DECEMBER 10, 2018
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5) (Via telephone at 7:24 p.m.); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Barbara Hill, Interim Assistant City Manager
Kevin Arata, Corporate Communications Director
Tracey Broyles, Budget and Evaluation Director
Gerald Newton, Development Services Director
Jay Toland, Interim Chief Financial Officer
Elizabeth Somerindyke, Internal Audit Director
Michael Martin, Development Services Deputy Director
Gina Hawkins, Chief of Police
Kimberly Toon, Purchasing Manager
Taurus Freeman, Planning and Zoning Division Manager
Craig Harmon, Senior Planner
Alicia Young, Assistant City Attorney
Giselle Rodriguez, City Engineer
John Larch, Stormwater Manager
Kecia Parker, Real Estate Manager
Brittany McLaurin, Financial Analyst
Brandon Christian, Police Attorney
Mark Brown, PWC Customer Relations Director
Jennifer Ayre, Deputy City Clerk
Metoya Scott, Senior Administrative Assistant to the City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 7:06 p.m.

2.0 INVOCATION

The invocation was offered by Rabbi Eve Eichenholtz from the Beth Israel Congregation.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by the Mayor and City Council.

4.0 ANNOUNCEMENTS AND RECOGNITION

Council Member Jensen introduced Ms. Markasia Davis as the representative for the Fayetteville-Cumberland Youth Council (FCYC).

Mayor Colvin and Council Member D.J. Haire presented the Key to the City to Ms. Deborah Mintz, Arts Council Director, for her many years of service to the City of Fayetteville.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Wright moved to approve the agenda.
SECOND: Council Member Haire

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VOTE: UNANIMOUS (9-0)

6.0 CONSENT AGENDA

MOTION: Council Member Crisp moved to approve the consent agenda, with the exception of Item 6.06, Joint Fayetteville State University Wellness/Senior Center Memorandum of Understanding - Capital Project Ordinance 2019-22 for Senior Center East, for explanation and separate vote.

SECOND: Council Member Waddell

VOTE: UNANIMOUS (9-0)

6.01 Approval of Meeting Minutes:

November 13, 2018 - Discussion of Agenda Items

November 13, 2018 - Regular

November 19, 2018 - Special

November 26, 2018 - Discussion of Agenda Items

November 26, 2018 - Regular

6.02 Rezone 9.09 acres of property from CD Conservation District to AR Agricultural Residential, located to the west of 3425 Amour Drive (Tax Map # 9485-61-0037) near the intersections of Amour Drive and Thomas Wood Drive, containing 38.06 +/- acres and being the property of Clyde T. Wood, Jr.

6.03 P18-33F. Rezoning of property from Mixed Residential (MR-5) to Office and Institutional Conditional Zoning (OI/CZ) (initial request to Community Commercial/Conditional Zoning), located at 1053 71st School Road (Tax Map # 9497-64-6544) near the intersection of 71st School Road and Media Drive, containing 1.01 acres and being the property of WARDLAW, VINCENT O. and MELISSA L. [The owners have agreed to a more restrictive Office and Institutional (OI) Conditional zoning district]

6.04 Authorization of Condemnation of Easements and Rights-of-Way on the Properties Needed for Mirror Lake Dam Restoration Project

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION ACTION FOR THE PRUCHASE OF EASEMENTS AND RIGHTS OF WAY ON PROPERTIES NEEDED FOR MIRROR LAKE DAM RESTORATION PROJECT. RESOLUTION NO. R2018-069

6.05 Adoption of Budget Ordinance Amendment 2019-9 to Provide Funding for the Community-Wide Collaborative Branding Project

Authorizing an appropriation of \$25,000.00 from available General Fund balance to fund the City's participation in the collaborative, community-wide branding project.

6.06 Pulled for discussion and separate vote.

6.07 Adoption of Budget Ordinance Amendment 2019-10 and Capital Project Ordinance Amendment 2019-23 for Stadium Construction

Appropriate \$1.25 million from General Fund fund balance to provide for the City's share of the additional project budget and appropriate a \$1.05 million contribution from the Woodpeckers along with the General Fund transfer to provide the needed \$2.3 million additional project appropriation for the stadium.

6.08 Resolution Authorizing the City Manager to Acquire Real Property in Catalyst Site for Future Development

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CITY MANAGER TO ACQUIRE REAL PROPERTY FOR FUTURE DEVELOPMENT. RESOLUTION NO. R2018-070

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6.09 Roxie Avenue Drainage Improvement Project Phase 1 - Bid Recommendation and Options

Council did not award the contract and directed staff to conduct a value engineering analysis of this project to identify potential cost savings and/or the potential for project phasing, and then re-advertise the project for new bids.

6.06 Joint Fayetteville State University Wellness/Senior Center Memorandum of Understanding - Capital Project Ordinance 2019-22 for Senior Center East

This item was pulled for discussion and a separate vote.

Mr. Kristoff Bauer, Deputy City Manager, stated this item is related to a memorandum of understanding for a partnership regarding property acquisition for the Fayetteville State University Student Wellness Center and City Senior Center.

MOTION: Council Member Culliton moved to approve the Joint Fayetteville State University Wellness/Senior Center Memorandum of Understanding - Capital Project Ordinance 2019-22 for Senior Center East.

SECOND: Council member Wright

VOTE: UNANIMOUS (10-0)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Planning Commission Annual Report FY 17-18

Pastor Christopher Davis, Planning Commission Chair, presented this item and stated the Planning Commission holds public meetings and hearings to make recommendations to City Council. This year the Commission held eight public hearings for 2018, five hearings being text amendments to Unified Development Ordinance (UDO), two hearings related to neighborhood compatibility permits and one hearing for an alternative plan for signage. Pastor Davis stated the Commission also routinely heard presentations regarding areas around the City such as the Haymont Study.

MOTION: Council Member Arp moved to approve the Planning Commission Annual Report FY 17-18.

SECOND: Council Member Waddell

VOTE: UNANIMOUS (10-0)

7.02 2017-2018 Annual Report for the Fayetteville Metropolitan Housing Authority

Ms. Dawn Weeks, Executive Director of Fayetteville Metropolitan Housing Authority, presented this item and stated the Metropolitan Housing Authority is a governmental entity that provides affordable housing for the Fayetteville/Cumberland County area and is made up of eight board members appointed by the Mayor. The Metropolitan Housing Authority currently administers four programs: Public Housing; Section 8; Veterans Administration Supported Housing (VASH); and Rental Assistance Demonstration Program (RAD). Ms. Weeks stated in 2009 the Housing Authority was awarded a HOPE VI grant to demolish Campbell Terrance and Delona Gardens housing totaling 249 units and to build new updated units. To date 542 units have been rebuilt. Ms. Weeks stated the programs are going well, and occupancy is always high.

Discussion ensued.

MOTION: Council Member Mohn moved to approve the 2017-2018 Annual Report for the Fayetteville Metropolitan Housing Authority.

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

8.0 PUBLIC FORUM

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Ms. Anna Chott, 310 Green Street, Fayetteville, NC, provided an overview of the Habitat for Humanity Young Professionals and AmriCorps.

Ms. Harmony Sell, 3805 Raeford Road, Fayetteville, NC, expressed concerns with the taxi industry in the community and at the airport.

9.0 PUBLIC HEARINGS

9.01 P18-37F. The issuance of a Special Use Permit to allow the construction of three commercial buildings in the Neighborhood Commercial (NC) Zoning District located at 8108 Cliffdale Road (Tax Map # 9487-67-2228) at the intersection of Cliffdale Road and Prestige Boulevard

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the applicant is looking to construct three commercial use buildings over 7,500 square feet which is what prompted the special use permit requirement. Most of the area is zoned neighborhood/commercial however the land use plan calls for heavy commercial use. Mr. Harmon stated the property is located at 8108 Cliffdale Road and is just over 2 acres. The City's staff and Zoning Commission did recommend approval. A Special Use Permit shall be approved only upon a finding that all the following standards are met:

- (1) The special use will comply with all applicable standards in Section 30-4.C, Use-Special Standards;
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- (3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
- (4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
- (5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- (6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
- (7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
- (8) The special use complies with all other relevant City, State, and Federal laws and regulations.

Discussion ensued regarding Type D buffering.

This is the advertised public hearing set for this date and time. The public hearing was opened.

Mr. George Rose, 1206 Longleaf Drive, Fayetteville, NC 28305, appeared in favor and stated he is the engineer for the project.

There being no one further to speak, the public hearing was closed.

Discussion ensued.

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MOTION: Council Member Mohn moved to approve the Special Use Permit (SUP) in a NC Neighborhood Commercial district, as presented by staff, based on the standards of the City's development code and the evidence presented during this hearing. And that the application is consistent with the applicable plan because (1) the development is located in a Neighborhood Commercial District, (2) the City's Future Land Use Plan calls for Heavy Commercial on this property, (3) this use complies with the eight findings of fact listed above, (4) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area, and (5) the City Council added the condition that the cut-through on the median off Prestige Boulevard not be allowed as recommended by the City's Traffic Engineers and TRC. This Special Use Permit shall become effective ten days after its approval by the City Council, which is December 20, 2018. The SUP shall expire one year from its effective date if a building permit is not issued within that time.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

10.0 OTHER ITEMS OF BUSINESS

10.01 Report by RSM US LLP of the Audit and Financial Results for the Year Ended June 30, 2018

Mr. Jay Toland, Interim Chief Financial Officer, introduced Mr. Robby Bittner, Senior Account Manager for the auditing firm RSM. Mr. Bittner presented this item with the aid of a PowerPoint presentation.

MOTION: Council Member Wright moved to approve the report by RSM US LLP of the Audit and Financial Results for the Year Ended June 20, 2018.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (9-0)

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:35 p.m.

Respectfully submitted,

JENNIFER L. AYRE
Deputy City Clerk

MITCH COLVIN
Mayor

121018

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FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
COUNCIL CHAMBER
DECEMBER 11, 2018
6:30 P.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (Departed at 6:55 p.m.); Daniel Culliton (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: Council Member Johnny Dawkins (District 5)

Others Present: Alicia Young, Assistant City Attorney
Brandon Christian, Police Attorney
Giselle Rodriguez, City Engineer
Jonathan Charleston, Attorney
Keith Johnson, Attorney
George Oliver, Attorney
Larry Walsh, River Landing Center, LLC
David Ferrell, Attorney
Jimmy Kizer, Moorman, Kizer & Reitzel, Inc.
Jennifer Ayre, Deputy City Clerk

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 6:47 p.m.

2.0 INVOCATION

The invocation was offered by Council Member Wright.

3.0 APPROVAL OF THE AGENDA

MOTION: Council Member Arp moved to approve the agenda.
SECOND: Council Member Wright
VOTE: UNANIMOUS (9-0)

4.0 ITEMS OF BUSINESS

4.01 Commencement of the hearing on Appeal of an Assessment of Civil Penalties for Violations of the City of Fayetteville's Stormwater Management Ordinance in the Liberty Hills Subdivision

Mayor Colvin stated the process must be fair and impartial. The decision reached by the body must be based only upon the evidence presented at this hearing, and cannot be based upon anything a member of the body has learned or been informed of previously. If a Council member has information regarding the matter, he or she must not consider it in any way during the proceeding. Mayor Colvin further stated if any member of the Council believes that he or she cannot participate in the proceedings, to please ask for an excusal at this time.

Council Member Jensen requested excusal from participating in the meeting based on personal prior experience of the subject matter as well as prior feelings she does not believe she can act impartially on the appeal.

MOTION: Council Member Mohn moved to excuse Council Member Jensen from the proceedings.
SECOND: Council Member Arp
VOTE: UNANIMOUS (8-0)

City Council heard arguments for the two motions that were filed with the City Clerk. The first motion filed was from the City Engineer to define the scope of the appeal and the second motion filed was from

DRAFT

the appellants (River Landing Center and Moorman, Kizer & Reitzel) to dismiss the notice of violations or alternatively refer the matter to an Administrative Law Judge (ALJ). The Council heard the appellants' joint motion first.

Mr. David Ferrell, attorney representing Moorman, Kizer & Reitzel, Inc., stated that the appellants wished to contend that there was no design flaw in the stormwater control system at issue, and that even if there was a design flaw, it did not cause the drainage issues and alleged damages. Mr. Ferrell stated that based on exhibits presented to the Council at an earlier meeting, staff made it seem that they already knew what was wrong and that it was a design flaw. He further stated that because the City Council had already awarded public monies to correct damages from the alleged design flaw, the Council had, in essence, pre-judged the case. Therefore based upon controlling caselaw, the Council had bias that could not be overcome. Mr. Ferrell stated that based on State Statute § 7A-758, city councils are allowed to request an ALJ through the Office of Administrative Hearings to hear the case, as a means of removing the potential for bias. Having an ALJ hear the case would be no charge to the City or any party in the matter, also the hearing could be heard wherever City Council requests. Mr. Ferrell stated that the trial of the case and the hearing of the matter could be a logistical nightmare due to the requirements that must be proved and could go on for an extended period of time due to the scheduling restraints of City Council members and any parties related to the matter.

Mr. George Oliver, attorney representing River Landing Center, LLC, stated River Landing Center filed a joint motion with Moorman, Kizer & Reitzel. Mr. Oliver stated much of the concern has to do with the appearance of impropriety. Mr. Oliver stated there is a lot of money at stake and there is a direct economic interest in the proceedings of this hearing; the motion to request an Administrative Law Judge could take care of the appearance of impropriety. Mr. Oliver respectfully asked Council to step aside and allow an ALJ to hear the matter.

Mr. Keith Johnson, attorney representing the City Engineer, stated the City Engineer does not object to the motion allowing an ALJ to preside over the hearing. Mr. Johnson stated if the Council chooses to hear the appeal, it would require each Council member to prove impartiality. A PowerPoint presentation was shown regarding State Statute § 160A-388(e)(2) regarding proving how impartiality can be established.

Mr. Johnson stated there are a few options with an ALJ. If requesting an ALJ to hear the appeal, logistically the Mayor would request the ALJ to hear the appeal and be very specific in what is requesting to be heard. Mr. Johnson urged that there be an agreement stating whatever decision comes from the ALJ would be subject to review in court pursuant to State Statute § 160A-393.

Mr. Ferrell was in agreement to working with Council to move the hearing forward and had no objections to have the hearings done as soon as possible. Mr. Oliver was also in agreement.

Mr. Brandon Christian, Police Attorney and Advisor to the City Council, asked if the civil penalty were upheld, where would it go. Mr. Johnson responded the civil penalties would go into the general storm water fund.

Mr. Christian advised the Council that the City has the authority to request an ALJ to hear the matter regardless of whether the Council believes it has an impermissible bias and the motion is being brought based on both a concern regarding bias and a concern about the logistical difficulties an appeal hearing would engender. Mr. Christian also noted that if the appeal is referred to an ALJ, the City Engineer's motion to limit the scope of the appeal to the amount of the penalties only would remain pending and the ALJ would rule on that motion in first instance.

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Mr. Johnson stated part of the motion would also be to have the hearing in Fayetteville.

4.01a Motion to Determine Scope of Appeal and to Dismiss/Refer matter to ALJ for Determination

MOTION: On appellants' motion to refer the appeal in its entirety to the Office of Administrative Hearing for referral to an Administrative Law Judge to step fully into the City Council's place and make all findings of fact, conclusions of law, and entries of judgment on behalf of the City Council with the only appeal able to be taken in the nature of certiorari to the Superior Court of Cumberland County; further understanding that the City Council's authority is unable to alter the jurisdiction or authority of the United States Bankruptcy Court.

VOTE: UNANIMOUS (8-0)

In light of the Council's decision to refer the entirety of the appeal to an Administrative Law Judge, all remaining motions must be reserved for consideration by the ALJ. Therefore, the remaining issues raised by the filed motions were not heard.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:53 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk

MITCH COLVIN
Mayor

121118

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-577

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.02

TO: Mayor and Members of City Council

THRU: Telly Whitfield, Assistant City Manager

FROM: Michael Gibson, Parks, Recreation and Maintenance Director

DATE: January 14, 2019

RE:

Gateway Definition and Sign Locations

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal 4: Desirable Place to Live, Work and Recreate

Executive Summary:

On December 4, 2018 at a Gateway Committee meeting, Council Member Waddell requested taking the definition of Gateway before Council to vote on. At the February 6, 2018 Gateway Committee meeting, the consensus was that one quarter of a mile from a major intersection will be recommended to define the term "Gateway". The nine (9) major gateways that have been identified currently by staff and approved by the Gateway Committee are Murchison Road, Ramsey Street, Hwy 24, Raeford Road, Hwy 301, Bragg Boulevard, NC87, Hope Mills, and Legion Road.

Background:

The Gateway Committee recommended replacement of signage throughout the City of Fayetteville. Staff has since worked diligently with an architect to develop and refine a variety of sign options for placement throughout the City. Consideration was given to ensure aesthetically pleasing concepts displaying continuity in signage throughout Fayetteville.

Signage has been placed on Murchison Road, Ramsey Street, Hwy 24, Raeford Road, Hwy 301, and Bragg Boulevard. Signage will be placed on NC87, Hope Mills, and Legion Road.

Issues/Analysis:

N/A

Budget Impact:

N/A

Options:

City Council moves to approve the Gateway locations and definition provided by the Gateway Committee.

City Council does not move to approve the Gateway locations and definition provided by the Gateway Committee.

Recommended Action:

Approve the Gateway locations and definition provided by the Gateway Committee.

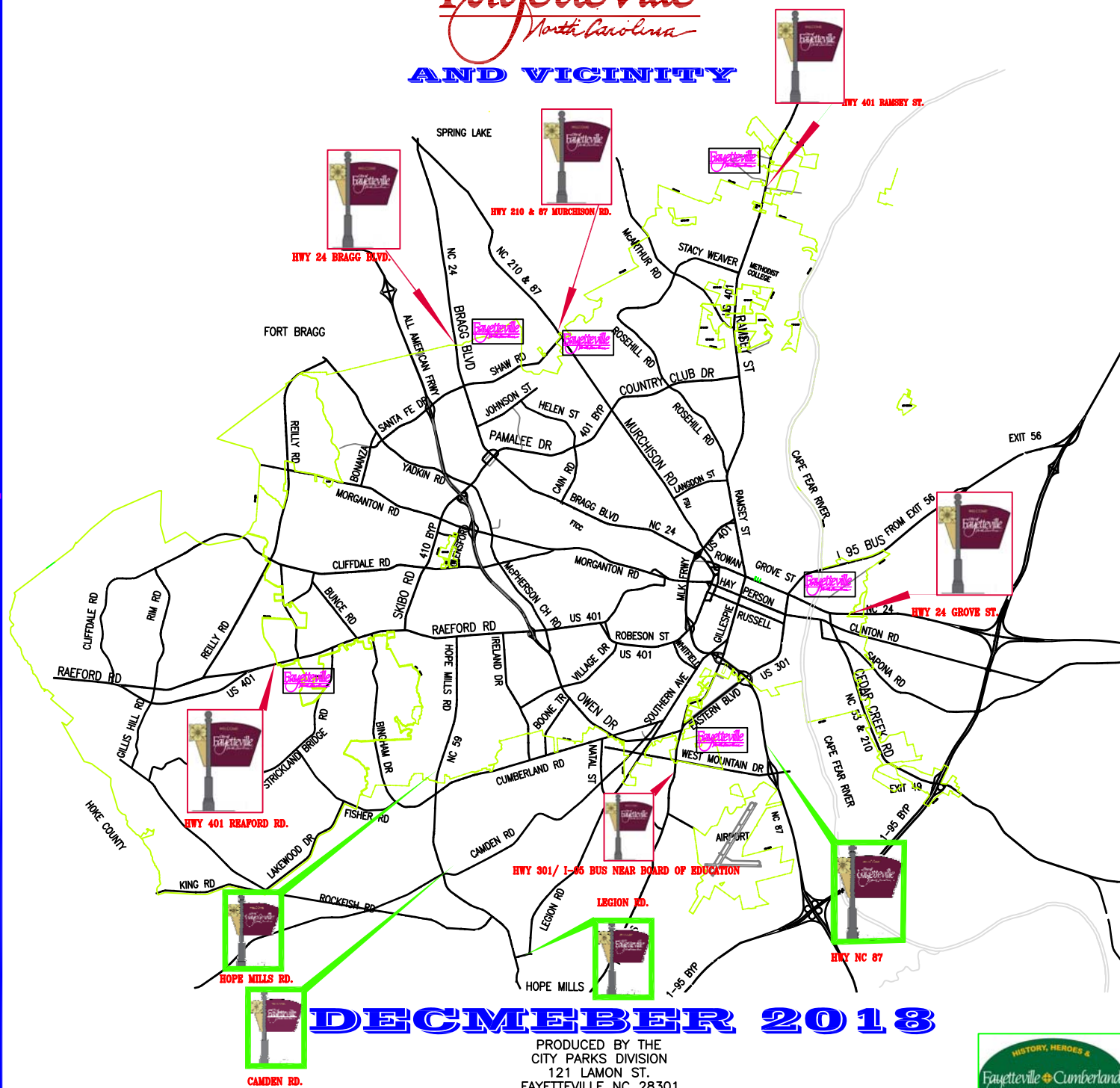
Attachments:

City Basemap_GATEWAY2018_INDENTIFIED_SITE Model_Revised.pdf

GATEWAYS IDENTIFIED SITES

Fayetteville
North Carolina

AND VICINITY



DECEMBER 2018

PRODUCED BY THE
CITY PARKS DIVISION
121 LAMON ST.
FAYETTEVILLE NC 28301
(910) 433-1646



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-578

Agenda Date: 1/14/2019

Version: 2

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.03

TO: Mayor and Members of City Council

THRU: Telly Whitfield, Ph.D., Assistant City Manager

FROM: Michael Gibson, Parks, Recreation and Maintenance Director
Tracey Broyles, Budget and Evaluation Director

DATE: January 14, 2019

RE:

Adoption of Capital Project Ordinance Amendment (CPOA) 2019-26 to
Appropriate Additional Funding for a Hurricane Matthew Recovery Project for
Repair and Relocation of Facilities at 280 Lamon Street

COUNCIL DISTRICT(S):

2

Relationship To Strategic Plan:

Goal 4: The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all residents.

Executive Summary:

Capital Project Ordinance Amendment (CPOA) 2019-26 will appropriate \$36,811 of funding from the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Public Safety (NC DPS) to provide additional resources for a recovery project for two facilities at 280 Lamon Street due to damages sustained during Hurricane Matthew.

Background:

On October 8, 2016, the City experienced high winds and at least 15 inches of rain, which caused Cross Creek to overflow its banks. Due to the overflow, approximately 18 acres of embankment failed and washed away on the west side near 280 Lamon Street.

On November 13, 2017, Council adopted Capital Project Ordinance 2018-25 to appropriate a grant from the Golden Leaf Foundation for repair of damages resulting from Cross Creek bank destabilization in the area of 280 Lamon Street, including: restoration of the slab of the administration building; relocation of a wooden shed to 312 Gray Street; demolition of the storage garage and rebuilding of a new facility at 312 Gray Street; and, other bank stabilization improvements.

At the time of the initial project appropriation, availability of federal and state funding for the project and coordination with the Golden Leaf Foundation grant was still being clarified. At this time, staff requests Council to appropriate \$36,811 of funding from FEMA and NC DPS to supplement the current project appropriation for relocation and repair of the wooden shed and the storage garage.

Issues/Analysis:

FEMA requires adherence to strict procurement and documentation guidelines to qualify for Federal reimbursement of expenditures for response and recovery from natural disasters. City staff is making every effort to comply with those requirements to maximize reimbursement from FEMA, as appropriate.

Budget Impact:

There is no expected impact to the City's General Fund budget as reimbursements from the Golden Leaf Foundation, FEMA and NC DPS are anticipated to fully fund the project.

Options:

- 1) Adopt CPOA 2019-26 to appropriate the additional funding for the 280 Lamon Street facility repairs or relocation.
- 2) Do not adopt CPOA 2019-26 and provide further direction to staff.

Recommended Action:

Staff recommends that Council move to adopt CPOA 2019-26 as presented to appropriate the additional funding for the repair and relocation of facilities at 280 Lamon Street.

Attachments:

Capital Project Ordinance Amendment 2019-26
PW1744 280 Lamon Street Funding Award

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2019-26 (CPO 2018-25)**

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2019-25, adopted effective November 13, 2017 for the funding of a Hurricane Matthew recovery project funded by a Golden LEAF Foundation grant and Federal FEMA and State funds for damages resulting from Cross Creek bank destabilization in the area of 280 Lamon Street, including: restoration of the slab of the administration building; relocation of a wooden shed to 312 Gray Street; demolition of the storage garage and rebuilding of a new facility at 312 Gray Street; and, other bank stabilization improvements.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	Listed As	Amendment	Revised
State of North Carolina Grant, passed through the Golden LEAF Foundation	\$ 275,822	\$ -	\$ 275,822
Federal Emergency Management Agency	-	27,608	27,608
NC Department of Public Safety	-	9,203	9,203
	<u>\$ 275,822</u>	<u>\$ 36,811</u>	<u>\$ 312,633</u>

Section 4. The following amounts are appropriated for the project:

	Listed As	Amendment	Revised
Project Expenditures	<u>\$ 275,822</u>	<u>\$ 36,811</u>	<u>\$ 312,633</u>

Section 5. Copies of this capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the project.

Section 6. The City Manager is hereby authorized and directed to take such action as he may deem necessary or appropriate to execute this ordinance.

Adopted this 14th day of January, 2019.



North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

May 1, 2018

Ms. Cheryl Spivey
CFO
Fayetteville, City Of
433 Hay ST
Fayetteville, NC 28301-5537



RE: FEMA - 4285-DR-NC
Applicant ID#: 051-22920-00
PW- 1744(0) for \$36811.31

Dear Ms. Cheryl Spivey:

Enclosed is a copy of your supplemental project application package that has been approved by the Federal Emergency Management Agency / Department of Homeland Security under Catalogue of Federal Domestic Assistance (CFDA) number 97.036 for '*Disaster Grants - Public Assistance (Presidentially Declared Disasters)*'. Please note the Project Application Summary lists the approved amounts from the Project Worksheet(s) (PW's) and the allowed administrative costs.

Please provide information concerning insurance settlements as soon as possible when applicable to any of your PW's so that we may expedite funding. Only uninsured losses for eligible work may receive funding. Also, it is necessary to ascertain that there is no duplication of benefits in the funding of the project work. Individual PW's equal to or greater than \$123100 are considered large projects. These PW's will be reimbursed based on actual **documented** expenditures. Prior to completion of any large project, the maximum payment will be 75% of the Obligated Project Cost. The final 25% of the total Obligated Project Cost will be paid following a final inspection. **PW's less than \$123100 will be reimbursed the total Obligated Project Cost upon approval.**

Reimbursement request and summary of documentation forms are enclosed for large projects. These forms must be completed and returned before any large project payments are authorized. Small projects are paid upon obligation after all special considerations have been resolved. Clear and concise backup documentation that justify all costs must accompany these forms. Administrative allocations can be reimbursed per Project Worksheet based on supporting documentation by the applicant.

Pursuant to Title 44 of the Code of Federal Regulations (CFR), Section 13.40, the North Carolina Division of Emergency Management is required to submit progress reports to the Federal Emergency Management Agency for every disaster assistance grant. Accordingly, each disaster assistance applicant (subgrantee) must submit monthly progress reports for all open large project grants to the N.C. Division of Emergency Management.

MAILING ADDRESS:
4236 Mail Service Center
Raleigh NC 27699-4236
www.ncdps.gov
www.readync.org



OFFICE LOCATION:
1636 Gold Star Drive
Raleigh, NC 27607-3371
Telephone: (919) 825-2500
Fax: (919) 825-2685

An Equal Opportunity Employer

Ms. Cheryl Spivey
May 1, 2018
Page Two

Enclosed, you will find a sample Progress Report form that you may use to report progress for each open large project. However, you may use any format to report progress for these grants as long as the information contained on the sample form is included. The first Progress Report will be due on the 10th day of the month following receipt of the letter, and subsequent Progress Reports will be due on the 10th day of each month thereafter until project completion. Please refer to the Public Assistance Program and Policy Guide (January 2016), Pages 140-141 for more information regarding progress-reporting requirements.

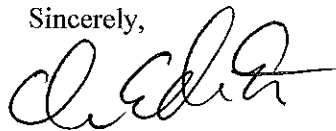
As the applicant, you have the right to appeal through the Grantee (N.C. Emergency Management Public Assistance) within 60 days from the receipt of a notice of an action or decision. Information on appeals is referenced in the "Public Assistance Program and Policy Guide (January 2016)," pp. 139-140, and in CFR §206.606.

You are required to complete work within each PW's approved scope of work. Please comply with all necessary project management procedures to ensure that funds are expended in an appropriate manner.

TYPE OF WORK	WORK COMPLETION DATE
Emergency (Categories A-B)	6 Months
Permanent (Categories C-G)	18 Months

All accounting records should be maintained for three (3) years following closeout of your disaster file. In addition, all projects are subject to audit by the FEMA Office of Inspector General. If you have any questions, please contact Andy Andrews, Grants Manager of North Carolina Division of Emergency Management, Public Assistance office at (919) 825-2561.

Sincerely,



Andrew Innis
Public Assistance Manager

AI/wle

Enclosures

PW-1744(0) for \$36811.31

Report Generated on:	05/01/2018 18:32
Data Captured As Of:	05/01/2018 18:32
Disaster Number:	4285
Bundle:	PA-04-NC-4285-PW-01744

Capture Date: 05/01/2018 18:32				
Federal Emergency Management Agency				
Project Application Grant Report (P.2)				
Disaster: FEMA-4285-DR-NC				
Number of Records: 3				
Applicant ID: 051-22920-00 Bundle # : PA-04-NC-4285-PW-01744(1899)		Applicant: FAYETTEVILLE		
PW #	Cat	Cost Share	Projected Completion Date	Approved PW Amount (\$)
PA-04-NC-4285-PW-01744(0)	E	N	04-10-2018	36,811.31
Facility Number:	1			
Facility Name:	Administration Building			
Location:	258 Lamon Street; Fayetteville, NC 28301 GPS: 35.057178, -78.871307			
Scope of Work:	<p>The administration building at Lamon Street has damages that were deemed pre-existing. The location of the cracks and damage relative to the slope failure were not consistent. Also, there was not any visible damage to any part of the building near the location of the slope failure.</p> <p>Fleming & Associates, a contractor hired by the applicant, did an assessment of the administration building and has determined that the building would need helical piers to strengthen the foundation once the slope failure has been repaired and stabilized. The cost for helical piers (56) is approximately \$75,000 and the estimated cost of interior and exterior repairs would approximately be \$25,000.00.</p> <p>Total estimated cost to repair building back to pre-disaster condition would be \$100,000.00.</p> <p>Project Note: A determination memo has be written and attached to this project and approved by FEMA. Approval of determination memo by the State of North Carolina will be determined after the project is awarded to The State of North Carolina.</p>			
Facility Number:	2			
Facility Name:	Athletic Storage Garage			
Location:	258 Lamon Street; Fayetteville, NC 28301 GPS: 35.056775, -78.871244			
Scope of Work:	<p>The applicant contracted with Fleming and Associated to conduct a visual structural inspection on the buildings. The engineer was unable to determine if Hurricane Matthew caused the damages but it was likely that the bank erosion may have contributed to the damages that were observed.</p> <p>Once the bank stabilization has occurred the applicant will utilize several contractors to repair the athletic storage garage to pre-disaster condition.</p> <ul style="list-style-type: none"> Ram Jack has provided a quoted to restore and stabilize the building foundation back to pre-disaster condition. The athletic building will need approximately 25 helical piles installed and driven to a depth of 20' to support the foundation. In addition to the helical piles 15 tie back will need to be installed on the rear portion of the building to accommodate the possibility of the riverbank failing further. The total cost of the work to be completed by Ram Jack to include all work, permits, and engineering is \$55,454.38. The athletic building will also need minor repair work (tuck-pointing) along the blocks to fill in 			

Capture Date: 05/01/2018 18:32	
Federal Emergency Management Agency	
Project Application Grant Report (P.2)	
Disaster: FEMA-4285-DR-NC	
Number of Records: 3	
	<p>cracks and gap that occurred when the building foundation sank. The cost of pointing the building is \$7.50 SF for a total of \$12,750.00.</p> <ul style="list-style-type: none"> The athletic building foundation will also need to be level due to the 9.5" downward slope that has occurred. Seller's concrete has provided an estimate to bring the building back to pre-disaster level. The cost to level the foundation, to include leveling tie in at the garage door entrance, will be \$14,500.00. The applicant has proposed to rebuild the athletic storage building away from the embankment and outside the flood zone in order to prevent further damage. This will be an alternate project and has been approved by the State. <p>Project Notes: See attachment for Insurance concerning Buildings</p>
Facility Number:	3
Facility Name:	Athletic Storage Shed
Location:	258 Lamon Street; Fayetteville, NC 28301 GPS: 35.056871, -78.871204
Scope of Work:	<p>The athletic storage shed foundation has sunken due to the embankment failure. It is the recommendation from the engineer that this building be removed from the wood foundation and be re-installed on an adequate foundation that is designed by an engineer to meet current codes and standards. The estimated cost of this move is \$30,000.00</p> <p>PROJECT NOTES: See attachment in Insurance concerning Buildings</p> <p>DIRECT ADMINISTRATIVE COSTS: The Sub-grantee is not requesting direct administrative costs that are directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other Sub-grantee activities and are not included in any approved indirect cost rates.</p> <p>HAZARD MITIGATION: Mitigation was discussed with the Applicant. Work Completed, no add-on mitigation was identified.</p> <p>PROCUREMENT: The Sub-grantee was advised by FEMA PAC and/or Project Specialist that in the seeking of proposals and letting of contracts for eligible work, the Sub-grantee must comply with its Local, State and/or Federal procurement laws, regulations, and procedures as required by 2 CFR 317-326.</p> <p>RECORD RETENTION: As described in 2 CFR 200.33 Sub-grantee must maintain all work-related records for a period of three (3) years from Sub-grantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs.</p> <p>PERMITS: Federal Funding is contingent upon acquiring all necessary Federal, State and Local permits. Noncompliance with this requirement may jeopardize the receipt of federal funds. The Sub-grantee is responsible for obtaining all required permits prior to the commencement of work.</p> <p>ENVIRONMENTAL AND HISTORIC PRESERVATION: Sub-grantee must comply with all applicable environmental and historic preservation laws. Federal funding is contingent upon acquiring all necessary Federal, State and Local permits. Noncompliance with this requirement may jeopardize the receipt of federal funds.</p> <p>CHANGES TO SCOPE OF WORK DESCRIBED IN THIS PW/SA (SUB-GRANT APPLICATION): The Sub-grantee shall comply with all applicable codes and standards in the completion of eligible work to repair or replace damaged public facilities. Any change to the approved scope of work on a Project Worksheet (PW/SA) must be reported and approved before work begins. Failure to report</p>

Capture Date: 05/01/2018 18:32			
Federal Emergency Management Agency			
Project Application Grant Report (P.2)			
Disaster: FEMA-4285-DR-NC			
Number of Records: 3			
		<p>changes may jeopardize Federal and State funding. In the case of a change in scope of work, the applicant should immediately notify, North Carolina Division of Emergency Management prior to starting work.</p> <p>INSURANCE REVIEW: The Sub-grantee is aware that all projects are subject to an insurance review as stated in 44 C.F.R. Sections 206.252 and 206.253. If applicable, an insurance determination will be made either as anticipated proceeds or actual proceeds in accordance with the Sub-grantee's insurance policy which may affect the total amount of the project. Approval of this project may result in an obtain/maintain insurance requirement. The Sub-grantee must comply with insurance reviewer terms and conditions upon receipt of Sub-grant from the State.</p>	
1 PW	PWs (\$)	Subgrantee Admin Exp. (\$)	Total (\$)
Amount Eligible (\$)	36,811.31	0.00	36,811.31
Federal Share (\$)	27,608.48	0.00	27,608.48

PA-04-NC-4285-PW-01744(0) <u>P</u>	
Applicant Name:	Application Title:
FAYETTEVILLE	4-E0305 Fayetteville Lamon Street Buildings
Period of Performance Start:	Period of Performance End:
10-10-2016	04-10-2018

Bundle Reference # (Amendment #)	Date Awarded
PA-04-NC-4285-PW-01744(1899)	04-27-2018

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET

DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	4285 - DR - NC	4-E0305	051-22920-00	09-21-2017	E
APPLICANT: FAYETTEVILLE				WORK COMPLETE AS OF: 09-20-2017 : 0 %	
Site 1 of 3					
DAMAGED FACILITY:			COUNTY: Cumberland		
Administration Building					
LOCATION:			LATITUDE:	LONGITUDE:	
PA-04-NC-4285-PW-01744(0): 258 Lamon Street, Fayetteville, NC 28301			35.057178	-78.871307	
GPS: 35.057178, -78.871307					
Current Version:					
DAMAGE DESCRIPTION AND DIMENSIONS:					
<p>PA-04-NC-4285-PW-01744(0): Hurricane Matthew, a major Category 4 event entered the southern border of North Carolina on October 4, 2016 and traveled north leaving in its path widespread torrential rainfall, hurricane force winds, record level tidal action and record breaking flooding throughout the Central and Eastern North Carolina Counties.</p> <p>During the incident period of October 4th – 24th, 2016; The City of Fayetteville experienced an increase in rainfall and high waters. The increase caused the portion of Cross Creek to rise and flow at unexpected levels. The increased flow and water caused approximately 31,000 CY {380' (L) x 55' (D) x 40' (W)} of embankment to fail and wash away along the west side near 280 Lamon Street.</p> <p>The embankment is in need of repair in order for greenway path and building repairs to be effective, this will be covered in another project worksheet. The embankment failure has caused the asphalt greenway path to collapse in the vicinity of the administration building and the start of becoming undermine by the athletic storage buildings.</p> <p>The administration building was constructed in 1958 and is a pre-engineered metal building on a concrete slab (40' (W) X 100' (L)). The downstairs of the building in the south east corner has a few noticeable crack in the conference room and along the floor in the hallway. There is a 3' long 3/4" wide crack in the south east office and in in line with the crack in the hallway. This line extends to the outside with a crack in the cinder block outside the office. The north east corner of the building is approximately 17' from the greenway embankment failure and has 2 visible cracks in the foundation but no visible damage or crack on the interior or exterior of the building.</p> <p>Current Version:</p>					
SCOPE OF WORK:					
<p>PA-04-NC-4285-PW-01744(0): The administration building at Lamon Street has damages that were deemed pre-existing. The location of the cracks and damage relative</p>					

to the slope failure were not consistent. Also, there was not any visible damage to any part of the building near the location of the slope failure.

Fleming & Associates, a contractor hired by the applicant, did an assessment of the administration building and has determined that the building would need helical piers to strengthen the foundation once the slope failure has been repaired and stabilized. The cost for helical piers (56) is approximately \$75,000 and the estimated cost of interior and exterior repairs would approximately be \$25,000.00.

Total estimated cost to repair building back to pre-disaster condition would be \$100,000.00.

Project Note:

A determination memo has be written and attached to this project and approved by FEMA. Approval of determination memo by the State of North Carolina will be determined after the project is awarded to The State of North Carolina.

Current Version:

Site 2 of 3

DAMAGED FACILITY:

Athletic Storage Garage

COUNTY: Cumberland

LOCATION:

PA-04-NC-4285-PW-01744(0):
258 Lamon Street, Fayetteville, NC 28301

LATITUDE:
35.056775

LONGITUDE:
-78.871244

GPS: 35.056775, -78.871244

Current Version:

DAMAGE DESCRIPTION AND DIMENSIONS:

PA-04-NC-4285-PW-01744(0):

The athletic storage building/garage was constructed in 1958 and is built using concrete masonry unit block walls and manufactured roof trusses on a concrete slab (32' (W) X 40' (L)) approximately 1700 SF. There are multiple visible step cracks along the inner and outer walls and a noticeable downward slope in the floor. There is also an approximate 3" gap between the exterior approach apron slab and the west exterior wall. The building is located approximately 10' away from the greenway embankment failure. It is presumed that the embankment failure is the cause of the athletic storage building damages.

Current Version:

SCOPE OF WORK:

PA-04-NC-4285-PW-01744(0):

The applicant contracted with Fleming and Associated to conduct a visual structural inspection on the buildings. The engineer was unable to determine if Hurricane Matthew caused the damages but it was likely that the bank erosion may have contributed to the damages that were observed.

Once the bank stabilization has occurred the applicant will utilize several contractors to repair the athletic storage garage to pre-disaster condition.

- Ram Jack has provided a quoted to restore and stabilize the building foundation back to pre-disaster condition. The athletic building will need approximately 25 helical piles installed and driven to a depth of 20' to support the foundation. In addition to the helical piles 15 tie back will need to be installed on the rear portion of the building to accommodate the possibility of the riverbank failing further. The total cost of the work to be completed by Ram Jack to include all work, permits, and engineering is \$55,454.38.
- The athletic building will also need minor repair work (tuck-pointing) along the blocks to fill in cracks and gap that occurred when the building foundation sank. The cost of pointing the building is \$7.50 SF for a total of \$12,750.00.
- The athletic building foundation will also need to be level due to the 9.5" downward slope that has occurred. Seller's concrete has provided an estimate to bring the building back to pre-disaster level. The cost to level the foundation, to include leveling tie in at the garage door entrance, will be \$14,500.00.
- The applicant has proposed to rebuild the athletic storage building away from the embankment and outside the flood zone in order to prevent further damage. This will be an alternate project and has been approved by the State.

Project Notes: See attachment for Insurance concerning Buildings

Current Version:

Site 3 of 3

DAMAGED FACILITY:

Athletic Storage Shed

COUNTY: Cumberland

LOCATION:

LATITUDE:
35.056871

LONGITUDE:
-78.871204

PA-04-NC-4285-PW-01744(0):
258 Lamon Street, Fayetteville, NC 28301

GPS: 35.056871, -78.871204

Current Version:

DAMAGE DESCRIPTION AND DIMENSIONS:

PA-04-NC-4285-PW-01744(0):

The athletic storage shed is a wood frame construction building and shingled roof resting on a wood foundation. It is unknown when the building was constructed. The shed is 14' (W) X 24' (L) approximately 300 SF. No damage was noted on the building itself but the floor has a noticeable slope toward the creek or the east side of the building. Shear crack are noticeable on the asphalt pavement directly behind the building and parallel to the creek.

Current Version:

SCOPE OF WORK:

PA-04-NC-4285-PW-01744(0):

The athletic storage shed foundation has sunken due to the embankment failure. It is the recommendation from the engineer that this building be removed from the wood foundation and be re-installed on an adequate foundation that is designed by an engineer to meet current codes and standards. The estimated cost of this move is \$30,000.00

PROJECT NOTES: See attachment in Insurance concerning Buildings

DIRECT ADMINISTRATIVE COSTS: The Sub-grantee is not requesting direct administrative costs that are directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other Sub-grantee activities and are not included in any approved indirect cost rates.

HAZARD MITIGATION: Mitigation was discussed with the Applicant. Work Completed, no add-on mitigation was identified.

PROCUREMENT: The Sub-grantee was advised by FEMA PAC and/or Project Specialist that in the seeking of proposals and letting of contracts for eligible work, the Sub-grantee must comply with its Local, State and/or Federal procurement laws, regulations, and procedures as required by 2 CFR 317-326.

RECORD RETENTION: As described in 2 CFR 200.33 Sub-grantee must maintain all work-related records for a period of three (3) years from Sub-grantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs.

PERMITS: Federal Funding is contingent upon acquiring all necessary Federal, State and Local permits. Noncompliance with this requirement may jeopardize the receipt of federal funds. The Sub-grantee is responsible for obtaining all required permits prior to the commencement of work.

ENVIRONMENTAL AND HISTORIC PRESERVATION: Sub-grantee must comply with all applicable environmental and historic preservation laws. Federal funding is contingent upon acquiring all necessary Federal, State and Local permits. Noncompliance with this requirement may jeopardize the receipt of federal funds.

CHANGES TO SCOPE OF WORK DESCRIBED IN THIS PW/SA (SUB-GRANT APPLICATION): The Sub-grantee shall comply with all applicable codes and standards in the completion of eligible work to repair or replace damaged public facilities. Any change to the approved scope of work on a Project Worksheet (PW/SA) must be reported and approved before work begins. Failure to report changes may jeopardize Federal and State funding. In the case of a change in scope of work, the applicant should immediately notify, North Carolina Division of Emergency Management prior to starting work.

INSURANCE REVIEW: The Sub-grantee is aware that all projects are subject to an insurance review as stated in 44 C.F.R. Sections 206.252 and 206.253. If applicable, an insurance determination will be made either as anticipated proceeds or actual proceeds in accordance with the Sub-grantee's insurance policy which may affect the total amount of the project. Approval of this project may result in an obtain/maintain insurance requirement. The Sub-grantee must comply with insurance reviewer terms and conditions upon receipt of Sub-grant from the State.

Current Version:

Does the Scope of Work change the pre-disaster conditions at the site? ☒ Yes ☐ No

Special Considerations included? ☒ Yes ☐ No

Hazard Mitigation proposal included? ☐ Yes ☒ No

Is there insurance coverage on this facility? ☒ Yes ☐ No

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
		*** Version 0 ***			
		Work To Be Completed			

1	9888	Site 1 Administration Building Work To Be Completed	1/LS	\$ 100,000.00	\$ 100,000.00
2	9888	Site 3 Athletic Storage Shed Work To Be Completed	1/LS	\$ 30,000.00	\$ 30,000.00
3	9888	Site 2 Athletic Storage Garage Work To Be Completed	1/LS	\$ 82,704.38	\$ 82,704.38
		Direct Subgrantee Admin Cost			
4	9903	No Direct Administrative Costs	1/LS	\$ 0.00	\$ 0.00
		Other			
5	9999	Pre-existing damage reduction Site 1	1/LS	\$ -100,000.00	\$ -100,000.00
6	0000	Insurance Adjustments - 5900/5901	0/LS	\$ 0.00	\$ 0.00
		*** Version 0 ***			
7	5902	Mandatory NFIP Reduction - Maximum Proceeds Available (Site# 3)	1/LS	\$ -19,000.00	\$ -19,000.00
8	5902	Mandatory NFIP Reduction - Maximum Proceeds Available (Site# 2)	1/LS	\$ -56,893.07	\$ -56,893.07
				TOTAL COST	\$ 36,811.31
PREPARED BY CHRISTOPHER H FERGUSON		TITLE Project Specialist	SIGNATURE		
APPLICANT REP. Cheryl Spivey		TITLE Chief Financial Officer	SIGNATURE		

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-586

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.04

TO: Mayor and Members of City Council

THRU: Doug Hewett, ICMA - CM, City Manager

FROM: Gina V. Hawkins, Police Chief
Tracey Broyles, Budget and Evaluation Director

DATE: January 14, 2019

RE:

Special Revenue Fund Project Ordinance 2019-8 (FY19 Juvenile Restitution Program)

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal 1: Safe and Secure Community

Executive Summary:

The City has been awarded grant funding for fiscal year 2018-2019 for the Fayetteville-Cumberland County Juvenile Restitution Program. The Juvenile Restitution Program is a sentencing alternative for Fayetteville and Cumberland County youth. Special Revenue Fund Ordinance 2019-8 will appropriate \$77,985 needed for personnel and operating costs for fiscal year 2018-2019. The funding sources for this program are \$53,682 in grant funds awarded by the North Carolina Department of Public Safety, a local match of \$12,152 from Cumberland County and the City's local match of \$12,151.

Background:

The Fayetteville-Cumberland County Juvenile Restitution Program teaches juvenile offenders between the ages of 11 and 16 to accept accountability and responsibility for their actions. Youth are referred to the program to complete court-ordered community service and/or restitution requirements. The City of Fayetteville has participated in this

program since 1991.

Issues/Analysis:

None

Budget Impact:

The City's local match for this grant is funded in the Police Department's General Fund operating budget for fiscal year 2019.

Options:

- 1) Adopt Special Revenue Fund Project Ordinance 2019-8.
- 2) Do not adopt Special Revenue Fund Project Ordinance 2019-8 and provide further direction to staff.

Recommended Action:

Staff recommends that Council move to adopt Special Revenue Fund Project Ordinance 2019-8.

Attachments:

Special Revenue Fund Project Ordinance 2019-8

**SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2019-8**

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

Section 1. The project authorized is for the funding of the Fayetteville-Cumberland Juvenile Restitution Program awarded by the North Carolina Department of Public Safety for FY 2019.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various contract agreements executed with the Federal and State governments and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

N.C. Department of Public Safety	\$ 53,682
Local Match - Cumberland County	12,152
Local Match - City of Fayetteville General Fund Transfer	<u>12,151</u>
	<u><u>\$ 77,985</u></u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u><u>\$ 77,985</u></u>
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Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Section 6. The City Manager is hereby authorized and directed to take such action as he may deem necessary or appropriate to execute this ordinance.

Adopted this 14th day of January, 2019.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-580

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.05

TO: Mayor and Members of City Council

THRU: David W. Trego, CEO/General Manager
Fayetteville Public Works Commission

FROM: Fayetteville Public Works Commission

DATE: January 14, 2019

RE:

Bid Recommendation - Rockfish Creek WRF Filter Rehabilitation

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

Bids were received for the Rockfish Creek Water Reclamation Facility Filter Rehabilitation project. The recommended lowest responsive, responsible bidder is T. A. Loving Company, Construction Services, Goldsboro, NC, in the total amount of \$2,378,114.00.

Background:

The Fayetteville Public Works Commission during their meeting on December 12, 2018, approved the bid recommendation to award the contract for the Rockfish Creek Water Reclamation Facility (WRF) Filter Rehabilitation (subject to an approved budget amendment) to T. A. Loving Company, the lowest responsive, responsible bidder, in the total amount of \$2,378,114.00. The Commission also approved to forward this recommendation to City Council for approval.

Bids were received on November 29, 2018, as follows:

<u>Bidders</u>	<u>Total Cost</u>
T. A. Loving Co., Construction Services, Goldsboro, NC	\$2,378,114.00
Haren Construction Company, Inc., Etowah, TN	\$2,692,000.00
Crowder Construction Company, Apex, NC	\$2,763,800.00
State Utility Contractors, Inc., Monroe, NC	\$4,635,000.00

Issues/Analysis:

This project will require the contractor to provide labor to completely install all owner supplied filter equipment (previously procured under separate contract) in compliance with installation instructions and under the direct review of the filter manufacturer. The contractor shall provide materials and labor necessary to perform crack and spall repairs. Filters 1 thru 6 at the Rockfish Creek WRF are a critical component of the treatment process and were severely damaged in Hurricane Matthew, and these repairs are necessary to return the filters to their original condition and operational efficiency in the treatment process.

This project was bid with a closing date of November 29, 2018, and four bids were received. Addendum #1 issued November 16 provided updates to contract documents and bid form for pricing and provided questions and answers and meeting minutes from the November 8 pre-bid meeting. Addendum #2, issued November 26 provided additional questions and answers and instructed potential bidders to replace the bid unit increase price from 25% to 20% and to correct the item numbering sequence on the bid form. When the bids were opened, examination of the bid documents revealed that the apparent low bidder, T.A. Loving Company did not acknowledge receipt of bid Addendum #2 in their package. However, review conducted by PWC determined that the T.A. Loving Company acted to incorporate the changes direct in Addendum #2 in their bid showed pen and ink changes from 25% to 20% for the unit bid amounts and pin and ink changes to the item numbering sequence. Based upon their actions to incorporate these changes, T. A. Loving's omission acknowledgement of Addendum #2 may be waived. PWC has worked with the T. A. Loving Company on similar projects including recent work at the Rockfish Creek WRF. T. A. Loving's bid was the lowest responsive and responsible bid and award is recommended to T. A. Loving.

SDBE: The bidder intends to subcontract for electrical work with Via Electric Company, Madison, NC, a woman owned firm, and the bidder intends to subcontract with CMT, Asheville, NC, a woman owned firm for concrete work.

LOCAL: No local bidders responded to this bid opportunity.

Budget Impact:

This project is identified in the CIP under WS44 and the budget code is CPR1000333. As stated above, the contract award will not be made until a budget amendment is approved that identifies source(s) and amount of funding necessary for the contract and

associated project costs. A budget amendment will be necessary to cover final cost estimates of the project including construction costs and construction management oversight.

Options:

N/A

Recommended Action:

The Fayetteville Public Works Commission recommends the Fayetteville City Council award the contract for the Rockfish Creek Water Reclamation Facility Filter Rehabilitation to T. A. Loving Company, Construction Services, Goldsboro, NC, the lowest responsible, responsive bidder, in the total amount of \$2,378,114.00.

Attachments:

Bid Recommendation - Rockfish Creek Water Reclamation Facility Filter Rehab

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: David W. Trego, CEO/General Manager

DATE: December 6, 2018

FROM: Trent K. Ensley, Procurement Manager

.....

ACTION REQUESTED: Approve contract award for Rockfish Creek Water Reclamation Facility (WRF) Filter Rehabilitation to T.A. Loving Company, subject to an approved budget amendment. This project will require the contractor to provide labor to completely install all Owner supplied filter equipment (previously procured under separate contract) in compliance with installation instructions and under the direct review of the filter manufacturer. The Contractor shall provide materials and labor necessary to perform crack and spall repairs. Filters 1 - 6 at the Rockfish Creek WRF are a critical component of the treatment process and were severely damaged in Hurricane Matthew and these repairs are necessary to return the filters to their original condition and operational efficiency in the treatment process. Funding will be subject to an insurance review and determination of reimbursement amounts from insurance. Funding for this project is subject to approval of a budget amendment which will designate the amount and type of funds for this contract, including amounts for other associated project costs such as construction management/observation. As such, contract award will not be made until an appropriate budget amendment is approved.

.....

BID/PROJECT NAME: Rockfish Creek Water Reclamation Facility Filter Rehabilitation.

BID DATE: November 29, 2018

DEPARTMENT: Water Resources Engineering

BUDGET INFORMATION: This project is identified in the Capital Improvement Program under WS 44 and the budget code is CPR 1000333. As stated above contract award will not be made until a budget amendment is approved that identifies source(s) and amount of funding necessary for the contract and associated project costs. Based upon the bids received, the projected contract amount is \$2,378,114.00. A budget amendment of \$ 1,054,290.00 will be necessary to cover final cost estimates of the project including construction costs and construction management oversight.

.....

BIDDERS	TOTAL COST
T.A. Loving Company, Construction Services, Goldsboro, NC	\$2,378,114.00
Haren Construction Company, Inc., Etowah, TN	\$2,692,000.00
Crowder Construction Company, Apex, NC	\$2,763,800.00
State Utility Contractors, Inc., Monroe, NC	\$4,635,000.00

.....

AWARD RECOMMENDED TO: T.A. Loving Company, Construction Services, Goldsboro, NC

BASIS OF AWARD: Lowest responsive, responsible bidder

.....

COMMENTS: This project was bid with a closing date of November 29, 2018 and four bids were received. Addendum #1 issued November 16 provided updates to contract documents and bid form for pricing and provided questions and answers and meeting minutes from the November 8 pre-bid meeting. Addendum #2, issued November 26 provided additional questions and answers and instructed potential bidders to replace the bid unit increase price from 25% to 20% and to correct the item numbering sequence on the bid form. When the bids were opened, examination of the bid documents revealed that the apparent low bidder, T.A. Loving Company, did not acknowledge receipt of bid Addendum #2 in their package. However, review conducted by PWC determined that the T.A. Loving Company acted to incorporate the changes directed in Addendum #2 in their bid showed pen and ink changes from 25% to 20% for the unit bid amounts and pen and ink changes to the item numbering sequence. Based upon their actions to incorporate these changes, TA Loving's omission of acknowledgement of Addendum #2 may be waived. PWC has worked with the T.A. Loving Company on similar projects including recent work at the Rockfish Creek WRF. T.A. Loving's bid was the lowest responsive and responsible bid and award is recommended to T.A. Loving.

.....

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY
ROCKFISH CREEK WATER RECLAMATION FACILITY FILTER
REHABILITATION
BID DATE: NOVEMBER 29, 2018

Consulting Engineer

Hazen and Sawyer, Raleigh, NC

Advertisement

- | | | |
|----|------------------------|---------------------------|
| 1. | PWC Website | 10/29/18 through 11/29/18 |
| 2. | The Fayetteville Press | General Monthly Ad |

List of Prospective Bidders

1. Crowder Construction Company, Apex, NC
2. State Utilities, Monroe, NC
3. T.A. Loving Company, Construction Services, Goldsboro, NC
4. Haren Construction Company, Inc., Etowah, TN.

List of Organizations Notified of Bid

Small Business Administration Programs:

Small Business Administration Regional Office (SBA)
NC Procurement & Technical Assistance Center (NCPTAC)
Veterans Business Outreach Center (VBOC)
Small Business Technology Center (SBTDC)
Women's Business Center at CEED (WBC)

FTCC Programs

Small Business Center (SBC)

Local Business Programs

NAACP, Fayetteville Branch
Greater Fayetteville Chamber, RFP & Press Release submitted
Hope Mills Chamber
Spring Lake Chamber
Fayetteville Business & Professional League (FBPL)
FSU Construction Resource Office (FSUCRO)
FSU EDA Grant Program

State Programs

NC Institute of Minority Economic Development (The Institute) Durham, NC
NAACP, State Branch Raleigh, NC

Media

Fayetteville Observer

WIDU, AM1600

IBronco Radio at FSU

SDBE/Local Participation

SDBE: The bidder intends to subcontract for electrical work with Via Electric Company, Madison, NC, a woman owned firm, and the bidder intends to subcontract with CMT, Asheville, NC, a woman owned firm for concrete work.

Local: No local bidders responded to this bid opportunity.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-587

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.06

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: Sheila Thomas-Ambat, P.E. Interim Public Services Director
Kimberly Toon, CLGPO, Purchasing Manager

DATE: January 14, 2019

RE:

Award Contract for Resurface Various Streets, 2019 - Phase II

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

City Council is asked to approve the award of, and authorize the execution of, the contract for Resurface Various Streets 2019- Phase II. The lowest responsive, responsible bidder, Barnhill Contracting Company, Fayetteville, NC, is recommended.

Background:

The Resurface Various Street, 2019-Phase 2 project primarily consists of: Resurfacing (13) streets (approximately 3.20 miles), Milling and Resurfacing (3) streets (approximately 1.04 miles). The work includes, but is not limited to, removing and replacing curb and gutter, installing and retrofitting handicap ramps, utility adjustments, milling, cutting out and patching areas, placing leveling and overlay courses, thermoplastic pavement markings.

The project was first advertised for bids to be opened on December 04, 2018; however, only two (2) bids were received. Therefore, in accordance with North Carolina General Statutes, which require three (3) bids in order to open the first advertisement, the project

was re-advertised and bids were opened on December 12, 2018.

Bids received are as follows:

\$1,523,336.00	Barnhill Contracting Company, Fayetteville, NC
\$1,765,075.45	Highland Paving, Co., LLC, Fayetteville, NC

Issues/Analysis:

None

Budget Impact:

Sufficient funds for this project have been included in the FY2019 Budget.

Options:

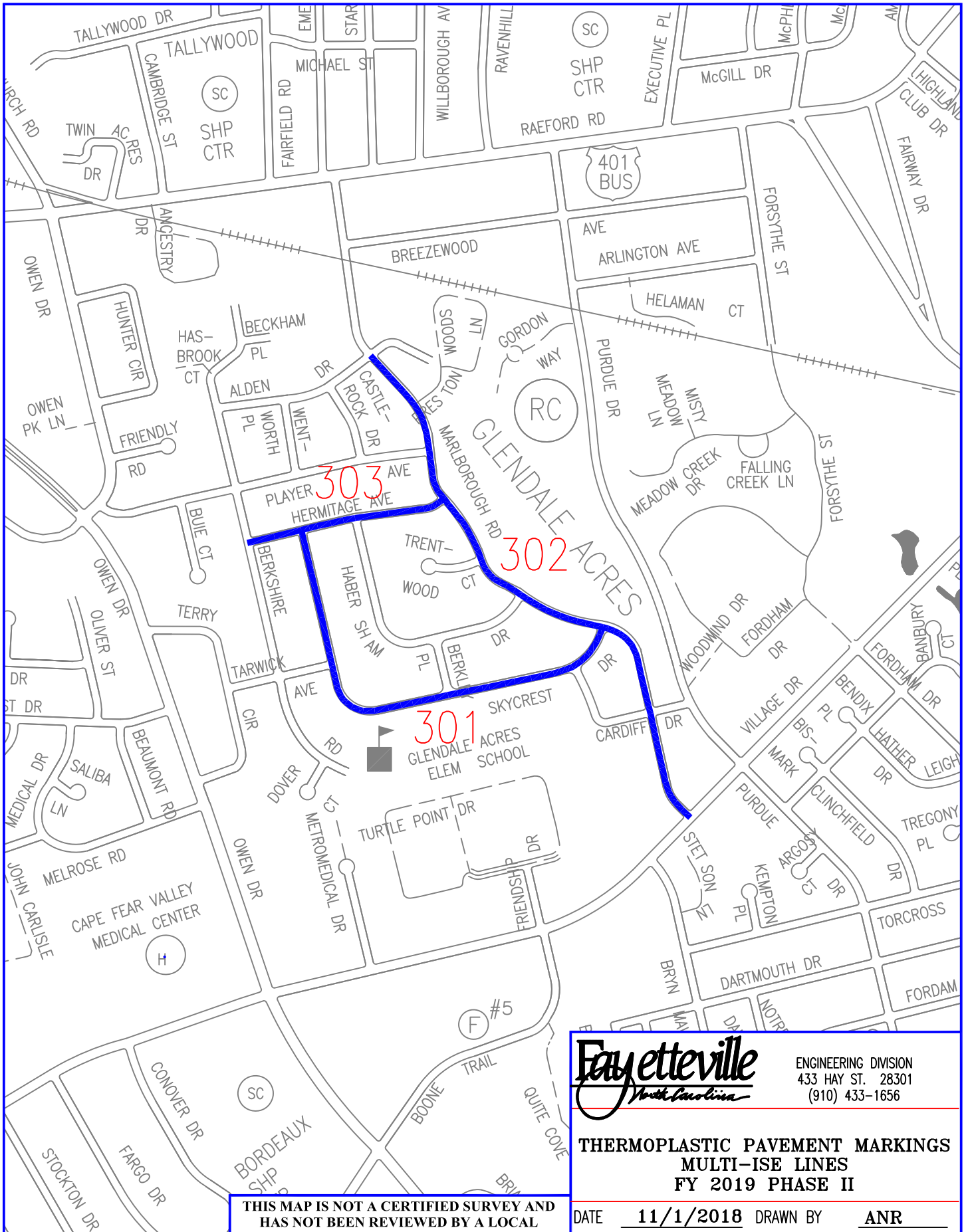
1- Award contract and authorize the City Manager to execute a contract for Resurface Various Streets, 2019 - Phase 2 with the lowest responsive, responsible bidder, Barnhill Contracting Company, Fayetteville, NC in the total amount of \$1,523,336.00.
2-Do not award contract and provide further directions to staff.

Recommended Action:

Staff recommends Council award contract and authorize the City Manager to execute a contract for Resurface Various Streets, 2019 - Phase 2 with the lowest responsive, responsible bidder, Barnhill Contracting Company, Fayetteville, NC in the total amount of \$1,523,336.00.

Attachments:

Resurface Various Streets 2019 - Phase II Bid Tab
Street List 2019 Phase II
Maps 2019 Phase II
Multi-use Thermoplastic Markings - Location map

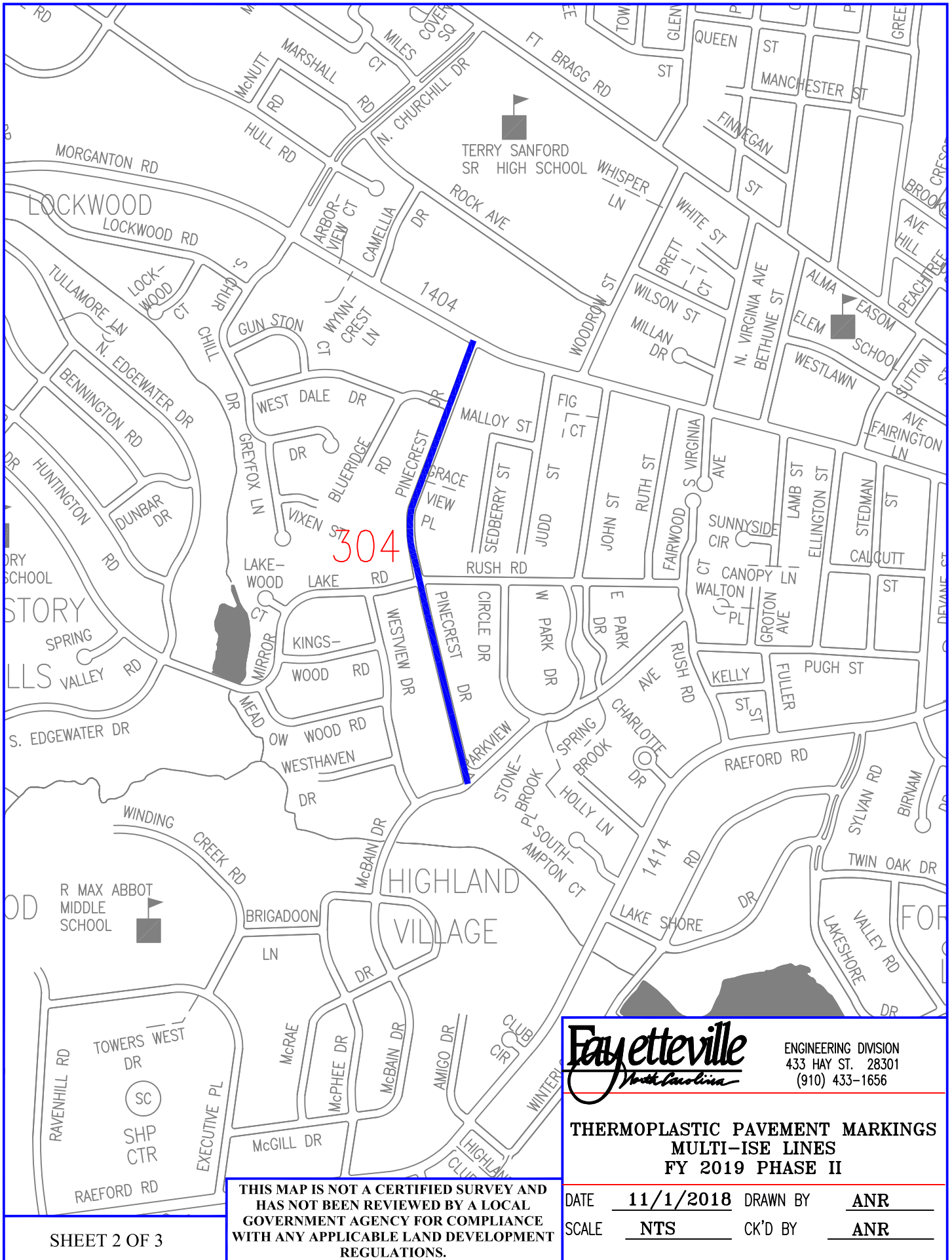


ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

**THERMOPLASTIC PAVEMENT MARKINGS
MULTI-USE LINES
FY 2019 PHASE II**

DATE	<u>11/1/2018</u>	DRAWN BY	<u>ANR</u>
SCALE	<u>NTS</u>	CK'D BY	<u>ANR</u>

THIS MAP IS NOT A CERTIFIED SURVEY AND
HAS NOT BEEN REVIEWED BY A LOCAL
GOVERNMENT AGENCY FOR COMPLIANCE
WITH ANY APPLICABLE LAND DEVELOPMENT
REGULATIONS.

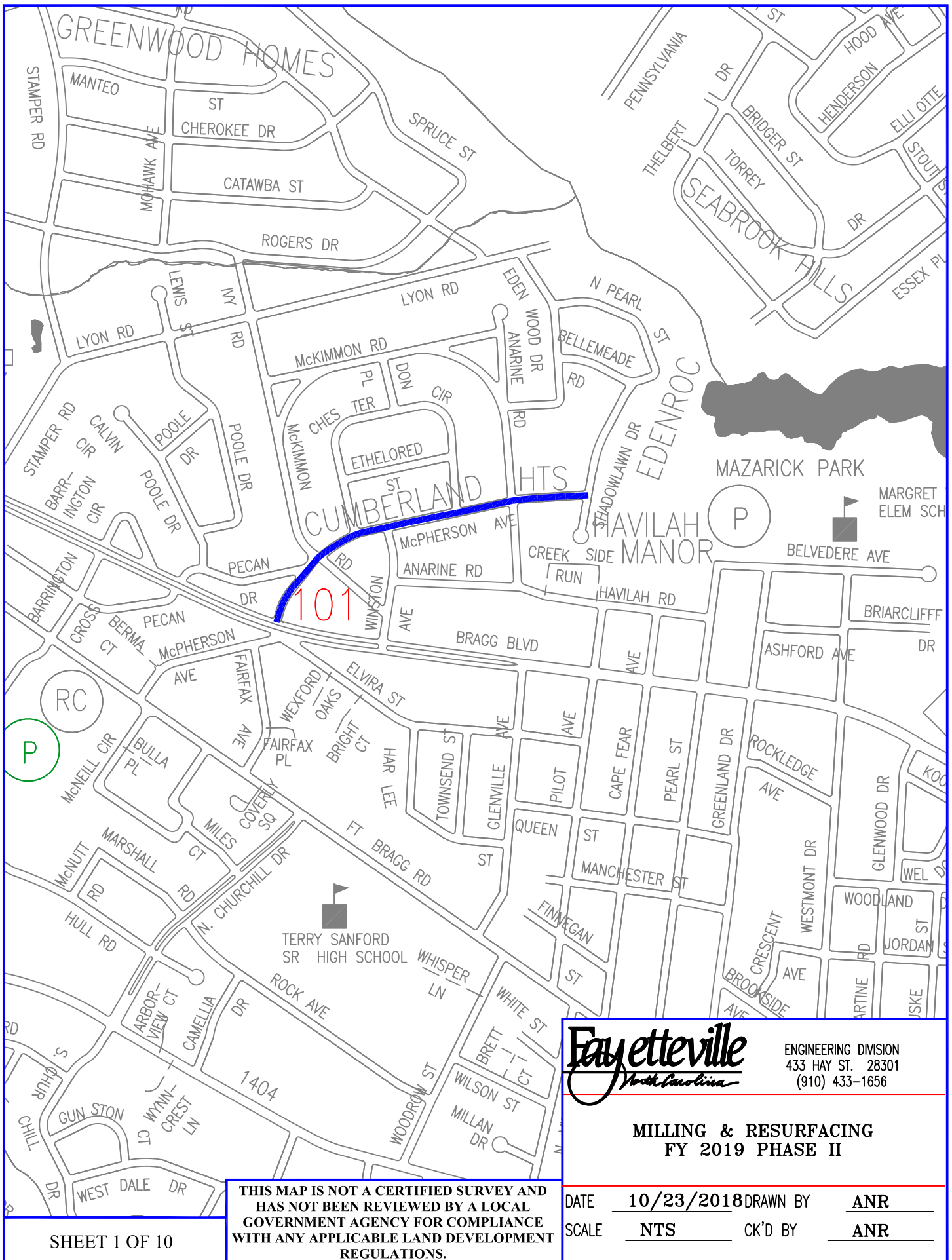


ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

**THERMOPLASTIC PAVEMENT MARKINGS
MULTI-USE LINES
FY 2019 PHASE II**

DATE	<u>11/1/2018</u>	DRAWN BY	<u>ANR</u>
SCALE	<u>NTS</u>	CK'D BY	<u>ANR</u>

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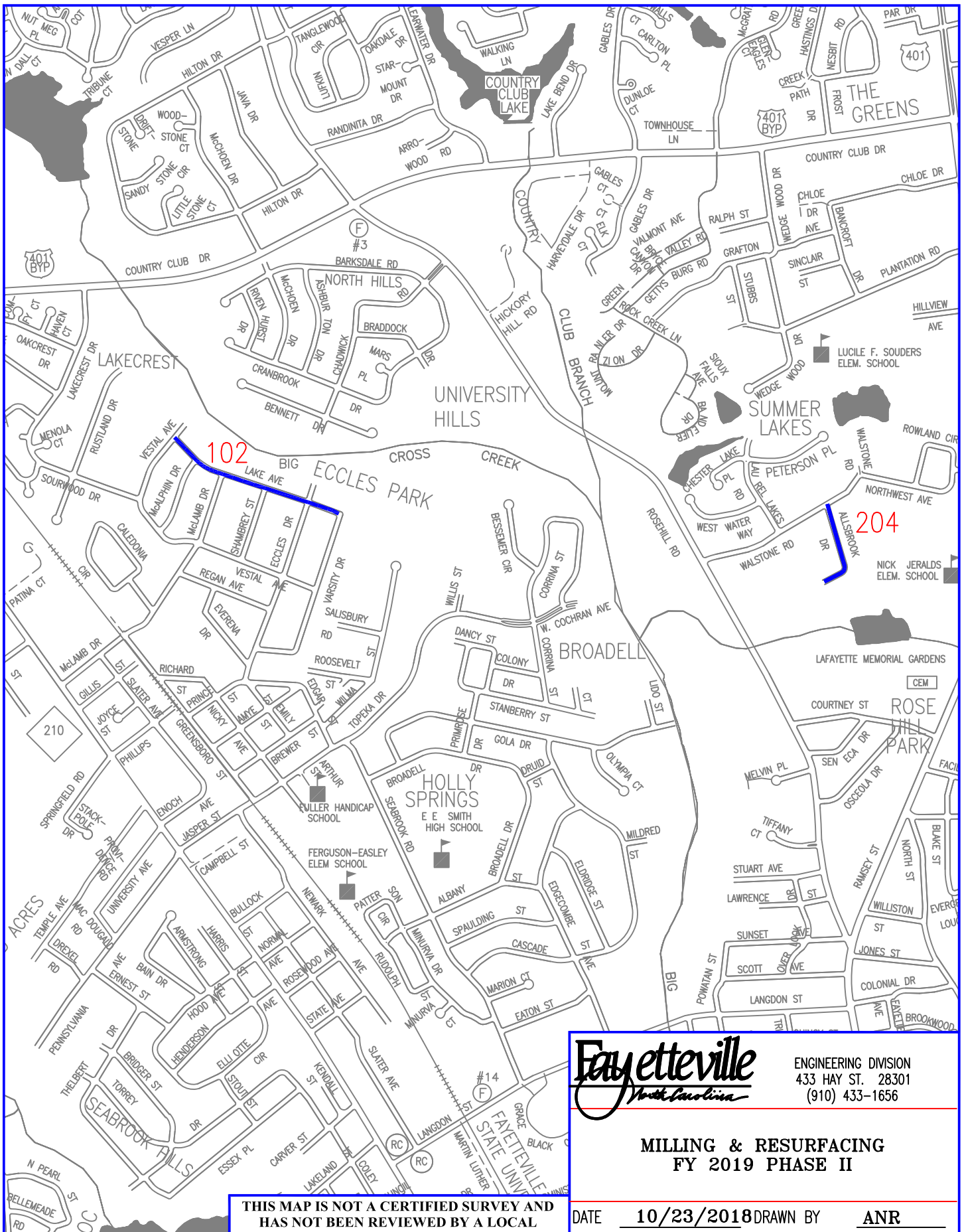
Fayetteville
North Carolina

ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

**MILLING & RESURFACING
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DATE 10/23/2018 DRAWN BY ANR
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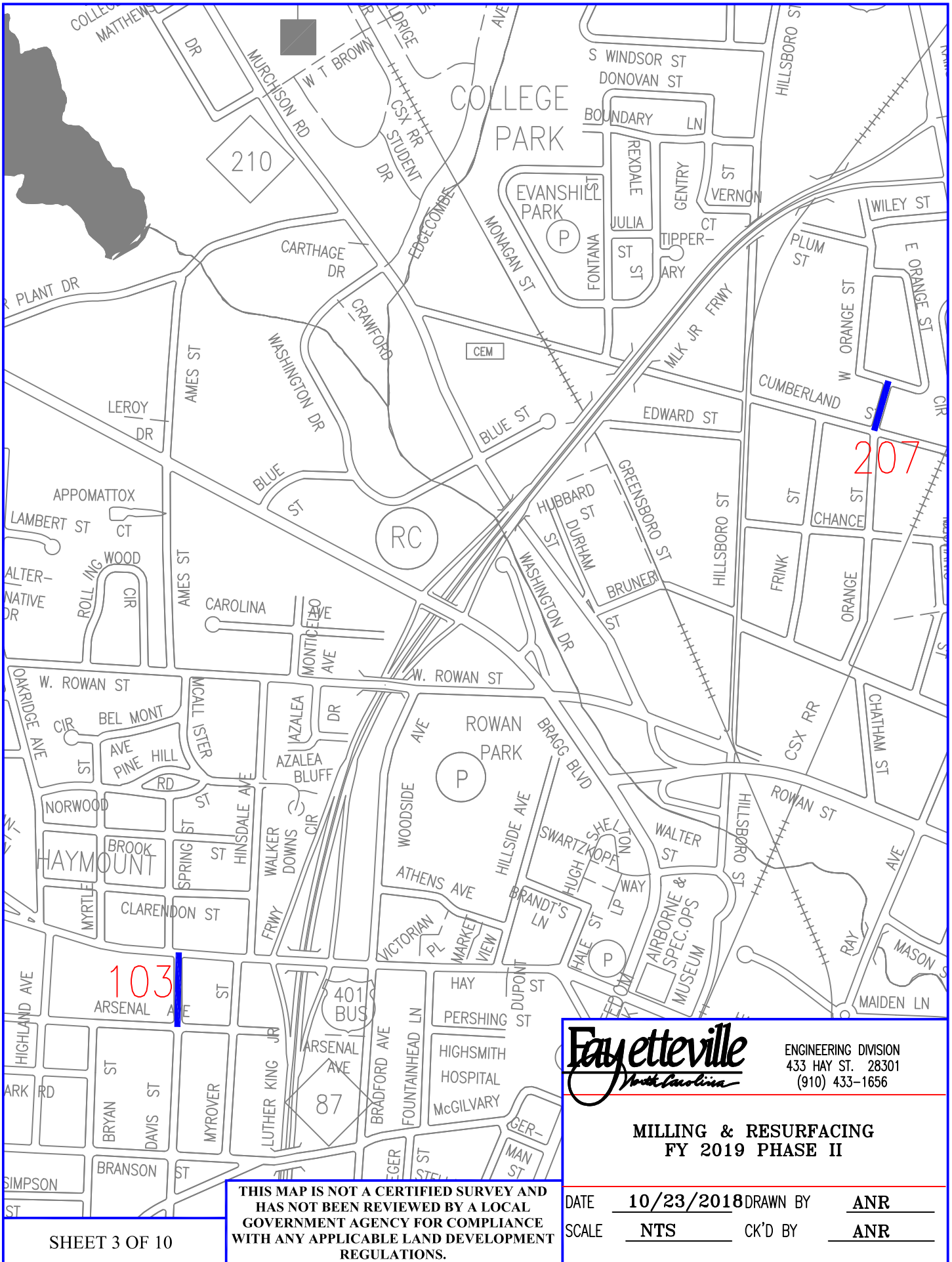


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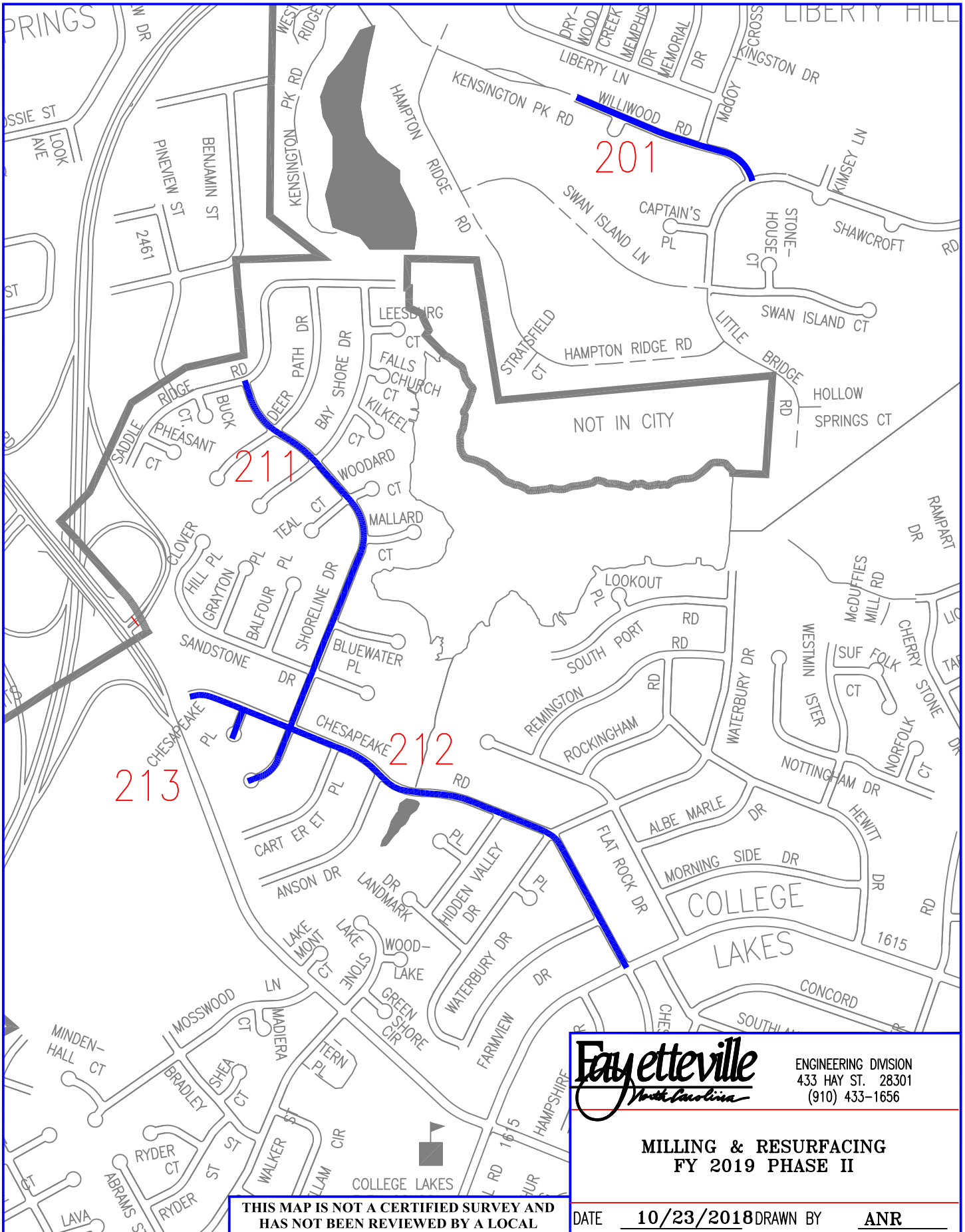


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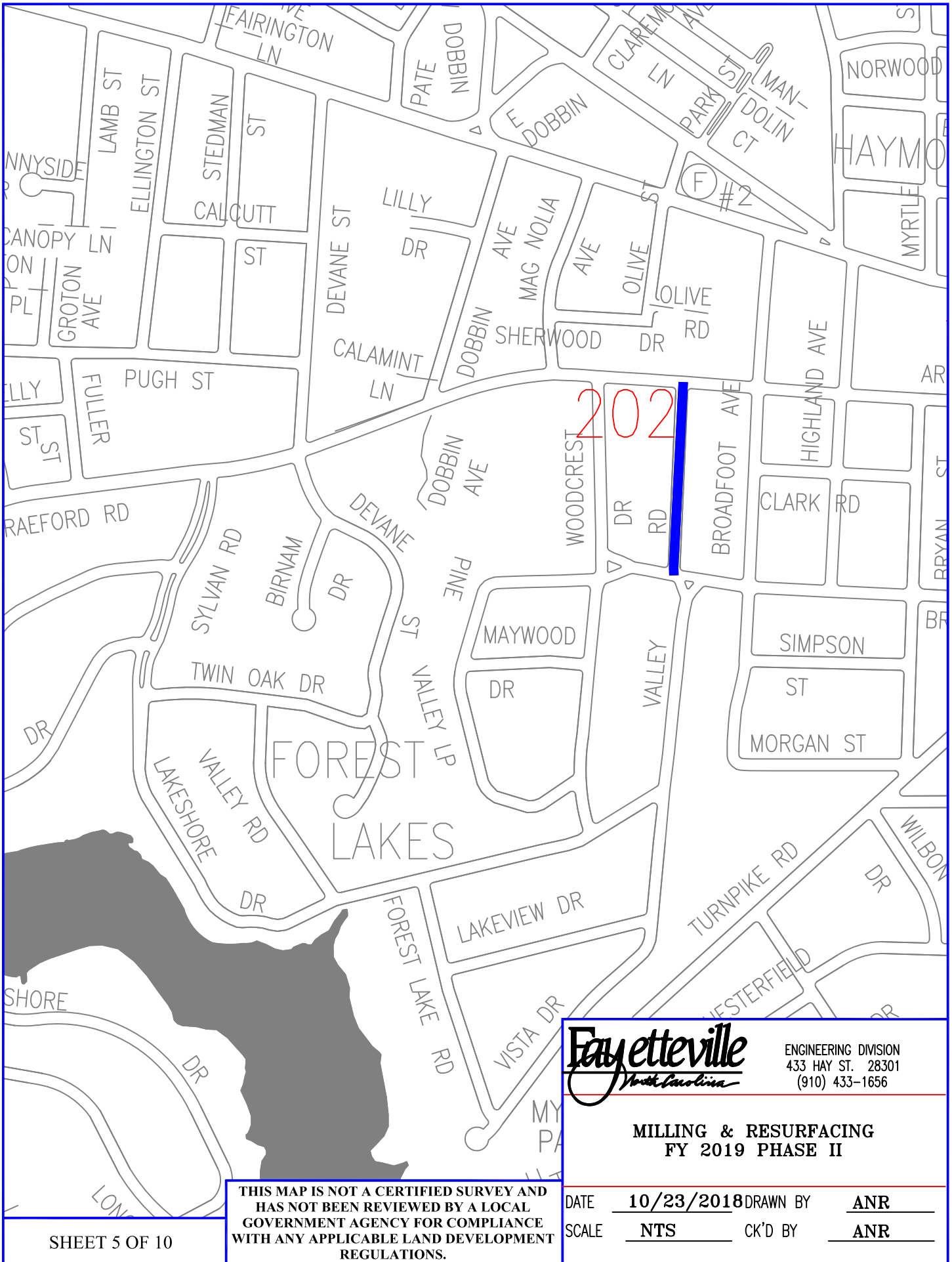


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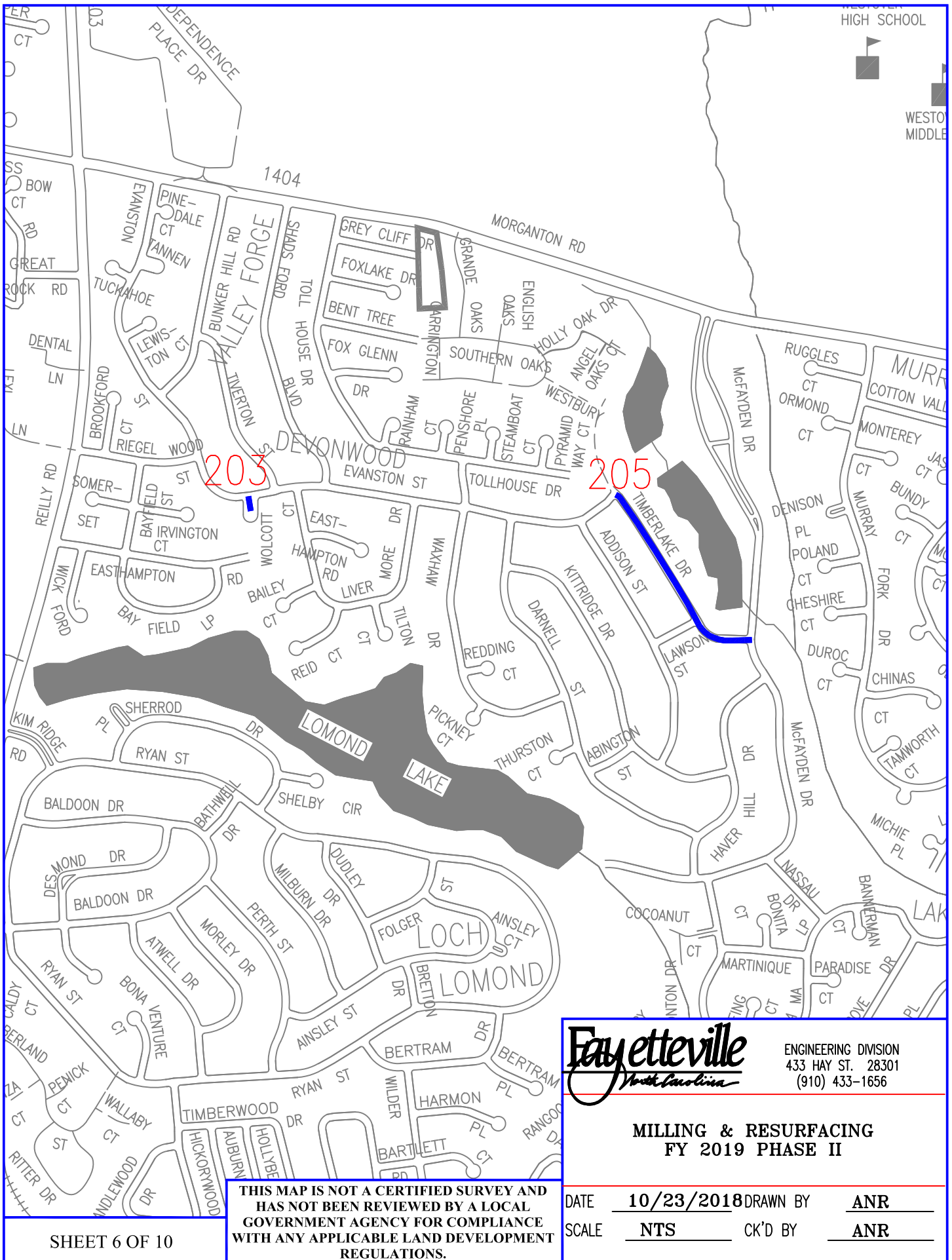
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HIGH SCHOOL
WESTON MIDDLE

203

205

LOMOND

LAKE

LOCH LOMOND

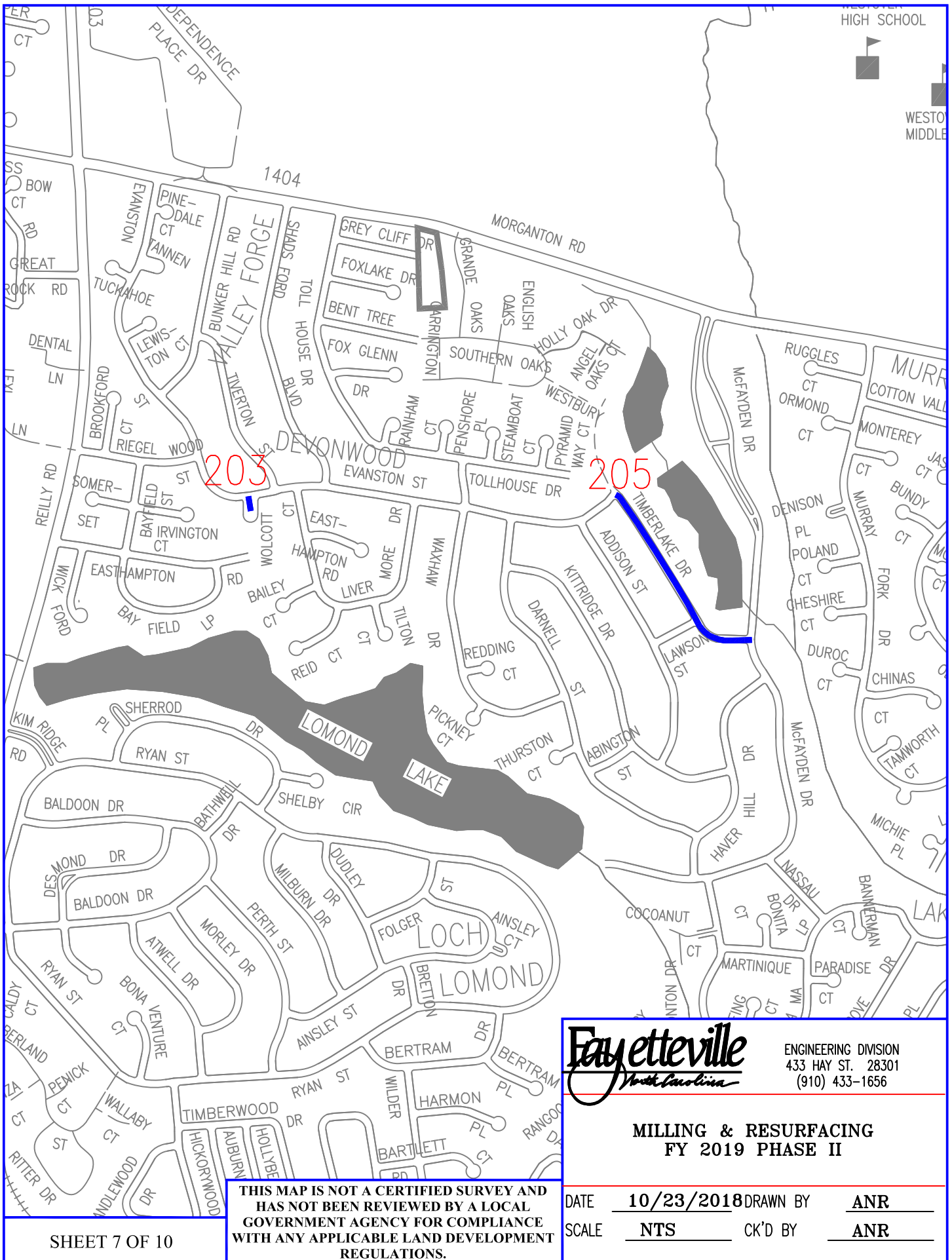
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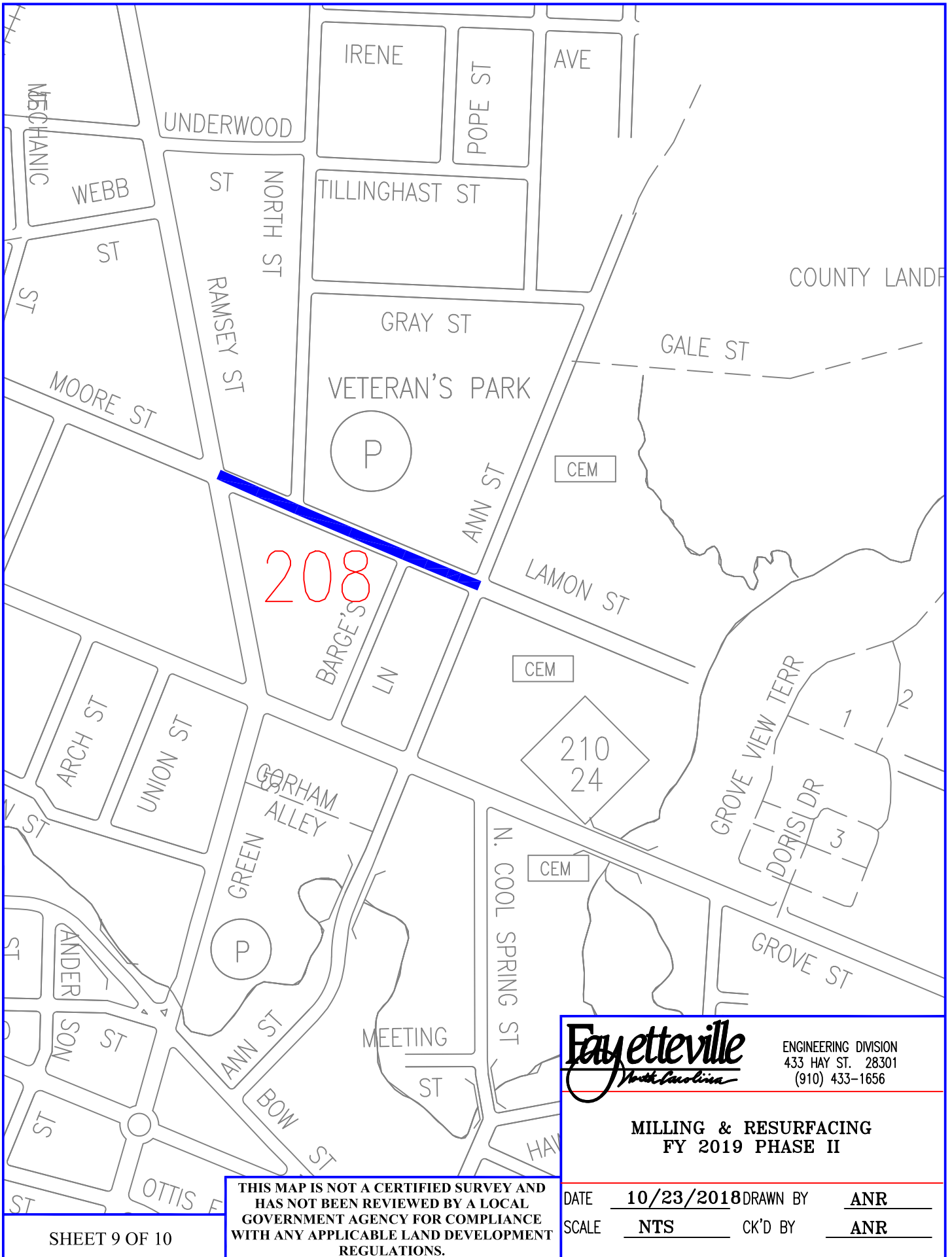


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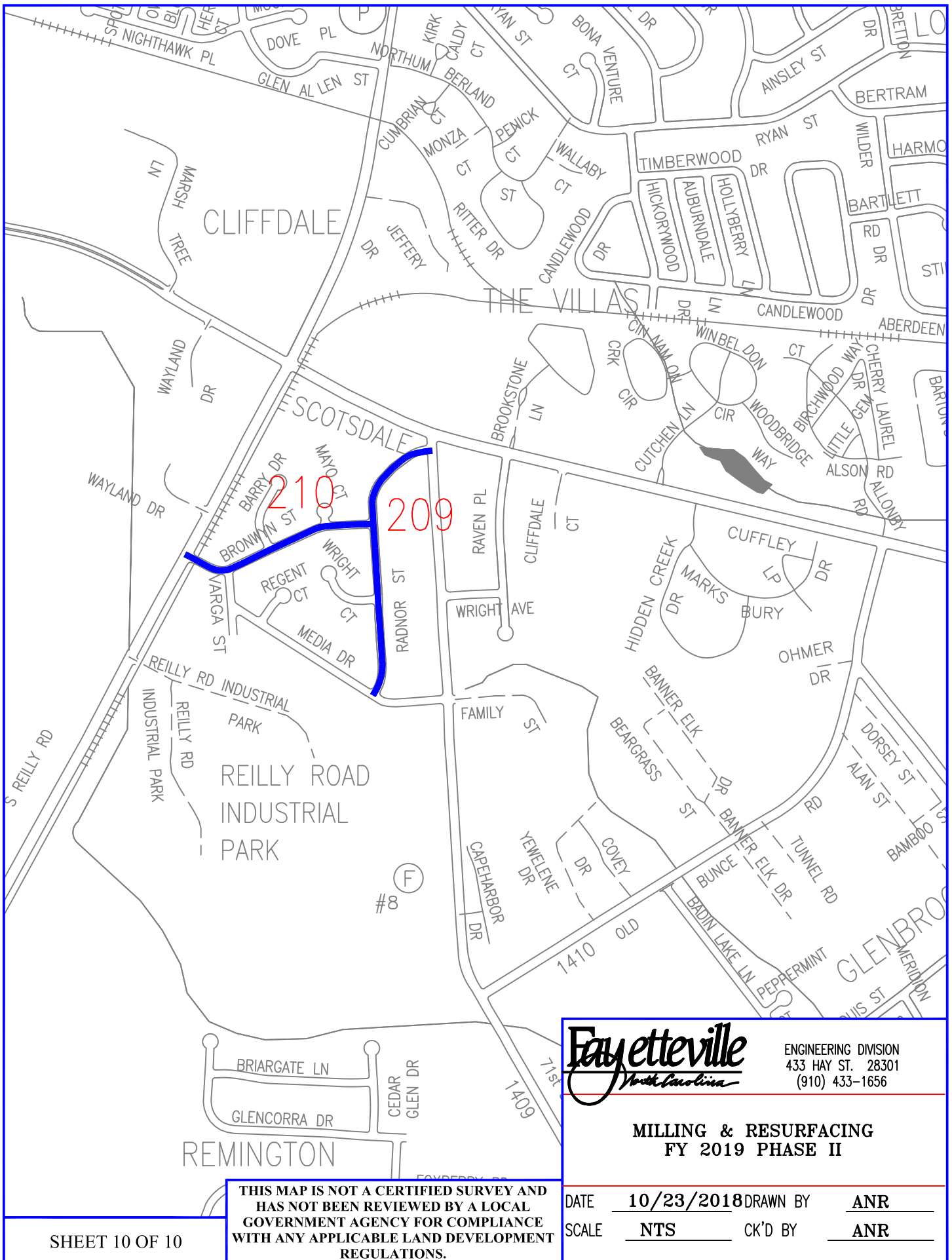
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Resurface Various Streets, 2019 - Phase 2 Bid Tab							
	Street Construction			Barnhill Contracting Company		Highland Paving Company	
No.	Item	Unit	Quantity	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization, Bonds, Insurance and Permits	LS	1	\$75,990.00	\$75,990.00	\$88,250.00	\$88,250.00
2	Traffic Control	LS	1	\$52,013.00	\$52,013.00	\$215,720.00	\$215,720.00
3	Remove and Dispose of Existing Concrete Curb and Gutter	LF	365	\$27.00	\$9,855.00	\$27.00	\$9,855.00
4	Remove and Dispose of Existing Concrete Sidewalk	SY	8	\$32.00	\$256.00	\$32.00	\$256.00
5	Remove and Dispose of Existing Asphalt Pavement	SY	10,500	\$1.05	\$11,025.00	\$1.25	\$13,125.00
6	Unclassified Excavation	CY	997	\$1.00	\$997.00	\$1.25	\$1,246.25
7	Undercut Excavation	CY	50	\$10.00	\$500.00	\$15.00	\$750.00
8	Select Borrow	CY	50	\$10.00	\$500.00	\$15.00	\$750.00
9	Install Concrete Curb and Gutter	LF	365	\$35.00	\$12,775.00	\$35.00	\$12,775.00
10	Install Concrete Sidewalk, (4” depth)	SY	2	\$64.00	\$128.00	\$64.00	\$128.00
11	Adjust Existing Manhole	EA	127	\$274.00	\$34,798.00	\$274.00	\$34,798.00
12	Adjust Existing Watervalue	EA	110	\$274.00	\$30,140.00	\$274.00	\$30,140.00
13	Adjustment Ring	EA	5	\$345.00	\$1,725.00	\$300.00	\$1,500.00
14	Profile By Milling Bituminous Pavement, (0”-2” Depth)	SY	15,000	\$2.40	\$36,000.00	\$2.50	\$37,500.00
15	Incidental Milling Bituminous Pavement, (0”-2” Depth)	SY	300	\$27.25	\$8,175.00	\$17.00	\$5,100.00
16	Bituminous Concrete Base Course (Type 25.0 B)	TN	260	\$101.30	\$26,338.00	\$133.00	\$34,580.00
17	Bituminous Concrete Binder Course (Type I 19.0 B)	TN	1,600	\$108.40	\$173,440.00	\$115.00	\$184,000.00
18	Bituminous Concrete Surface Course, (Type S 9.5 B)	TN	4,100	\$64.75	\$265,475.00	\$60.00	\$246,000.00
19	Bituminous Concrete Leveling Course (Type S 9.5 B)	TN	3,100	\$43.60	\$135,160.00	\$61.00	\$189,100.00
20	Asphalt Binder for Plant Mix, Grade PG 64-22	TN	874	\$592.00	\$517,408.00	\$598.00	\$522,652.00
21	Crack Sealing (Asphalt)	TN	25	\$100.00	\$2,500.00	\$125.00	\$3,125.00
22	Incidental Stone	TN	10	\$50.00	\$500.00	\$50.00	\$500.00
23	Shoulder Re-Construction, (sod to match existing grass)	SY	1925	\$9.00	\$17,325.00	\$12.00	\$23,100.00
24	Remove and Replace Pre-Cast Manhole Slab	EA	1	\$1,925.00	\$1,925.00	\$1,750.00	\$1,750.00
25	Retrofit Existing ADA Wheelchair Ramp, Concrete with Truncated Domes	SY	18	\$572.00	\$10,296.00	\$572.00	\$10,296.00
26	ADA Wheelchair Ramp, Concrete with Truncated Domes	SY	12	\$382.00	\$4,584.00	\$382.00	\$4,584.00
	Street Construction Total				\$1,429,828.00	\$1,671,580.25	
Thermoplastic Pavement Markings							
No.	Item	Unit	Quantity	Unit Price	Total Price	Unit Price	Total Price
27	(4”), White, 90 mils (Thermoplastic Pavement Markings, Multi-Use Line)	LF	3,600	\$1.15	\$4,140.00	\$1.15	\$4,140.00
28	(4”), White, 120 mils (Thermoplastic Pavement Markings, Edgeline)	LF	870	\$1.50	\$1,305.00	\$1.50	\$1,305.00
29	(4”) Yellow, 120 mils (Thermoplastic Pavement Markings, Centerline)	LF	8,812	\$1.50	\$13,218.00	\$1.50	\$13,218.00
30	(24”) White, 120 mils (Thermoplastic Pavement Markings, Stop Bar Line)	LF	256	\$15.00	\$3,840.00	\$15.00	\$3,840.00
31	Symbols, White, 120 mils (Thermoplastic Pavement Markings, Straight Arrow)	EA	6	\$300.00	\$1,800.00	\$300.00	\$1,800.00
32	Symbols, White, 120 mils (Thermoplastic Pavement Markings, Left Turn Arrow)	EA	17	\$300.00	\$5,100.00	\$300.00	\$5,100.00
33	Symbols, White, 120 mils (Thermoplastic Pavement Markings, Right Turn Arrow)	EA	7	\$300.00	\$2,100.00	\$300.00	\$2,100.00

34	Symbols, White, 120 mils (Thermoplastic Pavement Markings, Combination Right Turn “or” Left Turn and Straight Arrow)	EA	5	\$600.00	\$3,000.00	\$600.00	\$3,000.00
35	Symbols, White, 120 mils (Thermoplastic Pavement Markings, 6' x 6" Sharks Tooth)	EA	8	\$150.00	\$1,200.00	\$150.00	\$1,200.00
36	Symbols, White, 120 mils (Thermoplastic Pavement Markings, Only)	EA	2	\$500.00	\$1,000.00	\$500.00	\$1,000.00
37	Raised Reflective Pavement Markers, Non-Snow Plowable (Yellow & Yellow)	EA	56	\$17.00	\$952.00	\$17.00	\$952.00
38	Raised Reflective Pavement Markers, Non-Snow Plowable (Crystal & Red)	EA	105	\$17.00	\$1,785.00	\$17.00	\$1,785.00
39	(4"), White, 15 mils (Temporary Paint, Edgeline)	LF	780	\$0.30	\$234.00	\$0.30	\$234.00
40	(4") Yellow, 15 mils (Temporary Paint, Centerline)	LF	4,500	\$0.30	\$1,350.00	\$0.30	\$1,350.00
41	(24") White, 15 mils (Temporary Paint, Stop Bar Line)	LF	24	\$8.00	\$192.00	\$8.00	\$192.00
42	Symbols, White, 15 mils (Temporary Paint, Straight Arrow)	EA	6	\$55.00	\$330.00	\$55.00	\$330.00
43	Symbols, White, 15 mils (Temporary Paint, Left Turn Arrow)	EA	2	\$55.00	\$110.00	\$55.00	\$110.00
44	Symbols, White, 15 mils (Temporary Paint, Right Turn Arrow)	EA	2	\$55.00	\$110.00	\$55.00	\$110.00
45	Symbols, White, 15 mils (Temporary Paint, Combination Right Turn “or” Left Turn and Straight Arrow)	EA	2	\$110.00	\$220.00	\$110.00	\$220.00
46	Symbols, White, 15 mils (Temproary Paint, Only)	EA	2	\$100.00	\$200.00	\$100.00	\$200.00
	Thermoplastic Pavement Markings Total				\$42,186.00	\$42,186.00	
Thermoplastic Pavement Markings - Multi Use Lines							
No.	Item	Unit	Quantity	Unit Price	Total Price	Unit Price	Total Price
47	(4"), White, 90 mils (Thermoplastic Pavement Markings, Multi-Use Line)	LF	40,980	\$1.15	\$47,127.00	\$1.15	\$47,127.00
Thermoplastic Pavement Markings Multi-Use Lines Total					\$47,127.00	\$47,127.00	
Traffic Signals							
No.	Item	Unit	Quantity	Unit Price	Total Price	Unit Price	Total Price
48	Inductive Loop Sawcut	LF	640	\$5.50	\$3,520.00	\$5.48	\$3,507.20
49	Junction Box	EA	3	\$225.00	\$675.00	\$225.00	\$675.00
Traffic Signals Total					\$4,195.00	\$4,182.20	
	Total				\$1,523,336.00	\$1,765,075.45	

*Vendor had \$220.00

Proposed Resurface Various Streets, 2019 - Phase 1I					
Proposed Milling & Resurfacing Streets					
NO.	STREET	FROM	TO	LENGTH	WIDTH
101	MCPHERSON AVENUE	BRAGG BOULEVARD	SHADOWLAWN DRIVE	2,335	32
102	LAKE AVENUE	VESTAL AVENUE	VARSITY DRIVE	1,833	32
103	DAVIS STREET	ARSENAL STREET	HAY STREET	1,310	20
				Length	5,478
				Mileage	1.04
Proposed Resurfacing Streets					
NO.	STREET	FROM	TO	LENGTH	WIDTH
201	WILLIWOOD ROAD	SHAWCROFT ROAD	CUL-DE--SAC	1,308	25
202	VALLEY ROAD	RAEFORD ROAD	BRANSON STREET	819	22
203	WOLCOTT COURT	EVANSTON STREET	CUL-DE--SAC	96	22
204	ALLSBROOK DRIVE	WALSTONE DRIVE	DEAD END	945	32
205	TIMBERLAKE DRIVE	EVANSTON STREET	MCFAIDEN DRIVE	1,455	30
206	MULLINS AVENUE	BUCKINGHAM AVENUE	RAMSEY STREET	842	32
207	ORANGE STREET	W. ORANGE STREET	CUMBERLAND STREET	255	26
208	LAMON STREET	RAMSEY STREET	ANN STREET	1,121	34
209	RADNOR STREET	71 st SCHOOL ROAD	MEDIA DRIVE	1,725	23
210	BRONWYN STREET	S. REILLY ROAD	RADNOR STREET	1,164	23
211	SHORELINE DRIVE	SADDLE RIDGE DRIVE	CUL-DE-SAC	3,187	22
212	CHESAPEAKE ROAD	STACY WEAVER DRIVE	DEAD END	3,784	34
213	CHESAPEAKE PLACE	CHESAPEAKE ROAD	CUL-DE-SAC	208	22
				Length	16,909
				Mileage	3.20
				Total Length	22,387
				Total Mileage	4.24
Streets for Thermoplastic Pavement Markings - Multi-Use Lines Only (Streets will not be Resurfaced)					
NO.	STREET	FROM	TO	LENGTH	WIDTH
301	SKYCREST DRIVE	MARLBOROUGH ROAD	HERMITAGE AVENUE	5,480	32
302	MARLBOROUGH ROAD	VILLAGE DRIVE	ALDEN DRIVE	6,180	32
303	HERMITAGE AVE	HERMITAGE AVENUE	BERKSHIRE ROAD	2,280	32
304	PINECREST DRIVE	PINECREST DRIVE	MORGANTON ROAD	4,200	32
305	CALAMAR DRIVE	PRESTIGE BOULEVARD	PRESTIGE BOULEVARD	3,940	22
306	PRESTIGE BOULEVARD	CANARY DRIVE	BROOKSHIRE STREET	8,950	24
307	RIM ROAD	CLIFFDALE ROAD	BROOKSHIRE STREET	9,950	24
				Linear Footage of Marking	40,980
				Mileage	7.76

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-579

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.07

TO: Mayor and Members of City Council

THRU: Telly Whitfield, Assistant City Manager

FROM: Michael Gibson, Parks, Recreation and Maintenance Director

DATE: January 14, 2019

RE:

Renaming of the Cross Creek Linear Park Trail in Honor of Harry F. Shaw

COUNCIL DISTRICT(S):

2

Relationship To Strategic Plan:

Goal 4: Desirable Place to Live, Work and Recreate

Executive Summary:

At the November 6, 2018 Linear Park Corporation meeting, Mr. Robert Barefoot made a motion to rename the Cross Creek Linear Park Trail to Harry F. Shaw Linear Park Trail. The change was second by Mr. Wayne Riggins and accepted by a unanimous vote.

Background:

On May 4, 2018 at a special meeting for Linear Park Corporation, Wayne Riggins made the suggestion to honor Mr. Harry F. Shaw for his 25 year vision and inspiration in working to create Linear Park. The Linear Park Corporation board agreed on several ways to honor Mr. Shaw including changing the name of the trail to Harry F. Shaw Linear Park Trail.

Mr. Shaw passed away on Saturday, May 19, 2018.

Issues/Analysis:

N/A

Budget Impact:

N/A

Options:

- 1) City Council moves to approve the renaming the Cross Creek Linear Park Trail to Harry F. Shaw Linear Park Trail.
- 2) City Council does not move to approve the renaming the Cross Creek Linear Park Trail to Harry F. Shaw Linear Park Trail.

Recommended Action:

Approve the naming renaming the Cross Creek Linear Park Trail to Harry F. Shaw Linear Park Trail.

Attachments:

N/A

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-603

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.08

TO: Mayor and Members of City Council

THRU: Barbara Hill, Interim Assistant City Manager

FROM: Pamela J. Megill, MMC, City Clerk

DATE: February 14, 2019

RE:

Calling for a Public Hearing on January 28, 2019 - Naming of City Property in Honor of Former Mayor Hurley.

COUNCIL DISTRICT(S):

ALL

Relationship To Strategic Plan:

Goal IV - Desirable Place to Live, Work, and Recreate

Goal VI - Citizen Engagement and Partnerships

Executive Summary:

At the January 7, 2019 City Council Work Session, discussion took place regarding a City Council Agenda Item Request submitted by Mayor Colvin, Council Member Crisp and Council Member Arp, pertaining to naming City Hall and the Baseball Stadium Plaza in honor of former Mayor Hurley.

Background:

City Council Policy 155.4 - Naming of City Properties in Honor of Individuals (attached) states:

A. General Naming Policy:

1. Any City facility or property may be named in honor of deceased individuals only and organizations who have made significant contributions to the quality of life and the community through their achievements, leadership, service, and civic or financial

donations.

2. The City Council will not consider the renaming of any City facility or property which has previously been named for an individual.
3. The City Council shall hold a public hearing before the naming or renaming of any facility or property and the public hearing shall be held in accordance with the City Council policy on public hearings.

At the January 7, 2019 City Council Work Session Mayor Colvin, Council Member Crisp, and Council Member Arp presented a Council Agenda Item Request pertaining to the naming of City Hall and the Baseball Stadium Plaza in honor of former Mayor Hurley. Discussion ensued. Unanimous Consensus of Council was to direct staff to move this item forward for formal action at a Regular City Council meeting.

Issues/Analysis:

A Public Hearing is required to name a City property in honor of individuals. The Public Hearing to be held in accordance with City Council Policy 120.2 - Hearings (Public and Non-Public)

Budget Impact:

Unknown

Options:

1. Call for a Public Hearing to take place at the regularly scheduled City Council meeting on Monday, January 28, 2019 @ 7:00 p.m. in the Council Chamber, located at City Hall, 433 Hay Street, Fayetteville, NC. The Public Hearing to be held in accordance with City Council Policy 120.2 - Hearings (Public and Non-Public).
2. Do not call for a Public Hearing and provide further direction to staff.

Recommended Action:

Motion to Call for a Public Hearing to take Place at the regularly scheduled City Council meeting on Monday, January 28, 2019 @ 7:00 p.m. in the Council Chamber, City Hall, 433 Hay Street, Fayetteville, NC.

Attachments:

1. City Council Policy 155.4
2. City Council Policy 120.2
3. Notice of Public Hearing

SUBJECT – CITY PROPERTY Naming of City Properties in Honor of Individuals	Number 155.4	Revised 6-12-06	Effective Date 3-15-1999	Page 1 of 2
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It is hereby declared to be a policy of the City of Fayetteville that for the naming of all City-owned facilities or properties, except those covered in paragraph B below, the following policy shall apply:

A. General Naming Policy:

1. Any City facility or property may be named in honor of deceased individuals only and organizations who have made significant contributions to the quality of life and the community through their achievements, leadership, service, and civic or financial donations.
2. The City Council will not consider the renaming of any City facility or property which has previously been named for an individual.
3. The City Council shall hold a public hearing before the naming or renaming of any facility or property and the public hearing shall be held in accordance with the City Council policy on public hearings.

B. Naming of Facilities in Cross Creek Linear Park:

For purposes of development of the Cross Creek Linear Park by the Cross Creek Linear Park Corporation, Council delegates the naming of components of the Park to the Corporation with the following provisions:

1. The City Council shall approve the components of the Park eligible for naming rights along with an estimated cost for these components.
2. The named components shall be a part of the approved plan and design of the Park.
3. The Corporation will be able to assign the naming rights of these components without additional action by the City Council.

SUBJECT – CITY PROPERTY Naming of City Properties in Honor of Individuals	Number 155.4	Revised 6-12-06	Effective Date 3-15-1999	Page 2 of 2
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4. The naming of the component shall be reserved for contributions of \$25,000.00 or more. The components of this Park may be named after sitting elected officials or employees of the City as long as other requirements of this policy are met.

C. Naming of Parks and Recreation Facilities:

For the purpose of naming parks and recreation facilities, the following shall apply:

1. All requests shall be accompanied by a recommendation from the Fayetteville-Cumberland Parks and Recreation Advisory Commission.
2. As long as other requirements of this policy are met, the City Council shall, on a case-by-case basis, render a decision as to whether to name parks and recreation facilities to include the athletic fields, or only name the athletic fields.

SUBJECT – CITY COUNCIL Hearings (Public and Non-Public)	Number 120.2	Revised 12-15-97 05-11-09	Effective Date 1-5-87	Page 1 of 2
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The City Council of the City of Fayetteville, North Carolina, will apply the following Rules of Procedure at regular City Council meetings for citizens wishing to address the City Council:

A. Public Hearings

- (1) Individuals desiring to speak at a public hearing shall sign up with the City Clerk, by name and home address, before 7:00 p.m. on the date of the scheduled public hearing;
- (2) Fifteen minutes will be allowed for each side of the issue at a public hearing. The City Council in its discretion may extend the time. Individual speakers will be limited to 3 minutes each unless by previous arrangement a single spokesman is designated, in which case the spokesman may use the entire 15 minutes. Time used in response to a question from a Council member will not be counted against the allotted 15 minutes; and
- (3) No one in the audience will be permitted to speak during Council discussion and debate except in response to a question from a Council member recognized by the Chair.

B. Nonpublic Hearing Items

On nonpublic hearing items, the agenda shall indicate by whom the matter will be presented, and only members of staff, the presenter, or the presenter's designated representative shall be permitted to address the City Council. This paragraph is not subject to suspension under Roberts Rules of Order. Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing 20 copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

SUBJECT – CITY COUNCIL Hearings (Public and Non-Public)	Number 120.2	Revised 12-15-97 05-11-09	Effective Date 1-5-87	Page 2 of 2
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C. Announcements

All announcements not addressed by any particular agenda item shall be made at the end of the meeting, prior to adjournment, by the Mayor or the presiding officer, unless otherwise prearranged with the Mayor or presiding officer.

Notice of Public Hearing City of Fayetteville, NC

The following items will be considered at a Public Hearing by the City of Fayetteville City Council on Monday, January 28 10, 2019. The hearing will begin at 7:00 p.m. in the City Council Chambers, 1st Floor of City Hall, 433 Hay Street.

PUBLIC HEARINGS:

Naming of City Property in Honor of Former Mayor Hurley

These are separate hearings: Individuals desiring to speak must sign up by calling before 5:00 p.m. on or before the scheduled public hearing date (City Clerk's Office 910-433-1989), or in person between 6:30 p.m. and 7:00 p.m. in Council Chambers, on the date of the hearing.

Notice Under the Americans with Disabilities Act (ADA): The City of Fayetteville will not discriminate on the basis of disability in the City's services, programs, or activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate should contact the office of Dr. Anthony Wade, ADA Coordinator, at awade@ci.fay.nc.us, 910.433.1605.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-596

Agenda Date: 1/14/2019

Version: 2

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.09

TO: Mayor and Members of City Council

THRU: Douglas J. Hewett, ICMA-CM, City Manager

FROM: Telly C. Whitfield, Ph.D., Assistant City Manager

DATE: January 14, 2019

RE:

Adoption of Legislative Priorities - Council Resolutions for 2019 NC General Assembly Long Session

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal I: A Safe and Secure Community
Goal II: Diverse and Viable Economy
Goal III: High Quality Built Environment
Goal IV: Desirable Place to Live, Work and Recreate
Goal V: Sustainable Organizational Capacity
Goal VI: Citizen Engagement & Partnerships

Executive Summary:

This item was presented to City Council at their January 7, 2019 Work Session. After review of the proposed priorities, City Council requested that a revised legislative agenda along with council resolutions be placed on the January 14 Regular Council Meeting agenda for approval.

The City of Fayetteville looks forward to working with our state delegation to best meet the needs, concerns and interests of Fayetteville residents during the NC General Assembly Long Session. The legislative priorities will articulate this agenda and serve as the guide to elected officials, staff, and our strategic partners, in their collective efforts to advocate on behalf of the City and its residents.

The 2019 Legislative priorities include the following:

- A. Legislative support to amend the City's Charter granting local authority to provide a **recall procedure for local elected officials** and to hold recall elections.
- B. Legislative support to **strengthen local public safety agencies' ability to maintain a safe and secure community** by:
 - Providing an option to destroy obtained weapons (revision to N.C.G.S. § 15-11.2);
 - Funding for the relocation of the Fort Bragg Road Fire Station;
 - Securing resources to improve our fiber network for camera system connectivity; and,
 - Ensuring public facilities have adequate generators for emergency operations.
- C. Legislative support for our **local multimodal transportation network** by:
 - Creating opportunities to expand existing public bus fleet operations;
 - Restoring formula funding for urban/fixed route transit systems through State Maintenance Assistance Program (SMAP)
 - Maintaining stable funding for the Aviation Trust Fund; and,
 - Establishing funding for the Blanton Road extension.
- D. Legislative support for **Texfi site's Brownfield project** including groundwater remediation and pilot testing activities.

Background:

A preliminary list of recommended legislative priorities for the 2019 Long Session was introduced at the November 13, 2018 Dinner Meeting. A Special Joint Meeting with the State Delegation was held on November 19, 2018 to discuss priorities. City Council revised the list at the January 7, 2019 Work Session.

Council supported the following list of priorities that represent the City's legislative agenda for the 2017 long session:

- Legislation to protect Fayetteville's Rental Assistance Management Program (RAMP)
- Legislation for Phase II of Veterans Park
- Legislation for Local Small Business Enterprise initiative
- Legislation for State financial assistance in funding a downtown pedestrian overpass
- Legislation for the establishment of an Aviation Trust Fund for statewide improvement projects
- Legislation for funding Fayetteville's Consolidated 911 Center
- Legislation for Regional Emergency Preparedness Fund

Issues/Analysis:

None

Budget Impact:

Unknown at this time

Options:

1. City Council adopts the resolutions for legislative support of:
 - a. A charter amendment to allow recall procedures in the City;
 - b. Measures to increase local public safety agencies' ability to maintain a safe and secure community;
 - c. Additional investment in the City's local multimodal transportation network; and,
 - d. Texfi site's Brownfield project.
2. City Council provides further direction to the City Manager.

Recommended Action:

Staff recommends that City Council adopt the resolutions for the legislative priorities for the current Long Session.

Attachments:

Recall Resolution
Public Safety Resolution
Local Multimodal Transportation Network Resolution
Texfi Resolution

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE REQUESTING THE INTRODUCTION OF A LOCAL BILL AMENDING THE CITY CHARTER TO PROVIDE FOR RECALL ELECTIONS

WHEREAS, the general laws of North Carolina do not provide a recall procedure for local elected officials; and

WHEREAS, a number of municipalities have been granted the authority to hold recall elections by local legislation of the General Assembly; and

WHEREAS, the City of Fayetteville wishes to have a recall procedure in place that will allow its citizens an opportunity to address any serious concerns that may arise between regular City elections with regard to allegations of misfeasance, malfeasance, nonfeasance, or a violation of the oath of office; and

WHEREAS, the establishment of a recall procedure would allow the citizens to have an active voice in addressing any such concerns and would authorize the City to respond to the will of the people.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that the Council does support and request the introduction of a local bill amending the City Charter, Chapter 557, Session Law of 1979, as amended, by adding a new section to Chapter IV, Elections, to read as follows:

Sec. 4.4. Recall of Elected Officials.

- (a) The Mayor or any member of the City Council of the City of Fayetteville may be removed from office in the manner provided for in this section.
- (b) A recall petition committee may file an affidavit with the Director of the Cumberland County Board of Elections containing the name of the elected official whose removal is sought and a general statement of the grounds alleged for removal. The grounds for recall must be for allegations of misfeasance, malfeasance, nonfeasance, or a violation of the oath of office. The Director of the Board of Elections shall provide the recall petition committee filing the affidavit with petition forms for demanding the removal of a City elected official. The petition forms shall (i) be signed by the Director of the Board of Elections; (ii) be dated on the date of issuance; (iii) be addressed to the Cumberland County Board of Elections; (iv) contain the name of the persons to whom the forms are issued; (v) contain the name of the elected official whose removal is sought; (vi) contain a general statement of the grounds on which the removal is sought; and (vii) provide a place for signatures. The Director of the Board of Elections shall promptly deliver a copy of the petition issued by the Director of the Board of Elections to the City Clerk, who shall enter the copy of the petition in a record book kept for that purpose. The record book shall be maintained at the Office of the City Clerk.

- (c) A recall petition committee authorized under subsection (b) of this section shall be comprised of at least five members who are registered voters within the City and who shall represent the signers of the petition. Each member of the recall petition committee shall sign the petition and shall be responsible for circulating the petition within the City limits and for assembling and returning the petition to the Board of Elections as required by subsection (d) of this section.
- (d) A recall petition to be effective must be returned to the Board of Elections within 30 days after the filing of the affidavit. To be sufficient, a recall petition must bear the signatures of at least fifteen percent (15%) of the registered voters of the City if the recall is for the Mayor or fifteen percent (15%) of the registered voters in the district in which the Council member serves as shown by the registration records of the last preceding general municipal election.
- (e) The signatures to the petition need not all be appended to one paper. Each signer shall add his or her signature and place of residence, giving the complete street name, street number, and town.
- (f) The Board of Elections shall investigate the sufficiency of any petition and certify the results of the investigation to the City Council. The Board of Elections may employ persons as it deems necessary to undertake that investigation. The City Council shall reimburse the Board of Elections for the reasonable cost of the investigation. The Board of Elections may adopt rules concerning the validation of signatures appearing on the recall petition.
- (g) The Board of Elections shall complete its investigation and issue its certification of the results of the investigation within 10 days after the filing of any petition. However, the Board of Elections shall not be obligated to conduct an investigation in any 30-day period immediately preceding or in any 10-day period immediately following a county-wide election. If, by the Board of Elections' certification, the petition is shown to be insufficient, it may be amended within 10 days from the date of the certificate. The Board of Elections shall, within 10 days after any amendment, complete an investigation of the amended petition. If the certification of the results of the investigation shows the amended petition to be insufficient, a copy of the petition shall be returned to the recall petition committee filing the petition, without prejudice to the filing of a new petition.
- (h) Upon a determination that a sufficient recall petition has been submitted, the Board of Elections shall submit the petition to the City Clerk, who shall submit it to the City Council and shall notify the elected official whose removal is sought. If the elected official whose removal is sought does not resign within five days after receiving the notice, the City Council shall order and fix a date for holding a recall election. Subject to the remaining provisions of this section, an election shall be held not less than 60 nor more than 90 days after the petition has been certified as being sufficient. If any other general or special election is scheduled within this period, the City Council shall schedule the special election at the same time. If the provisions of general law prohibit the holding

of a special election during this time period and no general or special election is otherwise scheduled during that period of time, then the City Council shall schedule the special recall election for a date within 10 days after the last day of the period of time during which special elections are prohibited by general law.

- (i) The Board of Elections shall cause legal notice of the election to be published. That notice shall include the general statement of the grounds on which the recall is sought as alleged in the affidavit and shall make all arrangements for holding the election in accordance with general law. The recall election shall be conducted, returned, and the results declared as in other elections in the City of Fayetteville. The City shall reimburse the reasonable costs of the recall election to the Board of Elections.
- (j) The question of recalling any number of elected officials may be submitted at the same election. However, as to each individual elected official, a separate petition shall be filed and there shall be an entirely separate ballot.
- (k) The ballots used in a recall election shall submit the following proposition:

☐ FOR ☐ AGAINST

The recall of (name and title of elected official).

- (l) If less than a majority of the votes cast on the question of recalling an elected official are for recall, the elected official shall continue in office for the remainder of the unexpired term and, except as provided by subsection (n) of this section, shall be subject to recall as before. If a majority of the votes are for the recall of the elected official designated on the ballot, the elected official shall, regardless of any defects in the recall petition, be deemed removed from office on the date the Board of Elections certifies the results of the recall election.
- (m) If an elected official concerning whom a sufficient recall petition is submitted to the City Council resigns before the recall election or is removed from office as a result of the recall election, the vacancy shall be filled in the manner provided by Section 4.1 or Section 4.2 of this Charter for filling vacancies in that office, except as provided in subsection (o) of this section. An elected official who resigns after a sufficient petition for his or her recall has been submitted to the City Council or who is removed from office by the voters as a result of a recall election shall not be appointed to fill the vacancy caused by that elected official's own resignation or removal.
- (n) No recall petition shall be filed in accordance with subsection (d) of this section against an elected official who has been subjected to a recall election, and not removed thereby, until at least six months after that recall election. No recall petition shall be filed in accordance with subsection (d) of this section against an elected official during the first three months of the term of that office or during the six months before the expiration of the term of that office.

- (o) If the recall of two or more members of the City Council or the recall of the Mayor and one or more members of the City Council are effected at a single recall election, the successors of the elected officials recalled shall be elected by the registered voters of the City at a special municipal election, and the successors shall serve for the remainder of the terms of the elected officials recalled. The members of the City Council who have not been recalled shall call that special election, which shall be conducted by the Cumberland County Board of Elections under the laws then governing elections in the State. If the recall of all or a majority of the members of the City Council is effected at a single election, they shall continue in office for the purpose, and only for the purpose, of calling a special municipal election for the election of their successors as provided in this section. That election shall also be conducted by the Cumberland County Board of Elections under the laws then governing elections in the State. The City shall reimburse the reasonable costs of the recall election to the Cumberland County Board of Elections.

AND BE IT FURTHER RESOLVED that copies of this resolution be sent to Representatives Elmer Floyd, Marvin W. Lucas, William O. Richardson, and John Szoka and Senators Ben Clark and Kirk deViere.

ADOPTED this 14th day of January 2019.

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO SUPPORT AND ADVOCATE FOR OUR LOCAL MULTIMODAL TRANSPORTATION NETWORK

WHEREAS, the City of Fayetteville has provided safe and affordable transportation options to residents and visitors of this community for over forty years through the Fayetteville Area System of Transportation (FAST);

WHEREAS, FAST operates a fleet of twenty-seven fixed route buses on eighteen routes seven days a week and must respond to assist emergency management, police and fire departments when disasters like Hurricane Florence occur possibly without being eligible to FEMA reimbursement.

WHEREAS, funding availability to expand bus fleet is extremely limited; and

WHEREAS formula funding for urban fixed route transit systems or the State Maintenance Assistance Program (SMAP) program was cut 26.7% in the FY 2019 State Budget; and

WHEREAS, SESSION LAW 2017-57 provided funding for airport improvements and debt services and Fayetteville Regional Airport received over \$2.2 million of funding for these purposes in the first year; and

WHEREAS, an additional connections for motorists from Bragg Boulevard to Pamalee Drive will provide enhanced traffic flow, increase potential for economic development and support emergency response standards; and

WHEREAS, additional funding is requested to help construct the extension of Blanton Road from the intersection of Pamalee Drive to connect to Villagio Place near the intersection with Bragg Boulevard will address these concerns;

NOW, THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, this Council does hereby resolve that the City of Fayetteville, North Carolina, supports and advocates for restoring formula funding for urban/fixed route transit systems through state maintenance assistance program (SMAP); maintaining stable funding for the aviation trust fund; and establishing funding for Blanton road extension.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 14th day of January, 2019; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

DRAFT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
TO SUPPORT AND ADVOCATE FOR STRENGTHENING LOCAL PUBLIC
SAFETY AGENCIES' ABILITY TO MAINTAIN A SAFE AND SECURE
COMMUNITY.**

WHEREAS, N.C.G.S. § 15-11.2 prevents the destruction of weapons law enforcement obtain, if they are operable and have a legible serial number; and

WHEREAS, law enforcement can only dispose of weapons “by sale, trade, or exchange by the agency to a Federally licensed firearm dealer in accordance with all applicable State and Federal firearm laws or by sale of the firearm at a public auction to persons licensed as firearms collectors, dealers, importers or manufacturers”; and

WHEREAS, the Fayetteville Police Department requests legislative support for the revision of N.C.G.S. § 15-11.2 to include the option to “destroy” weapons, if they chose not to sell; and

WHEREAS, Fayetteville Fire & Emergency Management responded to nearly 30,000 calls for service in FY2018 including fire suppression, emergency medical services, hazardous materials response and technical rescue; and

WHEREAS, funding is request to assist in the relocation of the Fire Station on Ft Bragg Road and Stamper Rd to areas further north in order to maintain adequate response time for the emergency calls; and

WHEREAS, Fayetteville City Police has deployed a network of over 100 cameras on utility poles downtown and along major corridors as a “force multiplier” to help identify suspects in crimes and deter others from committing them; and

WHEREAS, additional resources is requested to improve our fiber network connectivity; and

WHEREAS, several City recreational centers, are designated as special needs shelters during emergencies; and

WHEREAS, funding is requested to secure additional generators for these facilities and several other buildings to ensure continuity of operations during emergency events;

NOW, THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, this Council does hereby resolve that the City of Fayetteville, North Carolina, supports and advocates for these measures to strengthen local public safety agencies' ability to maintain a safe and secure community.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 14th day of January, 2019; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO SUPPORT AND ADVOCATE FOR ADDITIONAL FUNDING FOR GROUNDWATER REMEDIATION AND PILOT TESTING ACTIVITIES AT THE TEXFI SITE

WHEREAS, The Texfi Industries site is a former textile dye and finishing plant located at 601 Hoffer Drive in Fayetteville, North Carolina, which ceased operations in 2000 due to bankruptcy; and

WHEREAS, very high concentrations of known carcinogens have spread laterally and vertically in groundwater toward Fayetteville Public Works Commission's (PWC) Hoffer Water Treatment Plant and provide a future threat to a PWC clean water holding tank (i.e., clearwell), as well as to the Cape Fear River; and,

WHEREAS, the North Carolina Department of Environmental Quality (NCDEQ) received bankruptcy funding (approximately \$941,000) from the Texfi settlement and NCDEQ initiated partial remediation activities at the site from 2008 to 2014 until the bankruptcy proceeds were not sufficient to complete the required work; and

WHEREAS, previous support from the state legislature has been tremendously appreciated;

WHEREAS, recent Remedial Alternatives Evaluation and Cost Estimate have assessed potential activities to complete the groundwater-remediation activities over a five plus year period to more completely remediate the chemicals in groundwater and help to ensure the protection of PWC's water supply and the Cape Fear River prior to potential drinking water contamination for its service area;

NOW, THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, this Council does hereby resolve that the City of Fayetteville, North Carolina, supports and advocates for additional funding for groundwater remediation and pilot testing activities at the Texfi site.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 14th day of January, 2019; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-581

Agenda Date: 1/14/2019

Version: 2

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Reports From
Boards and Commissions

Agenda Number: 7.01

TO: Mayor and Members of City Council

THRU: Barbara Hill, Interim Assistant City Manager

FROM: Bradley Whited, Airport Manager

DATE: January 14, 2019

RE:

Airport Commission Annual Report to City Council - 2018

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Demonstrate the investment and community involvement in high quality airport services.

Executive Summary:

Airport Commission Chairman, Naynesh Mehta will present the annual report to City Council

Background:

Required by City Code Chapter 3

Issues/Analysis:

None

Budget Impact:

None

Options:

Accept the Report

Don't accept the Report

Recommended Action:

Accept the report into the record

Attachments:

Power Point Presentation including attachments



FAYETTEVILLE REGIONAL AIRPORT

2018 Annual Report

Airport Commission Chair Naynesh Mehta





The following report summarizes all the accomplishments of Fayetteville Regional Airport throughout the past year.

All achievements were accomplished thanks to the dedicated Airport administrative staff, in addition to the support and backing from the City of Fayetteville.

Thank you to all for the hard-work and dedication needed to continue to reach our goals. We look forward to working together this year and many more.



Commissioners

Naynesh Mehta, Chair
Herbert Gene Vance, Vice Chair
Dawn Gibson, Secretary

Katherine Marable
John Lewis
Victor Carnevale
Hector Ray
John Meroski
Robert Van Geons
Wilson Lacy

Airport Capital Project

Terminal Improvement Part I – Concourse A, connector and restaurant



New Restaurant Operators

Former vending area Concourse B

INNOVATIVE AIRPORT CONCESSIONS
TAILWIND





Denise Strother

@DeniseStrother

Follow

Hey! Hey! Hey! @flyFAYairport has a shop at the B Gates. #movingonup



2:36 AM - 12 Nov 2018 from Fayetteville, NC

1 Retweet 2 Likes



1



2



Tweet your reply



Fayetteville Regional Airport

Published by Allison Rogers [?]

Like This Page · November 16 ·

Traveling FAY this weekend? Check out our newest amenity offered in B Concourse! Our Tailwind Concession stand and gift shop, offering a selection of travel items and food options to purchase while you wait! #flyFAY

Tag Photo

Add Location

Edit

455

People Reached

65

Engagements

Boost Post

29

3 Comments

Like

Comment

Share



Most Relevant



Deanna Opava Rosario I like the changes you've made so far.

Like · Reply · Message · 3w



Linda Hill It's about time they're putting stuff N the ConCourses instead of passengers going N & Out all the time..Can't wait to see the Restaurant N A ConCourse when they finish!❤️

Like · Reply · Message · 3w



Carolyn Bradley Morrison Great news

Like · Reply · Message · 3w



Write a comment...



Fayetteville Regional Airport

Published by Allison Rogers [?]

Like This Page · November 17 ·

FAY? Stop by the new Tailwinds on area in Councourse B and grab a quick or drink while you wait. #flyFAY

Photo

Add Location

Edit

43

Reached

Engagements

Boost Post

4 Comments

Comment

Share

More options

Want

Debra Taylor Looking forward to it ... March seems so far away right now!

Like · Reply · Message · 3w

Denise Bufalini Looks wonderful!! I can't wait to visit!!

Like · Reply · Message · 3w

Denise Lane Great addition to our airport!

Like · Reply · Message · 3w

Write a comment...



Marketing



- Created Marketing Specialist position in 2017
- Expansion of Marketing Plan
- Development of new creative
- Redesign of current website
- Growth of social media channels

Fly Local. FlyFAY.com



The Hardest Part Is Deciding Where



The Sandhills' leader in airline service, general aviation, and rental



Frequent daily service to three airline hubs:

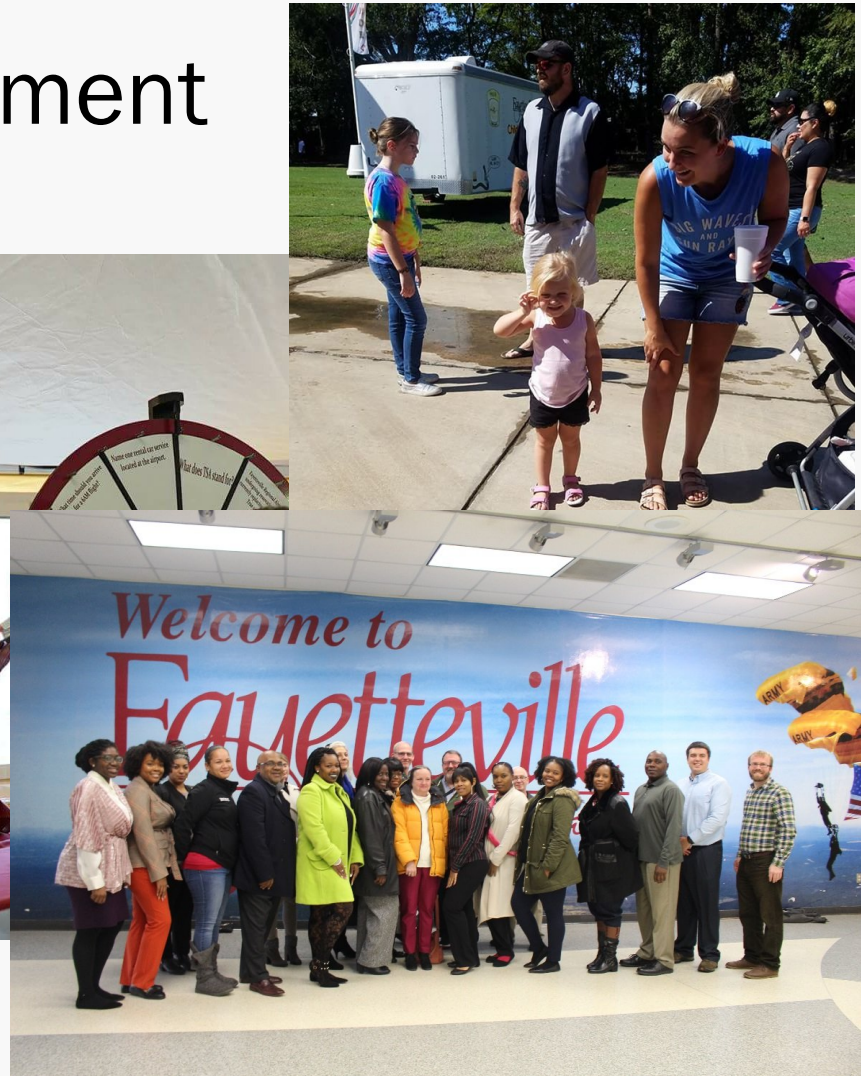
- American Airlines services to Charlotte
- Delta with services to Atlanta
- United with service to Washington-Dulles

Visit us online at: www.FlyFay.com | [Facebook: FlyFayairport](#) | [Twitter @flyfayairport](#)



Community Engagement

- Dogwood Festival
- International Folk Festival
- Citizen's Academy



School Tours



Operation Airdrop & Hurricane Relief



Snowball Express



Additional Achievements:

- Added Mayor Mitch Colvin's Welcome Message to Airport announcement rotation
- USO 10 year Anniversary
- Mayor's welcome of Congressman John Lewis



Air Service

- 10 year growth
- Summary of airline performance
 - American Airlines 195,408 passengers since January (avg. 16 flights in/out per day)
 - Delta 179,078 passengers since January (avg. 12 flights in/out per day)
 - United Airlines 53,051 passengers since January (avg. 6 flights in/out per day)
 - Average 460,000 total passengers each year
 - 461,331 annual passengers projected for 2018
- United Airlines decision to withdraw from market in March 2019
 - Potential increase of United's 11.5% market share to current or new carriers
- Hired air service consultant to look for new air service opportunities



Economic Development

- Contracted with FCEDC
 - Design program to increase investment and economic development
 - Identify and evaluate development areas
 - Develop recruitment packages, enhance marketing materials and proactive outreach
 - Identify grants, programs and other funding sources
- Fayetteville Regional Airport's annual economic impact:
 - NCDOT Aviation Study - 2015
 - Employment: 740 jobs
 - Payroll: \$22,530,000
 - Economic Output: \$318,810,000



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-590

Agenda Date: 1/14/2019

Version: 2

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Reports From
Boards and Commissions

Agenda Number: 7.02

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: David Nash, AICP, Senior Planner and Staff Rep to the JAC
Taurus Freeman, Planning and Zoning Division Manager
Gerald Newton, AICP, Development Services Director

DATE: January 14, 2019

RE:
Annual Report from the Joint Appearance Commission

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal III: High Quality Built Environment

Goal IV: Desirable Place to Live, Work and Recreate

Executive Summary:

The Joint Appearance Commission (JAC) is pleased to present its 2018 Annual Report to the Fayetteville City Council. On January 14, 2019, Mr. Johnny Lanthorn, the current Chairman of the JAC, will make the presentation.

Background:

The Joint Appearance Commission was created in 2004 when the various jurisdictions in Cumberland County adopted an interlocal agreement. The interlocal agreement was based on enabling legislation enacted by the NC General Assembly.

The purpose of the JAC is to promote the enhancement of the appearance of the community. The interlocal agreement sets forth the duties of the JAC: To implement

programs of general community beautification; to review and make recommendations regarding the aesthetic suitability of public buildings, facilities, or projects; to recommend ordinances; to direct local officials toward needed enforcement actions; and to prepare, publish, and distribute studies and reports which will advance the cause of improved community appearance.

The Fayetteville City Council appoints four members, the Cumberland County Board of Commissioners appoints four members, and the governing bodies of the other eight towns appoint one member each. The four members appointed by the Fayetteville City Council also serve as the Fayetteville Tree Board.

See attached report for more information.

Issues/Analysis:

The attached report is based on the time period from January 2018 through December 2018. Some the highlights for 2018 include:

Reviewed plans for the baseball stadium and other associated projects in Downtown Fayetteville.

Partnered with Cumberland County Schools, Cumberland County, and Cooperative Extension Service in holding an Arbor Day ceremony at E. E. Miller Elementary School; this helped the City of Fayetteville maintain its designation as a Tree City USA.

Sponsored the tenth annual Community Appearance Awards Program. Ceremony was co-hosted by Fayetteville Area Apartment Association.

Received information on the need for clarifying City's current banner policy.

Budget Impact:

Not applicable

Options:

Accept the attached report (recommended).
Request additional information before accepting the report.

Recommended Action:

Staff recommends that the City Council accept the attached report.

Attachments:

Joint Appearance Commission-2018 Annual Report for the Fayetteville City Council

Joint Appearance Commission

2018 Annual Report for the Fayetteville City Council

(To Be Presented to City Council on January 14, 2019)

Introduction

This report provides background on the Joint Appearance Commission (JAC), it explains the relationship of the JAC to the Fayetteville Tree Board, it provides information on the Community Appearance Awards Program, it provides a summary of activities during calendar year 2018, and it provides a list of initiatives for calendar year 2019.

Background

What Is the Purpose of the Joint Appearance Commission? The purpose is promote the enhancement of the appearance of the community.

Why Is There a Joint Appearance Commission? Prior to 2004, the City of Fayetteville had its own Appearance Commission. Around 2003, the members of the Fayetteville Appearance Commission recognized a need to create a joint commission. This need was based on the fact that many community gateways leading in and out of Fayetteville straddle the Fayetteville city limits; this meant that responsibility for regulation, improvements and maintenance was split between the City and the County. The members of the Fayetteville Appearance Commission felt the commission could be more effective in improving the appearance of gateways if the commission included members appointed by the county and the small towns in the county. The members also felt that appearance was an important issue that needed to be promoted county-wide. The City asked the County and the small towns to consider forming a joint commission in 2003-2004.

Establishment-The Joint Appearance Commission was established in 2004 when the various jurisdictions adopted an interlocal agreement. The interlocal agreement was based on enabling legislation enacted by the NC General Assembly. After members were appointed, they adopted their own Bylaws.

Duties-The following duties are outlined in the interlocal agreement: To initiate, promote and assist in the implementation of programs of general community beautification; to review and make recommendations regarding the aesthetic suitability of public buildings, facilities, or projects; to recommend ordinances; to direct local officials toward needed enforcement actions; and to prepare, publish, and distribute studies and reports which will advance the cause of improved community appearance.

Membership-The Joint Appearance Commission is made up of members appointed by Cumberland County and the nine towns in Cumberland County. The City of Fayetteville appoints 4 members, the Board of County Commissioners appoints 4 members, and the governing boards of the other eight towns appoint one member each. Currently, all towns are represented on the commission, except for the Towns of Falcon, Godwin, and Linden.

Qualifications for Membership-Members are supposed to be a resident of the jurisdiction making the appointment. Where possible, appointments are to be made in order to maintain a majority of members

who have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning, or a closely related field.

Meetings and Staff Support-The commission normally meets on the second Monday of each month in the Fayetteville City Hall. The staff of the City Development Services Department provides primary staff support. A member of the Cumberland County Planning Department also provides staff support.

Relationship to the Fayetteville Tree Board

The four Joint Appearance Commission members appointed by the Fayetteville City Council also serve as the Fayetteville Tree Board. The Tree Board promotes public tree protection measures within the City of Fayetteville, and it helps the City maintain its designation as a Tree City USA.

Community Appearance Awards Program

In 2008-2009, the commission began sponsoring a Community Appearance Awards Program. The purpose of this program is to recognize properties in Cumberland County that are improving the appearance of the community. The attached chart shows how the program has grown since 2009.

Summary of Activities During 2018

- Number of Meetings in 2018

	Regular Meetings (1 per month)	Special Meetings (as needed)	Total Meetings
Potential # of Mtgs	12		
# Mtgs Cancelled	3		
# Mtgs Held	9	1 (awards ceremony)	10
# Held-No Quorum	1		1
# Held-With Quorum	8	1	9

- Reviewed plans for 6 projects in Downtown Fayetteville: the baseball stadium; the plaza area (which will be a walkable street between the Festival Park building, the stadium, and Hay Street); the new structure near the Amtrak station (consisting of 3 projects: parking deck, hotel, residential units); and the remodeling of the Prince Charles Hotel into apartments (January 16, 2018).
- Received copy of report from American Planning Association on Measuring Community Character (February 20, 2018).
- Partnered with the Cumberland County Schools, Cumberland County, and the Cooperative Extension Service in holding an Arbor Day ceremony at E.E. Miller Elementary School; this helped the City maintain its designation as a Tree City USA (March 15, 2018).
- Sponsored the tenth annual Community Appearance Awards Program (April-August). Awards Ceremony was held at Highland Country Club on August 9, 2018. Ceremony was co-hosted by Fayetteville Area Apartment Association.
- After-action review of appearance awards program (August 21, 2018).
- Received information on need for clarifying City's current banner policy (prompted by inquiry from Cool Springs Downtown Development group). Heard report from PWC staff on current banner policy (August 21, 2018).

- Voted to amend Bylaws regarding meeting dates (changed from third Tuesday to second Monday) (August 21, 2018).
- On behalf of Fayetteville Tree Board, staff researched background on large tree located on corner of Hay Street and Hillsboro Street in Downtown Fayetteville (October 2018).
- On behalf of Fayetteville Tree Board, staff submitted Tree City USA recertification materials to NC Forest Service and Arbor Day Foundation (December 2018).

Initiatives for 2019

Monitor the Work of and Assist the City Council's Gateway Committee- The JAC realizes that the Gateway Committee has taken the lead on developing ideas for gateways. In 2019, the JAC hopes to monitor these efforts and it stands ready to help in any way possible.

Fayetteville Tree Board Activities-In its function as the Fayetteville Tree Board, the commission expects to again partner with the Cumberland County Schools, Cumberland County, and the Cooperative Extension Service in sponsoring an annual Arbor Day celebration as part of the Tree City USA program. Other objectives include: encouraging the planting of more public trees; drawing attention to the economic value of trees by placing a sign on selected trees, showing their value; and promoting the Tree City USA designation for other towns in the County.

Continue the Community Appearance Awards Program-The JAC hopes to sponsor the eleventh annual Community Appearance Awards Program in 2019. The JAC will consider some revisions in the categories in 2019. It will also continue to partner with other organizations willing to co-sponsor the program. Significant cost-savings have resulted in the past through these partnerships.

Strengthen Relationships with Other Organizations-The JAC will work with other organizations, such as Fayetteville Beautiful, this coming year.

Conduct a Survey of Community Appearance-In the past, the JAC has considered ways of conducting a survey of community appearance. In 2019, the JAC will look into the possibility of using an online survey.

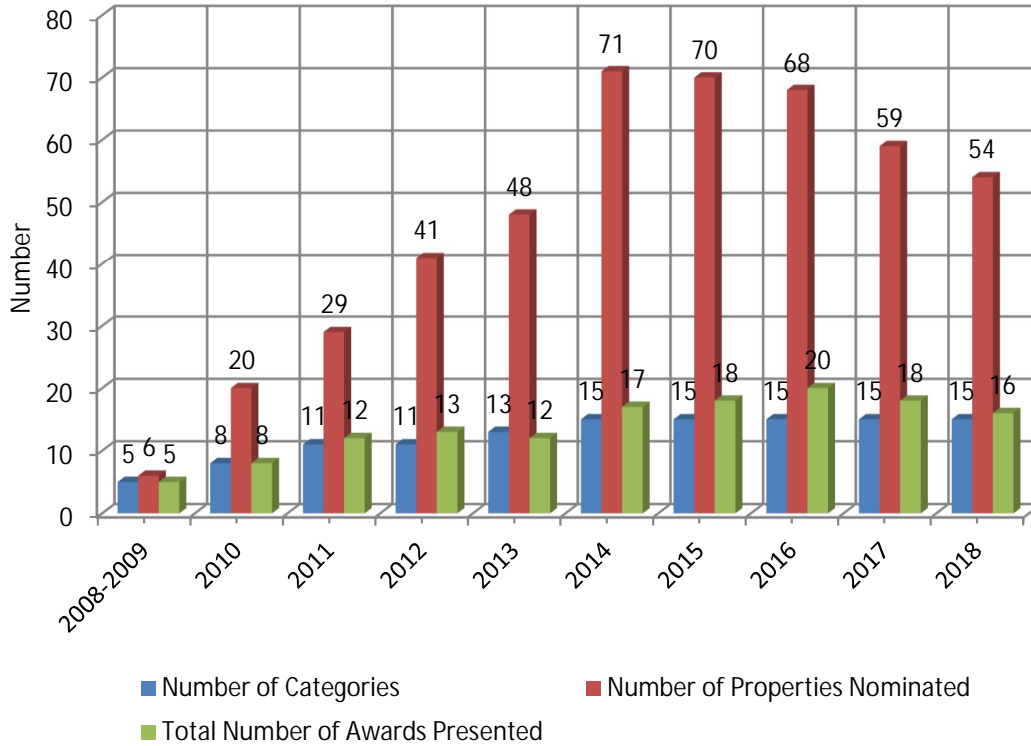
Fill Several Vacancies on the JAC-Several seats on the JAC have been vacant for some time. The JAC will encourage the governing boards of these jurisdictions to appoint members for these vacant seats.

Encourage Governing Boards of Other Jurisdictions to Adopt Attendance Requirements-Currently, only the City of Fayetteville members of the JAC are required to attend a certain number of meetings. If other jurisdictions would adopt similar requirements, it might result in better attendance at meetings.

Attract Members from the Various Design Fields-The commission reminds the jurisdictions who have the authority to appoint members that, when possible, a majority of the members of the commission should have special training or experience in a design field (such as architecture, landscape design, horticulture, city planning, or closely related fields). This is suggested in the interlocal agreement which created the commission.

Review of Public Buildings-The commission reminds the various jurisdictions in the County that it is authorized to review and make recommendations regarding the aesthetic suitability of public buildings, facilities, and projects.

Summary Data for the Community Appearance Awards Program 2009-2018



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-606

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Other Items of
Business

Agenda Number: 9.01

TO: Mayor and Members of City Council

THRU: Douglas J. Hewett, City Manager ICMA-CM
Telly C. Whitfield, Ph.D., Assistant City Manager

FROM: Tracey Broyles, Budget and Evaluation Director

DATE: January 9, 2019

RE:

Consideration of Cumberland County's Proposed Sales Tax Distribution
Interlocal Agreement

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal V: Sustainable Organizational Capacity

Objective A: To ensure strong financial management with fiduciary accountability
and plan for future resource sustainability by aligning resources with City priorities

Executive Summary:

In February, 2016, City Council authorized a three-year extension of the Sales Tax Distribution Interlocal Agreement with the County and other local municipalities which will conclude at June 30, 2019.

At a meeting of the Mayor's Coalition on December 18, 2018, Cumberland County shared a proposal for an amendment and extension of the agreement. The County has imposed a deadline of January 31, 2019 for all jurisdictions to execute the proposed agreement.

The Sales Tax Committee met on January 9, 2019 to review the proposal and supported bringing the proposal forward for action by the City Council.

Background:

State statute authorizes the County to choose the distribution method for sales tax revenues among the County and municipalities using either the per capita (population based) method or the ad valorem (tax levy based) method. The County must decide in April of each year which method will be used for distribution for the next fiscal year.

Historically, sales taxes within Cumberland County have been distributed on a per capita basis. As municipal populations grew through annexation, the County's relative share of per capita distributions declined. In October, 2003, the County and each of the local municipalities reached an interlocal agreement under which municipalities reimburse the County and other municipalities for 50% of lost sales tax revenues due to annexations in exchange for the County maintaining the per capita basis of distribution.

Modifications to the agreement have included a provision to reimburse the County 100% for sales tax distribution impacts of the annexed population on Fort Bragg, and the addition of Eastover at its initial incorporation and its subsequent release from required reimbursements due to its population at the time of incorporation.

The original agreement was effective for a three-year term, and has been renewed four times. The current extension was approved in February, 2016 for fiscal years 2017 through 2019, and it is set to expire on June 30, 2019.

On January 19, 2018 and again on October 5, 2018, the County forwarded an initial proposal to extend the sales tax agreement in its current form for four years. Mayor Colvin initiated the Council's Sales Tax Committee to discuss the proposed agreement and prepare a recommendation for further action to the Council.

The Sales Tax Committee consisting of Mayor Colvin (chair), Mayor Pro Tem Mohn and Councilmembers Waddell and Culliton met on October 9, 2018 and developed an alternative proposal. At a special meeting on October 10, 2018, the full Council endorsed the proposal (see attachment) and it was subsequently shared with the County. The proposal was reviewed with County Manager Amy Cannon and Assistant County Manager Melissa Cardinali at a meeting with the City Manager and me on October 19, 2018.

At a called meeting of the Mayor's Coalition on December 18, 2018, the County presented a PowerPoint and an updated proposal to amend and extend the agreement (see attachments). The County's announced a deadline for action in response to the proposal of January 31, 2019.

On January 9, 2019, the Sales Tax Committee met to review the County's proposal with staff and unanimously voted to recommend the County's proposal for action by the full Council.

Issues/Analysis:

The County's proposal would continue the terms of the current agreement for the first year, FY2020, and then FY2020 will serve as the base year for calculation of future year reimbursements.

Following discussions with County staff and receipt of mathematical illustrations of the County's proposed calculation methodology for determination of reimbursement amount for FY2021 to FY2023 (attached), staff understands the following to be the key changes between the current agreement and the proposed agreement:

- Reimbursement percentages for FY2021 to FY2023 will be locked-in at FY2020 levels
- Initial reimbursement amounts will be calculated using the set percentages and the total revenues distributed during the fiscal year.
- Any calculated reimbursements amounts due to the County in excess of the FY2020 base year level will be reduced by 60% and any reimbursement amounts due to other municipalities will be reduced by 50%.
- Similar adjustments apply should sales tax revenues decline.

It is expected that the amendment to the agreement will result in the City retaining a greater share of sales tax revenues. There are risks inherent in the change to lock-in the reimbursement percentages, particularly with respect to annual population adjustments for Fort Bragg group quarters, however it was the consensus of the Sales Tax Committee that the level of risk is acceptable given the potential to retain an increased share of the sales tax revenues and to receive a commitment to continue the per capita method of sales tax distribution for four years.

Budget Impact:

Staff prepared a comparison of estimated net revenues for Fiscal Year 2018 under the per capita and ad valorem distribution methods (attached). Using this data (which is the most recent complete fiscal year for which data is available), it is estimated that the City would lose a minimum of \$5 M should the County elect to transition to the ad valorem method of distribution. In fiscal year 2018, 1 cent on the City's ad valorem property tax rate generated approximately \$1.37 M in revenue. On that basis, it would require a tax rate increase between 3.5 and 4.0 cents to make up for lost sales tax revenues should the County elect the ad valorem method of distribution.

It is difficult to project the impact of the County's proposed amendment as sales tax growth is uncertain; however, it would certainly be beneficial to the City to reduce growth in the amount of future reimbursements to the County by 60% and to other municipalities by 50%.

Options:

- Accept the proposal as put forth by Cumberland County
- Accept the proposal put forth by Cumberland County with negotiation for additional considerations

- Reject the County's proposal
- Other direction from Council

Recommended Action:

On the basis of the recommendation of the Sales Tax Committee, staff recommends that Council move to accept the County's proposed interlocal agreement and request City and County staff to jointly document agreed upon processes for calculation of future reimbursements.

Attachments:

- Cumberland County's Proposed Sales Tax Distribution Interlocal Agreement
- County PowerPoint Presentation for the Mayor's Coalition on December 18, 2018
- Illustration of Reimbursement Calculation Methodology for FY21-23 Provided by Cumberland County
- City's October 10, 2018 Proposal for Amendment of the Interlocal Agreement
- Comparison of Per Capita and Ad Valorem Sales Tax Distribution Methods based upon FY2018

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is entered into in the year 2018 as indicated by the date executed by each party, by and among the City of Fayetteville, the Town of Hope Mills, the Town of Spring Lake, the Town of Stedman, the Town of Wade, the Town of Falcon, the Town of Godwin, the Town of Linden, the Town of Eastover, (hereinafter referred to as a “Municipality: or collectively as a the “Municipalities”), and the County of Cumberland (hereinafter referred to as the “County”), with the Municipalities and the County collectively referred to as the “Parties.”

RECITALS:

Whereas, the County and the Municipalities entered into an interlocal agreement in 2003 for the County to continue to elect the per capita method of sales tax distribution conditioned upon certain reimbursements by the Municipalities to mitigate the re-allocation of sales tax revenue as a result of municipal annexations (the “Sales Tax Distribution Interlocal Agreement”); and

Whereas, the County and the Municipalities have maintained the Sales Tax Distribution Interlocal Agreement through certain amendments and extensions adopted in 2006, 2009, 2013 and 2016 to a term ending June 30, 2019, and these amendments and extensions, together with the 2003 Agreement, now constitute the current Sales Tax Distribution Interlocal Agreement; and

Whereas, the County and the Municipalities have entered into additional interlocal agreements by which the County provides certain services and/or funding to the Municipalities and some of the Municipalities provide certain services to the County; and

Whereas, the City of Fayetteville and the County have also merged their respective Parks and Recreation Departments into a unified recreation department operated by the City; and

Whereas, the revenue needed by the County to maintain the services and/or funding through those additional interlocal agreements and to maintain the per capita method of sales tax distribution is dependent upon the reimbursement of the sales tax revenue lost to the County under the per capita distribution method due to municipal annexations; and

Whereas, certain of those other interlocal agreements between the County and the Municipalities would be directly impacted by changing the sales tax distribution method to the ad valorem method because every tax district would share in the ad valorem method of distribution, including those tax districts that do not share under the per capita method of distribution; and

Whereas, some of the other interlocal agreements referenced herein include:

(a) the consolidation of the recreation departments of Fayetteville and the County in 2004 and the creation of a Recreation District in which all the recreation services for the County and the Towns of Falcon, Godwin, Wade, Linden, Eastover and Stedman are administered by the Fayetteville/Cumberland Regional Parks and Recreation Department as a department of the City of Fayetteville;

(b) the County's participation in funding the debt service incurred by Fayetteville for the construction of a parking deck in downtown Fayetteville;

(c) the County's participation in funding the debt service incurred by the City of Fayetteville for the construction of a minor league baseball stadium in downtown Fayetteville;

(d) the consolidation of the emergency dispatch services of the Town of Spring Lake and the County with all emergency dispatch services for the Town of Spring Lake provided by the County;

(e) The Town of Spring Lake's provision of fire and first responder services for the Manchester Fire District within the County;

(f) the County's provision of building inspection services for the Town of Spring Lake when the Town's inspectors are not available;

(g) the consolidation of the emergency dispatch services of the Town of Hope Mills and the County with all emergency dispatch services for the Town of Hope Mills provided by the County;

(h) the County's provision of certain inspection and code enforcement for the Towns of Eastover and Stedman;

(i) the County's provision of animal control services for all the Municipalities except the Town of Hope Mills; and

(j) the County's provision of joint planning and development services for all the Municipalities except the City of Fayetteville; and

(k) the County's collection of property taxes for all the Municipalities; and

Whereas, the County and each of the Municipalities acknowledges that the geographic proximity of the City of Fayetteville and the Towns of Spring Lake, Eastover, Stedman, and Hope Mills; and the geographic proximity of the Towns of Falcon, Godwin, Wade and Linden; allow greater efficiency in the provision of public services by the County or the City of Fayetteville for the smaller Municipalities and the benefits of this efficiency accrue to the residents of all of these communities and to the County residents living in the unincorporated communities; and

Whereas, the County acknowledges that the Franklin Street Parking Deck financed and constructed by the City of Fayetteville enhances downtown parking for the State and County employees and customers of the State and County agencies occupying the County's courthouses, Law Enforcement Center, and Detention Center in the downtown; and

Whereas, the County and the Municipalities acknowledge that the minor league baseball stadium financed and being constructed downtown by the City of Fayetteville will enhance recreation opportunities and business growth for all citizens of the County; and

Whereas, the Municipalities acknowledge that if the Board of County Commissioners elected to change the sales tax distribution to the ad valorem method, it would result in a substantial increase in sales tax distribution to the County with a proportionate decrease in the sales tax distribution to the Municipalities; and

Whereas, the Parties acknowledge that the reimbursement of a portion of the sales tax revenue lost to the County by municipal annexations under the per capita sales tax distribution method enhances the County's ability to provide the services and funding to the Municipalities described above.

Now therefore, in partial consideration of the services provided by the County to the Municipalities and for any services provided by any of the Municipalities to the County or any other Municipality as described above, to clarify the relationships between the Sales Tax Distribution Interlocal Agreement and the various other interlocal agreements between or among the County and any of the Municipalities as described above, and to further extend the Sales Tax Distribution Interlocal Agreement, the Parties enter into this Sales Tax Distribution Interlocal Agreement as follows:

1. *Consideration.* The Parties agree that the transfers of sales tax funds from any of the Municipalities to the County or to any other Municipality pursuant to this Sales Tax Distribution Interlocal Agreement constitute partial consideration for the County to continue to maintain the services and/or funding through the other interlocal agreements described herein in

accordance with the terms of any applicable interlocal agreement with any of the Municipalities, while continuing to elect the distribution of sales tax revenue by the per capita method.

2. *Effect on the Provision of Services and Other Funding.* The County agrees that the receipt of this partial consideration pursuant to the Sales Tax Distribution Interlocal Agreement with the additional consideration established by the other interlocal agreements is sufficient for the County to continue to maintain the services and/or funding provided by the other interlocal agreements referenced herein at the current levels at which such services and/or funding is provided by the County in accordance with the terms of the applicable interlocal agreements; provided that, this agreement shall not be construed as binding the County or any of the Municipalities to continue any interlocal agreement for the provision of services or funding except in accordance with the terms of such other interlocal agreements to include the rights to terminate or amend such agreements.

3. *Certain Provisions of the Current Sales Tax Distribution Agreement to Be Incorporated by Reference.* All the terms and provisions of the existing Sales Tax Distribution Interlocal Agreement to include the extensions and amendments approved in 2006, 2009, 2013 and 2016 and with an expiration date of June 30, 2019, that are not inconsistent with any of the terms of this Sales Tax Distribution Interlocal Agreement, are incorporated herein by reference to the end that the sales tax distribution as determined for FY2019 shall be used for this Sales Tax Distribution Interlocal Agreement for the determination of the distribution for FY2020.

4. *Term.* This Sales Tax Distribution Interlocal Agreement shall remain in effect for four (4) fiscal years, commencing July 1, 2019, and ending June 30, 2023, unless sooner terminated in accordance with the early termination provision stated herein.

5. *Base Year and Method of Apportionment of Growth or Decline in Sales Tax Revenues.* The sales tax distribution for FY2020 shall become the basis for the distributions in FY2021 through FY2023 as follows:

(a) For any year the sales tax revenue increases over the amount distributed for FY2020, forty percent (40%) of the increase shall be distributed to the County and sixty percent (60%) of the increase shall be distributed to the Municipalities with each Municipality's share of the increase being its percentage of the total distribution for FY2020.

(b) For any year the sales tax revenue is less than the amount distributed for FY2020, forty percent (40%) of the decline shall be apportioned to the County and sixty percent (60%) of the decline shall be apportioned to the Municipalities with each Municipality's share of the decline being its percentage of the total distribution for FY2020.

6. *Early Termination.* This agreement shall be a continuing agreement to remain in place for the stated term except upon the following conditions:

(a) If the General Assembly makes changes to the statutes governing the distribution of sales tax revenue during the term of this agreement, the County's Board of Commissioners may elect to terminate this agreement at any time after the law is passed, including any date prior to the effective date of the changes in the law; or

(b) If the governing board of any of the Municipalities should take action to withdraw from the agreement, the County's Board of Commissioners may elect to terminate this agreement at any time after that action is taken.

7. This Sales Tax Distribution Interlocal Agreement shall be a continuing interlocal agreement which shall be approved by the governing body of each Party and entered into the minutes of the meeting at which it is approved.

IN WITNESS WHEREOF the parties, intending to be bound and by authority duly given, have caused this agreement to be signed by their appropriate officials, the day and year designated by each.

COUNTY OF CUMBERLAND

ATTEST:

Candice H. White, Clerk to the Board

BY: _____
Jeannette M. Council, Chair
Board of Commissioners

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

County Finance Director

Approved for Legal Sufficiency:

County Attorney

[Signature pages for Municipalities Follow]

CITY OF FAYETTEVILLE

ATTEST:

City Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Fayetteville Finance Director

Approved for Legal Sufficiency:

Fayetteville City Attorney

TOWN OF HOPE MILLS

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Hope Mills Finance Director

Approved for Legal Sufficiency:

Hope Mills Town Attorney

TOWN OF SPRING LAKE

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Spring Lake Finance Director

Approved for Legal Sufficiency:

Spring Lake Town Attorney

TOWN OF STEDMAN

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Stedman Finance Director

Approved for Legal Sufficiency:

Stedman Town Attorney

TOWN OF EASTOVER

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Eastover Finance Director

Approved for Legal Sufficiency:

Eastover Town Attorney

TOWN OF WADE

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Wade Finance Director

Approved for Legal Sufficiency:

Wade Town Attorney

TOWN OF LINDEN

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Linden Finance Director

Approved for Legal Sufficiency:

Linden Town Attorney

TOWN OF GODWIN

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Godwin Finance Director

Approved for Legal Sufficiency:

Godwin Town Attorney

TOWN OF FALCON

ATTEST:

Town Clerk

BY: _____
Mayor

Date Signed: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control
Act.

Falcon Finance Director

Approved for Legal Sufficiency:

Falcon Town Attorney



Local Sales Tax Distribution Agreement

Mayor's Coalition
December 2018

Sales Tax Articles

Article 39	1 cent
Article 40	½ cent - 30% shared with schools
Article 42	½ cent - 60% shared with schools
Article 46	¼ cent



Sales Tax Distribution Methods

County Commissioners are authorized to choose between two methods to establish the distribution of sales tax proceeds between the county and its municipalities.

Per Capita Distribution

Ad Valorem Distribution

County Commissioners may change the method of distribution annually in month of April.



Cumberland County

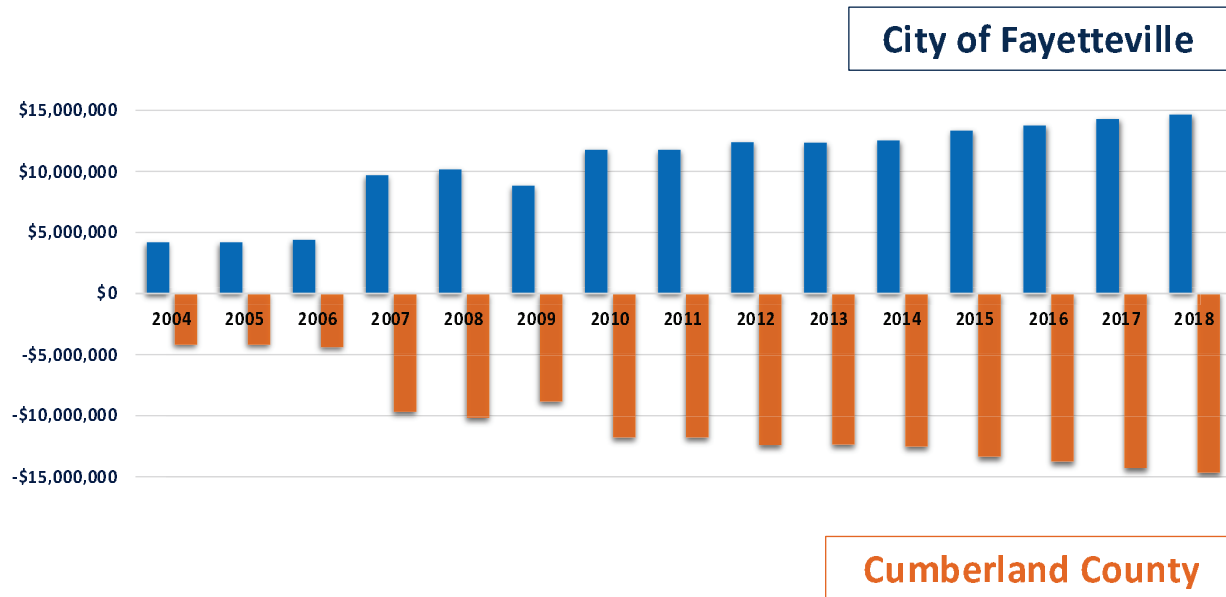
Cumberland County Distributions

- Sales taxes in Cumberland County have historically been distributed using the per capita distribution method.
- As Fayetteville and other municipal populations grew through annexation:
 - The County's relative share of sales tax distribution declined.**
 - The County's responsibilities did not decline.**
- Result: a shift in revenue from the County to the municipalities – most significantly to the City of Fayetteville.



Cumberland County

Annual Impact of Fayetteville Annexations on Cumberland County without Agreement



5

Sales Tax Working Group

Sales tax/annexation working group formed in 2002

Purpose – balance cost of extending services through annexation with the concurrent loss of sales tax revenue to the County

Working group included representatives from each municipality, the Board of Education and the County



Tenants of Successful Agreement

School of Government facilitated work group's creation of successful agreement tenants

Address short and long-term impacts of annexation on sales tax:

- Equitable impact
- Protect and stabilize sufficient revenue to provide basic mandated services
- Acknowledge role and value of each jurisdiction and issues shared by all

Solution agreed on and supported by ALL



Cumberland County

Current Distribution Agreement

Reimbursement per agreement:

- A portion of losses prior to 2003
- Beginning 2003 - 50% of sales tax gains by cities and towns from annexations shared with County

Represents a “win-win” for all jurisdictions:

- Recognizes County's undiminished obligations to provide basic human services, including education
- Acknowledges financial responsibility of cities & towns due to annexation
 - Cities and towns retain 50% of sales tax gain



Cumberland County

City of Fayetteville Annexation Gains - *estimated*

Annual Snapshot:

	FY 2018 Estimated
Sales tax gain	\$14.7M
Sales tax share 50% with County	(7.3M)
Property tax gain	_____7.5M
Annexation gain	\$14.9M



Cumberland County

Current Distribution Agreement

- Original agreement expired on June 30, 2013
- Agreement extended by all parties through June 30, 2016
- Another extension agreed to by all parties through June 30, 2019



Cumberland County

Current Distribution Agreement

	FY 2018 Per Capita Distribution (no agreement)	FY 2018 Per Capita Distribution (w/agreement)	Net Gain / (Loss)
Cumberland County	\$41.8M	\$48.3M	\$(6.5M)
County Schools	10.9M	12.1M	(1.2M)
Fayetteville	41.2M	33.9M	7.3M



Cumberland County

NC General Statutes Mandated Services

County

Law enforcement
Jails
Medical examiner
Courts
Building code enforcement
Public schools
Social services
Public health
Deed registration
Election administration
Tax assessment
Child support
Community college – capital outlay

City

Building code enforcement



Cumberland County

County Services

County service responsibility is not significantly reduced by annexation.

County services are available to *all* citizens without regard to where they live within the county.

- Schools, social services, child support, health, mental health, jail, public safety, Register of Deeds, Board of Elections

County provides quality of life services: animal control, libraries, FTCC, veterans services, cooperative extension



Cumberland County

Impact of Distribution Change to Ad Valorem

	Ad Valorem Distribution	Actual FY 18 w/Agreement	Est. Net Impact
Cumberland	\$51,283,630	\$48,285,934	\$2,997,696
CCSS – Schools	12,696,819	12,142,508	554,311
Fire Districts	2,931,866	0	2,931,866
Parks & Rec District	1,355,063	0	1,355,063
Fayetteville	28,445,241	33,858,063	(5,412,822)
Eastover	268,056	725,337	(457,281)
Falcon	10,382	63,045	(52,663)
Godwin	8,522	24,737	(16,215)
Hope Mills	2,149,797	3,259,639	(1,109,842)
Linden	12,283	24,886	(12,603)
Spring Lake	1,316,507	1,943,059	(626,552)
Stedman	127,044	213,588	(86,544)
Wade	43,948	108,362	(64,414)



Cumberland County

Distribution Method of Top Largest NC Counties

Per Capita Method	Ad Valorem Method
Wake	Mecklenburg
Cumberland	Guilford
Durham w/ agreement	Forsyth
	Buncombe
	Union
	New Hanover
	Gaston



Cumberland County

City of Fayetteville Proposed Agreement

- 10 Year agreement
 - County
 - Year 1 - 10 Frozen at FY18 levels, no growth
 - Towns
 - Year 2 75% of FY18
 - Year 3 50% of FY18
 - Year 4 25% of FY 18
 - Year 5 12.5% of FY18
 - Year 6 – 10 No distribution



Cumberland County

Community Issue

- This is a community issue.
 - It does not reside with the City of Fayetteville and Cumberland County alone.
 - This agreement directly impacts ALL residents, regardless of where they reside within the county.
- An agreement:
 - Minimizes budget implications for ALL jurisdictions in the county.
 - Maintains the “**win-win**” solution.



Cumberland County

County Proposal

- 4 Year agreement
 - FY20 – FY23
- Year 1
 - Same as current agreement
 - Becomes the base for distributions in FY21 – FY23
 - Distribution for towns and county freeze at Year 1
- Years 2 – 4
 - Growth split between county & all municipalities 40/60



Cumberland County

Timeline

- The County proposed agreement signed by ALL jurisdictions no later than **January 31, 2019**
- Failure to have approved agreement by January 31, 2019:
 - Board of Commissioners:
 - Discussion regarding budget impact
 - Discussion regarding alternatives



Cumberland County

County Alternatives Without Agreement

- Alternatives without an agreement:
 - Ad valorem distribution
 - Increase property tax rate 3 cents
 - Reduce services –
 - Education funding
 - Eliminate 116 jobs
 - Animal Control
 - Libraries



Cumberland County

** Illustrative Purposes Only **

Scenario 1 - projected 1% growth

		Projected for FY19		Projected for FY20		Projected for FY21		Projected for FY22		Projected for FY23	
Proj Growth - year to year		1.00%		1.00%		1.00%		1.00%		1.00%	
Proj Growth year to year - from the base						1.00%		2.00%		3.00%	
FAYETTEVILLE PAYMENTS	FY18 Estimates	FY19 Proj	Year 1 - Base FY20 Proj	% payment	% retain	Year 2 - FY21 Proj Growth Fayetteville Pays Fayetteville Retains		Year 3 - FY22 Proj Growth Fayetteville Pays Fayetteville Retains		Year 4 - FY23 Proj Growth Fayetteville Pays Fayetteville Retains	
Proj Growth or (Decline)											
Cumberland County	7,333,000.00	7,406,300.00	7,480,400.00	40%	60%	29,900.00	44,900.00	59,800.00	89,800.00	89,800.00	134,600.00
Eastover	15,000.00	15,200.00	15,400.00	50%	50%	100.00	100.00	200.00	200.00	200.00	200.00
Falcon	4,000.00	4,000.00	4,000.00	50%	50%	20.00	20.00	40.00	40.00	60.00	60.00
Godwin	80.00	100.00	100.00	50%	50%	1.00	1.00	1.00	1.00	2.00	2.00
Hope Mills	160,000.00	161,600.00	163,200.00	50%	50%	800.00	800.00	1,600.00	1,600.00	2,400.00	2,400.00
Linden	2,000.00	2,000.00	2,000.00	50%	50%	10.00	10.00	20.00	20.00	30.00	30.00
Spring Lake	-	-	-	50%	50%	-	-	-	-	-	-
Stedman	9,000.00	9,100.00	9,200.00	50%	50%	50.00	50.00	100.00	100.00	100.00	100.00
Wade	5,000.00	5,100.00	5,200.00	50%	50%	30.00	30.00	100.00	100.00	100.00	100.00
	7,528,080.00	7,603,400.00	7,679,500.00			30,911.00	45,911.00	61,861.00	91,861.00	92,692.00	137,492.00
FAYETTEVILLE PAYMENTS	FY18 Estimates	FY19 Proj	Year 1 - Base FY20 Proj	Year 2 - FY21 Proj Fay Payment Fayetteville Pays		Year 3 - FY22 Proj Fay Payment Fayetteville Pays		Year 4 - FY23 Proj Fay Payment Fayetteville Pays			
Projected Payments											
Cumberland County	7,333,000.00	7,406,300.00	7,480,400.00	7,510,300.00		7,540,200.00		7,570,200.00			
Eastover	15,000.00	15,200.00	15,400.00	15,500.00		15,600.00		15,600.00			
Falcon	4,000.00	4,000.00	4,000.00	4,020.00		4,040.00		4,060.00			
Godwin	80.00	100.00	100.00	101.00		101.00		102.00			
Hope Mills	160,000.00	161,600.00	163,200.00	164,000.00		164,800.00		165,600.00			
Linden	2,000.00	2,000.00	2,000.00	2,010.00		2,020.00		2,030.00			
Spring Lake	-	-	-	-		-		-			
Stedman	9,000.00	9,100.00	9,200.00	9,250.00		9,300.00		9,300.00			
Wade	5,000.00	5,100.00	5,200.00	5,230.00		5,300.00		5,300.00			
	7,528,080.00	7,603,400.00	7,679,500.00	7,710,411.00	-	7,741,361.00	-	7,772,192.00	-		

Scenario 2 - projected 1% decline

		Projected for FY19	Projected for FY20			Projected for FY21	Projected for FY22	Projected for FY23
Proj Growth - year to year		1.00%	1.00%			-1.00%	-1.00%	-1.00%
Proj Growth year to year - from the base						-1.00%	-2.00%	-3.00%
FAYETTEVILLE PAYMENTS	FY18 Estimates	FY19 Proj	Year 1 - Base FY20 Proj	% payment	% retain	Year 2 - FY21 Proj Growth County/Towns Share	Year 3 - FY22 Proj Growth County/Towns Share	Year 4 - FY23 Proj Growth County/Towns Share
Proj Growth or (Decline)						Fayetteville Share	Fayetteville Share	Fayetteville Share
Cumberland County	7,333,000.00	7,406,300.00	7,480,400.00	40%	60%	(29,900.00)	(59,800.00)	(89,800.00)
Eastover	15,000.00	15,200.00	15,400.00	50%	50%	(100.00)	(200.00)	(200.00)
Falcon	4,000.00	4,000.00	4,000.00	50%	50%	(20.00)	(40.00)	(60.00)
Godwin	80.00	100.00	100.00	50%	50%	(1.00)	(1.00)	(2.00)
Hope Mills	160,000.00	161,600.00	163,200.00	50%	50%	(800.00)	(1,600.00)	(2,400.00)
Linden	2,000.00	2,000.00	2,000.00	50%	50%	(10.00)	(20.00)	(30.00)
Spring Lake	-	-	-	50%	50%	-	-	-
Stedman	9,000.00	9,100.00	9,200.00	50%	50%	(50.00)	(100.00)	(100.00)
Wade	5,000.00	5,100.00	5,200.00	50%	50%	(30.00)	(100.00)	(100.00)
	7,528,080.00	7,603,400.00	7,679,500.00			(30,911.00)	(61,861.00)	(92,692.00)
FAYETTEVILLE PAYMENTS	FY18 Estimates	FY19 Proj	Year 1 - Base FY20 Proj			Year 2 - FY21 Proj Fay Payment Fayetteville Pays	Year 3 - FY22 Proj Fay Payment Fayetteville Pays	Year 4 - FY23 Proj Fay Payment Fayetteville Pays
Projected Payments								
Cumberland County	7,333,000.00	7,406,300.00	7,480,400.00			7,450,500.00	7,420,600.00	7,390,600.00
Eastover	15,000.00	15,200.00	15,400.00			15,300.00	15,200.00	15,200.00
Falcon	4,000.00	4,000.00	4,000.00			3,980.00	3,960.00	3,940.00
Godwin	80.00	100.00	100.00			99.00	99.00	98.00
Hope Mills	160,000.00	161,600.00	163,200.00			162,400.00	161,600.00	160,800.00
Linden	2,000.00	2,000.00	2,000.00			1,990.00	1,980.00	1,970.00
Spring Lake	-	-	-			-	-	-
Stedman	9,000.00	9,100.00	9,200.00			9,150.00	9,100.00	9,100.00
Wade	5,000.00	5,100.00	5,200.00			5,170.00	5,100.00	5,100.00
	7,528,080.00	7,603,400.00	7,679,500.00			7,648,589.00	7,617,639.00	7,586,808.00

Notes:

When determining Fayetteville's payments for FY21 through FY23, the following methodology is used.

(1) The base distribution will be taken from FY20, and the growth (or loss) will be shared as follows

(a) Payments from municipalities to county will be split by percentage 60/40 respectively.

(b) Payments from municipalities to municipalities will be split by percentage 50/50.

From: Doug Hewett
Sent: Tuesday, October 09, 2018 8:06 PM
To: City Council Members
Cc: Karen McDonald; Pamela Megill; Tracey Broyles; Kevin V. Arata; Jay Toland; Kristoff Bauer; Telly Whitfield; Jay Reinstein
Subject: City Sales Tax Committee Proposal

City Council.

The Council Sales Tax Committee (Mayor Colvin, MPT Mohn, CM Culliton and CM Waddell) met this evening to develop a base proposal for the City Council to consider sending to the County Commissioners regarding the Sales Tax Agreement that expires June 30, 2019. CM Crisp attended along with John Henderson, Fayetteville Observer, and Jeff Thompson, Up & Coming Weekly. Tracey Broyles, Kevin Arata, Pam Megill, Jay Toland and I also attended.

Following discussion on the history of the agreement that dates back to October 2003 and the financial impact on the City, County and Towns, the consensus of the Committee was to recommend the proposal below to the full City Council. To quickly gain agreement on these points from the full City Council, the Committee will ask the Council to add this item to your Special Meeting tomorrow night at 5 PM as the first item of business.

Committee's Proposal

1. Renew the Sales Tax Agreement with the County and Towns for 10 years.
2. The level of the reimbursements from the City to the County annually would be the amount paid to the County in 2018 – approximately \$7.3M – for the 10 years of the agreement.
3. The level of the reimbursements from the City to the Towns annually would start in Year 1 at the amount paid to the Towns in 2018 and would gradually reduce, as shown in the table, and would cease in Year 6 of the agreement.

Year	County	Towns
1	Same Dollar Value – 2018	Same Dollar Value – 2018
2	Same Dollar Value – 2018	75% of Dollar Value – 2018
3	Same Dollar Value – 2018	50% of Dollar Value – 2018
4	Same Dollar Value – 2018	25% of Dollar Value – 2018
5	Same Dollar Value – 2018	12.5% of Dollar Value – 2018
6	Same Dollar Value – 2018	Removed from agreement
7		
8		
9		
10		

The Committee felt that this proposal accomplished the goals of certainty for budgetary purposes, created a longer term agreement, and also allowed the City to keep more of the growth of sales tax revenues directly attributable to the expansion and enhancements being made by the City of Fayetteville.

Please let me know if you have any questions.

Thanks, Doug



Doug Hewett, City Manager

City Manager's Office

433 Hay Street | Fayetteville, NC 28301-5537

Office: 910.433.1990

E-mail: dhewett@ci.fay.nc.us

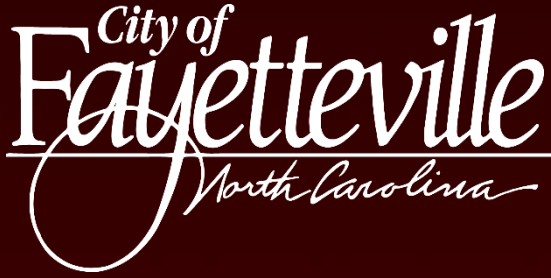
Web: www.FayettevilleNC.gov

All communication not specifically exempted by North Carolina law is a public record and subject to release upon request.

Comparison of Sales Tax and Holdharmless Distributions for Fiscal Year 2018
Current Per Capita Distributions with Reimbursements vs. Ad Valorem Based Distributions

	Per Capita with Current Reimbursement Agreement					Ad Valorem				Variance
	Sales Taxes	Holdharmless	Reimbursements	Net	% of Total	Sales Taxes	Holdharmless	Net	% of Total	
Cumberland County	52,133,813	(9,540,134)	7,723,364	50,317,042	55.6%	63,372,373	(5,486,461)	57,885,912	63.9%	7,568,870
Fayetteville	32,993,379	8,196,066	(7,511,012)	33,678,433	37.2%	23,928,826	4,832,634	28,761,460	31.8%	(4,916,973)
Towns	5,410,562	1,344,068	(212,352)	6,542,278	7.2%	3,236,554	653,827	3,890,381	4.3%	(2,651,897)

Note: Under the "Ad Valorem" distribution method, all taxing districts would receive a share of sales tax distributions. Examples of these districts include the County Fire and Recreation Districts, and the City Downtown and Lake Valley Drive Municipal Service Districts. The amounts listed for the City and County include the share of sales taxes that would go to those districts.



Consideration of Cumberland County's Proposed Sales Tax Distribution Interlocal Agreement

January 14, 2019



Sales Tax Distribution Methods

- County commissioners are authorized to choose between two methods to establish the division of sales tax proceeds among a county and its municipalities
 - Per Capita Distribution
 - The total of the county-wide population (in incorporated and unincorporated areas) and the populations of each municipality is used to calculate a proportional per capita distribution
 - Ad Valorem Distribution
 - The sum of ad valorem taxes levied by the county, each municipality and each taxing district in the immediately preceding fiscal year is used to calculate a proportional share of sales tax proceeds
 - Changes in each taxing authority's tax base and tax rate affect the shares
- County commissioners may change the method for the next fiscal year by adopting a resolution in April



Cumberland County Sales Tax Distributions

- Sales taxes in Cumberland County have historically been distributed using the population distribution method
- As municipal populations have grown through annexation, the County's relative share of sales tax distributions has declined
- In October 2003, an interlocal agreement was reached between the County and each of the municipalities
 - The County agreed to maintain the per capita distribution method
 - Generally, each municipality that annexed population during the term of the agreement was required to reimburse the County and other municipalities 50% of sales tax distribution losses that resulted from the annexation for all subsequent fiscal years



Interlocal Agreement for Sales Tax Distributions and Reimbursements

- The original agreement has since been modified and extended, with the current extension scheduled to expire June 30, 2019
- The County and City exchanged extension proposals throughout 2018 in anticipation of the pending agreement expiration, with options including:
 - Extending the current agreement terms as is for four years
 - Extending the agreement for ten years with reimbursements for the County capped at FY2018 levels and reimbursements to other municipalities reduced and then eliminated at five years



County's Current Proposal to Extend the Interlocal Agreement

- At a called meeting of the Mayor's Coalition on December 18, 2018, the County presented an updated proposal to amend and extend the agreement
- The County announced a January 31, 2019 deadline for action by all municipalities in response to the proposal
- On January 9, 2019, the Council Sales Tax Committee met to review the County's proposal with staff
 - Mayor Colvin, Mayor Pro Tem Mohn, and Council Members Culliton and Waddell unanimously voted to recommend the County's proposal for action by the full Council



County's Current Proposal to Extend the Interlocal Agreement

- City staff reviewed the proposal and received clarifying feedback from County staff regarding the proposal for the four year extension
- Key provisions of the proposal include:
 - Terms of the current agreement extend for the first year, FY2020
 - FY2020 then serves as the base year for calculation of future reimbursements
 - Reimbursement percentages for FY2021 to FY2023 set at FY2020 levels
 - Initial reimbursement amounts will be calculated using the set percentages and the total revenues distributed during the fiscal year
 - Any calculated reimbursements due to the County in excess of the FY2020 base year level will be reduced by 60%, and any reimbursement amounts due to other municipalities will be reduced by 50%
 - Similar adjustments apply should sales tax revenues decline



County's Current Proposal to Extend the Interlocal Agreement

- The proposed amendment should result in the City retaining a greater share of sales tax revenues
- Risks exist with the change to lock-in the reimbursement percentages, particularly related to annual population adjustments for Fort Bragg
 - Consensus of the Council Sales Tax Committee was that the risk of significant reductions in Fort Bragg populations over four years is low
- A decision by the County to select the ad valorem basis of distributions would significantly impact City revenues
 - Based on a comparison of the two methods for FY18, it would be expected that the City would lose in excess of \$5 million
 - It would require an ad valorem tax rate adjustment between 3.5 and 4.0 cents to make up for potential sales tax losses

Council Direction

- Council direction is needed to respond to the County's proposal to meet the January 31 ,2019 deadline
- The Sales Tax Committee's recommendation is to:

Accept the County's proposed interlocal agreement and request City and County staff to jointly document agreed upon processes for calculation of future reimbursements

City of *Fayetteville* *North Carolina*

433 Hay Street
Fayetteville, NC 28301-5537

www.cityoffayetteville.org

www.faytv7.com www.fayettevilleoutfront.com



Fayetteville
OUTFRONT



The City of Fayetteville, North Carolina does not discriminate on the basis of race, sex, color, age, national origin, religion, or disability in its employment opportunities, programs, services or activities.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 18-583

Agenda Date: 1/14/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Administrative
Reports

Agenda Number: 10.01

TO: Mayor and Members of City Council

THRU: Barbara Hill, Interim Assistant City Manager

FROM: Pamela Megill, City Clerk

DATE: January 14, 2019

RE:

Monthly Statement of Taxes for November 2019

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Executive Summary:

This report has been furnished to the Mayor and governing body of the City of Fayetteville for the month of November 2018. The report separated the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have any questions regarding this report, please contact Catherine Carter, Office of the Tax Administrator, Cumberland County at 678-7587.

Background:

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Information only

Attachments:

Report from Joseph R. Utley Jr., Tax Administrator

JOSEPH R. UTLEY, JR.
Tax Administrator



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

AMY B. KINLAW
Chief of Assessment and Collections

TAMI K. BOTELLO
Chief of Real Estate and Mapping

OFFICE OF THE TAX ADMINISTRATOR

To: Pamela Megill, Fayetteville City Clerk

From: Joseph R. Utley Jr., Tax Administrator

A handwritten signature in dark ink, appearing to read "JU", is placed over the "From:" line.

Date: December 6, 2018

Subject: Monthly Statement of Taxes

Attached hereto is the report that has been furnished to the Mayor and governing body of your municipality for the month of November 2018. This report separates the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have questions regarding this report, please contact Catherine Carter at 678-7587.

JU/cc
Attachment

FAYETTEVILLE MACC LEDGER

2008-2018

NOVEMBER 2018

DATE	REPORT #	REMITTED TO FINANCE	2018 CC	2018 VEH	2018 REVIT CC	2018 REVIT VEH	2018 FVT	2018 FTT	2018 STORM WATER	2018 FAY S WASTE FEE
11/01/18	2018-089	7,201,471.47	5,265,558.81	60.28	2,427.13	0.00	5.00	5.00	557,781.29	1,370,462.76
11/02/18	2018-090	240,794.28	167,057.70	125.36	71.81	0.00	5.00	5.00	29,583.80	40,848.15
11/05/18	2018-091	1,115,447.56	779,942.01	438.87	1,167.66	0.00	40.00	40.00	114,260.66	216,351.50
11/06/18	2018-092	145,740.12	95,355.28	79.89	33.04	0.00	10.00	10.00	15,211.12	32,028.55
11/07/18	2018-093	16,099,220.68	11,781,912.59	348.48	8,807.00	0.00	15.00	15.00	1,230,160.28	3,077,636.31
11/08/18	2018-094	306,539.94	222,280.75	576.81	671.91	0.00	40.00	40.00	35,307.75	46,921.10
11/09/18	2018-095	168,218.95	113,471.70	288.12	1,353.12	0.00	15.00	15.00	27,543.15	20,395.30
11/12/18	2018-096		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/13/18	2018-097	375,766.11	260,161.83	308.68	177.15	0.00	30.00	30.00	50,648.40	62,810.37
11/14/18	2018-098	173,410.76	120,604.31	55.63	375.46	0.00	5.00	5.00	32,844.13	18,652.05
11/15/18	2018-099	2,333,423.69	1,625,729.51	155.86	400.67	0.00	15.00	15.00	205,663.08	500,951.95
11/16/18	2018-100	401,863.17	305,680.86	171.15	1,774.29	0.00	10.00	10.00	69,476.61	22,790.98
11/19/18	2018-101	383,563.08	289,164.24	328.05	382.26	0.00	20.00	20.00	47,301.47	43,731.38
11/20/18	2018-102	142,446.65	98,573.19	20.61	0.00	0.00	10.00	10.00	18,349.43	21,921.57
11/21/18	2018-103	2,898,142.65	2,136,330.52	211.81	1,045.80	0.00	10.00	10.00	241,175.93	514,380.48
11/22/18	2018-104		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/23/18	2018-105		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/26/18	2018-106		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/27/18	2018-107		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/28/18	2018-108		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/29/18	2018-109		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/30/18	2018-110	1,217,382.78	878,627.62	963.50	1,225.54	0.00	80.00	80.00	159,955.27	170,876.24
01/00/00	2018-111		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS		33,203,431.89	24,140,450.92	4,133.10	19,912.84	0.00	310.00	310.00	2,835,262.37	6,160,758.69

TRUE

MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

12/6/2018

FAYETTEVILLE MACC LEDGER

2008-2018

NOVEMBER 2018

2018 ANNEX	2017 CC	2017 VEH	2017 REVIT CC	2017 REVIT VEH	2017 FVT	2017 FTT	2017 STORM WATER	2017 FAY S WASTE FEE	2017 ANNEX	2016 CC	2016 VEH
0.00	2,827.76	0.00	0.00	0.00	0.00	0.00	306.00	648.00	0.00	467.37	0.00
0.00	1,250.44	0.00	23.63	0.00	0.00	0.00	158.63	443.92	0.00	446.50	0.00
0.00	1,563.89	33.11	0.00	0.00	0.00	0.00	343.22	618.82	0.00	46.93	0.00
0.00	2,154.27	19.50	0.00	0.00	20.00	20.00	153.00	324.00	0.00	12.39	0.00
0.00	204.12	18.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	203.80	0.00	0.00	0.00	0.00	0.00	86.60	183.38	0.00	124.92	0.00
0.00	2,469.76	0.00	0.00	0.00	0.00	0.00	120.18	362.51	0.00	1,354.31	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	716.00	0.00	0.00	0.00	0.00	0.00	221.21	144.44	0.00	79.41	0.00
0.00	366.57	0.00	0.00	0.00	0.00	0.00	11.29	23.92	0.00	121.12	0.00
0.00	406.79	7.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.58	0.00
0.00	912.74	2.41	5.75	0.00	0.00	0.00	102.00	216.00	0.00	320.20	0.00
0.00	1,222.05	7.56	0.00	0.00	0.00	0.00	136.95	290.02	0.00	145.17	0.00
0.00	1,667.63	22.62	0.00	0.00	0.00	0.00	258.35	223.11	0.00	479.18	0.00
0.00	2,888.62	3.57	0.00	0.00	0.00	0.00	390.85	827.70	0.00	68.30	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	2,824.12	30.90	0.00	0.00	0.00	0.00	248.92	531.55	0.00	688.37	11.12
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	21,678.56	146.01	29.38	0.00	20.00	20.00	2,537.20	4,837.37	0.00	4,376.75	11.12

12/6/2018

FAYETTEVILLE MACC LEDGER
2008-2018

NOVEMBER 2018

2016 REVIT CC	2016 REVIT VEH	2016 FVT	2016 FTT	2016 STORM WATER	2016 FAY STORM WATER	2016 FAY S WASTE FEE	2016 ANNEX	2015 CC	2015 VEH	2015 REVIT CC	2015 REVIT VEH	2015 FVT
0.00	0.00	0.00	0.00	45.00	0.00	44.00	0.00	62.32	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	67.57	0.00	22.08	0.00	110.33	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	45.00	0.00	44.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	45.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.66	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	44.00	0.00	15.84	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	135.00	0.00	44.00	0.00	1.65	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	45.00	0.00	44.00	0.00	54.79	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	44.00	0.00	12.49	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	50.27	0.00	49.15	0.00	163.72	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	45.00	0.00	44.00	0.00	102.36	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	45.00	0.00	44.00	0.00	244.94	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	229.53	0.00	48.43	0.00	67.86	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	797.37	0.00	427.66	0.00	859.96	0.00	0.00	0.00	0.00

FAYETTEVILLE MACC LEDGER

2008-2018

NOVEMBER 2018

2015 FTT	2015 STORM WATER	2015 FAY STORM WATER	2015 FAY S WASTE FEE	2015 ANNEX	2014 & PRIOR CC	2014 & PRIOR VEH	2014 & PRIOR REVIT CC	2014 & PRIOR REVIT VEH	2014 & PRIOR FVT	2014 & PRIOR FTT	2014 & PRIOR STORM WATER	2014 & PRIOR FAY STORM WATER
0.00	0.00	0.00	0.00	0.00	102.50	68.35	0.00	0.00	5.00	5.00	0.00	0.00
0.00	0.52	1.04	1.53	0.00	15.77	22.14	0.00	0.00	5.00	5.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	34.45	0.00	0.00	14.18	14.18	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	16.39	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	41.32	21.63	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	9.35	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	6.03	0.00	0.00	5.00	5.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	7.29	13.46	0.00	0.00	10.00	5.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	76.81	9.48	0.00	0.00	9.90	9.91	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	208.74	34.71	0.00	0.00	5.82	5.82	15.00	27.00
0.00	15.00	30.00	44.00	0.00	0.00	107.84	0.00	0.00	5.00	5.00	0.00	0.00
0.00	105.00	210.00	0.00	0.00	0.00	54.17	0.00	0.00	5.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	10.10	162.30	0.00	0.00	25.97	25.97	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	120.52	241.04	45.53	0.00	462.53	560.30	0.00	0.00	90.87	85.88	15.00	27.00

FAYETTEVILLE MACCL LEDGER

2008-2018

NOVEMBER 2018

2014 & PRIOR FAY'S WASTE FEE	2014 & PRIOR ANNEX	FAY INTEREST	REVIT INTR	STORM WATER INTR - 15 & Prior	FAY STORM WATER INTEREST - 2015 & prior	STORM WATER INT- 2016 & FORWARD	Annex Interest	S WASTE INTEREST	FTT INTEREST	TOTAL TAX & INTEREST
0.00	0.00	475.94	0.00	0.00	0.00	38.07	0.00	68.95	6.94	7,201,471.47
0.00	0.00	423.07	2.24	4.01	8.03	25.93	0.00	57.05	3.03	240,794.28
0.00	0.00	319.23	0.00	0.00	0.00	45.61	0.00	71.31	12.93	1,115,447.56
0.00	0.00	193.59	0.00	0.00	0.00	23.09	0.00	31.01	0.00	145,740.12
0.00	0.00	16.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16,099,220.68
0.00	0.00	62.96	0.00	0.00	0.00	9.82	0.00	20.79	0.00	306,539.94
0.00	0.00	649.17	0.00	0.00	0.00	18.81	0.00	40.71	1.24	168,218.95
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	131.29	0.00	0.00	0.00	51.95	0.00	36.33	2.65	375,766.11
0.00	0.00	89.22	0.00	0.00	0.00	1.21	0.00	1.87	4.09	173,410.76
0.00	0.00	39.88	0.00	0.00	0.00	0.98	0.00	1.91	0.00	2,333,423.69
0.00	0.00	93.65	0.59	0.00	0.00	10.93	0.00	21.87	0.00	401,863.17
40.00	0.00	198.52	0.00	5.55	9.98	20.38	0.00	48.25	2.80	383,563.08
0.00	0.00	288.21	0.00	2.88	5.75	32.91	0.00	37.52	2.91	142,446.65
0.00	0.00	241.62	0.00	28.87	57.75	27.97	0.00	59.24	4.45	2,898,142.65
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	544.34	0.00	0.00	0.00	42.93	0.00	54.88	27.32	1,217,382.78
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
40.00	0.00	3,767.63	2.83	41.31	81.51	350.59	0.00	551.69	68.36	33,203,431.89

FAYETTEVILLE MAOC LEDGER

2008-2018

NOVEMBER 2018

DATE	REPORT #	REMITTED TO FINANCE	2018 CC	2018 VEH	2018 REVIT CC	2018 REVIT VEH	2018 FVT	2018 FIT	2018 STORM WATER	2018 FAY S WASTE FEE
11/01/18	2018-089	7,201,471.47	5,265,558.81	60.28	2,427.13	0.00	5.00	5.00	557,781.29	1,370,462.76
11/02/18	2018-090	240,794.28	167,057.70	125.36	71.81	0.00	5.00	5.00	29,583.80	40,848.15
11/05/18	2018-091	1,115,447.56	779,942.01	438.87	1,167.66	0.00	40.00	40.00	114,260.66	216,351.50
11/06/18	2018-092	145,740.12	95,355.28	79.89	33.04	0.00	10.00	10.00	15,211.12	32,028.55
11/07/18	2018-093	16,099,220.68	11,781,912.59	348.48	8,807.00	0.00	15.00	15.00	1,230,160.28	3,077,636.31
11/08/18	2018-094	306,539.94	222,280.75	576.81	671.91	0.00	40.00	40.00	35,307.75	46,921.10
11/09/18	2018-095	168,218.95	113,471.70	288.12	1,353.12	0.00	15.00	15.00	27,543.15	20,395.30
11/12/18	2018-096		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/13/18	2018-097	375,766.11	260,161.83	308.68	177.15	0.00	30.00	30.00	50,648.40	62,810.37
11/14/18	2018-098	173,410.76	120,604.31	55.63	375.46	0.00	5.00	5.00	32,844.13	18,652.05
11/15/18	2018-099	2,333,423.69	1,625,729.51	155.86	400.67	0.00	15.00	15.00	205,663.08	500,951.95
11/16/18	2018-100	401,863.17	305,680.86	171.15	1,774.29	0.00	10.00	10.00	69,476.61	22,790.98
11/19/18	2018-101	383,563.08	289,164.24	328.05	382.26	0.00	20.00	20.00	47,301.47	43,731.38
11/20/18	2018-102	142,446.65	98,573.19	20.61	0.00	0.00	10.00	10.00	18,349.43	21,921.57
11/21/18	2018-103	2,898,142.65	2,136,330.52	211.81	1,045.80	0.00	10.00	10.00	241,175.93	514,380.48
11/22/18	2018-104		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/23/18	2018-105		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/26/18	2018-106		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/27/18	2018-107		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/28/18	2018-108		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/29/18	2018-109		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/30/18	2018-110	1,217,382.78	878,627.62	963.50	1,225.54	0.00	80.00	80.00	159,955.27	170,876.24
01/00/00	2018-111		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS		33,203,431.89	24,140,450.92	4,133.10	19,912.84	0.00	310.00	310.00	2,835,262.37	6,160,758.69

TRUE

MAOC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

12/6/2018

FAYETTEVILLE MACC LEDGER

2008-2018

NOVEMBER 2018

2018 ANNEX	2017 CC	2017 VEH	2017 REVIT CC	2017 REVIT VEH	2017 FVT	2017 FTT	2017 STORM WATER	2017 FAY S WASTE FEE	2017 ANNEX	2016 CC	2016 VEH
0.00	2,827.76	0.00	0.00	0.00	0.00	0.00	306.00	648.00	0.00	467.37	0.00
0.00	1,250.44	0.00	23.63	0.00	0.00	0.00	158.63	443.92	0.00	446.50	0.00
0.00	1,563.89	33.11	0.00	0.00	0.00	0.00	343.22	618.82	0.00	46.93	0.00
0.00	2,154.27	19.50	0.00	0.00	20.00	20.00	153.00	324.00	0.00	12.39	0.00
0.00	204.12	18.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	203.80	0.00	0.00	0.00	0.00	0.00	86.60	183.38	0.00	124.92	0.00
0.00	2,469.76	0.00	0.00	0.00	0.00	0.00	120.18	362.51	0.00	1,354.31	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	716.00	0.00	0.00	0.00	0.00	0.00	221.21	144.44	0.00	79.41	0.00
0.00	366.57	0.00	0.00	0.00	0.00	0.00	11.29	23.92	0.00	121.12	0.00
0.00	406.79	7.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.58	0.00
0.00	912.74	2.41	5.75	0.00	0.00	0.00	102.00	216.00	0.00	320.20	0.00
0.00	1,222.05	7.56	0.00	0.00	0.00	0.00	136.95	290.02	0.00	145.17	0.00
0.00	1,667.63	22.62	0.00	0.00	0.00	0.00	258.35	223.11	0.00	479.18	0.00
0.00	2,888.62	3.57	0.00	0.00	0.00	0.00	390.85	827.70	0.00	68.30	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	2,824.12	30.90	0.00	0.00	0.00	0.00	248.92	531.55	0.00	688.37	11.12
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	21,678.56	146.01	29.38	0.00	20.00	20.00	2,537.20	4,837.37	0.00	4,376.75	11.12