

City of Fayetteville

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

Meeting Agenda - Final City Council Regular Meeting

Monday, February 25, 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 [18-676](#) Approval of Meeting Minutes:
January 22, 2019 - Special
January 28, 2019 - Discussion of Agenda Items
January 28, 2019 - Regular
February 1, 2019 - Special (Strategic Planning)
February 2, 2019 - Special (Strategic Planning)
February 11, 2019 - Discussion of Agenda Items
February 11, 2019 - Regular

Attachments: [012219 Special - Strategic Planning](#)
 [012819 Discussion of Agenda Items](#)
 [012819 Regular](#)
 [020119 Special - Strategic Planning](#)
 [020219 Special - Strategic Planning](#)
 [021119 Discussion of Agenda Items](#)
 [021119 Regular](#)

- 6.02** [18-658](#) P19-02F. Rezoning a portion of property from Community Commercial (CC) to Mixed Residential (MR-5), located at 322 E. Russell Street (Tax Map # 0437-72-5633), near the intersection of E. Russell and Alexander streets, containing 0.118 +/- acres of 0.44 acres and being the property of J. Duane Gilliam, Jr.
- Attachments:** [1. Aerial Notification Map](#)
 [2. Zoning Map](#)
 [3. Land Use Map](#)
 [4. Map Amendment Application](#)
 [5. Site Survey](#)
 [6. Subject Property](#)
 [7. Surrounding Properties](#)
 [8. UDO Landscaping Standards](#)
- 6.03** [18-610](#) Resolution Honoring the Red-Cockaded Woodpecker with the Title of Fayetteville City Bird
- Attachments:** [Red Cockaded Woodpecker](#)
- 6.04** [18-615](#) Adoption of Capital Project Ordinance Amendment (CPOA) 2019-28 to Appropriate Payment In-Lieu-Of Sidewalk Revenue for FY19 Sidewalk Projects
- Attachments:** [Itemized Listing of Payment-In-Lieu of Sidewalk Received](#)
 [CPOA 2019-28 \(FY19 Sidewalks\)](#)
- 6.05** [18-642](#) Approval for the Naming of the New Minor League Baseball Stadium in Downtown Fayetteville
- 6.06** [18-656](#) Consideration to Waive Interest Penalties
- Attachments:** [photos](#)
 [Property Assessment and PD Reports](#)
- 6.07** [18-659](#) Award Contract for Construction of an Outdoor Family Aquatics Center at Lake Rim Park
- Attachments:** [Construction Contract M and E Contracting Lake Rim Pool.pdf](#)
 [M-E SDBE Affidavit D Lake Rim Pool.pdf](#)

- 6.08** [18-660](#) Adoption of Capital Project Ordinances 2019-24 and 2019-25, and Capital Project Ordinance Amendments 2019-27, 2019-29 and 2019-30 for Parks & Recreation Bond Projects
- Attachments:** [Parks and Rec Bond Project Funding Package 11 26 18](#)
 [CPO 2019-24 \(Sports Field Complex\)](#)
 [CPO 2019-25 \(Jordan Soccer Complex\)](#)
 [CPOA 2019-27 \(Parks and Rec Bond Program Implementation and Issuance C](#)
 [CPOA 2019-29 \(Gilmore Therapeutic Recreation Center Improvements\)](#)
 [CPOA 2019-30 \(Play Space and Fountain at the Downtown Stadium\)](#)
- 6.09** [18-665](#) Adopt Resolution to Accept a Report of Unpaid Taxes from Cumberland County and Direct the Advertisement of Tax Liens
- Attachments:** [Resolution Accepting the Report of Unpaid Taxes and Directing the Advertisem](#)
- 6.010** [18-667](#) Approval of Municipal Speed Limit Certificates with NCDOT for speed limit revisions on Hoke Loop Road from Raeford Road to Cliffdale Road and at Lake Rim Elementary School
- Attachments:** [Hoke Loop DOT response email](#)
 [Hoke Loop Speed limit MAP](#)
 [New School Speed Zone](#)
 [Repeal School Zone](#)
 [Repeal Speed Limit](#)
- 6.011** [18-671](#) Bid Recommendation - Installation of Fenix #2 Substation
- Attachments:** [CCAM - Bid Recommendation - Installation of Fenix No. 2 69 to 25Kv Substation](#)
- 6.012** [18-672](#) Bid Recommendation - Structures and Equipment for Fenix No. 2 Substation
- Attachments:** [CCAM - Bid Recommendation - Structures and Equipment for Fenix No. 2 69 to](#)
- 6.013** [18-675](#) Tax Refunds Greater than \$100
- Attachments:** [tax refund request 2-25-19](#)
- 6.014** [18-678](#) Consideration of Adopting a Resolution in Support of Legislative Action to Direct Shared Allocations of Food and Beverage Tax Proceeds between Cumberland County and its Municipalities
- Attachments:** [Resolution for food and beverage tax TCW V2 022519](#)
 [NC Municipal Financial Information from State Treasurer for FYE 6 30 17](#)

7.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

7.01 [18-604](#)

P18-41F. The issuance of a Special Use Permit to convert a vacant motel to self-service storage (mini-warehouse) in the Community Commercial (CC) Zoning District, located at 220 South Eastern Boulevard (Tax Map # 0437-91-9027), containing 4.2± acres, near the intersection of E. Russell St. and Locust St. and being the property of W. B. Fayetteville Properties, LLC.

Attachments:

[1 P18-41F Aerial Notification Map](#)

[2 P18-41F Zoning Map](#)

[3 P18-41F Land Use Map-Landscape](#)

[4 Application](#)

[5 Applicant's Special Use Compliance Letter for packet](#)

[6 Picture of Subject Property](#)

[7 SITE PLAN](#)

[Revised STREET ELEVATION](#)

[Summary of # of Storage Spaces and Outdoor Spaces](#)

7.02 [18-638](#)

Amortization of Existing Nonconforming Extended Stay Hotels and Motels

Attachments:

[Proposed Section 30-4.C.1 - Extended Stay Hotel or Motel Amortization](#)

[Ordinance 2016-007](#)

8.0 OTHER ITEMS OF BUSINESS

8.01 [18-620](#)

NCDOT update on the Raeford Road project from east of Robeson Street to Old Raeford Road

9.0 ADMINISTRATIVE REPORTS

9.01 [18-639](#)

Proposed project to install bicycle lanes on Langdon Street between Murchison Road and Trinity Drive

Attachments:

[Langdon St Bike Lanes Project Summary Sheet_FAMPO](#)

[Langdon St Bike Lane MAP](#)

9.02 [18-644](#) Stormwater Administrative Report**Attachments:**[Completed CIP Projects](#)[Performance Security Memorandum Final 11-14-18](#)[Peer City Securities Memo - 12-21-18](#)[NOPC - Plan Review Implementation](#)**9.03** [18-668](#) Monthly Statement of Taxes for January 2019**Attachments:**[Monthly Statement of Taxes - January 2019](#)**10.0 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**Monday, February 25, 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: 18-676

Agenda Date: 2/25/2019

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: February 25, 2019

RE:

Approval of Meeting Minutes:

January 22, 2019 - Special

January 28, 2019 - Discussion of Agenda Items

January 28, 2019 - Regular

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February 2, 2019 - Special (Strategic Planning)

February 11, 2019 - Discussion of Agenda Items

February 11, 2019 - Regular

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
TRANSIT COMMUNITY ROOM
505 FRANKLIN STREET, FAYETTEVILLE, NC
JANUARY 22, 2019
5:30 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); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: 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
Rebecca Jackson, Strategic Performance Analytics Director
Chris McMillan, SPA Management Analyst
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.

1. Getting Started

Ms. Lydian Altman, Consultant, UNC School of Government, provided an overview of the "Commitment to High Performance" and the factors that support a High Performing Organization.

Employees - Everyone embraces a strategic direction and commits to the change needed to accomplish vision. Employees are empowered, engaged, and well-equipped for their work. Teamwork exists throughout the organization. Focus on learning, continuous improvement, and innovation. Quality outcomes and service expectation.

Council - Systems that support high performance and results. High but attainable goals. There is discipline, focus, and willingness to take responsibility. Inspirational leadership and high organizational morale. Clarity of purpose and roles. Focus on learning and continuous improvement, and innovation. Culture embraces this.

Ms. Altman also provided an overview of Council's operating principles and discussion guidelines.

2. Clarify 8 Targets for Action

Council members and Executive Team members were placed in four small groups. Each group was assigned two of the eight Targets for Action for clarification.

1. Stormwater Policy direction.
2. Murchison Road and corridor redevelopment.

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3. Develop comprehensive review of Broadband capabilities in City to leverage City's fiber assets to improve speed, liability, and coverage.
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.

3. Accountability

Discussion ensued regarding methods to receive updates to strategic priorities, some of the potential mediums that can be provided, and use of work sessions to help keep everyone accountable for the work that is being done and/or pursued.

4. Wrapping Up

Mr. Hewett thanked everyone for attending and participating in tonight's meeting.

Mayor Colvin thanked the facilitators for their work, and stated he would like to have a strategic planning session/meeting once every quarter year.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:14 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

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FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD ROOM
JANUARY 28, 2019
6:00 P.M.

Present: Mayor Mitch Colvin

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

Absent: William J. L. Crisp (District 6)

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
Michael Martin, Deputy Development Services Director
Kevin Arata, Corporate Communications Director
Jay Toland, Interim Chief Financial Officer
Sheila Thomas-Ambat, Interim Public Services Director
Alicia Young, Assistant City Attorney
Pamela Megill, 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 Dawkins
VOTE: UNANIMOUS (9-0)

The regular session recessed at 6:02 p.m. The regular session reconvened at 6:30 p.m.

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

Mayor Colvin asked Council to review the agenda for the regular meeting and opened the floor for discussion.

Council Member Haire asked for an overview of Item 6.07, Proposed Ordinance Amendment for Fayetteville City Code Chapter 14, Housing, Dwellings, and Buildings, Article VII, Nuisance Properties. Mr. Jerry Newton, Development Services Director, provided an overview of the item.

Mayor Colvin asked for an overview of Item 6.03, Bid Recommendation - Hurricane Matthew Shawcroft Road Culvert Replacement. Mr. Kristoff Bauer, Deputy City Manager, provided an overview of the item.

Council Member Culliton asked for an overview of Item 6.05, Adoption of Budget Ordinance Amendment 2019-11 for an Update of the Master Plan for Martin Luther King Jr. Park. Mr. Douglas Hewett, City Manager, provided an overview of the item.

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There being no further business, the meeting adjourned at 6:51 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

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**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
JANUARY 28, 2019
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); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: William J. L. Crisp (District 6)

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
Gerald Newton, Development Services Director
Kevin Arata, Corporate Communications Director
Tracey Broyles, Budget and Evaluation Director
Sheila Thomas-Ambat, Interim Public Services Director
Jay Toland, Interim Chief Financial Officer
Craig Harmon, Senior Planner
Mark Brown, PWC Customer Relations Director
Pamela Megill, City Clerk
Jennifer Ayre, Deputy 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 Pastor Michael Mathis, Mission Field Ministries.

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. Sarah Richardson, Fayetteville-Cumberland Youth Council representative.

Mayor Colvin announced he is hosting the community's second "One Fayetteville Unity Vigil" on January 31, 2019, at 6:00 p.m. at City Hall.

Council Member Wright thanked everyone that attended this year's annual Martin Luther King Jr. breakfast event and parade.

5.0 APPROVAL OF AGENDA

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

6.0 CONSENT AGENDA

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

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VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes:

January 7, 2019 - Work Session
January 14, 2019 - Discussion of Agenda Items
January 14, 2019 - Regular

6.02 P18-40F. Rezoning of property from Single-Family Residential (SF-10) to Limited Commercial (LC) located at 3265 and 3275 Rosehill Road (Tax Map Nos.0439-02-3056 and 0439-02-0061) at the intersection of Rosehill and Country Club Roads, containing a combined total of 5.39 +/- acres and being the property of Robert Benton.

6.03 Bid Recommendation - Hurricane Matthew Shawcroft Road Culvert Replacement to Wells Brothers Construction, Turkey, NC, the lowest recommended, responsive, responsible bidder in the total amount of \$457,060.00.

The following bids were received:

Wells Brothers Construction, Turkey, NC \$457,060.00
Sandy's Hauling & Backhoe Service, Roseboro, NC \$821,675.00
Billy Bill Grading Company, Fayetteville, NC \$1,415,765.55

6.04 Adoption of Special Revenue Fund Project Ordinance 2019-9 to Accept and Appropriate Grant Funding from the Cumberland Community Foundation for Exhibit Renovations at Clark Park Nature Center

The City has received an \$8,190.00 grant from the Cumberland Community Foundation to renovate exhibits at the Clark Park Nature Center. Staff is seeking authorization to accept the grant award and adoption of Special Revenue Fund Project Ordinance 2019-9 to appropriate the grant funding.

6.05 Adoption of Budget Ordinance Amendment 2019-11 for an Update of the Master Plan for Martin Luther King Jr. Park

Budget Ordinance Amendment 2019-11 will appropriate \$50,000.00 to fund the update of the master plan for the Martin Luther King Jr. Memorial Park in partnership with the Fayetteville-Cumberland County Dr. Martin Luther King, Jr. Committee.

6.06 Adoption of Special Revenue Fund Project Ordinance 2019-10 to Appropriate the 2017 Interactive Policing Strategy Grant Awarded by the Governor's Crime Commission of the N.C. Department of Public Safety

Special Revenue Fund Project Ordinance 2019-10 will appropriate \$13,944.00 of federal grant funds passed through the North Carolina Department of Public Safety, Governor's Crime Commission, for the purchase of equipment for the 2017 Fayetteville Police Department Interactive Policing Strategy program.

6.07 Proposed Ordinance Amendment for Fayetteville City Code Chapter 14, Housing, Dwellings, and Buildings, Article VII, Nuisance Properties

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE CREATING A NEW ARTICLE VII, NUISANCE PROPERTIES, UNDER CHAPTER 14, HOUSING, DWELLINGS AND BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2019-001

6.08 Phase 5 Annexation Utility Improvement Project - Areas 22 and 23 Preliminary Assessment Resolution to be Adopted

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RESOLUTION AND ORDER TO FILE AND PUBLISH A PRELIMINARY ASSESSMENT RESOLUTION FOR THE EXTENSION OF THE SANITARY SEWER COLLECTION SYSTEM IN ALL OR A PORTION OF THE STREETS WITHIN AREAS 22 AND 23 OF THE PHASE 5 ANNEXATION LISTED ON EXHIBIT "A". RESOLUTION NO. R2019-005

6.09 Uninhabitable Structures Demolition Recommendations

6548 Lagoon Drive - District 7

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. 6548 Lagoon Drive, PIN 0407-11-1160. ORDINANCE NO. NS2019-001

940 Waterless Street - District 2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. 940 Waterless Street, PIN 0436-19-0379. ORDINANCE NO. NS2019-002

7.0 PUBLIC HEARINGS

7.01 Public Hearing on Naming of the Plaza in front of the new Minor League Baseball Stadium in downtown Fayetteville in Honor of former Mayor Hurley

Dr. Telly Whitfield, Assistant City Manager, presented this item and stated at the January 7, 2019, City Council work session, discussion took place regarding a City Council agenda item request submitted by Council Members Colvin, Crisp, and Arp pertaining to naming of City property in honor of former Mayor Hurley. At the January 14, 2019, City Council regular meeting, Council unanimously consented to call for a public hearing on naming the plaza in front of the new minor league baseball stadium in downtown Fayetteville after former Mayor Bill Hurley, to be held January 28, 2019, at the regular City Council meeting, beginning at 7:00 p.m. Notice of the public hearing was published in The Fayetteville Observer on January 19, 2019.

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

Mr. John Malzone, 106 Hay Street, Fayetteville, NC, spoke in favor of naming the plaza in front of the new minor league baseball stadium in downtown Fayetteville in honor of former Mayor Hurley.

Mr. Mark Hurley, 177 Ellerslie Drive, Fayetteville, NC, spoke in favor of naming the plaza in front of the new minor league baseball stadium in downtown Fayetteville in honor of former Mayor Hurley.

Ms. Carol Goforth, 325 Murray Hill Road, Fayetteville, NC, spoke in favor of naming the plaza in front of the new minor league baseball stadium in downtown Fayetteville in honor of former Mayor Hurley.

Mr. Jordan Jones, 450 Hay Street, Fayetteville, NC, spoke in favor of naming the plaza in front of the new minor league baseball stadium in downtown Fayetteville in honor of former Mayor Hurley.

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

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MOTION: Council Member Arp moved to approve the naming of the plaza in front of the new Minor League Baseball Stadium in downtown Fayetteville in honor of former Mayor Hurley.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

7.02 P18-42F. The issuance of a Special Use Permit to allow Horne Brothers Construction, Inc., to upgrade their fuel station in the Conditional Community Commercial Zoning District (CC/CZ) located at 505 Middle Road (Tax Map No. 0447-34-8472), containing 8.6 +/- acres, near the intersection of Middle and Dunn Roads and being the property of CAROLINA SUN INVESTMENTS LLC.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated in June 2018, this property was rezoned from Community Commercial (CC) to Conditional Community Commercial Zoning (CC/CZ) to accommodate Horne Brothers Construction's relocation of one of their facilities to Fayetteville. The conditional rezoning actively furthers the City's mission to create a business friendly environment where citizens thrive and prosper by welcoming Horne Brothers Construction to the site while protecting the Cape Fear River and infilling a site for new and further business development east of the Cape Fear River. He stated the request is for a Special Use Permit (SUP) to allow above ground outdoor fuel storage tanks. "A special use in a particular zoning district is one that may be appropriate in the district, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings. The purpose of this section is to establish procedures and standards for review and approval of Special Use Permits that provide for such special consideration." The issuance of a SUP is intended to provide a landowner and the City an alternative to rezoning the land to a more intense industrial zoning district. The base zoning district allows certain uses and development that may be appropriate but also allows uses and development that may not conform to City plans or would have adverse impacts on public facilities or surrounding lands. The SUP allows the City Council to impose additional conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations applicable in the parallel base zoning district. The property at 505 Middle Road is used to store and maintain equipment and vehicles used by Horne Brothers Construction. The employees that work out of town also store their vehicles at this site during the week. Monday mornings are their heaviest traffic days, since crews will be coming in and leaving. According to Horne Brothers, traffic is greatly reduced the rest of the week. Presently Horne Brothers is using temporary fuel tanks on the site that hold 500 gallons of diesel and 500 gallons of gasoline. They are seeking approval to upgrade their fuel station to two above ground storage tanks with one being a 3,000 gallon tank for diesel and a 2,000 gallon tank for gasoline. The typical hours of operation are 6:00 a.m. to 5:00 p.m. Monday through Friday. They have about 100 employees that would be gathering at the site and traveling on Monday mornings in 30 vehicles, as well as 10 tractor-trailer type vehicles. The proposed tanks would sit on a concrete slab, which would be surrounded by a containment wall. Fuel would be delivered two times a week versus almost every day with the current 500 gallon tanks. The filling of these tanks would be in the center of the property as shown on the site plan that was approved during the rezoning in June. Horne Brothers Construction has the following three main objectives associated with the installation of these tanks:

1. To install permanent fuel tanks at Horne Brothers Construction's site for fueling of company-owned vehicles and equipment.
2. To protect the environment through best practices and additional preventative measures.

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3. To emphasize and highlight Horne Brothers Construction's intentions to exceed all state requirements for above ground fueling if permission is granted for tank installation.

Additional details regarding the type of fuel tanks, their installation, and a materials list is included within the PowerPoint presentation provided by Horne Brothers and Campbell Oil Company.

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

Mr. Rhett Bunce, 1682 Middle River Road, Fayetteville, NC, appeared in favor of approving the Special Use Permit and stated he is an employee of Horne Brothers and is representing the owners.

Mr. Noah Simmons, 2336 Peanut Plant Road, Elizabethtown, NC, appeared in favor of approving the Special Use Permit and stated he is an employee of Horne Brothers and is representing the owners.

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

Discussion ensued.

MOTION: Council Member Culliton moved to approve the Special Use Permit (SUP) in a CC/CZ Conditional Community Commercial district as presented by staff and based on the standards of the City's development code and the evidence presented during this hearing and restricted to the five conditions; that the application is consistent with applicable plans because (1) the development is located in a Conditional Community Commercial District, (2) the City's Cape Fear River Plan calls for Heavy Commercial on this property, (3) this use complies with the findings, and (4) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area; and that all eight findings of fact as stated are met.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (9-0)

8.0 ADMINISTRATIVE REPORTS

8.01 Monthly Statement of Taxes for December 2018

2018 Taxes	14,886,101.93
2018 Vehicle,	3,836.30
2018 Taxes Revit	51,739.83
2018 Vehicle Revit	4.79
2018 FVT	320.00
2018 FTT	320.00
2018 Storm Water	2,800,757.79
2018 Fay Solid Waste Fee	1,713,439.47
2018 Annex	0.00
2017 Taxes	17,191.19
2017 Vehicle	292.72
2017 Taxes Revit	0.42
2017 Vehicle Revit	3.34
2017 FVT	30.00
2017 FTT	30.00
2017 Storm Water	2,334.41
2017 Fay Solid Waste Fee	3,755.47
2017 Annex	0.00
2016 Taxes	4,507.43
2016 Vehicle	0.00
2016 Taxes Revit	0.00

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2016 Vehicle Revit	0.00
2016 FVT	0.00
2016 FTT	0.00
2016 Storm Water	308.70
2016 Fay Storm Water	0.00
2016 Fay S Waste Fee	301.84
2016 Annex	0.00
2015 Taxes	922.98
2015 Vehicle	0.00
2015 Taxes Revit	0.00
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	45.00
2015 Fay Storm Water	90.00
2015 Fay S Waste Fee	132.00
2015 Annex	0.00
2014 and Prior Taxes	478.52
2014 and Prior Vehicle	796.64
2014 and Prior Taxes Revit	0.00
2014 and Prior Vehicle Revit	0.00
2014 and Prior FVT	145.86
2014 and Prior FTT	145.87
2014 and Prior Storm Water	12.00
2014 and Prior Fay Storm Water	24.00
2014 and Prior Fay S Waste Fee	38.00
2014 and Prior Annex	0.00
Interest	3,625.43
Revit Interest	0.00
Fay Storm Water Interest prior	18.70
Fay Storm Water Interest 2015	37.40
Fay Storm Water Interest 2016	284.71
Annex Interest	0.00
Solid Waste Interest	476.67
FTT Interest	112.41
Total Tax and Interest	\$19,492,661.82

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:06 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

DRAFT

**FAYETTEVILLE CITY COUNCIL
STRATEGIC PLANNING RETREAT MINUTES
Fayetteville Technical Community College,
Horticultural Education Center
February 1, 2019
1:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Kathy Jensen (District 1) Daniel Culliton (District 2); Tisha S. Waddell (District 3); D.J. Haire (District 4)(arrived 1:34 p.m.); Johnny Dawkins (District 5)(departed 3:15 p.m.); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8)

Absent: 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
Gina Hawkins, Police Chief
Brad Whited, Airport Director
Jay Toland, Interim Chief Financial Officer
Tracey Broyles, Budget and Evaluation Director
Kevin Arata, Corporate Communications Director
Michael Gibson, Parks, Recreation and Maintenance Director
Randy Hume, Transit Director
Dwayne Campbell, Chief
Rebecca Jackson, Strategic Performance Analytics Director
Chris McMillan, SPA Management Analyst
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 1:00 p.m. and welcomed everyone in attendance.

Ms. Lydian Altman, and Ms. Dale Smith facilitated the meeting. Topics of discussion included the following:

Celebrating Your Work - what has happened the last year that makes you so proud?

Resources Equal to Expectations.

Current Strategic Framework.

Community Feedback - Evaluation of Community Feedback.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:44 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

DRAFT

**FAYETTEVILLE CITY COUNCIL
STRATEGIC PLANNING RETREAT MINUTES
FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE
HORTICULTURAL EDUCATION CENTER
FEBRUARY 2, 2019
8:30 A.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (departed at 11:15 a.m.); Daniel Culliton (District 2); Tisha S. Waddell (District 3) (departed at 11:15 a.m.); 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) (departed at 12:25 p.m.)

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
Brad Whited, Airport Director
Jay Toland, Interim Chief Financial Officer
Tracey Broyles, Budget and Evaluation Director
Kevin Arata, Corporate Communications Director
Michael Gibson, Parks, Recreation and Maintenance Director
Randy Hume, Transit Director
Dwayne Campbell, Chief Information Officer
Rebecca Jackson, Strategic Performance Analytics Director
Chris McMillan, SPA Management Analyst
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 8:30 a.m. and welcomed everyone in attendance.

Ms. Lydian Altman and Mr. Dale Smith facilitated the meeting. Topics of discussion included the following:

Social Capital Survey
Café Conversations
Strategic Priorities for Fiscal Year 2019
Creating Strategic Priorities

The Fayetteville City Council, based on the City's established Strategic Priorities, identified several initiatives for the next 12 to 18 months. Those initiatives include:

- Redevelopment and business growth of the Murchison Road corridor
- Job creation and retention for the local workforce through an internship program
- Developing Smart City capacity, specifically through pursuing the installation of broadband across the City
- Collaboration and empowerment by developing a Young Adult Engagement Program
- Working to develop a quality stormwater program

DRAFT

- Managing the City’s future growth through a comprehensive land use plan
- Improving connectivity by assessing the feasibility of railroad crossing safety at at-grade crossings
- Elevating the conversation about how to combat poverty across the City
- To advance community revitalization efforts, to include residential and commercial properties

ADJOURNMENT

There being no further business, the meeting adjourned at 2:00 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

DRAFT

**FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD ROOM
FEBRUARY 11, 2019
6:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2) (arrived at 6:09 p.m.); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5) (via telephone); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore W. 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
Jay Toland, Interim Chief Financial Officer
Tracey Broyles, Budget and Evaluation Director
Sheila Thomas-Ambat, Interim Public Services Director
Pamela Megill, City Clerk
Members of the Press

Mayor Colvin called the meeting to order at 6:02 p.m.

CLOSED SESSION

MOTION: Council Member Arp moved to go into closed session for an attorney-client privileged matter.
SECOND: Council Member Haire
VOTE: UNANIMOUS (9-0)

The regular session recessed at 6:03 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
VOTE: UNANIMOUS (10-0)

Mayor Colvin read the titles of the announcements for the regular meeting. Mayor Colvin asked Council to review the agenda and invited comments and questions.

Council Member Dawkins stated he would pull Consent Item 6.04, Joint Fayetteville State University Wellness/Senior Center MOU Property Transfer request, for staff presentation and separate vote.

Council Member Haire stated he would pull Consent Item 6.06, Co-Bond Counsel Workload and Percentage Split-General Obligation Bonds, Series 2019 (Parks and Recreation), for staff presentation and separate vote.

There being no further business, the meeting adjourned at 6:52 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

DRAFT

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
FEBRUARY 11, 2019
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); 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
Elizabeth Somerindyke, Internal Audit Director
Rose Rasmussen, Senior Internal Auditor
Jay Toland, Chief Financial Officer
Michael Martin, Development Services Deputy Director
James Nolette, Police Major
Shelia Thomas-Ambit, Interim Public Services Director
Giselle Rodriguez, City Engineer
Jennifer Ayre, Deputy City Clerk
Metoya Scott, Senior Administrative Assistant to the Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 7:07 p.m.

2.0 INVOCATION

The invocation was offered by Pastor Josh Goodman with Cliffdale Christian Center.

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. Paige Diana, Fayetteville-Cumberland Youth Council (FCYC) member and Senior at Cumberland Polytechnic High School. Ms. Diana provided an overview of FCYC's current project--"Kindness Matters".

Pastors from Manna Church presented framed gifts to thank the Mayor and City Council for allowing residents to serve the City.

Mayor Colvin presented a proclamation to the City Engineering staff in celebration of "Engineering Week". Ms. Giselle Rodriguez invited the Mayor and City Council members to the first Engineering Fair taking place February 21, 2019, from 10:00 a.m. to 2:00 p.m. at City Hall.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Arp moved to approve the agenda.
SECOND: Council Member Wright
VOTE: UNANIMOUS (10-0)

DRAFT

6.0 CONSENT AGENDA

MOTION: Council Member Dawkins moved to approve the consent agenda with the exception of Items 6.04 and 6.06.
SECOND: Council Member Arp
VOTE: UNANIMOUS (10-0)

6.01 Approval of Municipal Certificate with NCDOT for speed limit on Camden Road from Owen Drive to 0.11 miles west of Veda Street

NCDOT conducted a review of speed limit ordinances along Camden Road (State Road 1003). During this review it was discovered there was not a concurring municipal ordinance for an existing 45 mph section of Camden Road from Owen Drive westward to 0.11 miles west of Veda Street. Based on this, NCDOT is requesting the City Council's concurrence for the existing 45 mph speed limit along Camden Road. No revisions to the speed limit will occur in the field.

APPROVAL OF MUNICIPAL DECLARATION TO ENACT SPEED LIMITS BETWEEN SR 1007 (OWEN DRIVE) AND 0.11 MILE WEST OF SR 1150 (VEDA STREET) AT THE SOUTHWEST FAYETTEVILLE MUNICIPAL LIMITS. ORDINANCE NO. NS2019-003

6.02 North Carolina Veterans Park - Phase II Design Contract Award to RATIO Architects; the recommended, responsible bidder.

North Carolina Veterans Park, Phase II Design, includes all aspects of architectural design required to deliver a functional and aesthetically pleasing park. The scope of work includes walkways, community lawns, plazas, walking trails, fountains, lighting and more. Phase II of the project will extend the current footprint of North Carolina Veterans Park north, encompassing the land previously occupied by the Rowan Street bridge and on-ramp. Authorizing staff to award and execute a contract with RATIO Architects for the design of the NC Veterans Park Phase II.

6.03 Capital Project Ordinance 2019-23 for the FY 18 Edward Byrne Memorial Justice Assistance Grant (JAG)

Capital Project Ordinance 2019-23 will appropriate \$117,032.00 of federal grant funds, awarded by the U.S. Department of Justice, for the FY 18 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. No local match is required. The grant provides \$117,032.00 for a communications mobile command center (\$75,000.00) and a community policing trailer (\$42,032.00).

6.04 Pulled for discussion and separate vote.

6.05 Resolution to Appoint Jay C. Toland as Finance Officer

**RESOLUTION APPOINTING JAY C. TOLAND AS FINANCE OFFICER.
RESOLUTION NO. R2019-006**

6.06 Pulled for discussion and separate vote.

6.04 Joint Fayetteville State University Wellness/Senior Center Memorandum of Understanding for Property Transfer Request

This item was pulled for discussion and separate vote.

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated the City Council authorized the execution of the Memorandum of Understanding (MOU) with Fayetteville State University (FSU) on December 10, 2018. The first step is to obtain site control which will require both parties to acquire land not currently owned. This item requests that Council authorize the official request for transfer of property currently owned by Cumberland County and currently managed

DRAFT

by the Public Works Commission (PWC) to the City to support this project.

Discussion ensued.

MOTION: Council Member Dawkins moved to authorize staff to develop appropriate communications requesting the transfer of control and ownership of the identified parcels to the City without cost.

SECOND: Council Member Culliton

VOTE: UNANIMOUS (10-0)

6.06 Co-Bond Counsel Workload and Percentage Split - General Obligation Bonds, Series 2019 (Parks and Recreation)

This item was pulled for discussion and separate vote.

Council Member Wright requested recusal based on his recusal from the same item during the February 4, 2019, City Council work session.

MOTION: Council Member Arp moved to recuse Council Member Wright from the discussion and vote.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (9-0)

Mr. Jay Toland, Chief Financial Officer, presented this item and stated Bond Counsel is required to issue bonds and other debt financing agreements. In late spring 2019, the City will prepare the first of three issuances of the Parks and Recreation General Obligation Bonds. At the March 29, 2016, City Council meeting, the Council approved The Charleston Group as local co-bond counsel with an 85 percent/15 percent split, with 15 percent going to the local co-bond counsel. The current and primary bond counsel is Womble Bond Dickinson of Raleigh, NC. Staff is proposing a mid-February kick-off meeting with all parties that will facilitate the issuance of General Obligation Bonds, Series 2019. All fees need to be proposed from co-bond counsel before that kick-off meeting. At the February 4, 2019, work session, Council gave consensus for an 80 percent/20 percent split (fee and workload) for primary and local co-bond counsel respectively.

Council Member Haire expressed his preference for a 60 percent/40 percent split.

Discussion ensued.

MOTION: Council Member Haire moved to approve a 60 percent/40 percent split (fee and workload) for primary and local co-bond counsel respectively.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 7 in favor to 2 in opposition (Council Members Mohn and Culliton)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Annual Report of the Audit Committee for Fiscal Year Ending June 30, 2018

Mr. Darsweil Rogers, Audit Committee Chair, presented the Annual Report of the Audit Committee and stated in accordance with the guidelines set forth in the City of Fayetteville's Audit Committee Charter, the Audit Committee met four times, at least quarterly, over the past fiscal year. The Audit Committee has assisted the City Council by reviewing financial information and management reports, and by providing independent recommendations regarding the scope, priority, and methods of audit related activities within the City.

The Audit Committee has six voting members consisting of three City Council members, one member from the Fayetteville Public Works

DRAFT

Commission, and two members of the business community with experience in the finance industry. The Audit Committee voting members include PWC Chairperson Darsweil Rogers, Chairperson; Council Member Johnny Dawkins, Vice-Chairperson; Council Member William Crisp; Council Member Larry Wright; and Dr. Pamela Jackson, Fayetteville State University.

Discussion ensued.

MOTION: Council Member Crisp moved to accept the Annual Report of the Audit Committee for Fiscal Year ending June 30, 2018.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

8.0 PUBLIC FORUM

Ms. Harmony Sells (no address provided) requested a taxi council.

Mr. Imam Eronomy Smith Mohammad, 2700 Murchison Road, Fayetteville, NC, provided an overview of the state of the City.

Mr. Robert Walls, 1436 Valencia Drive, Fayetteville, NC, requested the establishment of a civilian oversight committee for the Fayetteville Police Department.

Mr. Jerry Reinoehl, 516 Deerpath Drive, Fayetteville, NC, expressed concerns regarding the red light camera program.

9.0 OTHER ITEMS OF BUSINESS

9.01 Amendment to Garage Contract with Hay Street Development Pad, LLC.

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated in December 2017 the Council authorized the execution of the Garage Contract with Hay Street Development Pad, LLC (Hay St.) for the development of a mixed use structure with a City parking garage. That agreement does not clearly address how sales tax will be accounted as part of the transaction. The proposed amendment clarifies that sales tax will be addressed as a credit to the project costs, which is how it is handled in other construction projects. The City executed a Memorandum of Understanding with Prince Charles Holdings (PCH) in March 2016. At that time, the main topics of discussion were the availability of parking and how to reconfigure the street system to support the renovation of the Prince Charles into a mixed use building, a hotel, and mixed use development on the site. That process was moving forward when the concept of placing a minor league baseball stadium was introduced in June 2016. The City entered into a Downtown Development Agreement with Prince Charles Holding in December 2017. The City pays sales tax and then is reimbursed by the state for that expenditure. The standard practice is to not budget sales tax expense as part of capital projects or major expenditures. When a pay application is submitted, sales tax is listed separately and not included as an expenditure against the budget appropriation. It is accounted for separately. The Garage Contract is unique in that the City is paying for the Construction of part of the building; the parking garage component. The contract provides for the City to honor construction pay applications, just like any other City construction project, up to an agreed maximum of \$14,467,888.00 plus soft costs. The proposed amendment clarifies that sales taxes included in pay application requests will be excluded from the City's contribution to the project under the contract to the extent reimbursed by the state.

The intention and impact of the proposed amendment is to address sales tax in the same way it is addressed in other City construction projects. If approved and executed, payments for sales tax will be excluded from the calculation of payments to Hay Street LLC. for the construction and acquisition of the Hay Street parking garage. This will not increase the City's budget for the project as sales tax

DRAFT

payments and reimbursements are routinely not budgeted. The City accounts for this exchange separately. Approving the proposed amendment will not change this budget. It will allow any sales tax reimbursements to be applied as a credit to "Expenditures" freeing up current appropriation authority to cover additional direct construction costs.

Discussion ensued.

MOTION: Council Member Wright moved to authorize the City Manager to execute the amendment to the Garage Contract.
SECOND: Council Member Dawkins
VOTE: UNANIMOUS (10-0)

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:06 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

021119

City of Fayetteville

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

City Council Action Memo

File Number: 18-658

Agenda Date: 2/25/2019

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: Kristoff Bauer, Deputy City Manager
Gerald Newton, AICP - Development Services Director
Taurus Freeman - Planning & Zoning Divisional Manager

FROM: Craig Harmon, AICP, CZO - Senior Planner

DATE: February 25, 2019

RE:

P19-02F. Rezoning a portion of property from Community Commercial (CC) to Mixed Residential (MR-5), located at 322 E. Russell Street (Tax Map # 0437-72-5633), near the intersection of E. Russell and Alexander streets, containing 0.118 +/- acres of 0.44 acres and being the property of J. Duane Gilliam, Jr.

COUNCIL DISTRICT(S):

2 - Dan Culliton

Relationship To Strategic Plan:

2024 Goals, Goal II: Diverse and Viable Economy is achieved through the expansion of an existing local business and the redevelopment of a vacant commercial property.

Executive Summary:

This property is currently vacant, with some miscellaneous materials being stored there. The owner is requesting to rezone a portion of this commercially zoned (CC) property to allow residential development.

Background:

This proposal would rezone a 0.118 section of a commercially zoned property to Mixed Residential (MR-5).

Applicant: J. Duane Gilliam, Jr.

Owner: J. Duane Gilliam, Jr.

Requested Action: CC to MR-5

Property Address: 322 Russell Street
Council District: 2
Status of Property: Vacant
Size: 0.118 of 0.44 +/- acres
Adjoining Land Use & Zoning:
North: CC - Vacant Commercial and E. Russell St.
South: MR-5 - Residential
West: MR-5 - Residential
East: HI - Vacant
Traffic Count: Russell Street - AADT 7,300
Letters Mailed: 28

2010 Land Use Plan: Downtown

This plan contains some recommendations which are broad concepts applicable to all development in Cumberland County. Developers are allowed some flexibility in selection of the type and location of development they wish to complete.

Issues/Analysis:

The property subject to this rezoning is located at the southwestern intersection of Russell Street and Alexander Street. Russell Street is identified as a Major road and Alexander Street is listed as a minor collector.

Currently, there are single-family residential homes located to the south and west of this rezoning. To the west of this property is a residentially zoned area that is undeveloped. To the north and east the properties are zoned and used commercially.

The parcels adjacent to the intersection are zoned Community Commercial (CC).

Located to the north of this property is a uniform supply store, and Cumberland County Veterans Services. The property to the east is a vacant commercial lot and the Salvation Army. To the west of the property is a garden supply store and an auto repair business. Immediately adjacent to this property to the south is a small area of residential housing. If rezoned, a perimeter buffer separating this rezoning from the remaining commercial portion of this property will have to be put in place when a business is built. An opaque Type D buffer is required and shall be located along the outer perimeter of the parcels under development and shall extend to the parcel boundary line. The opaque screen shall function as a screen from the ground to a height of at least six feet. This type of buffer prevents visual contact between uses and creates a strong impression of total separation. Land within the City is generally classified by the Unified Development Ordinance (UDO) to be within one of a number of base zoning districts. Land may be reclassified to one of a number of comparable zoning districts in accordance with Section 30-2.C.

Map Amendment/Straight Rezoning:

The applicant is requesting to rezone the subject property from Community Commercial to Mixed Residential 5 Zoning for the purpose of converting this property for future residential uses.

The intent of the Mixed Residential 5 District is to "accommodate the diverse housing needs of City residents by accommodating a wide variety of residential housing types and arrangements at moderate to high densities, including single-family detached

dwelling, two- to four-family dwellings, multi-family dwellings, and other residential development that may include single-family attached dwellings, and zero lot line development subject to the requirements of this Ordinance.”

The reclassification of land to a straight zoning district allows all of the residential uses that are shown on the attached Use Table taken from the UDO. The City Council may not consider conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations that are applicable.

Land Use Plan Analysis:

These properties are subject to 2010 Land Use Plan and the Downtown Renaissance Plan Update. According to the 2010 Land Use Plan, the recommended use for this parcel is Downtown. The plan calls for the Downtown area to accommodate a mix of uses, from residential to industrial. In the Downtown Renaissance Plan Update this property is located in focus area number 7 - Russell Street Design. This plan calls for improving the appearance and pedestrian attractiveness of roadways which can be a potent force in supporting residential and mixed-use development. But since Russell Street is a major opportunity site, this project would envision and help create a wide range of corridor improvements - further spurring the revitalization of Russell Street. The Zoning Commission and Planning Staff recommend APPROVAL of the map amendment to MR-5 based on the following:

- This proposed zoning map amendment implements the policies adopted in the Unified Development Ordinance, 2010 Land Use Plan and the Downtown Renaissance Plan Update. This district type is intended to accommodate the diverse housing needs of City residents by accommodating a wide variety of residential housing types;
- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property;
- This proposed change is in accordance with the existing and proposed plans for the area; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Budget Impact:

There is not an immediate budgetary or economic impact this rezoning.

Options:

1. Approval of the map amendment/rezoning to MR-5 as presented by the Planning staff (recommended).
2. Approval of a more restrictive map amendment/rezoning.
3. Deny the request.

Recommended Action:

The Zoning Commission and City staff recommend that the City Council move to APPROVE of the rezoning to MR-5 - Mixed Residential 5 Zoning District, as presented by the staff and based on the information provided above. The Amendment is consistent with applicable plans because: 1) the City's Unified Development Ordinance, 2010 Land Use Plan and the Downtown Renaissance Plan Update all support residential development in this area and 2) that the uses near this property are other residential uses which are compatible with the proposed zoning and 3) the proposed zoning is reasonable and in the public interest because the proposed zoning does fit with the character of most of the development in this area. This proposed amendment is consistent with the 2010 Future Land Use Plan because the subject property is shown as a Downtown use classification and the proposed zoning and use is consistent with that classification.

Attachments:

1. Aerial Notification Map
2. Zoning Map
3. Land Use Plan Map
4. Map Amendment Application
5. Site Survey
6. Subject Property
7. Surrounding Properties
8. UDO Landscaping/Buffering Standards

Aerial Notification Map

Zoning Commission: 01/08/2019

Request:
Rezoning/Map Amendment
CC to MR-5



Location:
322 E Russell St

Pin:
0437-72-5633-

Acreage to be Rezoned:
0.118 of 0.44 acres

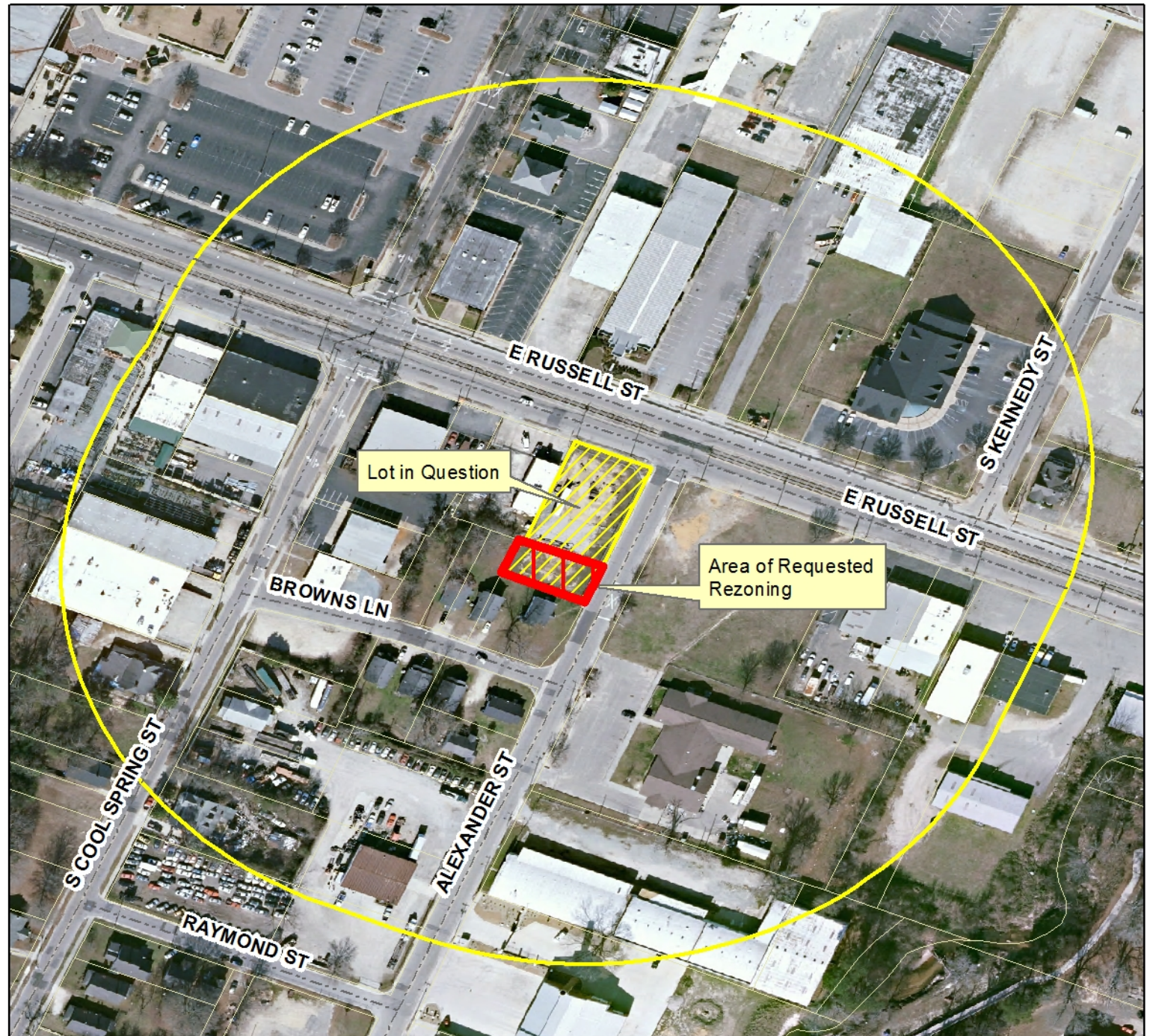


Legend

- Roads
-  500' Buffer
-  P19-02F



Letters are being sent to all property owners within the 500' buffer. Subject property is shown in the hatched pattern.



Zoning Map

Zoning Commission: 01/08/2019

Request:
Rezoning/Map Amendment
CC to MR-5

Location:
322 E Russell St

Pin #:
0437-72-5633-

Acreage to be Rezoned:
0.118 of 0.44 Acres



Legend



P19_02F

ZNTYPE



CC



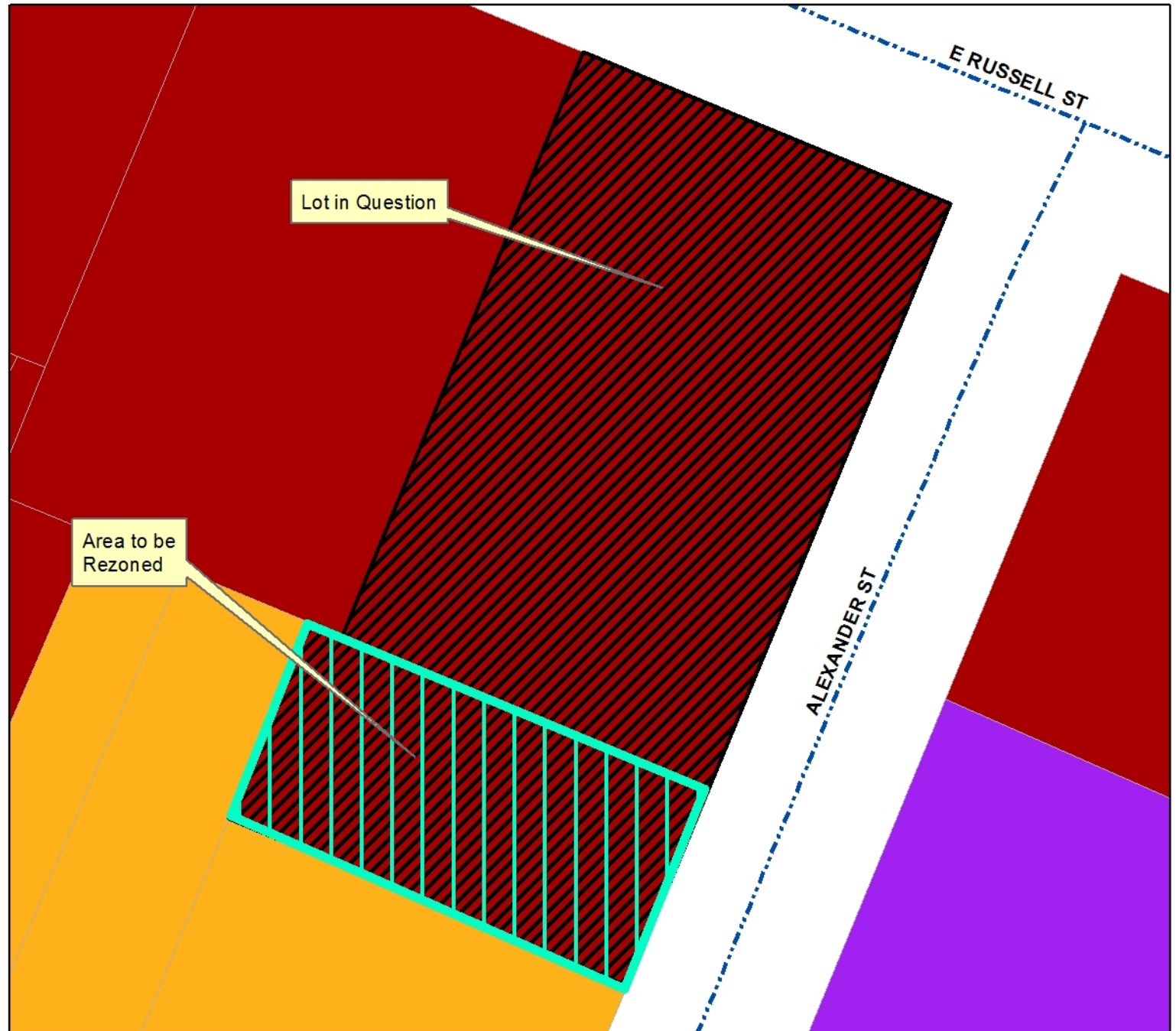
HI



MR-5



Streets



Land Use Map

Zoning Commission: 01/08/2019

Request:
Rezoning/Map Amendment
CC to MR-5




Location:
322 E Russell St

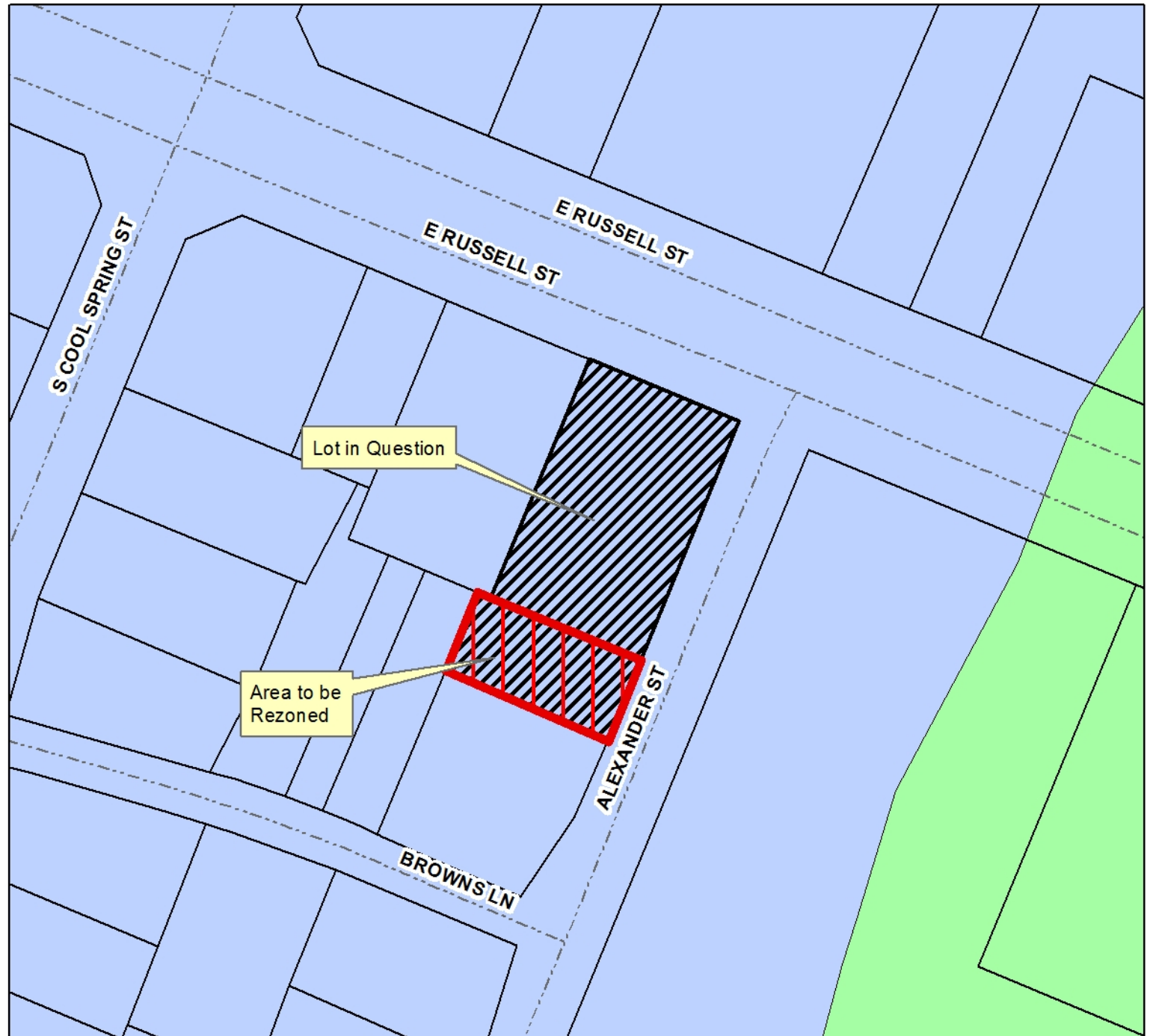
Pin #:
0437-72-5633-

Acreage to be Rezoned:
0.118 of 0.44 Acres



Legend

- Streets
-  P19-02F
-  Downtown
-  Open Space



Project Overview

Project Title: Gilliam - MAP AMENDMENT

Application Type: 5.1) Rezoning (Map Amendment)

Workflow: Staff Review

Jurisdiction: City of Fayetteville

State: NC

County: Cumberland

Project Location

Project Address or PIN: 322 RUSSELL ST (Unverified)

GIS Verified Data

Property Owner:

Zoning District:

Acreage:

Subdivision Name:

General Project Information

Has the land been the subject of a map amendment application in the last five years?: No

Previous Amendment Case #:

Acreage to be Rezoned: 0.118

Water Service: Public

A) Please describe all existing uses of the land and existing structures on the site, if any: The land is unimproved.

Previous Amendment Approval Date:

Proposed Zoning District: Mixed Residential (MR-5)

Is this application related to an annexation?: No

Sewer Service: Public

B) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site.: The land adjacent to the proposed rezoning and to its South is zoned MR5.
The land adjacent to the proposed rezoning and to its West is zoned MR5.
The land adjacent to the proposed rezoning and to its Northwest is zoned CC.
The land across the street from the subject site is split zoned CC and HI.

Amendment Justification - Answer all questions under this section (upload additional sheets as needed).

A) State the extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.: The proposed amendment is consistent with 2010 plan to downtown use; the 2030 growth plan of urban; and the Downtown Renaissance Plan

C) State the extent to which the proposed amendment addresses a demonstrated community need.: The proposed amendment allows for residential use of the rezoned property which is a stated goal for the development of downtown property.

B) Are there changed conditions that require an amendment? : No.

D) State the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.: The closest improvements to the proposed rezoning are single family homes. the proposed rezoning provides for a transitional use between the existing residential

E) State the extent to which the proposed amendment results in a logical and orderly development pattern.: The proposed rezoning provides for a transitional use between the existing residential and commercial zoning and straightens the existing zoning lines.

G) State the extent to which the proposed amendment results in strip-style commercial development.: The proposed amendment decreases the chances of a strip-style commercial development.

I) State the extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.: The proposed amendment does not adversely impact the property values of the surrounding lands.

and commercial zoning and straightens the existing zoning lines.

F) State the extent to which the proposed amendment might encourage premature development.: The proposed amendment does not encourage premature development.

H) State the extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.: The proposed amendment extends the existing MR5 zoning and straightens the existing zoning lines which does not create an isolated zoning district and is related to adjacent zoning districts.

J) State the extent to which the proposed amendment results in significantly adverse impacts on the natural environment.: The proposed amendment does not significantly adversely impact the natural environment.

Primary Contact Information

Project Contact - Agent/Representative

J. Duane Gilliam, Jr.
Gilliam Law Firm
PO Box 53555
Fayetteville, NC 28305
P:910-818-8899
duane@gilliamlawfirm.com

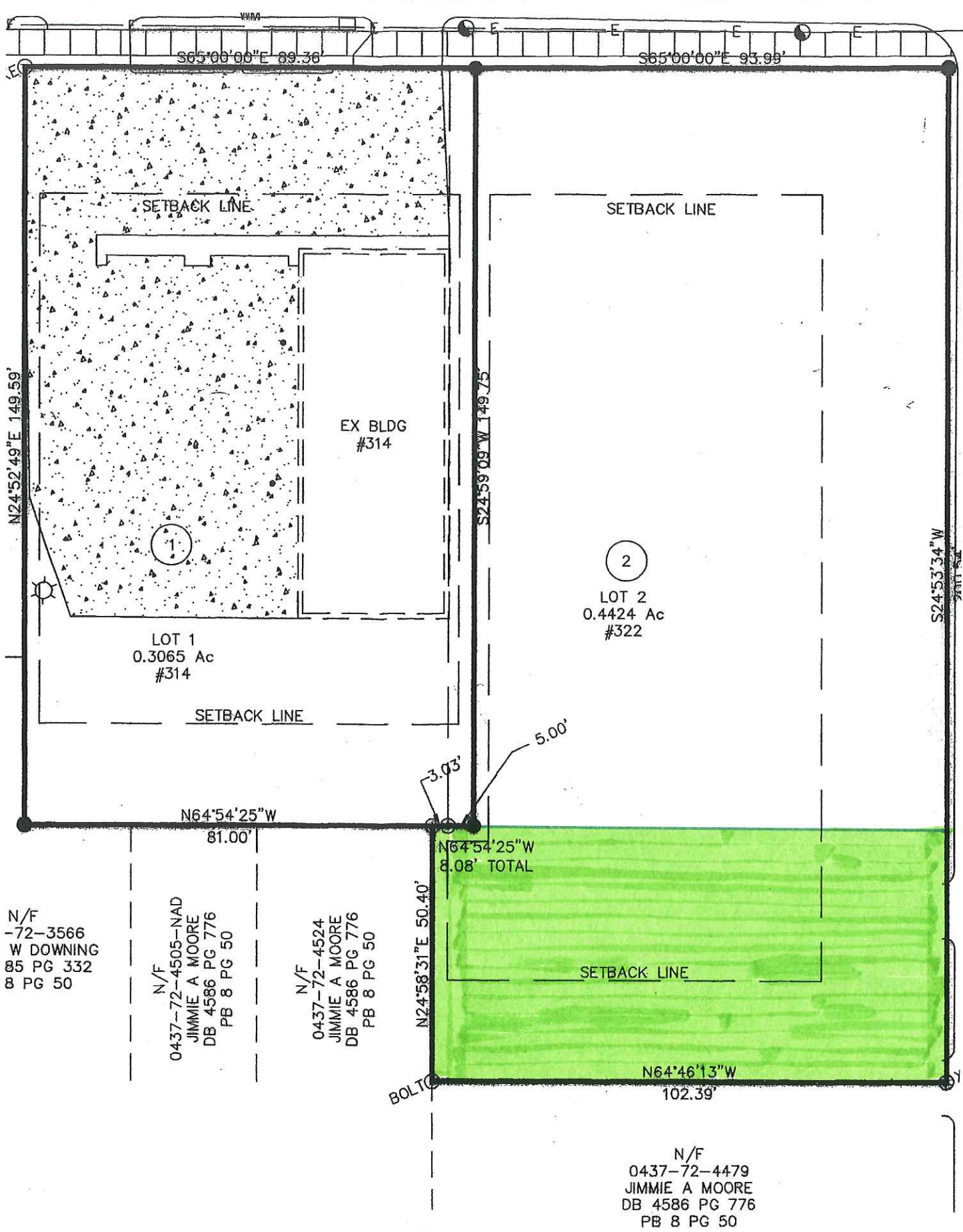
Indicate which of the following project contacts should be included on this project:

Property Owner

J. Duane Gilliam, Jr.
322 Russell Street, LLC
PO Box 53555
Fayetteville, NC 28305
P:910-818-8899
duane@gilliamlawfirm.com

NC State License Number:

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$30,000. :

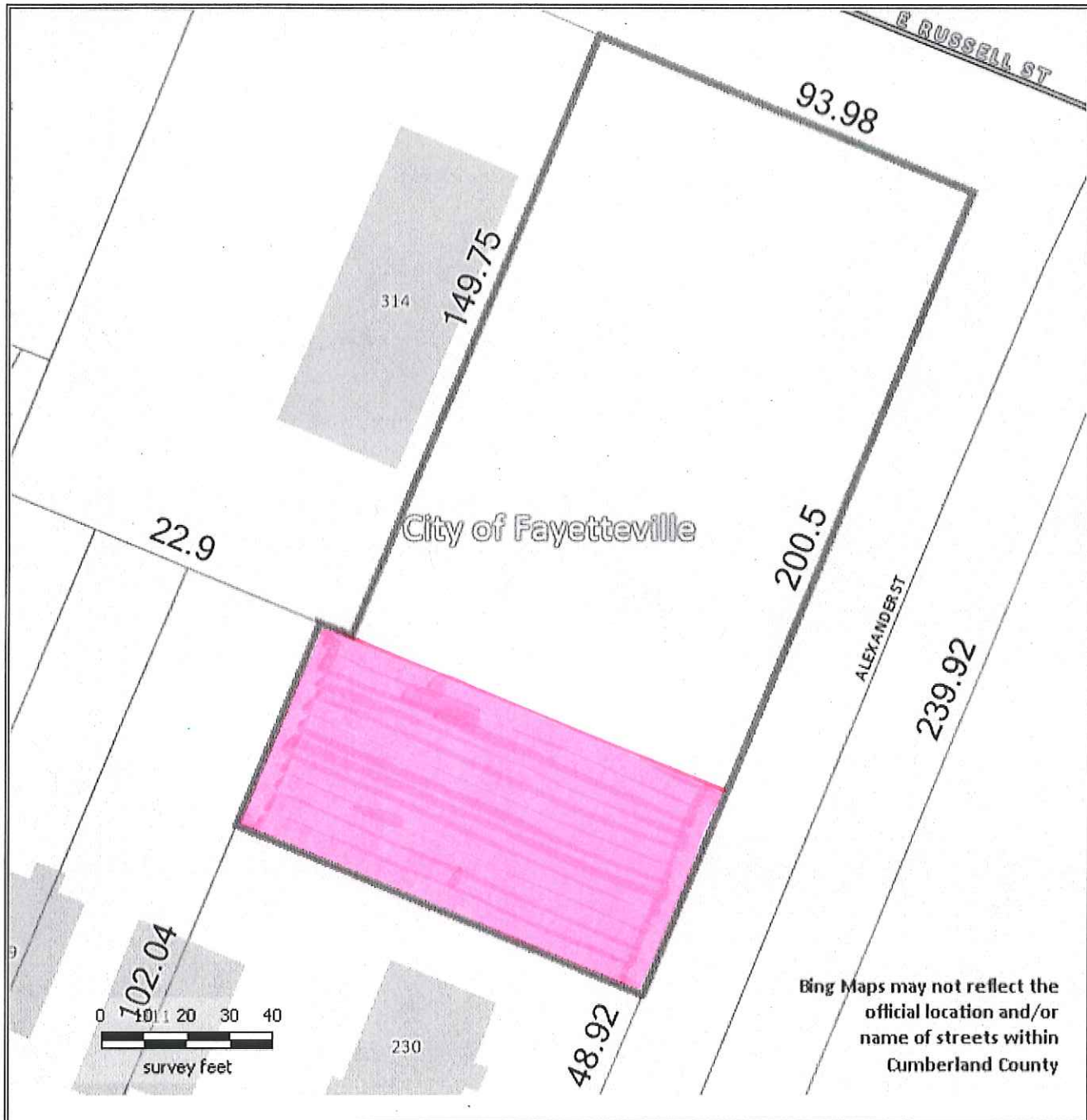




Cumberland County Planning Department
Fayetteville, North Carolina



Created by Public on Monday, 20 August 2018



Map Zoom: 250 survey ft

Map Scale: 1:426.7

Subject Property



Surrounding Properties

NORTH



EAST



SOUTH



PART II - CODE OF ORDINANCES

CHAPTER 30 – UNIFIED DEVELOPMENT ORDINANCE

Article 30-5: Development Standards

30-5.B. Landscaping and Tree Protection Standards*

30-5.B.4. Landscaping Requirements

a. Street Trees

Street trees shall be required to serve all development in the City in accordance with the following:

1. *Where Required*

Except where exempted in (b) below, street trees shall be required along both sides of all streets.

2. *Exemptions*

Street trees shall not be required for:

- a. Agricultural uses in the AR district, except when agricultural land is subdivided for new residential development; or
- b. Single-family lots, provided each lot includes one or more canopy trees between the dwelling and the right-of-way. Spacing shall be in accordance with Section 30-5.B.4.a.5, Maximum On Center Spacing, below. Existing healthy, well-formed trees located within 20 feet of the back of curb may be credited toward the requirement of this section, provided the trees meet the requirements of Section 30-5.B.7.a, Tree Preservation Credits and are adequately protected during construction (see Section 30-5.B.8, Tree Protection During Construction).

3. *Location*

- a. Except where authorized by an Alternative Landscape Plan (see Section 30-5.B.4.f), or indicated in the Engineering and Infrastructure Department's approved cross section diagrams for utility installations, all street trees shall be planted between the back of the curb and the sidewalk.
- b. In cases where street trees cannot be planted between the curb and the sidewalk, applicants shall contact the City Engineering and Infrastructure Department for utility installation cross sections which depict approved street tree locations in the public right-of-way.
- c. Street trees shall be located to avoid utilities (both overhead and underground), in accordance with the utility's requirements for clearance, unless specific written consent from the utility owner is provided.

4. *Configuration*

- a. Street trees shall be canopy trees except beneath overhead utilities or other projections into the public right-of-way, where understory trees shall be used instead.
- b. In locations directly under overhead utility lines, two understory trees may be substituted for each required canopy tree.

- c. Within the DT district, other urban areas, or redevelopment areas, street trees may be located within reduced planting strips or tree pits with irrigation and drainage systems or as part of an adopted streetscape master plan. Tree pits may be located adjacent to the back of the curb.
- d. All trees planted along NCDOT right-of-way shall conform to NCDOT guidelines.

5. *Maximum On-Center Spacing*

- a. Understory trees shall be spaced between 15 to 25 feet on center, depending upon the species size at maturity.
- b. Canopy trees shall be spaced between 25 to 40 feet on center, depending upon the species size at maturity.
- c. Wherever possible, small and medium trees shall be placed between large trees to accommodate the canopy growth of large trees over time.
- d. Alternative layout may be considered through the Alternative Landscape Plan procedure in Section 30-5.B.4.f.

b. **Site and Building Landscaping**

Site and building landscaping material is intended to soften the visual impact of the building base and provide for the even dispersal of trees and other plantings across a development site.

1. *Standards*

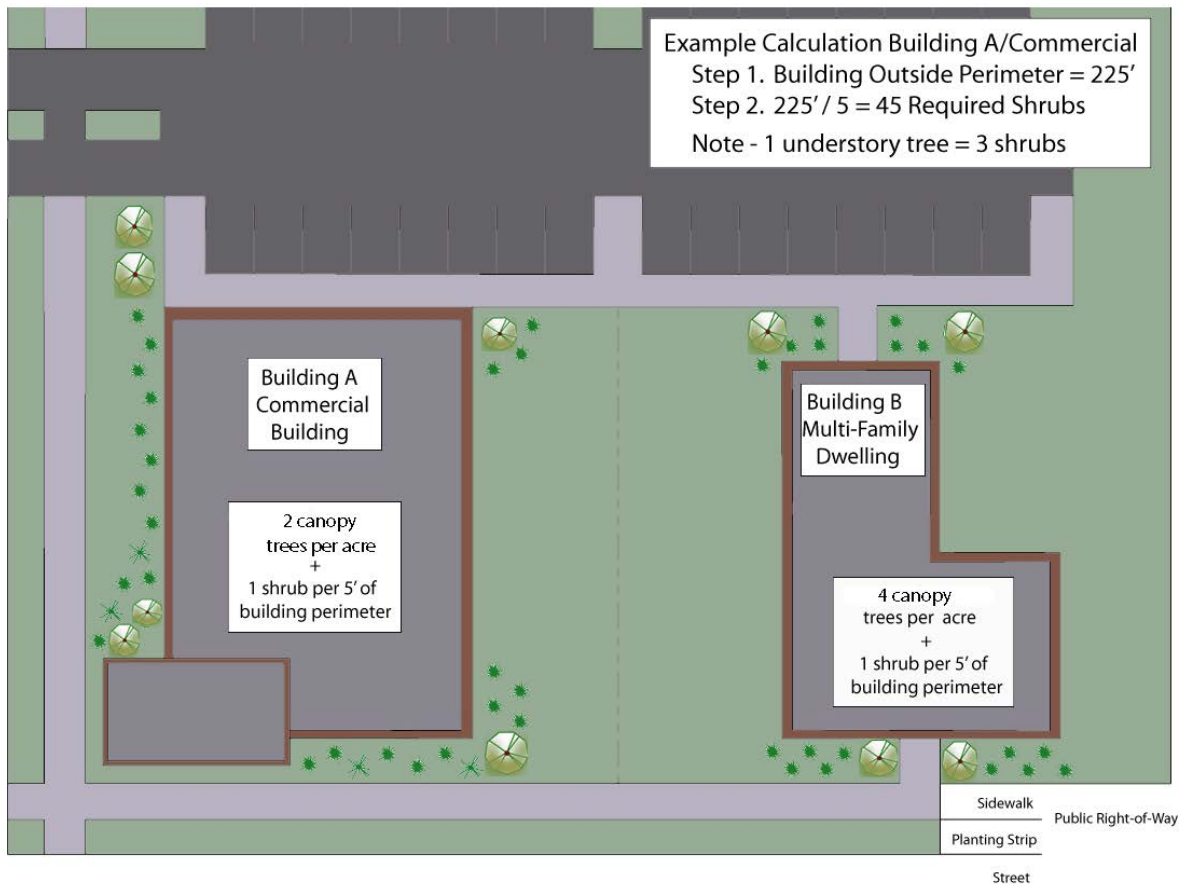
Except for substations and lift stations, single-family detached dwellings and properties in the Downtown (DT) district, site and building landscaping shall be required for all development, and shall be supplied in the amounts identified in Table 30-5.B.4.b, Required Site Landscaping Plantings, below, and Figure 30-5.B.4.b, Site and Building Landscaping Placement. Site landscaping shall meet the minimum size standards for new planting specified in Section 30-5.B.3.e, Planting Standards.

Table 30-5.B.4.b: Required Site & Landscaping Plantings	
TYPE OF USE [1]	REQUIRED PLANTINGS PER SITE [2]
Detached single-family residential uses	Exempt from the requirements of this Section 30-5.4.b, Site & Building Landscaping.
Other household living uses; group living uses	Four canopy trees (including at least one evergreen tree) per acre + at least one shrub per each five feet of outer building perimeter
All other uses	Two canopy trees (including at least one evergreen tree) per acre, + at least one shrub per each five feet of outer building perimeter
NOTES: [1] See Table 30-4.A, Use Table. [2] At least one-half of the required shrubs shall be of an evergreen variety. [3] Understory trees may be substituted for up to 50 percent of the required number of shrubs at the substitution rate of one understory tree for three shrubs.	

2. *Location*

Required shrubs shall be planted around the building perimeter, with emphasis placed on building bases visible from the public right-of-way. Required shrubs may be planted within a five-foot planting strip adjacent to the building or up to 15 feet from the building provided there is a sidewalk located between the planting area and the building wall. Fifty percent of the required shrubbery may be dispersed around the site.

Figure 30-5.B.4.b: Site and Building Landscaping Placement



c. Vehicular Use Area Landscaping

All vehicular use areas shall include landscaping, both within the interior of the vehicular use area and around its perimeter (see Figure 30-5.B.4.c, Vehicular Use Area Landscaping), as a means of mitigating the parking area's microclimate and visual impacts.

1. Purpose and Intent

It is the intent of this section to visually modify the appearance and break the blight created by large expanses of vehicular use areas; filter and reduce the glare of reflected sunlight from parked automobiles onto adjacent properties and the public street right-of-way; separate the public from the ill effects of fumes and dust; and provide shade, noise attenuation, and filtering of the air of particulate and gaseous pollutants.

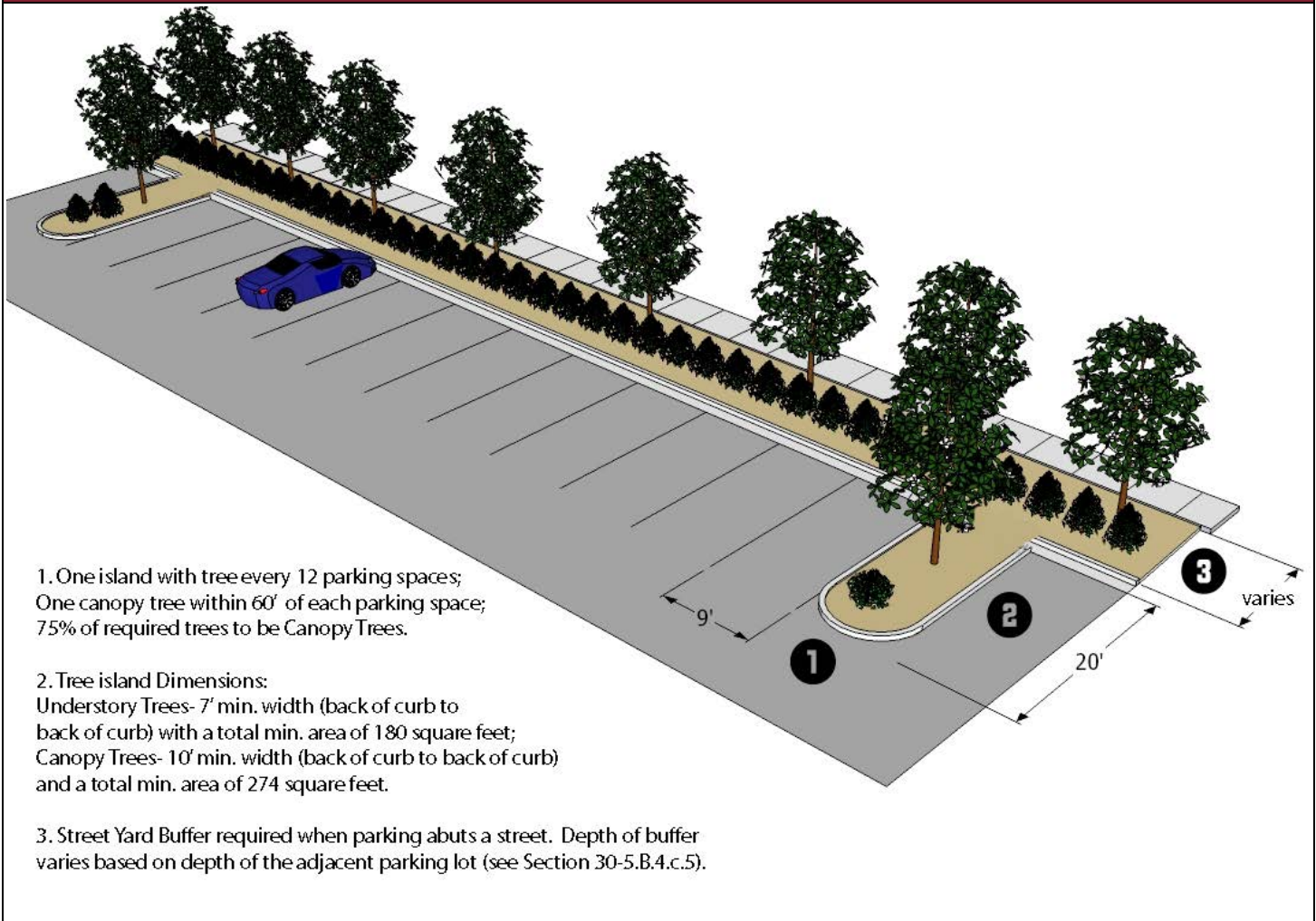
2. Applicability

These standards shall apply to all development in the City with on-site vehicular use areas, except single-family detached, and duplex, triplex or quadraplex dwellings on a single lot.

3. Interior Vehicular Use Area Landscaping Standards

All parking areas with 12 or more spaces shall provide and maintain landscaping areas within the interior of the parking lot in accordance with the standards in this subsection. These standards shall not apply to parking structures or automotive sales or display lots.

Figure 30-5.B.4.c: Vehicular Use Area Landscaping



- a. Landscaped planting areas shall be distributed throughout the parking area for the purpose of heat abatement.
- b. All rows of parking shall be terminated by a tree planted within a landscape island.
- c. One tree shall be required for every 12 parking spaces. All vehicular parking spaces must have at least one canopy tree within 60 feet of each parking space, or one understory tree within 30 feet. Trees planted within perimeter vehicular use landscaping strips may be used to satisfy this requirement.
- d. At least 75 percent of all trees required by this section shall be canopy trees.
- e. Each planting area shall contain sufficient area and backfill soil to accommodate the root growth of the plant material used as discussed in the General Requirements in Section 30-5.B.3.e.3.
- f. When a pedestrian pathway median (see Section 30-5.A.11.f, Pedestrian Pathways) is widened to accommodate trees and the minimum planting area referenced in Section 30-5.B.3.e.3 is observed, the adjacent tree islands that would otherwise be required every 12 parking spaces (see Section 30-5.B.4.c.3.c, above), may be eliminated in this area. Other requirements of this section still apply.
- g. All planting areas shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods. The size of the planting area, size of plant material at maturity, and placement of plant material shall allow for a two-and-one-half-foot bumper overhang from the face of the curb when wheel stops are not used. This standard shall not prohibit the use of planting areas as stormwater management devices.

- h. For expansion or renovation projects where the application of these requirements is infeasible or unworkable, the applicant may propose an alternative landscape plan as outlined in Section 30-5.B.4.f, Alternative Landscape Plan.

(Ord. No. S2013-026, § 1, 11-18-2013)

4. *Perimeter Vehicular Use Area Landscaping Strips*

Vehicular use areas shall be separated and screened from all adjoining properties by a landscape strip.

- a. *Continuous Visual Screen in Non-Residential Areas*

Commercial (non-residential) vehicular use areas shall be separated from adjoining commercial properties with a minimum five foot wide landscape strip. When head-in parking adjacent to the property line includes wheel stops, the minimum width of the landscape strip is reduced to three feet. The landscape strip shall be planted with a continuous visual screen of evergreen shrubs along the property line, with a minimum height of 24 inches at the time of planting. Required sight clearances at driveways and near intersections shall not be subject to this requirement. When a parking lot will be consolidated with an adjacent parcel, the landscaping strip may be eliminated (see Section 30-5.B.4c.4.c, below).

- b. *Adjacent to Off-Street Surface Parking on Other Lots*

Parking lots should be consolidated and circulation systematized when possible with more creative and effective landscaping, pedestrian circulation, and lighting, rather than having a series of smaller-sized parking lots divided by arbitrary lots lines with landscaped buffers. To this end, the vehicular use area landscape strip may be eliminated when the proposed parking lot will be combined with an existing or future adjoining parking lot. A recorded Cross Parking Agreement between the cooperating parties is required to provide non-exclusive access (for vehicles and pedestrians) to driveways, maneuvering areas, parking areas, and so on.

- c. *Credit Towards Property Perimeter Landscape Buffer Requirements*

Perimeter landscape strips associated with a vehicular use area may be credited towards perimeter buffer standards (see Section 30-5.B.4.d, below), provided the minimum applicable buffer standards are met, and provided the vehicular use area perimeter landscaping is within the area to be occupied by the property perimeter landscape buffer.

- d. *Parking Lot Entrance Aisles and Stacking Lanes*

Driveways into parking areas shall include a landscape strip at least ten feet wide along each side of the driveway. At a minimum, the driveway landscape strip shall include one canopy tree for every 25 to 40 linear feet of drive or one understory tree for every 15 to 25 linear feet of drive. A minimum of one shrub shall be planted for every five linear feet of driveway entrance. Plant material may be grouped as an entrance feature rather than planted as a linear border.

5. *Street Yard Buffer*

- a. *Purpose and Intent*

The purpose of the street yard buffer is to enhance the streetscape and public environment by abating glare and moderating temperatures of impervious areas; filtering air of fumes and dust; providing shade; attenuating noise; and reducing the visual impact of large expanses of pavement through the provision of a visually modifying screen of plants. The intent is to provide at a minimum an opaque buffer at the ground level up to three feet, with open views available through and between taller plant material. Existing vegetation should be used to satisfy these planting requirements where possible.

- b. *Applicability*

A street yard buffer shall be required for all vehicular use areas that are established within 50 feet of any street right-of-way (including controlled access highways) unless separated by an intervening building. When buildings are moved up to the street, the street yard requirement is eliminated.

c. *Minimum Requirements*

The depth of the street yard varies, based upon the size of the adjacent parking lot as described below:

Table 30-5.B.4.c.5.c: Street Yard Buffer Requirements		
Street Yard Depth	Application	Materials A mix of species may be used to create visual interest and diversity
5 Feet	Downtown (DT) Zoning District with < 70 feet of street frontage	Continuous evergreen hedge planted with min. 24 inch height above grade at time of planting
10 Feet	Downtown (DT) Zoning District with > 70 feet of street frontage; Constrained Redevelopment Sites; Automobile Sales or Display Lots	Continuous evergreen hedge planted with min. 24 inch height above grade at time of planting + canopy trees spaced 25 to 40 feet apart or understory trees 15 to 25 feet apart, depending upon mature size of species
15 Feet	1-2 rows of parking [one bay] or pavement with a depth less than 70 feet	35 shrubs per 100 linear feet (75 percent evergreen) + 3 canopy trees and 1 understory tree per 100 linear feet
25 Feet	>2 rows of parking [one bay] or pavement with a depth more than 70 feet	55 shrubs per 100 linear feet (75 percent evergreen) + 5 canopy trees and 3 understory trees per 100 linear feet

d. *Alternative Option for Constrained Sites - Garden Walls*

Masonry garden walls may be constructed on constrained sites in lieu of the vegetated street yard buffer (described above in Table 30-5.B.4.c.5.c) as determined by the city manager. DOT approval may also be required. The garden wall option is particularly well-suited in the Downtown and Hospital Overlay Districts as well for redevelopment sites. Such walls shall comply with the design standards established below.

Table 30-5.B.4.c.5.d. Garden Wall Design Standards	
WIDTH OF STREET FRONTAGE	DESIGN STANDARDS
<70 feet of street frontage	<p>Height & Opacity- Opaque at the ground level up to a minimum height of 32 inches; Maximum height of 48 inches. Height above 32 inches may be ornamental or semi-opaque. Pillars and posts may extend up to six inches beyond top of wall. (Adjacent grade to be considered so that screening is achieved.)</p> <p>No supplemental vegetation required.</p> <p>No jogs or offsets required.</p> <p>No setback required from street right-of-way/property line.</p> <p>Column spacing a maximum of every 20 feet and at terminii.</p> <p>If angled or 90 degree parking is adjacent to the wall, must include wheel stops or sufficient space between curb and wall for bumper overhang.</p>
70+ feet of street frontage	<p>Height & Opacity- Opaque at the ground level up to a minimum height of 32 inches; Maximum height of 48 inches. Height above 32 inches may be ornamental or semi-opaque. Pillars and posts may extend up to six inches beyond top of wall. (Adjacent grade to be considered so that screening is achieved.)</p> <p>If aligned with building façade, minimum five foot planting strip on the street side of the wall, planted with a variety of low shrubbery.</p> <p>If not aligned with a building façade, minimum three foot planting strip on the street side of the wall with five foot jogs or offsets required every 40 feet, planted with a variety of vegetation including understory trees. Each offset shall have a minimum width of ten feet.</p> <p>Column spacing a maximum of every 20 feet and at terminii.</p> <p>If angled or 90 degree parking is adjacent to the wall, must include wheel stops or sufficient space between curb and wall for bumper overhang.</p>

Figure 30-5.B.4.c.5.d: Garden Wall Example



Masonry garden walls may be constructed on constrained sites in lieu of the vegetated street yard buffer described in Table 30-5.B.4.c.5.c.

d. Property Perimeter Landscape Buffers

1. *Purpose and Intent*

Perimeter landscape buffers are intended to mitigate potential negative effects of contiguous uses in differing zoning districts by protecting and preserving the appearance, character and value of property within the City. The objective is to exclude visual contact, create spatial separation and to minimize any adverse impacts on adjacent properties. Where topographical changes, the size and shape of existing lots of record, or other spatial considerations exist which would make adherence to the basic requirement either impossible or ineffective in meeting the purpose of the buffer yard, alternate buffer yard plans will be considered or may be required.

2. *Applicability*

All development shall provide a property perimeter landscape buffer at the edge of the development to separate it from differently-zoned adjacent property in accordance with Table 30-5.B.4.d.4, Buffer Types, and Table 30-5.B.4.d.5, Buffer Type Application.





3. *Use of Existing Trees*

Existing healthy, well-formed trees located at the property perimeter shall remain undisturbed (except for the removal of dead wood and invasive vines) and may be credited toward the requirement of this section, in accordance with Section 30-5.B.7.a, Tree Preservation Credits. Additional trees and shrubs may be required to bring the natural buffer up to the full perimeter buffer requirements.

4. *Types of Buffers*

Table 30-5.B.4.D.4, Property Perimeter Buffer Types, describes different buffering options in terms of their function, opacity, width, and planting requirements. Where a particular buffer type is required in Table 30-5.B.4.D.5, Buffer Type Applications, the requirement may be met with the combination of minimum buffer width and minimum screening requirements specified under either Option 1 or Option 2. Trees and shrubs within a 25-foot wide buffer shall be spread in a staggered, off-set pattern to establish a full and opaque buffer. Where an option utilizing a berm or fence is selected, the berm or fence shall comply with the

standards of Section 30-5.B.3.e.6, Berms, or Section 30-5.D, Fences and Walls, as appropriate. All exposed areas of soil within the buffer area must be covered with mulch, groundcover vegetation, or grass.

Table 30-5.B.4.d.4: Property Perimeter Buffer Types			
BUFFER TYPE AND CONFIGURATION	DESCRIPTION	MINIMUM SCREENING REQUIREMENTS WITHIN PERIMETER BUFFER	
		OPTION 1: MINIMUM FEET [1][2]	OPTION 2: MINIMUM WIDTH 10 FEET [1][2]
TYPE A: BASIC			
	This perimeter buffer functions as a basic edge demarcating individual properties with a slight visual obstruction from the ground to a height of ten feet.	Three canopy trees + three understory trees per 100 linear feet	One canopy tree + five understory trees + 15 shrubs per 100 linear feet
TYPE B: AESTHETIC			
	This perimeter buffer functions as an intermittent visual obstruction from the ground to a height of at least 20 feet and creates the impression eliminating visual contact between uses.	Four canopy trees + five understory trees + 15 shrubs per 100 linear feet	One canopy tree + seven understory trees + 35 shrubs per 100 linear feet
TYPE C: SEMI-OPAQUE			
	This perimeter buffer functions as a semi-opaque screen from the ground to at least a height of six feet.	Six canopy trees + seven understory trees + 25 shrubs per 100 linear feet	One 4-foot-high berm or one 4-foot-high solid fence + two canopy trees + eight understory trees + 10 shrubs per 100 linear feet
TYPE D: OPAQUE			
	This perimeter buffer functions as an opaque screen from the ground to a height of at least six feet. This type of buffer prevents visual contact between uses and creates a strong impression of total separation.	Nine canopy trees + ten understory trees + 55 shrubs per 100 linear feet	One 6-foot-high solid fence + six canopy trees + 25 shrubs per 100 linear feet
NOTES:			
[1] Any required perimeter buffer width can be reduced to five feet with the provision of a solid masonry wall six feet in height, along with ten shrubs per every 100 linear feet located outside the wall.			
[2] Perimeter buffer widths (but not vegetation amounts) may be reduced in accordance with Section 30-5.B.4.f, Alternative Landscape Plan.			

5. Buffer Type Application

Table 30-5.B.4.d.5, Buffer Type Application, below, specifies the type of perimeter landscape buffer that new development shall provide between it and adjacent property, based on the zoning district of the development site and that of the adjacent property. The buffer type is indicated by a letter

corresponding to one of the four buffer types depicted in Table 30-5.B.4.d.4, Property Perimeter Buffer Types.

Table 30-5.B.4.d.5: Buffer Type Application [1] A = Type A Buffer B = Type B Buffer C = Type C Buffer D = Type D Buffer N/A = Not Applicable (No Buffer Required)								
ZONING CLASSIFICATION OF PROPOSED DEVELOPMENT SITE [2]	ZONING CLASSIFICATION OF ADJACENT PROPERTY							
	CD AR	SF-15, SF-10, SF-6 OR EXISTING SINGLE-FAMILY DEVELOPMENT	MR-5 MH	OI NC MU	LC CC	BP	LI	HI
CD, AR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
SF-15, SF-10, SF-6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MR-5, MH [3]	A	A	N/A	N/A	N/A	N/A	N/A	N/A
OI, NC, MU	B	B	A	N/A	N/A	N/A	N/A	N/A
LC, CC	D	D	C	A	N/A	N/A	N/A	N/A
BP, LI	D	D	C	B	A	A	N/A	N/A
HI	D	D	D	D	B	A	N/A	N/A
NOTES: [1] Letters in cells correspond to the buffer types depicted in Table 30-5.B.4.d.4, Property Perimeter Buffer Types. [2] Development in PD districts is subject to perimeter buffer requirements in the PD district standards. In cases where development is proposed next to an existing PD district having no perimeter buffer, the proposed development shall provide a perimeter buffer that is consistent with the type of buffer required if the adjacent use was in a differing base district appropriate for the type of use. [3] Mobile home parks shall provide a perimeter buffer around the park in accordance with the standards in Section 30-4.C.2.a.4, Manufactured Home Parks.								

6. Responsibility for Buffer Installation

a. Vacant Parcels

Where a developing parcel is adjacent to a vacant parcel and a perimeter buffer is required in accordance with this section, the developing parcel may reduce the planting schedule indicated in Table 30-5.B.4.d.4, Property Perimeter Buffer Types, by one-half.

b. Existing Land Uses

Where a developing parcel is adjacent to an existing use and a perimeter buffer is required in accordance with this section, the developing parcel shall provide the full perimeter buffer required adjacent to the existing use in accordance with Table 30-5.B.4.d.4, Property Perimeter Buffer Types, and Table 30-5.B.4.d.5, Buffer Type Application, unless a portion or all of a perimeter buffer that complies with the standards of this section already exists between the lots. Where part of a perimeter buffer exists, but the buffer does not fully comply with the standards of this section, the developing parcel may reduce the planting schedule indicated in Table 30-5.B.4.d.4, Property Perimeter Buffer Types, by one-half.

7. Location of Buffers

Perimeter buffers required by this section shall be located along the outer perimeter of the parcel(s) under development and shall extend to the parcel boundary line. In the case of parcel boundary lines along a public right-of-way, solid fencing in excess of 36 inches, if provided, shall not encroach beyond the building setback line unless part of an approved Alternative Landscape Plan. A perimeter buffer may be located along shared access easements between parcels in nonresidential developments. If a utility or drainage easement is needed along a property line where a buffer is required, the buffer will be repositioned to align with the outer edge of the easement, rather than the property line, in order to

accommodate both purposes without conflict. No trees are to be planted within a drainage or utility easement.

8. *Development within Required Buffers*

- a. Unless permitted in this section, the required buffer shall not contain any development, impervious surfaces, or site features that do not function to meet the standards of this section or that require removal of existing vegetation.
- b. Sidewalks and trails may be placed in perimeter buffers if all required landscaping is provided and damage to existing vegetation is minimized according to Section 30-5.B.8, Tree Protection During Construction.
- c. Overhead and underground utilities may cross a perimeter buffer.
- d. If required landscaping material is damaged or removed due to utility activity, the landowner shall be responsible for replanting all damaged or removed vegetation necessary to ensure the buffer meets the standards in this Article, unless otherwise provided for by the subject easement agreement.

e. **Screening**

1. *General Requirements*

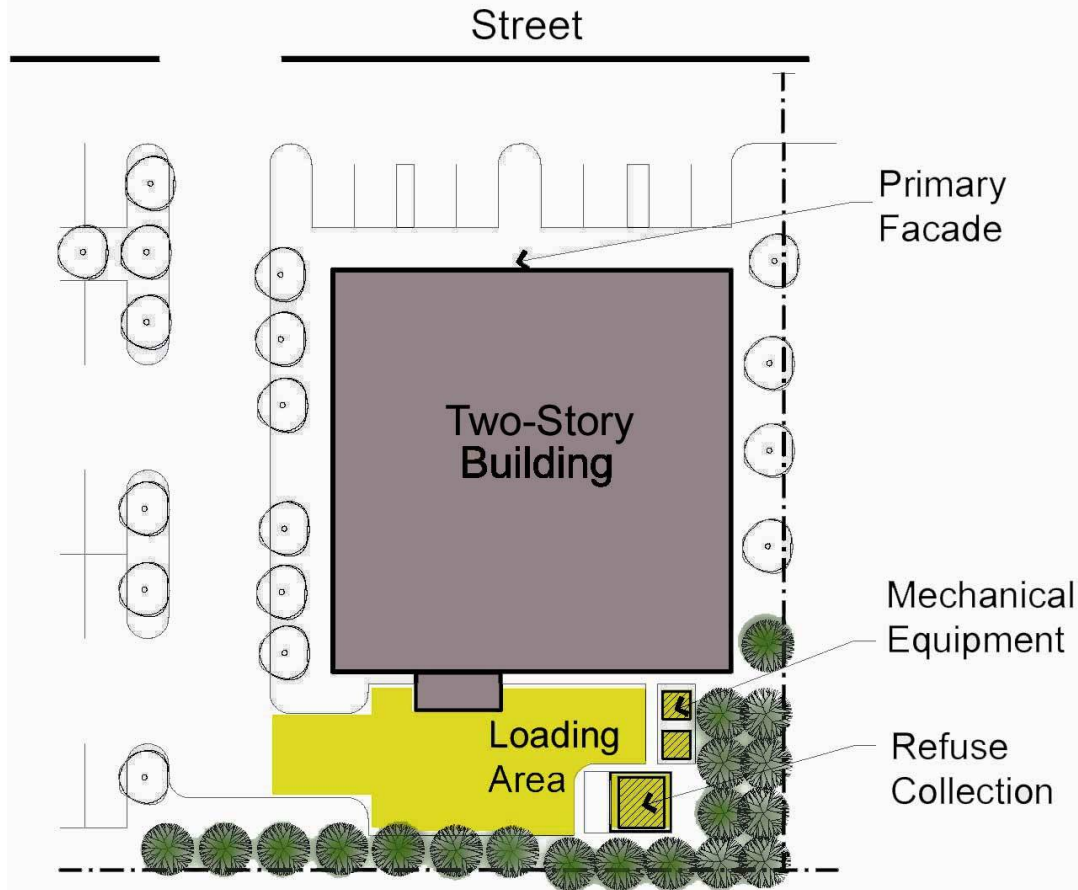
Screening shall be required to conceal specific areas of high visual or auditory impact or hazardous areas from both on-site and off-site views (see Figure 30-5.B.4.e, Screening Methods). Such areas shall be screened at all times, unless otherwise specified, regardless of adjacent uses, districts, or other proximate landscaping material.

2. *Items to Be Screened*

The following areas shall be screened from off-site views in accordance with this section:

- a. Large waste receptacles (dumpsters) and refuse collection points (including cardboard recycling containers);
- b. Loading and service areas;
- c. Outdoor storage areas (including storage tanks);
- d. To the extent feasible given access requirements, ground-based utility equipment in excess of 12 cubic feet; and
- e. Ground level mechanical units, from public streets only.

Figure 30-5.B.4.e: Screening Methods



Vegetation can serve as an effective visual screen for service areas.

3. Screening Methods

The following items are permitted for use as screening materials. Alternative screening materials that are not listed may be used if it is determined they are comparable to these screening materials.

- Vegetative materials that meet the minimum vegetative screening requirements for a Type D buffer (see Table 30-5.B.4.d.4, Property Perimeter Buffer Types) and the size standards of Section 30-5.B.3.e.2, New Plantings;
- An earthen berm that is at least two feet in height, covered with grass, and planted with other landscaping materials consistent with the function of and requirements for a Type D buffer (see Table 30-5.B.4.d.4, Property Perimeter Buffer Types)—provided, however, that a berm shall not be used in the DT district or if it will replace existing trees of six inches in caliper or more;
- A solid fence constructed of treated or rot-resistant wood (such as cypress or redwood), or a plastic or vinyl fence, of a minimum height necessary to fully-screen the object being screened; or
- A masonry wall that is the minimum height necessary to fully-screen the object being screened, and that is constructed of brick, textured concrete masonry units, or stuccoed block.
- Use of chain link fencing with wooden or plastic slats does not qualify as a screen.

f. Alternative Landscape Plan

1. General

Alternative Landscape Plans, materials, or methods may be justified due to natural conditions, such as streams, natural rock formations, topography, and physical conditions related to the site. Lot configuration and utility easements may justify an alternative landscape plan, as well as impractical

situations that would result from application of Section 30-5.B, Landscaping and Tree Protection Standards, or when replacing a tree accidentally damaged in accordance with Section 30-5.B.8, Tree Protection During Construction.

2. *Preparation*

The alternative landscape plan should be prepared by someone who is knowledgeable about plant material.

3. *Allowable Deviations*

With input from the TRC or the City Arborist, the city manager shall approve an Alternative Landscape Plan if it meets the purpose and intent of the landscaping standards in this section. Allowable deviations from the standards of this section include, but are not limited to the following:

a. *Reduced Planting Rates due to Public Facilities*

An adjustment to planting locations or reduction of up to 20 percent in the type or total number of plant material may be allowed at underground and/or above ground facilities operated and maintained by a utility, unless specific written consent is provided by that utility. An adjustment or reduction may also be allowed where public easements or right-of-way, are located upon or in close proximity to the parcel.

b. *Reduction in Standards due to Nature of Parcel*

A reduction in the count, spacing, or species diversity standards by up to 20 percent may be allowed where the reduction is desirable in terms of protection of existing natural resources, better consistency with the goals of the comprehensive plan, or a site design that exceeds the quality of what would otherwise result under a strict application of the standards in this Article.

c. *Redevelopment of Nonconforming Sites*

The installation of required landscaping during redevelopment of existing nonconforming sites shall occur in accordance with Section 30-7.F, Nonconforming Sites.

d. *Location of Street Trees*

1. Deviations in the placement, on-center spacing, or tree type (understory vs. canopy) are allowable from the standards in Section 30-5.B.4.a, Street Trees, when the deviation is consistent with existing street tree placement along the same or adjacent block faces.

2. An applicant may request, or the City may require payment-in-lieu of street trees in cases where a development's frontage is subject to an approved streetscape plan.

(Ord. No. S2012-016, § 4.0, 9-10-2012; Ord. No. S2012-024, § 14, 11-13-2012; Ord. No. S2012-025, § 16, 11-13-2012; Ord. No. S2013-002, §§ 8, 11, 2-11-2013; Ord. No. S2013-007, § 1, 5-13-2013; Ord. No. S2013-015, §§ 3.7, 3.8, 7-22-2013; Ord. No. S2014-021, § 2, 11-24-2014)

Effective on: 11/24/2014

City of Fayetteville

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

City Council Action Memo

File Number: 18-610

Agenda Date: 2/25/2019

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

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

DATE: February 25, 2019

RE:

Resolution Honoring the Red-Cockaded Woodpecker with the Title of Fayetteville City Bird

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal IV: Desirable Place to Live, Work and Recreate

Objective B: To provide for clean and beautiful community with increased green spaces.

Executive Summary:

Given the arrival of our new baseball team, staff is recommending we recognize the unique contributions made by the red-cockaded woodpecker to our community and honor it as the City's official bird prior to the start initial Fayetteville Woodpeckers season.

Background:

On November 5, 2018, The Houston Astros organization announced that the name of their new Class A Advanced minor league affiliate, located in Fayetteville, N.C. would be known as the "Fayetteville Woodpeckers". The Woodpeckers received the most votes in a "Name the Team" contest and represents a brand that celebrates the core characteristics of the city, its natural beauty and proud community.

Our community is home to the second-largest population of endangered red-cockaded woodpeckers in the world. The bird is small in size but vital to the Long Leaf Pine ecosystem, fighting extinction and embodying the resilient nature.

The team's primary colors of black and red are a tribute both to the bird's natural plumage

as well as the U.S. Army Special Operations Command, which is headquartered at Fort Bragg and carries the same colors on its insignia.

Issues/Analysis:

Type here

Budget Impact:

none

Options:

Adopt the attached resolution.

Do not adopt the resolution.

Recommended Action:

Staff recommends Council move to adopt the resolution recognizing the red-cockaded woodpecker as the official City bird.

Attachments:

Resolution

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE IN SUPPORT OF ADOPTING THE RED-COCKADED
WOODPECKER AS THE OFFICAL CITY BIRD**

WHEREAS, the Red-cockaded Woodpecker was placed on the Endangered Species list in 1970. Nationally only 18,000 – 19,000 are still alive with much of the population in the Sandhills region around Fayetteville; and

WHEREAS, the Woodpeckers live in longleaf pine forests at Carvers Creek State Park in Cumberland County. They also are in longleaf pine on the training areas of Fort Bragg, in the Sandhills Game Land of Scotland, Richmond and Moore counties, and in the Weymouth Woods-Sandhills Nature Preserve in Moore County; and

WHEREAS, while other Woodpeckers bore out cavities in dead trees where the wood is rotten and soft, the Red-cockaded Woodpecker is the only one which excavates cavities exclusively in living pine trees; and

WHEREAS, the City of Fayetteville is a strong advocate for preserving our natural resources which includes environs the Red-cockaded Woodpecker makes its home; and

WHEREAS, it is the desire of the Mayor and City Council of the City of Fayetteville to further promote and protect the growth of the Red-cockaded Woodpecker to ensure the perpetuity of the species, foster civic pride and contribute to the enjoyment of the residents in the protected areas in which the woodpecker resides; and

WHEREAS, the Houston Astros, a Major League Baseball team have established the Fayetteville Woodpeckers as its Minor League Baseball Team in Fayetteville which will begin their first official Spring Season in April, 2019;

NOW, THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, this Council does hereby resolve that the City of Fayetteville, North Carolina, has agreed to name the Red-cockaded Woodpecker the official bird for the City of Fayetteville.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 25th day of February 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: 18-615

Agenda Date: 2/25/2019

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: Kristoff Bauer, Deputy City Manager

FROM: Sheila Thomas-Ambat, PE, Interim Director of Public Services
Lee Jernigan, PE, City Traffic Engineer
Tracey Broyles, Budget and Evaluation Director

DATE: February 25, 2019

RE:

Adoption of Capital Project Ordinance Amendment (CPOA) 2019-28 to
Appropriate Payment In-Lieu-Of Sidewalk Revenue for FY19 Sidewalk Projects

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal IV: Desirable Place to Live, Work and Recreate

Objective C: To improve mobility and connectivity by investing in traffic flow strategies, sidewalks, trails and bike lanes

Executive Summary:

Capital Project Ordinance Amendment (CPOA) 2019-28 will appropriate \$30,159 of payments-in-lieu-of sidewalk funding to the FY19 Sidewalk Project.

Background:

The provisions set forth in Chapter 30-5.F.9 Sidewalks of the City Code of Ordinances permit a developer to request to provide a payment in-lieu of installing all or a portion of required sidewalks when the following situations exist:

1. The street is designated as a state highway or route subject to widening or improvement in the foreseeable future;
2. The street is planned for improvement in accordance with the City's transportation plan(s);

3. Alternative on-site pedestrian facilities, such as trails, greenway, or multiuse paths, are adequate; or
4. The right-of-way, developing lot, or lot abutting a proposed sidewalk is not suitable for sidewalks due to floodplains, wetlands, riparian buffers, required tree canopy retention areas, slopes exceeding 25 percent, or other unique site conditions.

The City Manager may approve the requested payment-in-lieu of side or disapprove the request and require a comparable amount of on-site pedestrian or multi-purpose facilities elsewhere on site. Fees received in accordance with this subsection may only be used for the development of new sidewalks and multi-use paths.

Issues/Analysis:

The in-lieu-of sidewalk payments will be appropriated to the FY19 Sidewalk Projects and used to construct sidewalk projects as outlined in the CIP and Comprehensive Pedestrian Plan. An itemized listing of the payments-in-lieu-of sidewalk received is attached.

Budget Impact:

There is no impact to the General Fund as the \$30,159 additional appropriation is to be funded by payments received in-lieu-of sidewalk construction which are restricted to this purpose.

Options:

- Adopt CPOA 2019-28.
- Do not adopt CPOA 2019-28 and provide further direction to staff.

Recommended Action:

Staff recommends that Council move to adopt CPOA 2019-28 as presented.

Attachments:

- Itemized List of Payments In-Lieu-Of Sidewalk Received
- Capital Project Ordinance Amendment 2019-28

Appropriation of Payment In-Lieu-Of Sidewalk Revenue

Itemized listing of in-lieu-of payments received:

Date	Payee	Amount	Location	Description
08/26/2015	Lexington Woods, LLC	\$17,284	Underwood Rd at Carriage House Rd (Annex Subdivision)	Constructability issues and topography prevent sidewalk construction
11/10/2015	4D Site Solutions	145	Under Rd at Carriage House Rd (Annex Subdivision)	Upcoming NCDOT U-4405 Raeford Rd widening project
02/20/2018	Highland Paving Co	2,175	3900 Raeford Rd	Upcoming NCDOT U-4405 Raeford Rd widening project
04/24/2018	Precision Tune Auto	7,994	5327 Raeford Rd	Upcoming NCDOT U-4405 Raeford Rd widening project
01/03/2019	Axes & Armor, LLC	2,561	4005 Raeford Rd	Upcoming NCDOT U-4405 Raeford Rd widening project
	Total	\$30,159		

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2019-28 (CPO 2019-13)**

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 2019-13, adopted effective July 1, 2018, for the FY2019 sidewalk improvement projects and related ancillary improvements and expenditures.

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
General Fund Transfer	\$ 900,000	\$ -	\$ 900,000
Payments In-Lieu-Of Sidewalks	-	30,159	30,159
	<u>\$ 900,000</u>	<u>\$ 30,159</u>	<u>\$ 930,159</u>

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

Project Expenditures	<u>\$ 900,000</u>	<u>\$ 30,159</u>	<u>\$ 930,159</u>
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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 25th day of February, 2019.

City of Fayetteville

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

City Council Action Memo

File Number: 18-642

Agenda Date: 2/25/2019

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:

FROM: Karen M. McDonald, City Attorney

DATE: February 25, 2019

RE:

Approval for the Naming of the New Minor League Baseball Stadium in
Downtown Fayetteville

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal II: Diverse and Viable Economy

Executive Summary:

To formally agree to the name selected by the Fayetteville Woodpeckers for the new Minor League Baseball Stadium in Downtown Fayetteville.

Background:

Consistent with the Use and Operating Agreement entered into on December 13, 2016, the naming of the Minor League Baseball Stadium shall be presented to City Council for approval. On February 7, 2019, the Fayetteville Woodpeckers announced that the official name of the Minor League Baseball Stadium in Downtown Fayetteville would be SEGRA.

Issues/Analysis:

No known issues.

Budget Impact:

No known budget impact.

Options:

1. Formally agree to the official name of SEGRA for the Minor League Baseball Stadium.
2. Provide additional direction to staff.

Recommended Action:

Formally agree to the official name of SEGRA for the Minor League Baseball Stadium in Downtown Fayetteville.

Attachments:

No attachments.

City of Fayetteville

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

City Council Action Memo

File Number: 18-656

Agenda Date: 2/25/2019

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: Cynthia Blot, Economic & Community Development Director

DATE: February 25, 2019

RE:

Consideration to Waive Interest Penalties

COUNCIL DISTRICT(S):

2

Relationship To Strategic Plan:

Goal 1: Safe & Secure Community

Goal 2: Diverse and Viable Local Economy

Executive Summary:

The property, 442 S. Eastern Boulevard, is located in an Opportunity Zone and has attracted investment for redevelopment. The City's current assessments on the property totals \$290,463.77, which includes \$87,554.77 in interest penalties.

The current owner, Lender RH Fund XIV, LLC, has contacted the City with a request to waive the accrued interest totaling \$87,554.77.

The Lender has an interested buyer and acknowledges the original assessment amount cannot be waived or reduced, but that the City has discretion in reducing interest penalties.

Total investment from borrower is reported to be \$1,400,000.00
Investment includes: acquisition of property, site improvements, and construction of a new 5,000 sq. ft. facility. A total of 8-10 new FTE's will result in the development,

Buyer agrees to pay the City of Fayetteville's original assessment amount, all back taxes, and outstanding liens.

Benefits to the City:

The property has sat abandoned for several years and is an eyesore on a major commercial corridor. The property will become revenue producing and create 8-10 FTE.

Purchase contract has been executed.

City will collect assessment fees, and back taxes.

Property Address: 442 S. Eastern Boulevard, Fayetteville, NC
Parcel# 0437-90-7308 See attached Schedule "A"
a/k/a Budget Inn Tract I & II

Lender/Owner: RH Fund XIV, LLC
c/o Bell Davis & Pitt
P.O. Box 21029
Winston-Salem, NC 27120

Background:

Budget Inn was owned and operated by Prakash Patel and Daxaghen Patel. Prakash Patel and wife Daxaghen Paten owned and operated the Budget Inn located at 442 S. Eastern Boulevard, Fayetteville, NC since acquiring the property in 2005.

In 2010 a number of violations occurred, resulting in a multitude of Notice of Violations.

*2010-102012- Zoning; Dumpster screening: NOV issued 6/4/2010, Compliance on 7/8/2010

*2010-102012- Zoning; Dumpster screening: NOV issued 6/4/2010, Compliance on 7/8/2010

*2010-102016- Zoning; Sign Maintenance: NOV issued 6/4/2010, Compliance on 7/8/2010

*2010-102011- Solid Waste: NOV issued 6/4/2010, Compliance on 6/25/2010

*2010-108385- Sub-standard Building: Blight Hearing Notice issued 9/30/2010, Hearing Order issued 10/11/2010, Compliance 9/2/2011

*2012-105419- Sub-standard Housing: Dangerous Hearing Notice issued 1/14/2013, Hearing

Order issued 1/28/2013, Demo Ordinance issued 7/22/2013, Demo Completed 5/23/2014

*2012-108216- Zoning; Sign Discontinued: NOV issued 8/30/2012, Compliance on 9/13/2012

*2013-006728- Solid Waste: NOV issued 6/25/2013, Citation issued 8/7/2013, Non-Abated

Notice issued 8/27/2013, Compliance 4/3/2014

*CE20150112-00311- Solid Waste: NOV issued 1/12/2015, Compliance on 4/9/2015

*CE20180927-11141- Solid Waste: NOV issued 12/12/2018, Citation issued 12/31/2018

The City has levied 5 assessments against this property totaling \$202,909.00, more specifically described as follows:

1. Account # 20317 for a lot cleaning and demo in the amount of \$36,900.00 plus interest.
 2. Account # 20703 for a lot cleaning and demo in the amount of \$78,650.00 plus interest.
 3. Account # 20704 for a lot cleaning and demo in the amount of \$78,199.00 plus interest.
 4. Account # 20711 for a lot cleaning and demo in the amount of \$1,050.00 plus interest.
 5. Account # 20712 for a lot cleaning and demo in the amount of \$8,110.00 plus interest.
- The 5 assessments have amassed interest against the liens in the amount of \$87,554.77, totaling \$290,463.77.

Additional encumbrances to be paid at close of sale.

Cumberland County Collections Division Manager

P. O. Box 449

Fayetteville, NC 28302

2018 Taxes - 2018 taxes are due in the amount of \$2,331.11.

2014 taxes past due in the amount of \$5,923.15, this amount includes interest and fees through 1/31/2019.

2015 taxes past due in the amount of \$2,851.48, this amount includes interest and fees through 1/31/2019.

2016 taxes past due in the amount of \$2,681.62, this amount includes interest and fees through 1/31/2019.

2017 taxes past due in the amount of \$2,598.08, this amount includes interest and fees through 1/31/2019.

Foreclosure Judgment - On March 15, 2018, a judgment was filed in file no. 17 CVS 6532 in favor of RH Fund XIV, LLC, Plaintiff, against Prakash Patel and Daxababen Patel, Defendants, in the amount of \$282,124.36 plus \$92,664.01 costs and fees, plus interest.

Issues/Analysis:

The property has sat abandoned since 2010, and is an eyesore on a major highway corridor into the City.

Budget Impact:

The City will collect assessment fees totaling \$202,909

Options:

Approve the Consideration to eliminate interest fees at 442 S. Eastern Blvd.

Deny the Consideration to eliminate interest fees at 442 S. Eastern Blvd.

Recommended Action:

Approve the Consideration to eliminate interest fees at 442 S. Eastern Blvd

Attachments:

Property Assessment Information

Police Data

Pictures of current conditions







Property Assessment

Assessment Look-up Tool

This tool provides paving assessments, lot cleaning assessments and demolition assessments due on a particular property.

Enter the PIN number of the property in question.

Pin numbers in the city's database are stored in the following formats.

Example: 0123-45-6789 or 0123-45-6789-123 or 0123-45-6789-NAD

PIN numbers can be obtained from the [Cumberland County Tax Assessor website](#).

Account Number:20317

Original Levy: \$36,900.00
Total Principal: \$36,900.00
Total Interest: \$17,066.25
Balance: \$53,966.25
Pin Number: 0437-90-7308

Location: Eastern Blvd., S., 442
Levy Date: 1/2/2014
Pending Balance: \$53,966.25
Assessment Type: Lot Cleaning & Demo

Account Number:20703

Original Levy: \$78,650.00
Total Principal: \$78,650.00
Total Interest: \$34,016.13
Balance: \$112,666.13
Pin Number: 0437-90-7308

Location: Eastern Blvd., S., 442
Levy Date: 5/8/2014
Pending Balance: \$112,666.13
Assessment Type: Lot Cleaning & Demo

Account Number:20704

Original Levy: \$78,199.00
Total Principal: \$78,199.00
Total Interest: \$32,648.08
Balance: \$110,847.08
Pin Number: 0437-90-7308

Location: Eastern Blvd., S., 442
Levy Date: 6/19/2014
Pending Balance: \$110,847.08
Assessment Type: Lot Cleaning & Demo

Account Number:20711

Original Levy: \$1,050.00
Total Principal: \$1,050.00
Total Interest: \$438.38
Balance: \$1,488.38
Pin Number: 0437-90-7308

Location: Eastern Blvd., S., 442
Levy Date: 6/19/2014
Pending Balance: \$1,488.38
Assessment Type: Lot Cleaning & Demo

Account Number:20712

Original Levy: \$8,110.00
Total Principal: \$8,110.00
Total Interest: \$3,385.93
Balance: \$11,495.93
Pin Number: 0437-90-7308

Location: Eastern Blvd., S., 442
Levy Date: 6/19/2014
Pending Balance: \$11,495.93
Assessment Type: Lot Cleaning & Demo

Please remit Payments to:

City of Fayetteville
Finance Department
P.O. Drawer D
433 Hay St.
Fayetteville, NC 28302-1746

**Please call (910) 433-1030 or (910) 433-1676 to
make payments by phone.**

Assessments provided here do not include any assessments that may have been levied by the City of Fayetteville's Public Works Commission. To confirm assessment status or to verify if there are any pending sewer assessments, please consult the Public Works-Commission-website.

The information obtained from this website is furnished by the City of Fayetteville as a public service and is accepted and used by the recipient with the agreement and understanding that the City of Fayetteville makes no warranties, express or implied, concerning the accuracy, completeness, reliability, or the suitability of the data set forth within these documents. The City of Fayetteville assumes no responsibility or liability whatsoever associated with the use or misuse of this information.

This assessment data is provided for informational purposes only and is applicable as of the date indicated on the confirmation. Updated lists are posted monthly; however, recent changes to the parcel ID, property ownership, and assessment location address may not be reflected.

For questions or to confirm information, assessment status, and payment amounts, please call the Assessment Clerk at (910) 433-1684.

CFS: 442 S. EASTERN BLVD JAN 2010 TO JAN 2019 GROUPED BY STREET, YEAR then CALL TYPE

442 S EASTERN BLVD		453
2010		227
106B3 PAST ASSAULT		1
FPD 10/31/2010 10:47:43AM	106B3 PAST ASSAULT	
106D1 SEXUAL ASLT ADULT		1
FPD 7/28/2010 7:25:22PM	106D1 SEXUAL ASLT ADULT	
106D4 ASLT INDIV OR SMALL GRP		1
FPD 8/7/2010 10:12:58AM	106D4 ASLT INDIV OR SMALL GRP	
110D1 BURGLARY BREAK AND ENTER		1
FPD 9/21/2010 3:20:38PM	110D1 BURGLARY BREAK AND ENTER	
111B1 PAST DAMAGE VANDALISM		1
FPD 11/25/2010 1:50:43PM	111B1 PAST DAMAGE VANDALISM	
113D2 PHYSICAL DIST SMALL GRP		1
FPD 10/26/2010 2:00:37PM	113D2 PHYSICAL DIST SMALL GRP	
113D4 VERBAL DIST SMALL GRP		5
FPD 8/21/2010 11:07:04AM	113D4 VERBAL DIST SMALL GRP	
FPD 9/4/2010 9:22:34AM	113D4 VERBAL DIST SMALL GRP	
FPD 9/18/2010 5:01:50PM	113D4 VERBAL DIST SMALL GRP	
FPD 11/3/2010 11:55:13AM	113D4 VERBAL DIST SMALL GRP	
FPD 12/5/2010 7:27:33PM	113D4 VERBAL DIST SMALL GRP	
114D1 DOMESTIC VIOL PHYSICAL		3
FPD 7/27/2010 6:25:04PM	114D1 DOMESTIC VIOL PHYSICAL	
FPD 11/22/2010 4:19:47PM	114D1 DOMESTIC VIOL PHYSICAL	
FPD 12/28/2010 7:55:23PM	114D1 DOMESTIC VIOL PHYSICAL	
114D2 DOMESTIC DIST VERBAL		1
FPD 7/30/2010 6:46:15PM	114D2 DOMESTIC DIST VERBAL	
116D1 DRUG USE OR POSSESSION		1
FPD 8/15/2010 7:21:54PM	116D1 DRUG USE OR POSSESSION	
118D1 FRAUD CRIMINAL DECEPTION		1
FPD 11/2/2010 3:05:40PM	118D1 FRAUD CRIMINAL DECEPTION	
120C1 PROSITUTION		1
FPD 9/12/2010 8:53:31PM	120C1 PROSITUTION	
123B1 MISSING PERSON		1
FPD 9/5/2010 6:21:52AM	123B1 MISSING PERSON	
126D1 PERSONAL ROBBERY		1
FPD 10/10/2010 8:51:20PM	126D1 PERSONAL ROBBERY	
129 SUSP ACT / CIRCUMSTANCE		1
FPD 12/1/2010 7:00:59AM	129 SUSP ACT / CIRCUMSTANCE	
129 SUSPICIOUS / WANTED PERSON		2
FPD 12/13/2010 10:44:52AM	129 SUSPICIOUS / WANTED PERSON	

FPD	12/27/2010 3:53:29AM	129 SUSPICIOUS / WANTED PERSON	
129C5 SUSPICIOUS CIRCUMSTANCES			1
FPD	11/12/2010 9:13:09PM	129C5 SUSPICIOUS CIRCUMSTANCES	
130B1 PAST THEFT			1
FPD	8/28/2010 1:40:58PM	130B1 PAST THEFT	
130B2 PAST VEHICLE THEFT			3
FPD	10/23/2010 1:04:30PM	130B2 PAST VEHICLE THEFT	
FPD	10/23/2010 2:05:15PM	130B2 PAST VEHICLE THEFT	
FPD	11/24/2010 1:48:11AM	130B2 PAST VEHICLE THEFT	
130D1 THEFT / LARCENY			1
FPD	8/14/2010 5:15:24PM	130D1 THEFT / LARCENY	
130D2 VEHICLE THEFT			1
FPD	10/11/2010 4:26:57AM	130D2 VEHICLE THEFT	
135C1 SHOTSFIRE HEARD ONLY			1
FPD	12/23/2010 10:09:19PM	135C1 SHOTSFIRE HEARD ONLY	
911 ABANDONED CALL			16
FPD	1/1/2010 7:18:12PM	911 ABANDONED CALL	
FPD	1/10/2010 6:31:29AM	911 ABANDONED CALL	
FPD	3/25/2010 11:52:32PM	911 ABANDONED CALL	
FPD	3/27/2010 1:25:37AM	911 ABANDONED CALL	
FPD	3/31/2010 11:55:39PM	911 ABANDONED CALL	
FPD	5/10/2010 10:43:08AM	911 ABANDONED CALL	
FPD	5/16/2010 2:53:07PM	911 ABANDONED CALL	
FPD	5/24/2010 10:54:37PM	911 ABANDONED CALL	
FPD	5/28/2010 12:08:15AM	911 ABANDONED CALL	
FPD	6/29/2010 5:51:14PM	911 ABANDONED CALL	
FPD	7/6/2010 7:00:29PM	911 ABANDONED CALL	
FPD	7/8/2010 5:56:41PM	911 ABANDONED CALL	
FPD	8/9/2010 8:56:27PM	911 ABANDONED CALL	
FPD	9/11/2010 3:21:24PM	911 ABANDONED CALL	
FPD	9/17/2010 7:38:42PM	911 ABANDONED CALL	
FPD	10/16/2010 5:53:26PM	911 ABANDONED CALL	
ACCIDENT PROPERTY DAMAGE			1
FPD	1/21/2010 10:04:10PM	ACCIDENT PROPERTY DAMAGE	
ASSAULT / SEXUAL ASSAULT			2
FPD	7/25/2010 6:27:47AM	ASSAULT / SEXUAL ASSAULT	
FPD	8/9/2010 11:37:56PM	ASSAULT / SEXUAL ASSAULT	
ASSIST OTHER AGENCIES			1
FPD	11/19/2010 10:47:06PM	ASSIST OTHER AGENCIES	
BREAKING AND ENTERING			1
FPD	4/15/2010 12:15:35PM	BREAKING AND ENTERING	
CALL TRANSFER			12
FPD	2/10/2010 8:42:18AM	CALL TRANSFER	
FPD	3/4/2010 1:45:20AM	CALL TRANSFER	
FPD	3/21/2010 12:57:39PM	CALL TRANSFER	
FPD	3/31/2010 9:09:55AM	CALL TRANSFER	

FPD	5/3/2010 12:43:32PM	CALL TRANSFER	
FPD	7/3/2010 12:41:02PM	CALL TRANSFER	
FPD	9/13/2010 2:13:47PM	CALL TRANSFER	
FPD	9/18/2010 10:48:34AM	CALL TRANSFER	
FPD	10/8/2010 10:47:45PM	CALL TRANSFER	
FPD	11/25/2010 10:39:54AM	CALL TRANSFER	
FPD	12/7/2010 4:19:53AM	CALL TRANSFER	
FPD	12/7/2010 4:25:24AM	CALL TRANSFER	
COMMUNICATING THREATS			1
FPD	6/29/2010 9:12:42AM	COMMUNICATING THREATS	
CRIMINAL PAPERS			3
FPD	3/19/2010 10:17:50PM	CRIMINAL PAPERS	
FPD	6/1/2010 2:37:36PM	CRIMINAL PAPERS	
FPD	8/1/2010 5:23:04PM	CRIMINAL PAPERS	
DAMAGE TO PROPERTY			2
FPD	2/28/2010 4:59:23PM	DAMAGE TO PROPERTY	
FPD	3/2/2010 7:07:32AM	DAMAGE TO PROPERTY	
DISTURBANCE			11
FPD	1/21/2010 7:53:30PM	DISTURBANCE	
FPD	2/6/2010 11:22:48AM	DISTURBANCE	
FPD	2/13/2010 10:33:43AM	DISTURBANCE	
FPD	2/18/2010 6:09:52PM	DISTURBANCE	
FPD	3/2/2010 8:59:42PM	DISTURBANCE	
FPD	4/18/2010 4:57:31AM	DISTURBANCE	
FPD	4/21/2010 1:34:47PM	DISTURBANCE	
FPD	5/9/2010 10:23:27AM	DISTURBANCE	
FPD	5/22/2010 11:33:37PM	DISTURBANCE	
FPD	5/24/2010 11:33:44AM	DISTURBANCE	
FPD	7/21/2010 12:05:16PM	DISTURBANCE	
DISTURBANCE / NUISANCE			1
FPD	10/28/2010 2:53:28AM	DISTURBANCE / NUISANCE	
DISTURBANCE IN PROGRESS			1
FPD	7/3/2010 10:55:13AM	DISTURBANCE IN PROGRESS	
DISTURBANCE W WEAPON			1
FPD	3/2/2010 7:06:52AM	DISTURBANCE W WEAPON	
DOMESTIC DISTURBANCE/ VIOLENCE			1
FPD	11/4/2010 11:47:14PM	DOMESTIC DISTURBANCE/ VIOLENCE	
EOC MEDICAL CALL TRANSFER			1
FPD	2/13/2010 9:33:10AM	EOC MEDICAL CALL TRANSFER	
FRAUD / DECEPTION			1
FPD	8/30/2010 3:41:54PM	FRAUD / DECEPTION	
HARASSMENT / STALKING/ THREAT			1
FPD	7/21/2010 11:34:47AM	HARASSMENT / STALKING/ THREAT	
INFORMATION			7
FPD	3/25/2010 1:10:56AM	INFORMATION	
FPD	7/7/2010 6:37:53PM	INFORMATION	

FPD	7/21/2010 11:37:32AM	INFORMATION	
FPD	8/29/2010 5:57:29PM	INFORMATION	
FPD	9/2/2010 4:23:51PM	INFORMATION	
FPD	10/16/2010 5:15:26PM	INFORMATION	
FPD	11/23/2010 2:20:46PM	INFORMATION	
LOUD NOISE			3
FPD	3/4/2010 2:04:04AM	LOUD NOISE	
FPD	3/11/2010 5:08:36AM	LOUD NOISE	
FPD	4/2/2010 4:11:17AM	LOUD NOISE	
MENTAL DISORDER			1
FPD	6/2/2010 9:33:37AM	MENTAL DISORDER	
MISC COMM PUBLIC RELATIONS			6
FPD	2/18/2010 6:09:55PM	MISC COMM PUBLIC RELATIONS	
FPD	5/24/2010 11:42:16AM	MISC COMM PUBLIC RELATIONS	
FPD	6/18/2010 11:09:23PM	MISC COMM PUBLIC RELATIONS	
FPD	7/2/2010 9:16:58PM	MISC COMM PUBLIC RELATIONS	
FPD	10/11/2010 3:58:31AM	MISC COMM PUBLIC RELATIONS	
FPD	12/28/2010 2:50:24PM	MISC COMM PUBLIC RELATIONS	
MISSING PERSON			1
FPD	6/12/2010 9:17:11AM	MISSING PERSON	
NARCOTIC ACTIVITY			4
FPD	4/17/2010 11:23:21PM	NARCOTIC ACTIVITY	
FPD	4/19/2010 4:29:01AM	NARCOTIC ACTIVITY	
FPD	5/7/2010 11:18:40PM	NARCOTIC ACTIVITY	
FPD	6/22/2010 8:56:59AM	NARCOTIC ACTIVITY	
PR/STANDBY/ WELLBECHK/LOCKOUT			3
FPD	9/27/2010 6:10:46PM	PR/STANDBY/ WELLBECHK/LOCKOUT	
FPD	10/7/2010 11:57:09PM	PR/STANDBY/ WELLBECHK/LOCKOUT	
FPD	11/7/2010 11:02:36AM	PR/STANDBY/ WELLBECHK/LOCKOUT	
PROSTITUTION			8
FPD	3/4/2010 8:37:49PM	PROSTITUTION	
FPD	3/15/2010 7:47:10AM	PROSTITUTION	
FPD	3/21/2010 4:50:35AM	PROSTITUTION	
FPD	5/25/2010 4:24:43PM	PROSTITUTION	
FPD	5/31/2010 5:11:29PM	PROSTITUTION	
FPD	6/2/2010 7:08:51AM	PROSTITUTION	
FPD	6/26/2010 4:10:57PM	PROSTITUTION	
FPD	7/1/2010 10:03:50PM	PROSTITUTION	
ROBBERY W WEAPON			2
FPD	2/16/2010 11:23:50PM	ROBBERY W WEAPON	
FPD	3/8/2010 6:47:25AM	ROBBERY W WEAPON	
SUPPLEMENTAL			4
FPD	3/26/2010 12:07:44AM	SUPPLEMENTAL	
FPD	5/19/2010 2:23:58PM	SUPPLEMENTAL	
FPD	5/21/2010 9:57:49AM	SUPPLEMENTAL	

FPD 5/27/2010 2:54:27PM
SUSP VEHICLE

SUPPLEMENTAL

2

FPD 4/3/2010 3:52:42PM

SUSP VEHICLE

FPD 6/26/2010 3:00:29PM
SUSPICIOUS PERSON

SUSP VEHICLE

15

FPD 3/21/2010 8:29:41PM

SUSPICIOUS PERSON

FPD 4/11/2010 10:29:00AM

SUSPICIOUS PERSON

FPD 4/12/2010 6:59:11AM

SUSPICIOUS PERSON

FPD 4/13/2010 1:11:56AM

SUSPICIOUS PERSON

FPD 4/19/2010 4:39:48AM

SUSPICIOUS PERSON

FPD 5/2/2010 7:46:31AM

SUSPICIOUS PERSON

FPD 5/15/2010 10:26:47AM

SUSPICIOUS PERSON

FPD 5/17/2010 6:57:36AM

SUSPICIOUS PERSON

FPD 5/26/2010 5:48:43AM

SUSPICIOUS PERSON

FPD 6/7/2010 7:34:33PM

SUSPICIOUS PERSON

FPD 6/18/2010 8:21:15PM

SUSPICIOUS PERSON

FPD 6/21/2010 7:38:27AM

SUSPICIOUS PERSON

FPD 6/22/2010 7:42:02AM

SUSPICIOUS PERSON

FPD 6/22/2010 7:58:43AM

SUSPICIOUS PERSON

FPD 7/12/2010 4:44:38PM

SUSPICIOUS PERSON

SUSPICIOUS / WANTED PERSON

16

FPD 7/29/2010 3:08:25AM

SUSPICIOUS / WANTED PERSON

FPD 8/4/2010 4:48:31AM

SUSPICIOUS / WANTED PERSON

FPD 8/13/2010 1:02:04AM

SUSPICIOUS / WANTED PERSON

FPD 8/26/2010 7:56:44AM

SUSPICIOUS / WANTED PERSON

FPD 8/26/2010 8:06:50AM

SUSPICIOUS / WANTED PERSON

FPD 9/23/2010 12:38:28AM

SUSPICIOUS / WANTED PERSON

FPD 9/24/2010 6:06:52PM

SUSPICIOUS / WANTED PERSON

FPD 10/8/2010 3:38:22AM

SUSPICIOUS / WANTED PERSON

FPD 10/11/2010 10:53:30AM

SUSPICIOUS / WANTED PERSON

FPD 10/12/2010 9:27:29AM

SUSPICIOUS / WANTED PERSON

FPD 10/13/2010 8:59:04AM

SUSPICIOUS / WANTED PERSON

FPD 10/17/2010 12:32:02AM

SUSPICIOUS / WANTED PERSON

FPD 10/18/2010 2:16:37AM

SUSPICIOUS / WANTED PERSON

FPD 10/19/2010 2:01:08AM

SUSPICIOUS / WANTED PERSON

FPD 11/10/2010 8:02:50AM

SUSPICIOUS / WANTED PERSON

FPD 11/28/2010 10:08:30PM

SUSPICIOUS / WANTED PERSON

SUSPICIOUS / WANTED VEHICLE

2

FPD 8/18/2010 10:00:34AM

SUSPICIOUS / WANTED VEHICLE

FPD 10/7/2010 12:55:58PM

SUSPICIOUS / WANTED VEHICLE

SUSPICIOUS ACT/CIRCUMSTANCE

6

FPD 8/17/2010 12:54:59PM

SUSPICIOUS ACT/CIRCUMSTANCE

FPD 8/17/2010 10:17:18PM

SUSPICIOUS ACT/CIRCUMSTANCE

FPD 8/26/2010 7:17:20PM

SUSPICIOUS ACT/CIRCUMSTANCE

FPD	9/21/2010 5:34:14PM	SUSPICIOUS ACT/CIRCUMSTANCE
FPD	11/4/2010 8:07:56PM	SUSPICIOUS ACT/CIRCUMSTANCE
FPD	11/6/2010 12:38:11PM	SUSPICIOUS ACT/CIRCUMSTANCE
SUSPICIOUS ACTIVITY		23
FPD	1/12/2010 7:32:30AM	SUSPICIOUS ACTIVITY
FPD	1/17/2010 2:54:31PM	SUSPICIOUS ACTIVITY
FPD	1/17/2010 3:03:03PM	SUSPICIOUS ACTIVITY
FPD	1/21/2010 1:10:34AM	SUSPICIOUS ACTIVITY
FPD	2/8/2010 9:19:02AM	SUSPICIOUS ACTIVITY
FPD	2/28/2010 4:30:54AM	SUSPICIOUS ACTIVITY
FPD	3/3/2010 10:00:05PM	SUSPICIOUS ACTIVITY
FPD	3/3/2010 11:07:50PM	SUSPICIOUS ACTIVITY
FPD	3/10/2010 11:32:14PM	SUSPICIOUS ACTIVITY
FPD	3/29/2010 1:11:14AM	SUSPICIOUS ACTIVITY
FPD	3/29/2010 4:22:50AM	SUSPICIOUS ACTIVITY
FPD	3/31/2010 10:43:34PM	SUSPICIOUS ACTIVITY
FPD	4/1/2010 3:58:46AM	SUSPICIOUS ACTIVITY
FPD	4/7/2010 2:07:32AM	SUSPICIOUS ACTIVITY
FPD	4/15/2010 2:56:30PM	SUSPICIOUS ACTIVITY
FPD	4/20/2010 8:01:42PM	SUSPICIOUS ACTIVITY
FPD	4/24/2010 10:00:18PM	SUSPICIOUS ACTIVITY
FPD	4/25/2010 4:36:11AM	SUSPICIOUS ACTIVITY
FPD	4/28/2010 3:48:11AM	SUSPICIOUS ACTIVITY
FPD	5/3/2010 9:01:17PM	SUSPICIOUS ACTIVITY
FPD	6/1/2010 8:22:22PM	SUSPICIOUS ACTIVITY
FPD	6/10/2010 1:02:56AM	SUSPICIOUS ACTIVITY
FPD	6/18/2010 11:16:15AM	SUSPICIOUS ACTIVITY
SUSPICIOUS PERSON		3
FPD	1/17/2010 2:36:49PM	SUSPICIOUS PERSON
FPD	2/13/2010 2:27:17PM	SUSPICIOUS PERSON
FPD	2/19/2010 12:22:47AM	SUSPICIOUS PERSON
SUSPICIOUS VEHICLE		2
FPD	1/24/2010 12:02:53AM	SUSPICIOUS VEHICLE
FPD	3/13/2010 1:45:00AM	SUSPICIOUS VEHICLE
THEFT		4
FPD	2/9/2010 3:55:44PM	THEFT
FPD	3/18/2010 6:43:54PM	THEFT
FPD	5/3/2010 12:54:12PM	THEFT
FPD	7/3/2010 12:45:28PM	THEFT
TRAFFIC STOP		23
FPD	1/9/2010 2:28:45AM	TRAFFIC STOP
FPD	2/2/2010 3:36:14AM	TRAFFIC STOP
FPD	2/8/2010 1:22:25AM	TRAFFIC STOP
FPD	2/11/2010 12:43:39AM	TRAFFIC STOP

FPD	2/18/2010	3:53:20AM	TRAFFIC STOP
FPD	2/23/2010	8:19:27PM	TRAFFIC STOP
FPD	2/25/2010	10:44:34PM	TRAFFIC STOP
FPD	3/7/2010	2:53:05AM	TRAFFIC STOP
FPD	3/12/2010	9:16:00PM	TRAFFIC STOP
FPD	3/20/2010	1:25:52AM	TRAFFIC STOP
FPD	4/8/2010	8:09:02PM	TRAFFIC STOP
FPD	4/14/2010	12:50:26PM	TRAFFIC STOP
FPD	4/27/2010	4:31:12AM	TRAFFIC STOP
FPD	5/1/2010	4:53:24AM	TRAFFIC STOP
FPD	5/5/2010	5:35:21PM	TRAFFIC STOP
FPD	6/23/2010	2:09:58PM	TRAFFIC STOP
FPD	8/30/2010	4:39:00AM	TRAFFIC STOP
FPD	10/9/2010	10:03:58AM	TRAFFIC STOP
FPD	10/12/2010	8:09:25AM	TRAFFIC STOP
FPD	10/26/2010	5:32:51AM	TRAFFIC STOP
FPD	11/23/2010	1:16:06AM	TRAFFIC STOP
FPD	12/6/2010	1:37:51AM	TRAFFIC STOP
FPD	12/7/2010	3:55:58AM	TRAFFIC STOP

UNKNOWN

2

FPD	1/7/2010	12:10:42PM	UNKNOWN
FPD	1/19/2010	9:48:40PM	UNKNOWN

VEHICLE ACCIDENT

1

FPD	11/4/2010	1:20:29PM	VEHICLE ACCIDENT
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WANTED SUBJECT

1

FPD	1/21/2010	1:00:56AM	WANTED SUBJECT
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2011

142

106 ASSAULT / SEXUAL ASSAULT

2

FPD	4/26/2011	4:21:43PM	106 ASSAULT / SEXUAL ASSAULT
FPD	7/24/2011	7:35:59AM	106 ASSAULT / SEXUAL ASSAULT

106D3 ASSAULT LARGE GROUP

1

FPD	6/25/2011	1:23:53PM	106D3 ASSAULT LARGE GROUP
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106D4 ASLT INDIV OR SMALL GRP

1

FPD	1/2/2011	4:46:41PM	106D4 ASLT INDIV OR SMALL GRP
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106D4K ASSAULT WITH KNIFE

2

FPD	9/24/2011	6:36:48AM	106D4K ASSAULT WITH KNIFE
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FPD	9/24/2011	8:43:14AM	106D4K ASSAULT WITH KNIFE
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110 BURGLARY / HOME INVASION

1

FPD	1/2/2011	11:54:13PM	110 BURGLARY / HOME INVASION
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110D1 BURGLARY BREAK AND ENTER

1

FPD	6/29/2011	1:47:33PM	110D1 BURGLARY BREAK AND ENTER
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113 DISTURBANCE / NUISANCE

2

FPD	2/17/2011	1:36:19AM	113 DISTURBANCE / NUISANCE
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FPD	9/20/2011	11:48:24AM	113 DISTURBANCE / NUISANCE
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113C1 LOUD PARTY OR MUSIC

1

FPD 7/19/2011 11:03:11PM 113C1 LOUD PARTY OR MUSIC
113D1 PHYSICAL DIST LRG GROUP 1

FPD 7/9/2011 2:34:16AM 113D1 PHYSICAL DIST LRG GROUP
113D2 PHYSICAL DIST SMALL GRP 3

FPD 4/1/2011 3:37:50AM 113D2 PHYSICAL DIST SMALL GRP

FPD 5/23/2011 9:42:48PM 113D2 PHYSICAL DIST SMALL GRP

FPD 5/23/2011 9:47:38PM 113D2 PHYSICAL DIST SMALL GRP
113D4 VERBAL DIST SMALL GRP 7

FPD 1/30/2011 6:24:24PM 113D4 VERBAL DIST SMALL GRP

FPD 4/10/2011 12:25:50PM 113D4 VERBAL DIST SMALL GRP

FPD 5/27/2011 4:33:49AM 113D4 VERBAL DIST SMALL GRP

FPD 6/23/2011 1:48:36AM 113D4 VERBAL DIST SMALL GRP

FPD 8/7/2011 10:28:36AM 113D4 VERBAL DIST SMALL GRP

FPD 9/27/2011 11:25:54PM 113D4 VERBAL DIST SMALL GRP

FPD 11/12/2011 11:08:07AM 113D4 VERBAL DIST SMALL GRP
114 DOMESTIC DIST / VIOLENCE 1

FPD 10/7/2011 3:39:58AM 114 DOMESTIC DIST / VIOLENCE
114D1 DOMESTIC VIOL PHYSICAL 3

FPD 3/2/2011 5:15:48PM 114D1 DOMESTIC VIOL PHYSICAL

FPD 3/27/2011 4:45:08PM 114D1 DOMESTIC VIOL PHYSICAL

FPD 10/18/2011 1:42:53PM 114D1 DOMESTIC VIOL PHYSICAL
114D2 DOMESTIC DIST VERBAL 3

FPD 1/6/2011 11:59:08AM 114D2 DOMESTIC DIST VERBAL

FPD 1/6/2011 11:59:49AM 114D2 DOMESTIC DIST VERBAL

FPD 4/14/2011 11:05:53PM 114D2 DOMESTIC DIST VERBAL
116 DRUGS / NARCOTIC ACTIVITY 2

FPD 5/26/2011 9:14:41PM 116 DRUGS / NARCOTIC ACTIVITY

FPD 10/11/2011 7:54:37PM 116 DRUGS / NARCOTIC ACTIVITY
116D1 DRUG USE OR POSSESSION 1

FPD 1/2/2011 5:43:23AM 116D1 DRUG USE OR POSSESSION
116D2 DRUG SALE 5

FPD 3/30/2011 4:24:57PM 116D2 DRUG SALE

FPD 6/21/2011 5:05:20PM 116D2 DRUG SALE

FPD 8/19/2011 11:14:25PM 116D2 DRUG SALE

FPD 10/18/2011 11:50:03PM 116D2 DRUG SALE

FPD 10/29/2011 12:20:36AM 116D2 DRUG SALE
119 HARASSMENT / STALKING/ THR 1

FPD 4/18/2011 8:49:09AM 119 HARASSMENT / STALKING/ THR
119D3 THREAT 1

FPD 7/8/2011 11:02:26AM 119D3 THREAT
121 MENTAL DIS / BEHAVIOR PROB 1

FPD 4/27/2011 9:36:47AM 121 MENTAL DIS / BEHAVIOR PROB
123 MISSING/RUNAWAY/FOUND PERS 1

FPD 11/2/2011 3:42:49PM 123 MISSING/RUNAWAY/FOUND PERS
125 PR/STANDBY/ WELLBECHK/LOCK 3

FPD 2/7/2011 8:40:38AM 125 PR/STANDBY/ WELLBECHK/LOCK

FPD 9/13/2011 10:28:49AM 125 PR/STANDBY/ WELLBECHK/LOCK

FPD 11/25/2011 5:18:09PM 125 PR/STANDBY/ WELLBECHK/LOCK
125B1 NONURGENT WELLBECHECK 1

FPD 10/7/2011 5:59:54PM 125B1 NONURGENT WELLBECHECK
125C1 STANDBY 2

FPD 5/7/2011 2:59:14PM 125C1 STANDBY

FPD 7/17/2011 1:27:00PM 125C1 STANDBY
127B1 PAST ATTEMPTED SUICIDE 1

FPD 9/21/2011 2:29:38PM 127B1 PAST ATTEMPTED SUICIDE
128 SUPPLEMENTAL / FOLLOW UP 10

FPD 1/9/2011 7:26:26PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 8/16/2011 10:47:45AM 128 SUPPLEMENTAL / FOLLOW UP

FPD 8/18/2011 4:26:54PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 9/6/2011 3:30:11PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 9/17/2011 10:30:33PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 10/7/2011 6:48:31PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 10/7/2011 7:43:37PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 10/7/2011 9:07:55PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 10/25/2011 4:21:12PM 128 SUPPLEMENTAL / FOLLOW UP

FPD 11/21/2011 11:47:50AM 128 SUPPLEMENTAL / FOLLOW UP
129 SUSP ACT / CIRCUMSTANCE 6

FPD 1/16/2011 2:35:53AM 129 SUSP ACT / CIRCUMSTANCE

FPD 1/21/2011 2:04:46PM 129 SUSP ACT / CIRCUMSTANCE

FPD 6/16/2011 2:48:51PM 129 SUSP ACT / CIRCUMSTANCE

FPD 7/5/2011 5:00:18PM 129 SUSP ACT / CIRCUMSTANCE

FPD 7/8/2011 11:41:22AM 129 SUSP ACT / CIRCUMSTANCE

FPD 7/9/2011 2:05:07PM 129 SUSP ACT / CIRCUMSTANCE
129 SUSPICIOUS / WANTED PERSON 16

FPD 1/20/2011 11:22:13PM 129 SUSPICIOUS / WANTED PERSON

FPD 1/23/2011 9:00:35AM 129 SUSPICIOUS / WANTED PERSON

FPD 1/23/2011 10:52:28AM 129 SUSPICIOUS / WANTED PERSON

FPD 1/28/2011 1:33:52AM 129 SUSPICIOUS / WANTED PERSON

FPD 2/5/2011 11:01:06AM 129 SUSPICIOUS / WANTED PERSON

FPD 2/8/2011 2:36:04AM 129 SUSPICIOUS / WANTED PERSON

FPD 2/23/2011 2:34:03AM 129 SUSPICIOUS / WANTED PERSON

FPD 3/5/2011 1:26:00AM 129 SUSPICIOUS / WANTED PERSON

FPD 3/23/2011 12:31:23AM 129 SUSPICIOUS / WANTED PERSON

FPD 4/14/2011 9:38:39PM 129 SUSPICIOUS / WANTED PERSON

FPD 6/11/2011 11:45:25PM 129 SUSPICIOUS / WANTED PERSON

FPD 6/21/2011 4:51:40AM 129 SUSPICIOUS / WANTED PERSON

FPD 7/15/2011 5:32:49PM 129 SUSPICIOUS / WANTED PERSON

FPD 7/21/2011 12:33:04AM 129 SUSPICIOUS / WANTED PERSON

FPD 7/28/2011 4:20:52AM 129 SUSPICIOUS / WANTED PERSON

FPD 8/10/2011 2:57:03AM 129 SUSPICIOUS / WANTED PERSON
129 SUSPICIOUS/ WANTED VEHICLE 1

FPD	1/12/2011 2:10:35AM	129 SUSPICIOUS/ WANTED VEHICLE
129C1 SUSPICIOUS PERSON		7
FPD	1/7/2011 3:23:57PM	129C1 SUSPICIOUS PERSON
FPD	2/21/2011 5:38:05PM	129C1 SUSPICIOUS PERSON
FPD	4/6/2011 8:59:02PM	129C1 SUSPICIOUS PERSON
FPD	4/6/2011 8:59:02PM	129C1 SUSPICIOUS PERSON
FPD	7/5/2011 1:57:03PM	129C1 SUSPICIOUS PERSON
FPD	7/9/2011 1:08:50PM	129C1 SUSPICIOUS PERSON
FPD	8/15/2011 3:37:50PM	129C1 SUSPICIOUS PERSON
129C5 SUSPICIOUS CIRCUMSTANCES		2
FPD	1/9/2011 1:03:41PM	129C5 SUSPICIOUS CIRCUMSTANCES
FPD	1/18/2011 8:37:47PM	129C5 SUSPICIOUS CIRCUMSTANCES
129O1 SUSPICIOUS REFERRAL		1
FPD	2/18/2011 12:09:10PM	129O1 SUSPICIOUS REFERRAL
130 THEFT / LARCENY		1
FPD	7/15/2011 3:10:30PM	130 THEFT / LARCENY
130D1 THEFT / LARCENY		2
FPD	7/22/2011 12:03:10AM	130D1 THEFT / LARCENY
FPD	10/4/2011 9:37:22AM	130D1 THEFT / LARCENY
131A2 PAST HIT AND RUN		1
FPD	5/30/2011 10:17:27AM	131A2 PAST HIT AND RUN
131B1 ACCIDENT PROPERTY DAMAGE		1
FPD	1/1/2011 11:08:27AM	131B1 ACCIDENT PROPERTY DAMAGE
131B2 HIT AND RUN PROP DAMAGE		2
FPD	1/14/2011 12:21:19PM	131B2 HIT AND RUN PROP DAMAGE
FPD	2/15/2011 6:19:46PM	131B2 HIT AND RUN PROP DAMAGE
132D2 HAZARD HIGH TRAFFIC AREA		1
FPD	10/1/2011 7:40:34AM	132D2 HAZARD HIGH TRAFFIC AREA
25A2 PYSCHIATRIC		1
FPD	12/31/2011 8:56:10AM	25A2 PYSCHIATRIC
911 ABANDONED CALL		13
FPD	1/2/2011 4:27:15PM	911 ABANDONED CALL
FPD	1/2/2011 4:28:58PM	911 ABANDONED CALL
FPD	4/17/2011 10:16:10AM	911 ABANDONED CALL
FPD	5/28/2011 10:37:59AM	911 ABANDONED CALL
FPD	6/26/2011 11:56:06PM	911 ABANDONED CALL
FPD	7/8/2011 10:56:57AM	911 ABANDONED CALL
FPD	7/20/2011 12:32:09PM	911 ABANDONED CALL
FPD	9/18/2011 6:09:59AM	911 ABANDONED CALL
FPD	10/14/2011 7:47:44PM	911 ABANDONED CALL
FPD	11/13/2011 10:21:29PM	911 ABANDONED CALL
FPD	11/15/2011 12:56:37PM	911 ABANDONED CALL
FPD	11/22/2011 4:16:10AM	911 ABANDONED CALL
FPD	12/13/2011 9:12:17PM	911 ABANDONED CALL
BE ON THE LOOKOUT		4
FPD	2/19/2011 6:10:18PM	BE ON THE LOOKOUT

FPD	7/28/2011 5:05:28PM	BE ON THE LOOKOUT
FPD	9/4/2011 3:04:56PM	BE ON THE LOOKOUT
FPD	11/2/2011 3:50:49PM	BE ON THE LOOKOUT
CALL TRANSFER		1
FPD	7/15/2011 5:27:52PM	CALL TRANSFER
FLAG DOWN		1
FPD	1/2/2011 5:22:36PM	FLAG DOWN
INFORMATION		2
FPD	1/25/2011 8:34:39PM	INFORMATION
FPD	3/7/2011 1:54:34AM	INFORMATION
LAW CAD 2 CAD DEFAULT		1
FPD	7/8/2011 2:40:03PM	LAW CAD 2 CAD DEFAULT
MISC COMM PUBLIC RELATIONS		11
FPD	3/24/2011 11:15:18AM	MISC COMM PUBLIC RELATIONS
FPD	3/27/2011 3:50:23AM	MISC COMM PUBLIC RELATIONS
FPD	5/17/2011 3:32:14PM	MISC COMM PUBLIC RELATIONS
FPD	7/11/2011 10:58:26AM	MISC COMM PUBLIC RELATIONS
FPD	7/11/2011 8:15:14PM	MISC COMM PUBLIC RELATIONS
FPD	9/24/2011 6:26:02AM	MISC COMM PUBLIC RELATIONS
FPD	10/17/2011 6:48:18PM	MISC COMM PUBLIC RELATIONS
FPD	10/18/2011 12:47:04AM	MISC COMM PUBLIC RELATIONS
FPD	11/30/2011 4:10:10PM	MISC COMM PUBLIC RELATIONS
FPD	12/9/2011 8:40:05AM	MISC COMM PUBLIC RELATIONS
FPD	12/24/2011 11:33:46PM	MISC COMM PUBLIC RELATIONS
REPOSSESSION		1
FPD	11/8/2011 5:45:00PM	REPOSSESSION
TRAFFIC STOP		8
FPD	3/12/2011 12:37:58PM	TRAFFIC STOP
FPD	4/13/2011 7:04:16PM	TRAFFIC STOP
FPD	4/23/2011 11:08:46AM	TRAFFIC STOP
FPD	5/7/2011 8:47:01PM	TRAFFIC STOP
FPD	7/26/2011 2:38:40PM	TRAFFIC STOP
FPD	8/10/2011 6:40:43PM	TRAFFIC STOP
FPD	11/10/2011 2:32:42AM	TRAFFIC STOP
FPD	12/1/2011 12:37:10AM	TRAFFIC STOP

2012

31

106 ASSAULT / SEXUAL ASSAULT

1

FPD 1/19/2012 6:27:51PM 106 ASSAULT / SEXUAL ASSAULT
106D4 ASLT INDIV OR SMALL GRP

1

FPD 2/14/2012 12:00:55PM 106D4 ASLT INDIV OR SMALL GRP
110D1 BURGLARY (B&E)

1

FPD 12/3/2012 12:10:57PM 110D1 BURGLARY (B&E)
113D2 PHYSICAL DIST SMALL GRP

2

FPD 1/11/2012 10:56:29PM 113D2 PHYSICAL DIST SMALL GRP

FPD 3/10/2012 4:37:06PM 113D2 PHYSICAL DIST SMALL GRP
113D4 VERBAL DIST SMALL GRP

2

FPD	1/17/2012 10:43:24PM	113D4 VERBAL DIST SMALL GRP	
FPD	4/16/2012 2:09:54PM	113D4 VERBAL DIST SMALL GRP	
116 DRUGS / NARCOTIC ACTIVITY			1
FPD	7/20/2012 1:19:56PM	116 DRUGS / NARCOTIC ACTIVITY	
128 SUPPLEMENTAL / FOLLOW UP			2
FPD	6/26/2012 3:39:27PM	128 SUPPLEMENTAL / FOLLOW UP	
FPD	7/27/2012 3:44:27PM	128 SUPPLEMENTAL / FOLLOW UP	
129 SUSP ACT / CIRCUMSTANCE			1
FPD	1/17/2012 10:49:53AM	129 SUSP ACT / CIRCUMSTANCE	
129 SUSPICIOUS / WANTED PERSON			1
FPD	1/19/2012 5:58:09PM	129 SUSPICIOUS / WANTED PERSON	
129 SUSPICIOUS/ WANTED VEHICLE			2
FPD	1/20/2012 8:17:26AM	129 SUSPICIOUS/ WANTED VEHICLE	
FPD	2/18/2012 11:05:53AM	129 SUSPICIOUS/ WANTED VEHICLE	
129 SUSPICIOUS/WANTED PERSON			5
FPD	9/28/2012 7:17:37PM	129 SUSPICIOUS/WANTED PERSON	
FPD	9/28/2012 7:22:39PM	129 SUSPICIOUS/WANTED PERSON	
FPD	9/28/2012 8:18:46PM	129 SUSPICIOUS/WANTED PERSON	
FPD	12/26/2012 1:27:44PM	129 SUSPICIOUS/WANTED PERSON	
FPD	12/28/2012 3:52:42PM	129 SUSPICIOUS/WANTED PERSON	
129 SUSPICIOUS/WANTED VEHICLE			1
FPD	4/18/2012 11:16:24AM	129 SUSPICIOUS/WANTED VEHICLE	
129C1 SUSPICIOUS PERSON			1
FPD	12/2/2012 11:23:51AM	129C1 SUSPICIOUS PERSON	
911 ABANDONED CALL			4
FPD	1/26/2012 1:53:53PM	911 ABANDONED CALL	
FPD	3/1/2012 7:08:40PM	911 ABANDONED CALL	
FPD	3/27/2012 3:22:23PM	911 ABANDONED CALL	
FPD	4/16/2012 2:06:01PM	911 ABANDONED CALL	
ASSIST			1
FPD	6/24/2012 8:05:47PM	ASSIST	
CK ON SEX OFFENDER			1
FPD	4/9/2012 2:02:08PM	CK ON SEX OFFENDER	
FOLLOW UP			3
FPD	4/17/2012 12:42:25PM	FOLLOW UP	
FPD	4/26/2012 11:57:09AM	FOLLOW UP	
FPD	8/9/2012 2:42:01PM	FOLLOW UP	
TRAFFIC STOP			1
FPD	3/15/2012 11:04:25PM	TRAFFIC STOP	
2013			51
101D1 HOSTAGE SITUATION			1
FPD	10/3/2013 5:05:53PM	101D1 HOSTAGE SITUATION	
103 ADMINISTRATIVE			2
FPD	1/7/2013 9:44:29AM	103 ADMINISTRATIVE	
FPD	10/10/2013 10:32:48AM	103 ADMINISTRATIVE	
110 BURGLARY / HOME INVASION			1
FPD	9/30/2013 3:33:56PM	110 BURGLARY / HOME INVASION	

110D1 BURGLARY (B&E)	3	
FPD 2/6/2013 9:36:21PM		110D1 BURGLARY (B&E)
FPD 3/27/2013 2:03:40PM		110D1 BURGLARY (B&E)
FPD 7/10/2013 11:08:45AM		110D1 BURGLARY (B&E)
111D2 DAMAGE/VANDALISM SML GRP	1	
FPD 10/27/2013 2:24:57PM		111D2 DAMAGE/VANDALISM SML GRP
113 DISTURBANCE / NUISANCE	1	
FPD 10/25/2013 2:56:53PM		113 DISTURBANCE / NUISANCE
113D4 VERBAL DIST SMALL GRP	2	
FPD 4/21/2013 4:11:52AM		113D4 VERBAL DIST SMALL GRP
FPD 10/30/2013 10:00:45AM		113D4 VERBAL DIST SMALL GRP
114D1 DOMESTIC DIST PHYSICAL	1	
FPD 10/14/2013 11:47:39AM		114D1 DOMESTIC DIST PHYSICAL
116D1 DRUG USE OR POSSESSION	1	
FPD 7/28/2013 6:18:23PM		116D1 DRUG USE OR POSSESSION
122 MISCELLANEOUS PD	3	
FPD 4/23/2013 2:31:32PM		122 MISCELLANEOUS PD
FPD 9/3/2013 9:13:49AM		122 MISCELLANEOUS PD
FPD 10/17/2013 11:37:28PM		122 MISCELLANEOUS PD
123B1 MISSING PERSON	1	
FPD 10/29/2013 4:10:22PM		123B1 MISSING PERSON
125 PR/STANDBY/WELLBECHK/LOCK	5	
FPD 5/10/2013 8:38:42AM		125 PR/STANDBY/WELLBECHK/LOCK
FPD 9/3/2013 9:08:21AM		125 PR/STANDBY/WELLBECHK/LOCK
FPD 10/3/2013 10:53:33PM		125 PR/STANDBY/WELLBECHK/LOCK
FPD 10/24/2013 11:35:23PM		125 PR/STANDBY/WELLBECHK/LOCK
FPD 10/24/2013 11:41:48PM		125 PR/STANDBY/WELLBECHK/LOCK
128 SUPPLEMENTAL / FOLLOW UP	3	
FPD 2/5/2013 3:19:41PM		128 SUPPLEMENTAL / FOLLOW UP
FPD 7/11/2013 8:07:38PM		128 SUPPLEMENTAL / FOLLOW UP
FPD 10/15/2013 9:23:06AM		128 SUPPLEMENTAL / FOLLOW UP
129 SUSPICIOUS/WANTED PERSON	8	
FPD 1/16/2013 12:09:52PM		129 SUSPICIOUS/WANTED PERSON
FPD 1/31/2013 8:18:31AM		129 SUSPICIOUS/WANTED PERSON
FPD 5/2/2013 10:32:03PM		129 SUSPICIOUS/WANTED PERSON
FPD 9/6/2013 6:42:21AM		129 SUSPICIOUS/WANTED PERSON
FPD 9/13/2013 11:09:45AM		129 SUSPICIOUS/WANTED PERSON
FPD 10/24/2013 1:30:35PM		129 SUSPICIOUS/WANTED PERSON
FPD 11/1/2013 10:09:57AM		129 SUSPICIOUS/WANTED PERSON
FPD 11/2/2013 4:38:02PM		129 SUSPICIOUS/WANTED PERSON
129C1 SUSPICIOUS PERSON	3	
FPD 7/24/2013 1:02:22PM		129C1 SUSPICIOUS PERSON
FPD 9/18/2013 4:36:02AM		129C1 SUSPICIOUS PERSON
FPD 11/12/2013 9:51:46AM		129C1 SUSPICIOUS PERSON
129C5 SUSPICIOUS CIRCUMSTANCES	1	
FPD 10/18/2013 10:32:34PM		129C5 SUSPICIOUS CIRCUMSTANCES
130B1 PAST THEFT (LARCENY)	1	

FPD	1/24/2013 11:31:42AM	130B1 PAST THEFT (LARCENY)	
133D1 TRESSPASSING/UNWANTED			1
FPD	6/23/2013 8:25:50PM	133D1 TRESSPASSING/UNWANTED	
4B1 ASLT POSS DANGEROUS BODY A			1
FPD	7/10/2013 11:25:30PM	4B1 ASLT POSS DANGEROUS BODY A	
911 HANG UP CALL ABANDONED			1
FPD	2/7/2013 9:03:46AM	911 HANG UP CALL ABANDONED	
BOLO / ATTEMPT TO LOCATE			1
FPD	10/29/2013 4:35:47PM	BOLO / ATTEMPT TO LOCATE	
FOLLOW UP			3
FPD	8/21/2013 2:28:17PM	FOLLOW UP	
FPD	10/28/2013 12:01:09PM	FOLLOW UP	
FPD	10/29/2013 9:04:39AM	FOLLOW UP	
INFORMATION			3
FPD	1/18/2013 1:57:47PM	INFORMATION	
FPD	10/7/2013 3:58:49PM	INFORMATION	
FPD	10/25/2013 8:16:39AM	INFORMATION	
PUBLIC RELATIONS COMMUNICATION			1
FPD	9/17/2013 9:15:44AM	PUBLIC RELATIONS COMMUNICATION	
TRAFFIC STOP			2
FPD	1/18/2013 1:56:08PM	TRAFFIC STOP	
FPD	3/24/2013 9:21:30AM	TRAFFIC STOP	
2014			2
129 SUSPICIOUS/WANTED PERSON			1
FPD	4/5/2014 5:04:49PM	129 SUSPICIOUS/WANTED PERSON	
129 SUSPICIOUS/WANTED VEHICLE			1
FPD	1/28/2014 8:23:48AM	129 SUSPICIOUS/WANTED VEHICLE	

City of Fayetteville

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

City Council Action Memo

File Number: 18-659

Agenda Date: 2/25/2019

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: Kristoff Bauer, Deputy City Manager

FROM: Joseph Staton, Project Manager

DATE: February 25, 2019

RE:

Award Contract for Construction of an Outdoor Family Aquatics Center at Lake Rim Park

COUNCIL DISTRICT(S):

7

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 its citizens.

Executive Summary:

The Council is asked to authorize the execution of a contract for construction of an Outdoor Family Aquatics Center to be located at Lake Rim Park. The lowest responsive, responsible bidder, M&E Contracting, Inc., is recommended.

Background:

Formal bids for construction of the Outdoor Family Aquatic Center were received February 5, 2019 as follows:

M & E Contracting, Inc.	\$2,414,393.00
Player, Inc.	\$2,504,700.00

A total of three (3) contractors requested plans and specifications for this project, with two (2) contractors submitting bids. M&E Contracting, Inc., will be utilizing a minority

subcontractor for 5% of the work on this project. M&E Contracting, Inc., has demonstrated that it made a good faith effort to solicit minority participation on this project.

Issues/Analysis:

N/A

Budget Impact:

The adopted FY19 budget includes funding for this project.

Options:

City Council moves to approve the award of a Construction Contract with M & E Contracting, Inc.

City Council does not move to approve the award of a Construction Contract with M & E Contracting, Inc. and provides direction to staff.

Recommended Action:

City Council moves to approve the award of a Construction Contract with M & E Contracting, Inc.

Attachments:

Construction Contract_M and E Contracting_Lake Rim Pool.pdf

M-E SDBE Affidavit D_Lake Rim Pool.pdf

Outdoor Family Aquatic Center @ Lake Rim Park

Owner: City of Fayetteville
Fayetteville, North Carolina

CONSTRUCTION CONTRACT

THIS CONTRACT, made this Twenty-fifth day of February, 2019 by, **M&E Contracting, Inc.** hereinafter called Contractor, and the **City of Fayetteville**, North Carolina, hereinafter called City.

WITNESSETH

THAT WHEREAS, a Contract for **Outdoor Family Aquatic Center @ Lake Rim Park** has recently been awarded to Contractor by City at and for Two Million Four Hundred Fourteen Thousand Three Hundred Ninety-three Dollars and no Cents (**\$2,414,393.00**), a sum equal to the aggregate cost of the work to be done and for labor, materials, equipment, apparatus, and supplies furnished at the prices and rates respectively named therefore in the Proposal attached herewith;

AND WHEREAS, it was provided in said Award that a formal contract would be executed by and between Contractor and City, evidencing the terms of said Award, and agreement on a date to be specified in a written order of City and would complete all work as outlined under SPECIAL PROVISIONS and STANDARD SPECIFICATIONS and would complete all work as required within the schedule as shown in the SPECIAL PROVISIONS.

NOW, THEREFORE, Contractor doth hereby covenant and agree with City that it will well and faithfully perform and execute such work and furnish such labor, materials, equipment, apparatus and supplies, in accordance with each and every one of the conditions, covenants, stipulations, terms, and provisions contained in said Specifications and Provisions and in accordance with the Plans, at and for a sum equal to the aggregate cost of the work done and labor, materials, equipment, apparatus and supplies furnished at the prices and rates respectively named therefore in the proposal attached thereto, and will well and faithfully comply with and perform each and every obligation imposed upon it by said Plans and Specifications and the terms of said Award.

Contractor shall promptly make payments to all persons supplying materials in the prosecution of the work and to all laborers and others employed thereon.

Contractor shall be responsible for all damages to property of the City of Fayetteville, North Carolina, that may be consequent upon the normal procedure of its work or that may be caused by or result from the negligence of Contractor, its employees or agents, during the progress of or connected with the prosecution of the work, whether within the limits of the work or elsewhere. Contractor must restore all property so injured to a condition as good as it was when Contractor entered upon the work.

Contractor shall furthermore be responsible for and required to make good at its expense any and all damages of whatever nature to persons or property arising during the period of the Contract, caused by carelessness, neglect, or want of due precaution on the

Outdoor Family Aquatic Center @ Lake Rim Park

Owner: City of Fayetteville
Fayetteville, North Carolina

part of Contractor, its agents, employees or workmen. Contractor shall also indemnify and save harmless the City of Fayetteville, North Carolina, and the officers and agents thereof from all claims, suits, and proceedings of every name and description which may be brought against the City of Fayetteville, North Carolina, or the officers and agents thereof, for or on account of any injuries or damages to persons or property received or sustained by any person or persons, firm or corporation, or by or in consequence of any materials used in said work or by or on account of any improper material or workmanship in its construction, or by or on account of any accident, or of any other act or omission of Contractor, its agents, employees, servants or workmen.

It is agreed and understood that the Invitation for Bids, Proposal, Standard Specifications, Special Provisions, and the enumerated Addendums #1 and #2, Add Alternates G-1, G-2, and G-3, and drawings are parts and parcels of this Contract to the same extent as if incorporated herein in full.

It is further mutually agreed that if at any time after the execution of this agreement and the surety bonds hereto attached for its faithful performance, City shall deem the surety or sureties upon such bonds to be unsatisfactory, or if, for any reason, such bonds cease to be adequate to cover performance and payment of the work, Contractor shall, at its expense, within five days after the receipt of notice from the City so to do, furnish an additional bond or bonds in such form and amount, and with such surety or sureties as shall be satisfactory to City. In such event, no further payment to Contractor shall be deemed to be due under this agreement until such new or additional security for the faithful performance of the work shall be furnished in manner and form satisfactory to City.

It is further agreed that the Contractor will not discriminate against any employee or applicant because of race, color, creed, sex, or religion.

And City doth hereby covenant and agree with Contractor that it will pay to Contractor, when due payable under the terms of said Specifications and said Award, the above mentioned sum, and that it will well and faithfully comply with and perform each and every obligation imposed upon it by said Specifications and the terms of said Award.

It is also agreed that if the City shall determine that it is in the City's best interest, the City shall notify the Contractor to terminate the work within seven (7) days. The Contractor shall be entitled to compensation for all work properly executed and any expenses incurred in terminating the contract and vacating the construction site. No claim shall be made by the Contractor for any change order or termination, by reason of any variation between the approximate quantities and the quantity of work as done, or for lost profits.

Contractor shall furnish with each pay application on City provided forms, beginning not later than the second application for payment, an affidavit certifying the total cost of materials and North Carolina Sales Tax paid on such materials which are included in the application for payment.

Outdoor Family Aquatic Center @ Lake Rim Park

Owner: City of Fayetteville
Fayetteville, North Carolina

Whenever used herein, the singular shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders as the context may require.

IN WITNESS WHEREOF, said Contractor has hereunto set its hand and seal (or) has caused these presents to be signed in its corporate name by its corporate seal to be hereto affixed and attested by its Secretary and the City of Fayetteville, North Carolina, has caused these presents to be signed in its corporate name by its authorized representative and seal to be hereto affixed and duly attested by its City Clerk, by authority of the City Council duly given, all as of the day and year first above written.

(Corporate Seal)

M&E CONTRACTING, INC.

BY: _____

ATTEST:

TITLE: _____

Secretary

CITY OF FAYETTEVILLE, NC

ATTEST:

By: _____

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

FINANCE OFFICER

This is to certify that I have examined the attached contract documents, that after such examination I am of the opinion that such documents conform to the laws of the State of North Carolina, that the execution of the contract and the contract bonds by **M&E Contracting, Inc.** are in due and proper form and that the foregoing agreements constitute valid and binding obligations on such parties.

ATTORNEY FOR THE CITY OF FAYETTEVILLE, NC

CITY OF FAYETTEVILLE

SDBE COMPLIANCE PROVISIONS AFFIDAVIT D

Good Faith Efforts

If the goal of 10% participation by small disadvantaged businesses is not achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts.

			Value
Simmons Masonry	PO Box 65058 Fayetteville, NC 28306	D	\$89,065.00
FloorChem, Inc.	200 Powell Dr., Suite 103 Raleigh, NC 27606	F	\$10,862.00

*SDBE categories: Black-African Americans (B), Hispanic-Americans (H), Asian-Americans (A), Native-Americans (I), Women (F), Socially/Economically Disadvantaged (D)

Documentation of the Bidder's good faith efforts to meet the goals set forth in these provisions. Examples of documentation shall include the following evidence:

- Copies of solicitation for quotes to small disadvantaged business firms. Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- Copies of quotes or responses received from each firm responding to the solicitation.
- A telephone log of follow-up call to each firm sent a solicitation.
- For subcontracts where a small disadvantaged business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- Documentation of any contracts or correspondence to small disadvantaged businesses, community or contractor organizations in an attempt to meet the goal.
- Copy of pre-bid roster.
- Letter documenting efforts to provide assistance in obtaining required bonding or insurance for small disadvantaged businesses.
- Letter detailing reasons for rejection of a small disadvantaged business due to lack of qualification.
- Letter documenting proposed assistance offered to small disadvantaged businesses in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

Date: 2/7/19

Name of Authorized Officer: CHARLES MARONEY

Signature: [Signature]

Title: V.P.



State of North Carolina, County of Hoke

Subscribed and sworn to before me this 7th day of 02 2019

Notary Public Tasha Hoke

My commission expires May 05, 2023

City of Fayetteville

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

City Council Action Memo

File Number: 18-660

Agenda Date: 2/25/2019

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

FROM: Michael Gibson, Parks, Recreation and Maintenance Director
Tracey Broyles, Budget and Evaluation Director
Jay C. Toland, Chief Financial Officer

DATE: February 25, 2019

RE:

Adoption of Capital Project Ordinances 2019-24 and 2019-25, and Capital Project Ordinance Amendments 2019-27, 2019-29 and 2019-30 for Parks & Recreation Bond Projects

COUNCIL DISTRICT(S):

1, 2 and 5

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 its citizens.

Target for Action - Ensure Parks and Recreation Capital Bond Projects are on time and on budget.

Executive Summary:

Council is asked to adopt four project appropriation actions to align project appropriations with the bond project funding plan approved by Council on November 26, 2018.

- Capital Project Ordinance (CPO) 2019-24 will appropriate bond proceeds of \$600,000 for initial design and site assessments for the Sports Field Complex at McArthur Road.
- Capital Project Ordinance (CPO) 2019-25 will appropriate bond proceeds of \$250,000 for initial design and site assessments for the Jordan Soccer Complex.
- Capital Project Ordinance Amendment (CPOA) 2019-27 will appropriate

\$195,500 from anticipated premium payments on the sale of the bond to fund bond issuance costs.

- Capital Project Ordinance Amendment (CPOA) 2019-29 will appropriate a \$100,000 from Cumberland County for the improvements at Dorothy Gilmore Therapeutic Recreation Center.
- Capital Project Ordinance Amendment 2019-30 (CPOA) will modify the previous appropriation of \$429,166 of bond proceeds for a splash pad at the downtown stadium to instead provide a play space and plaza fountain at \$380,000.

Background:

In March 2016, Fayetteville voters passed a \$35 million bond referendum for parks and recreation projects. The first bond issuance is scheduled to be completed in the current fiscal year to provide \$14.0 million of project funding. Projects have been appropriated in advance of the bond issuance and construction activities have been underway for many projects. On November 26, 2018, City Council approved a revised schedule of project funding that is included as an attachment for reference. The appropriation actions recommended for adoption by Council at this time will align project appropriations with the approved project funding package.

CPOs 2019-24 and 2019-25 will appropriate \$600,000 and \$250,000 respectively to begin site assessments and design for the Sports Field Complex at McArthur Road and for the Jordan Soccer Complex to allow commencement of those projects.

CPOA 2019-27 will extend the scope of the program implementation project to include associated bond issuance costs and appropriate \$195,500 from anticipated premiums on the sale of the bond for issuance costs, to include estimated fees for bond counsel, financial advisors, rating agencies and other miscellaneous expenditures.

CPOA 2019-29 will appropriate a \$100,000 contribution from Cumberland County through its Recreation District for the expansion and renovation of the Dorothy Gilmore Therapeutic Recreation Center.

CPOA 2019-30 will modify the scope of the project originally appropriated for a planned splash pad at the downtown stadium to instead install a play space and plaza fountain. The cost of those improvements is expected to be \$380,000, a reduction from the previous appropriation of \$429,166. These improvements are expected to be completed in the current fiscal year.

Issues/Analysis:

None. The appropriation actions are consistent with the project funding plan approved by City Council on November 26, 2018.

Budget Impact:

The current tax rate includes 1.42 cents dedicated to support the debt service and project

costs for the parks and recreation bond program.

Options:

- 1) Adopt Capital Project Ordinances 2019-24 and 2019-25, and Capital Project Ordinance Amendments 2019-27, 2019-29 and 2019-30 to provide funding for the planned parks and recreation bond projects.
- 2) Do not adopt the capital project ordinances and provide guidance to staff.

Recommended Action:

Staff recommends that Council move to adopt Capital Project Ordinances 2019-24 and 2019-25, and Capital Project Ordinance Amendments 2019-27, 2019-29 and 2019-30 as presented.

Attachments:

Parks and Recreation Bond Funding Package (Approved by Council on 11/26/18)
Capital Project Ordinance 2019-24
Capital Project Ordinance 2019-25
Capital Project Ordinance Amendment 2019-27
Capital Project Ordinance Amendment 2019-29
Capital Project Ordinance Amendment 2019-30

Parks and Recreation Bond Funding Package

Project	FY17	FY18	FY19	FY20	FY21	FY22	FY23	GRANTS/OTHER SOURCES	BOND/CITY FUNDING	TOTAL	Future Unfunded
Senior Center (West) Construction			\$6,380,000						\$7,000,000	\$7,000,000	
Soft Costs		\$129,315	\$490,685								
Senior Center (East) Feasibility Study		\$53,010	\$ 6,990					\$30,000	\$5,500,000	\$5,530,000	
Land Acquisition			\$ 100,000								
Site Development			\$ 2,000,000								
Soft Costs				\$ 590,000							
Construction					\$ 2,780,000						
Brentwood School Park	\$2,752	\$75,698	\$21,550						\$800,000	\$1,190,000	
Clark Park	\$5,794	\$36,826	\$132,380								
Mazarick Park		\$19,944	\$30,056								
Seabrook Park	\$34,414	\$34,180	\$31,406								
Dorothy Gilmore Recreation	\$1,952		\$298,048					\$100,000			
Massey Hill	\$5,272	\$344,543	\$15,185					\$290,000			
Martin Luther King, Jr. Park			\$100,000								
Splash Pad Kiwanis	\$976	\$427,073							\$2,089,439	\$2,089,439	
Splash Pad Gilmore			\$431,159								\$425,000
Splash Pad Cliffdale											\$425,000
Splash Pad E.E. Miller											
Splash Pad Massey Hill	\$800	\$418,271									
Splash Pad Myers		\$341,530	\$89,630								
Stadium Play Space			\$200,000								
Plaza Fountain			\$180,000								
Cape Fear River Park									\$3,510,561	\$3,510,561	
Soft Costs						\$400,000					
Construction							\$3,110,561				
Skateboard Park									\$1,000,000	\$1,000,000	
Soft Costs			\$150,000								
Park Construction			\$600,000								
Support Construction			\$250,000								
Sports Field Complex									\$5,500,000	\$5,500,000	
Soft Costs			\$600,000								
Site Infrastructure				\$1,500,000							
Construction				\$3,400,000							
Tennis Center									\$6,000,000	\$6,000,000	
Land Acquisition						\$380,000					
Soft Costs							\$750,000				
Construction							\$4,870,000				
Jordan Soccer Complex									\$3,500,000	\$3,500,000	
Design			\$250,000								
Construction				\$3,250,000							
Project Management	\$91,500		\$3,385						\$100,000	\$100,000	
Signage	\$4,275	\$840									
Annual Total	\$147,735	\$1,881,230	\$12,360,474	\$8,740,000	\$2,780,000	\$780,000	\$8,730,561	\$420,000	\$35,000,000	\$35,420,000	\$850,000
Total per Issuance			\$13,969,439		\$11,520,000		\$9,510,561				

**CAPITAL PROJECT ORDINANCE
ORD 2019-24**

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 adopted:

Section 1. The authorized project is for design, and environmental and engineering site assessments for the Sports Field Complex at McArthur Road and other related ancillary costs.

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:

Parks & Recreation Bond Issuance Phase 1	<u>\$ 600,000</u>
--	-------------------

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

Project Expenditures	<u>\$ 600,000</u>
----------------------	-------------------

Section 5. Copies of this capital project ordinance 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 25th day of February, 2019.

**CAPITAL PROJECT ORDINANCE
ORD 2019-25**

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 adopted:

Section 1. The authorized project is for design, and environmental and engineering site assessments for the Jordan Soccer Complex and other related ancillary costs.

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:

Parks & Recreation Bond Issuance Phase 1	<u>\$ 250,000</u>
--	-------------------

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

Project Expenditures	<u>\$ 250,000</u>
----------------------	-------------------

Section 5. Copies of this capital project ordinance 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 25th day of February, 2019.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2019-27 (CPO 2017-12)**

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 2017-12, adopted August 8, 2016, for Parks and Recreation Bond Fund program implementation and associated bond issuance costs.

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
Parks & Recreation Bond Issuance Phase 1	\$ 100,000	\$ -	\$ 100,000
Parks & Recreation Bond Issuance Phase 1 - Premium	-	195,500	195,500
	<u>\$ 100,000</u>	<u>\$ 195,500</u>	<u>\$ 295,500</u>

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

	Listed As	Amendment	Revised
Project Expenditures	\$ 100,000	\$ 195,500	\$ 295,500

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 25th day of February, 2019.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2019-29 (CPO 2017-33)**

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 2017-33, adopted effective February 27, 2017, for improvements at the Dorothy Gilmore Therapeutic Recreation Center.

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
Parks & Recreation Bond Issuance Phase 1	\$ 200,000	\$ -	\$ 200,000
Cumberland County Contribution	-	100,000	100,000
	<u>\$ 200,000</u>	<u>\$ 100,000</u>	<u>\$ 300,000</u>

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

Project Expenditures	<u>\$ 200,000</u>	<u>\$ 100,000</u>	<u>\$ 300,000</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 25th day of February, 2019.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2019-30 (CPO 2018-16)**

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 2018-16, adopted effective August 14, 2017, for the design and construction of a play space and plaza fountain at the Downtown Stadium, and other ancilliary costs.

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
Parks & Recreation Bond Issuance Phase 1	<u>\$ 429,166</u>	<u>\$ (49,166)</u>	<u>\$ 380,000</u>

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

Project Expenditures	<u>\$ 429,166</u>	<u>\$ (49,166)</u>	<u>\$ 380,000</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

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 25th day of February, 2019.

City of Fayetteville

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

City Council Action Memo

File Number: 18-665

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.09

TO: Mayor and Members of City Council

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

FROM: Jay C. Toland, CMA, Chief Financial Officer

DATE: February 25, 2019

RE:

**Adopt Resolution to Accept a Report of Unpaid Taxes from Cumberland County
and Direct the Advertisement of Tax Liens**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Core Value: Stewardship

Executive Summary:

Staff requests Council's adoption of a resolution to advertise tax liens in the Fayetteville Observer.

Background:

North Carolina General Statute 105-369 requires the Tax Administrator to report unpaid taxes for municipalities for the current fiscal year that are liens on real property. The purpose of the reporting is to allow Council to order the Tax Administrator to advertise the tax liens.

The detailed report is available in the City Clerk's office for review. The report lists delinquent combined city and county taxes for properties located within the City of Fayetteville.

Issues/Analysis:

There are no issues associated with this item.

Budget Impact:

According to the County Tax Office, delinquent ad valorem taxes for the City of Fayetteville and the Downtown Revitalization District as of February 1, 2019 were approximately \$4.24 million.

Options:

Adopt the resolution.

Do not adopt the resolution and provide feedback.

Recommended Action:

Staff requests Council move to adopt the resolution to accept the report of unpaid taxes for 2018 and direct the advertisement of tax liens.

Attachments:

Resolution on Unpaid Taxes and Advertisement of Tax Liens

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
ACCEPTING THE REPORT OF UNPAID TAXES AND DIRECTING THE
ADVERTISEMENT OF TAX LIENS**

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

Section 1. The City Council accepts the report of unpaid taxes for the current fiscal year that are liens on real property as submitted by the tax collector.

Section 2. The City Council orders the tax collector to advertise the tax liens pursuant to North Carolina General Statute 105-369.

Section 3. The resolution shall take effect immediately upon its passage.

Passed and adopted the 25th day of February, 2019.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

Pamela Megill, City Clerk

City of Fayetteville

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

City Council Action Memo

File Number: 18-667

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.010

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: Lee Jernigan, P.E., City Traffic Engineer
Sheila Thomas-Ambat, PE, CCM, CFM, Interim Director of Public
Services

DATE: February 25, 2019

RE:

**Approval of Municipal Speed Limit Certificates with NCDOT for speed limit
revisions on Hoke Loop Road from Raeford Road to Cliffdale Road and at Lake
Rim Elementary School**

COUNCIL DISTRICT(S):

8

Relationship To Strategic Plan:

Goal IV: Desirable place to live, work and recreate

Executive Summary:

NCDOT conducted a review of the speed limit along Hoke Loop Road (State Road 1593) at the request of the City. During this review it was determined it would be acceptable to reduce the existing 45 mph speed limit to 35 mph. The review also recommended a reduction of the school zone speed limit at Lake Rim Elementary School from 35 mph to 25 mph. Based on this, NCDOT is requesting the City Council's concurrence with rescinding the existing 45 mph speed limit along Hoke Loop Road, enacting a 35 mph speed limit; and revising the 35 mph school zone speed limit at Lake Rim Elementary School to 25 mph. A municipal certificate is not required for the proposed 35 mph speed limit because a 35 mph speed limit is allowed by NC General Statute inside a municipal limit. NCDOT will schedule to install the appropriate signing to reflect these speed limit changes upon concurrence by City Council.

Background:

The existing speed limit along Hoke Loop Road (State Road 1593) is 45 mph between Raeford Road and Cliffdale Road, including a 35 mph school zone speed limit at Lake Rim Elementary School. At the City's request, NCDOT conducted a review of these speed limits and recommended the speed limit be lowered to 35 mph between Raeford Road and Cliffdale Road and be lowered to 25 mph at Lake Rim Elementary School.

Issues/Analysis:

NCDOT is requesting City Council approve the municipal certificates for concurrence with these new speed limits on Hoke Loop Road. Should Council reject the certificates, the existing speed limits will remain on Hoke Loop Road and at Lake Rim Elementary School.

Budget Impact:

There is no budget impact for this item. All revised speed limit signing will be installed and maintained by NCDOT.

Options:

- Approve the municipal speed limit certificates
- Reject the municipal speed limit certificates and request additional information

Recommended Action:

Staff recommends Council move to approve the municipal speed limit certificates.

Attachments:

Municipal Speed Limit certificates, NCDOT response email, map

Lee Jernigan

From: Flowers, James V <jvflowers@ncdot.gov>
Sent: Wednesday, February 06, 2019 9:23 AM
To: Lee Jernigan
Cc: West, Franklin D; Griffin, Michael D
Subject: [CAUTION: External Email]SR 1593 Hoke Loop Road
Attachments: Repeal Speed Limit.pdf; Repeal School Zone.pdf; New School Speed Zone.pdf

**** CAUTION: External email. Do not click links or open attachments unless sender is verified. Send all suspicious email as an attachment to ITSecurity@ci.fay.nc.us. ****

Lee,

We have completed our investigation of the speed limit on SR 1593 (Hoke Loop Road). This came as a request from City Manager Doug Hewett. After reviewing this area, it was decided that it would be acceptable to rescind the current 45 mph speed limit. The new speed limit would then be statutory 35 mph since this area is within the Fayetteville municipal limits. I have attached the municipal agreement for this action. After Board approval, we will remove the current 45mph speed limit signs and replace with 35mph signs.

Also, since the new speed limit will be 35 mph, we need to rescind the current Lake Rim Elementary School Zone ordinance (35mph) and create a new school zone ordinance for this location. This will be a 25 mph School Zone. I have attached the related documents for these two actions. After Board approval, we will replace the current school zone signs and replace with the new school zone speed limit.

Please let me know when the certificates are completed and I can pick the originals up to continue the approval process. If you have any questions or need additional information, please advise.

Sincerely,

James V. Flowers
Assistant Traffic Engineer
Division 6

910 364-0606 office
910 437-2599 fax
jvflowers@ncdot.gov

450 Transportation Drive
PO Box 1150
Fayetteville, NC 28302

Lake Rim Elementary School -
proposed 25 mph speed limit

1593

Hoke Loop Rd

Cliffdale Rd

Cliffdale Rd

Cliffdale Rd

Hoke Loop Road - proposed 35 mph speed
limit

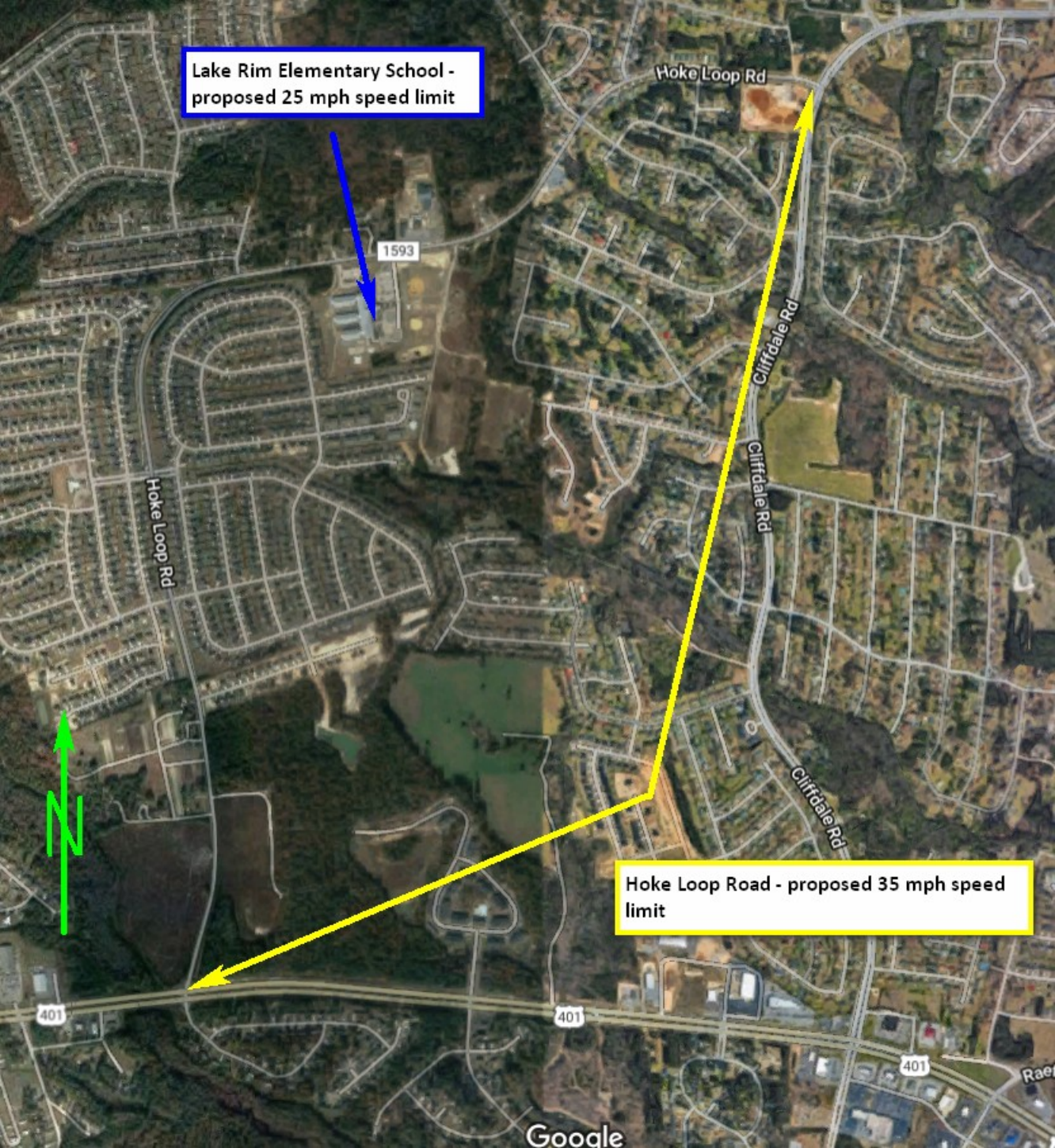
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**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1074865

Division: 6 **County:** CUMBERLAND

Municipality: FAYETTEVILLE

Type: School Speed Zone - Municipal

Road: SR 1593

Car: 25 MPH

Truck: 25 MPH

Description: Between 1.09 miles west of SR1400 and .065 miles west of SR 1400 (Lake Rim Elementary School, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only).

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ **Page:** _____ **Ordinance Number:** _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ **Title:** _____ **Date:** _____

Region: _____ **Title:** _____ **Date:** _____

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1055196

Division: 6 County: CUMBERLAND

Municipality: FAYETTEVILLE

Type: School Speed Zone - Municipal

Road: SR 1593

Car: 35 MPH

Truck: 35 MPH

Description: Between 1.09 miles west of SR 1400 and 0.65 mile west of SR 1400 (Lake Rim Elementary School, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only).

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1055195

Division: 6 **County:** CUMBERLAND

Municipality: FAYETTEVILLE

Type: Municipal Speed Zones

Road: SR 1593

Car: 45 MPH

Truck: 45 MPH

Description: From US 401 northward to SR 1400 (Cliffdale Rd.).

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ **Page:** _____ **Ordinance Number:** _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ **Title:** _____ **Date:** _____

Region: _____ **Title:** _____ **Date:** _____

City of Fayetteville

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

City Council Action Memo

File Number: 18-671

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.011

TO: Mayor and Members of City Council

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

FROM: Fayetteville Public Works Commission

DATE: February 25, 2019

RE:

Bid Recommendation - Installation of Fenix #2 Substation

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

Bids were received for the Installation of Fenix No. 2 69 to 25 kV Substation. The recommended lowest responsive, responsible bidder is Carolina Power & Signalization, Inc., Fayetteville, NC, in the total amount of \$699,993.00

Background:

The Fayetteville Public Works Commission during their meeting on February 13, 2019, approved the bid recommendation to award the contract for the Installation of Fenix No. 2 69 to 25 kV Substation to Carolina Power & Signalization, Inc., Fayetteville, NC, the lowest responsive, responsible bidder in the total amount of \$699,993.00. The Commission also approved to forward this recommendation to City Council for approval.

Bids were received on January 17, 2019, as follows:

<u>Bidders</u>	<u>Total Cost</u>
Carolina Power & Signalization, Inc., Fayetteville, NC	\$ 699,993.00
Lee Electrical Construction, LLC, Aberdeen, NC	\$ 707,342.50
Aubrey Silvey Enterprises, Inc., Carrollton, GA	\$ 948,000.00
David H. Elliot Construction, Roanoke, VA	\$1,195,000.00
A West Enterprise, LLC, Albany, GA	\$1,227,840.00
William E. Groves Construction, Inc., Madisonville, KY	\$1,482,000.00

Note: This project is to provide labor, furnish and deliver all materials and equipment (except materials and equipment specified to be furnished by the Commission) necessary to complete the installation of the Fenix No. 2 69 to 25 kV Substation according to specifications.

Issues/Analysis:

Comments: Notice of bid was advertised on December 12, 2018. Addendum No. 1 was issued on January 15, 2019, to provide answers to questions. Addendum No. 2 was issued on January 16, 2019, to provide answers to additional questions. The bid received from Carolina Power & Signalization, Inc., was the lowest responsive, responsible bid. This project is scheduled to be ready for energization and completed by October 25, 2019. SDBE/Local Participation: The bidder intends to subcontract with Asia Excavation, Fayetteville, NC, a Black/African American owned firm (\$17,000.00) and Cumberland Septic, Fayetteville, NC, a woman-owned firm (\$2,500.00). The total value of SDBE contracting will be \$19,500.00.

Budget Impact:

The Installation of Fenix No. 2 69 to 25kV Substation is budgeted in EL34-Fenix Equipment Upgrade (CPR1000059) 058.0000.0802.1803043-03.690161

Options:

N/A

Recommended Action:

The Fayetteville Public Works Commission recommends the Fayetteville City Council award the contract for the installation of the Fenix No. 2 69 to 25 kV Substation to Carolina Power & Signalization, Inc., Fayetteville, NC, the lowest responsible, responsive bidder, in the total amount of \$699,993.00.

Attachments:

Bid Recommendation - Installation of Fenix No. 2 69 to 25KV Substation

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council

From: Fayetteville Public Works Commission

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

Date: February 25, 2019

Re: Bid Recommendation – Installation of Fenix #2 Substation

COUNCIL DISTRICTS: All

RELATIONSHIP TO STRATEGIC PLAN: High Quality Built Environment

EXECUTIVE SUMMARY:

Bids were received for the Installation of Fenix No. 2 69 to 25kV Substation. The recommended lowest responsive, responsible bidder is Carolina Power & Signalization, Inc., Fayetteville, NC, in the total amount of \$699,993.00.

BACKGROUND:

The Fayetteville Public Works Commission during their meeting on February 13, 2019, approved the bid recommendation to award the contract for the installation of Fenix No. 2 69 to 25 kV Substation to Carolina Power & Signalization, Inc., Fayetteville, NC, the lowest responsive, responsible bidder in the total amount of \$699,993.00. The Commission also approved to forward this recommendation to City Council for approval.

Bids were received on January 17, 2019, as follows:

<u>Bidders</u>	<u>Total Cost</u>
Carolina Power & Signalization, Inc., Fayetteville, NC	\$ 699,993.00
Lee Electrical Constructions, LLC, Aberdeen, NC	\$ 707,342.50
Aubrey Silvey Enterprises, Inc., Carrollton, GA	\$ 948,000.00
Davis H. Elliot Construction, Roanoke, VA	\$1,195,000.00
A West Enterprise, LLC, Albany, GA	\$1,227,840.00
William E. Groves Construction, Inc., Madisonville, KY	\$1,482,000.00

Note: This project is to provide labor, furnish and deliver all materials and equipment (except materials and equipment specified to be furnished by the Commission) necessary to complete the installation of the Fenix No. 2 69 to 25 kV Substation according to specifications

ISSUES:

COMMENTS: Notice of bid was advertised on December 12, 2018. Addendum No. 1 was issued on January 15, 2019, to provide answers to questions. Addendum No. 2 was issued on January 16, 2019, to provide answers to additional questions. The bid received from Carolina Power & Signalization, Inc., was the lowest responsive, responsible bid. This project is scheduled to be ready for energization and completed by October 25, 2019.

SDBE/Local Participation: The bidder intends to subcontract with Asia Excavation, Fayetteville, NC, a Black/African American owned firm (\$17,000.00) and Cumberland Septic, Fayetteville, NC, a woman owned firm (\$2,500.00). The total value of SDBE contracting will be \$19,500.00.

BUDGET IMPACT:

The Installation of Fenix No. 2 69 to 25kV Substation is budgeted in EL34-Fenix Equipment Upgrade (CPR 1000059) 058.0000.0802.1803043-03.690161

OPTIONS:

N/A

RECOMMENDED ACTION:

The Fayetteville Public Works Commission recommends the Fayetteville City Council award the contract for the installation of the Fenix No. 2 69 to 25kV Substation to Carolina Power & Signalization, Inc., Fayetteville, NC, the lowest responsible, responsive bidder, in the total amount of \$699,993.00.

Attachments: Bid Recommendation – Installation of Fenix No. 2 69 to 25 kV Substation

City of Fayetteville

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

City Council Action Memo

File Number: 18-672

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.012

TO: Mayor and Members of City Council

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

FROM: Fayetteville Public Works Commission

DATE: February 25, 2019

RE:

Bid Recommendation - Structures and Equipment for Fenix No. 2 Substation

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

Bids were received for the purchase and delivery of materials, equipment and the associated components for the installation of the Fenix Substation No. 2. The recommended lowest responsive, responsible bidder is Substation Enterprises, Inc., Alabaster, AL, in the total amount of \$312,418.00.

Background:

The Fayetteville Public Works Commission during their meeting on February 13, 2019, approved the bid recommendation to award the purchase and delivery of materials, equipment, and the associated components for the installation of the Fenix Substation No. 2 to Substation Enterprises, Inc., Alabaster, AL, the lowest responsive, responsible bidder in the total amount of \$312,418.00. The Commission also approved to forward this recommendation to City Council for approval.

Bids were received on January 17, 2019, as follows:

Bidders	Total Cost
Substation Enterprises, Inc., Alabaster, AL	\$312,418.00
M.D. Henry Co., Inc., Pelham, AL	\$331,000.00
Peak Substation, Birmingham, AL	\$337,900.00
DIS-TRAM Packaged Substation, LLC, Pineville, LA	\$360,165.00

Issues/Analysis:

Notice of bid was advertised on December 18, 2018. Addendum No. 1 was issued on January 7, 2019, providing updated plans. Addendum 2 was issued January 16, 2019, adding missing quantities for certain materials. The bid received from Substation Enterprises, Inc., was the lowest responsive, responsible bid. **Local/SDBE**

Participation: Substation Enterprises, Inc., is not classified as a SDBE, minority or woman-owned business, and the vendor will perform 100% of the work. There are no known local vendors who can supply this equipment.

Budget Impact:

The Structures and Equipment for Fenix No. 2 69 to 25kV Substation Project is budgeted in EL34-Fenix Equipment Upgrade (CPR 1000059) 058.0000.0802.1803043-03.690161

Options:

N/A

Recommended Action:

The Fayetteville Public Works Commission recommends the Fayetteville City Council award the purchase for the Structures and Equipment for Fenix No. 2 69 to 25kV Substation Project to Substation Enterprises, Inc., Alabaster, AL, the lowest responsive, responsive bidder, in the total amount of \$312,418.00.

Attachments:

Bid Recommendation - Structures and Equipment for Fenix No. 2 69 to 25 kV Substation

CITY COUNCIL ACTION MEMO

To: Mayor and Members of Council

From: Fayetteville Public Works Commission

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

Date: February 25, 2019

Re: Bid Recommendation – Structures and Equipment for Fenix #2 Substation

COUNCIL DISTRICTS: All

RELATIONSHIP TO STRATEGIC PLAN: High Quality Built Environment

EXECUTIVE SUMMARY:

Bids were received for the purchase and delivery of materials, equipment and the associated components for the installation of the Fenix Substation No. 2. The recommended lowest responsive, responsible bidder is Substation Enterprises, Inc., Alabaster, AL, in the total amount of \$312,418.00.

BACKGROUND:

The Fayetteville Public Works Commission during their meeting on February 13, 2019, approved the bid recommendation to award the purchase and delivery of materials, equipment, and the associated components for the installation of the Fenix Substation No. 2 to Substation Enterprises, Inc., Alabaster, AL, the lowest responsive, responsible bidder in the total amount of \$312,418.00. The Commission also approved to forward this recommendation to City Council for approval.

Bids were received on January 17, 2019, as follows:

<u>Bidders</u>	<u>Total Cost</u>
Substation Enterprises, Inc., Alabaster, AL	\$312,418.00
M.D. Henry Co., Inc., Pelham, AL	\$331,000.00
Peak Substation, Birmingham, AL	\$337,900.00
DIS-TRAM Packaged Substation, LLC, Pineville, LA	\$360,165.00

ISSUES:

COMMENTS: Notice of bid was advertised on December 18, 2018. Addendum No. 1 was issued on January 7, 2019, providing updated plans. Addendum 2 was issued January 16, 2019, adding missing quantities for certain materials. The bid received from Substation Enterprises, Inc., was the lowest responsive, responsible bid. **Local/SDBE Participation:** Substation Enterprises, Inc., is not classified as a SDBE, minority or woman-owned business, and the vendor will perform 100% of the work. There are no known local vendors who can supply this equipment.

BUDGET IMPACT:

The Structures and Equipment for Fenix No. 2 69 to 25kV Substation Project is budgeted in EL34-Fenix Equipment Upgrade (CPR 1000059) 058.0000.0802.1803043-03.690161

OPTIONS:

N/A

RECOMMENDED ACTION:

The Fayetteville Public Works Commission recommends the Fayetteville City Council award the contract for the Structures and Equipment for Fenix No. 2 69 to 25kV Substation project to Substation Enterprises, Inc., Alabaster, AL, the lowest responsible, responsive bidder, in the total amount of \$312,418.00.

Attachments: Bid Recommendation – Structures and Equipment for Fenix No. 2 69 to 25 kV Substation

City of Fayetteville

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

City Council Action Memo

File Number: 18-675

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.013

TO: Mayor and Members of City Council

THRU: Telly C. Whitfield, PhD, Assistant City Manager

FROM: Jay C. Toland, Chief Financial Officer
Jennifer Tackema, Administrative Assistant

DATE: February 25, 2019

RE:

Tax Refunds Greater than \$100

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Core Value: Stewardship

Goal V: Sustainable Organizational Capacity

Executive Summary:

Not Applicable

Background:

The attached request for a tax refund was approved by the Cumberland County Special Board of Equalization and Review for the month of January 2019. City Council approval is required before staff can proceed with issuance of a tax refund.

Issues/Analysis:

none

Budget Impact:

There is sufficient funding in the General Fund operating budget to fund the \$4,168.83 payment.

Options:

1. Approve the attached request for a tax refund
2. Reject the attached request for a tax refund

Recommended Action:

Staff recommends that Council move to approve the tax refund.

Attachments:

See Attached



February 15th, 2019

TO: Jay C. Toland, Chief Financial Officer

FROM: Jennifer Tackema, Administrative Assistant

RE: Tax Refunds of Greater Than \$100

The tax refunds listed below for Greater than \$100 were approved by the Cumberland County Special Board of Equalization for the months of January 2019.

NAME	BILL NO.	DISTRICT	YEAR	BASIS	CITY REFUND
Novare National Settlement Service, LLC	2668237	All	2017	Corrected Assessment	\$4,168.83
TOTAL					\$4,168.83



433 Hay Street Fayetteville, NC 28301-5537
(910) 433-xxxx | www.cityoffayetteville.org | www.faytv7.com

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City of Fayetteville

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

City Council Action Memo

File Number: 18-678

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 6.014

TO: Mayor and Members of City Council

THRU:

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

DATE: February 25, 2019

RE:

Consideration of Adopting a Resolution in Support of Legislative Action to Direct Shared Allocations of Food and Beverage Tax Proceeds between Cumberland County and its Municipalities

COUNCIL DISTRICT(S):

ALL

Relationship To Strategic Plan:

Goal II - Diverse and Viable Economy

Executive Summary:

Background:

Pursuant to the authority contained in Chapter 413 of the 1993 Session Laws, the Cumberland County Board of Commissioners levied a one percent (1%) tax on prepared food and beverages sold within Cumberland County, which is required by that law to be transferred to the Cumberland County Civic Center Commission exclusively for debt service and any other costs of acquiring, constructing, maintaining, operating, marketing and promoting the arena or expanded arena facilities. Cumberland County operates the Crown Complex which commenced operations in October 1997 and features a 10,000 seat coliseum, an Expo center with up to 60,000 square foot, a 9,200 square foot Ballroom, a 2,400 seat performing arts theatre, and an 11,500 square foot arena. All current outstanding debt issued for the construction and renovation of these facilities will

be fully retired in December, 2024. Cumberland County exclusively receives proceeds of occupancy taxes and prepared food and beverage taxes on sales within Cumberland County and its municipalities, and exclusively receives ABC Mixed Drink Surcharge and Profit Distributions from stores within Cumberland County and its municipalities. The City of Fayetteville is the only municipality of the ten largest in North Carolina that does not receive revenues from shared distributions from one or all of occupancy tax proceeds, prepared food and beverage tax proceeds or ABC mixed drink surcharges and profit distributions.

Residents of the Fayetteville make up two-thirds of the population of Cumberland County and is home to the majority of commerce for the county as well as Sandhills region. The City of Fayetteville has made significant investments in a downtown mixed-use stadium and supporting infrastructure to provide a regional entertainment venue to improve the quality of life and promote economic growth in the City, County and larger region.

Issues/Analysis:

If the prepared food and beverage tax is diverted from its mandatory use for the support of these arts and entertainment facilities, the subsidy must be made up by the County's general fund taxes or the use of these facilities must be greatly diminished.

Budget Impact:

Options:

1. Adopt the Resolution
2. Do not adopt the Resolution and provide direction to staff
3. Amend the draft Resolution and adopt amended Resolution

Recommended Action:

Adopt the Resolution

Attachments:

Resolution

**RESOLUTION OF THE CITY COUNCIL, CITY OF FAYETTEVILLE, NORTH CAROLINA
TO SUPPORT LEGISLATIVE ACTION TO DIRECT SHARED ALLOCATIONS OF FOOD
AND BEVERAGE TAX PROCEEDS BETWEEN CUMBERLAND COUNTY AND ITS
MUNICIPALITIES**

WHEREAS, pursuant to the authority contained in Chapter 413 of the 1993 Session Laws, the Cumberland County Board of Commissioners levied a one percent (1%) tax on prepared food and beverages sold within Cumberland County, which is required by that law to be transferred to the Cumberland County Civic Center Commission exclusively for debt service and any other costs of acquiring, constructing, maintaining, operating, marketing and promoting the arena or expanded arena facilities; and

WHEREAS, Cumberland County operates the Crown Complex which commenced operations in October 1997 and features a 10,000 seat coliseum, an Expo center with up to 60,000 square foot, a 9,200 square foot Ballroom, a 2,400 seat performing arts theatre, and an 11,500 square foot arena; and

WHEREAS, all current outstanding debt issued for the construction and renovation of these facilities will be fully retired in December, 2024; and

WHEREAS, Cumberland County exclusively receives proceeds of occupancy taxes and prepared food and beverage taxes on sales within Cumberland County and its municipalities; and

WHEREAS, Cumberland County exclusively receives ABC Mixed Drink Surcharge and Profit Distributions from stores within Cumberland County and its municipalities; and

WHEREAS, the City of Fayetteville is the only municipality of the ten largest in North Carolina that does not receive revenues from shared distributions from one or all of occupancy tax proceeds, prepared food and beverage tax proceeds or ABC mixed drink surcharges and profit distributions; and

WHEREAS, residents of the Fayetteville make up two-thirds of the population of Cumberland County and is home to the majority of commerce for the county as well as the Sandhills region; and

WHEREAS, the City of Fayetteville has made significant investments in a downtown mixed-use stadium and supporting infrastructure to provide a regional entertainment venue to improve the quality of life and promote economic growth in the City, County and larger region; and

NOW THEREFORE, BE IT RESOLVED that the City Council supports legislative action to amend the statute authorizing the levy of the 1% tax on prepared food and beverages sold in Cumberland County to provide for a shared distribution of the proceeds of the tax between the County and its municipalities on a per capita basis in the same manner prescribed for the distribution of sales taxes in NCGS § 105-472 (b) (1).

THEREFORE, BE IT FURTHER RESOLVED that the City Council also requests a share of the ABC Mixed Drink Surcharge & Profit Distributions similar to all peer cities in North Carolina.

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

By: _____
MITCH COLVIN, MAYOR

ATTEST:

PAMELA J. MEGILL, CITY CLERK

Occupancy Tax, Prepared Food and Beverage Tax and ABC Distributions to Cities and Counties

Source: North Carolina Department of State Treasurer Financial Information as of 6/30/2017

	FAYETTEVILLE	ASHEVILLE	CARY	CHARLOTTE	DURHAM	GREENSBORO	HIGH POINT	RALEIGH	WILMINGTON	WINSTON-SALEM
Occupancy Tax Proceeds	\$ -	\$ -	\$ 1,198,421	\$ 51,918,000	\$ 3,864,088	\$ 4,075,208	\$ 2,091,275	\$ 680,000	\$ 3,824,615	\$ 783,673
Prepared Food & Beverage Tax Proceeds	-	-	-	31,508,000	-	-	-	-	-	-
ABC Mixed Drink Surcharge & Profit Distribution	-	1,981,750	909,067	5,340,000	234,555	3,773,528	1,694,874	2,119,188	1,484,971	2,286,367
Total	\$ -	\$ 1,981,750	\$ 2,107,488	\$ 88,766,000	\$ 4,098,643	\$ 7,848,736	\$ 3,786,149	\$ 2,799,188	\$ 5,309,586	\$ 3,070,040
	CUMBERLAND	BUNCOMBE	WAKE	MECKLENBURG	DURHAM	GUILFORD	GUILFORD	WAKE	NEW HANOVER	FORSYTH
Occupancy Tax Proceeds	\$ 1,529,650	\$ 21,043,724	\$ 24,676,440	\$ 1,344,666	\$ 3,961,343	\$ 5,724,845	\$ 5,724,845	\$ 24,676,440	\$ 5,915,407	\$ 787,567
Prepared Food & Beverage Tax Proceeds	6,631,732	-	27,520,826	-	-	-	-	27,520,826	-	-
ABC Mixed Drink Surcharge & Profit Distribution	2,826,282	678,583	7,500,000	5,339,680	2,100,000	385,480	385,480	7,500,000	1,661,587	762,123
Total	\$ 10,987,664	\$ 21,722,307	\$ 59,697,266	\$ 6,684,346	\$ 6,061,343	\$ 6,110,325	\$ 6,110,325	\$ 59,697,266	\$ 7,576,994	\$ 1,549,690
Authorized Use of Occupancy Tax Proceeds	COUNTY - 1.5% to CC Auditorium Commission for facilities, 1.5% for promotion TDA - 1.5% for promotion, 1.5% for Arts Council	TDA - 4.5% for promotion, 1.5% for assistance for major tourism projects	RALEIGH/WAKE CO INTERLOCAL AGREEMENT - 4.5% Occupancy Tax and 0.97% Prep Food and Bev Tax for City/County agreed upon uses for specified facilities and promotion using funds maintained by County RALEIGH - \$680,000 for visitor activities CARY - 0.3% of Occupancy Tax for visitor activities CVB 1.2% Occupancy Tax plus 0.03% Prep Food & Bev Tax for promotion	CITY - 3% for convention facilities, 2% for NASCAR Hall of Fame OTHER MUNICIPALITIES - 3%	COUNTY - 1.725% for any purpose CITY 1.275% for any purpose CVB - 2.0% for promotion, 1.0% generally committed to City/County for facility financing for 32 yrs	TDA 2.7% for promotion CITY 2.4% for Colliseum improvements, maintenance HIGH POINT 0.9% for promo. incl. Furniture Market	TDA 2.1% for promotion CITY 3.9% for promo incl. Furniture Market	RALEIGH/WAKE CO INTERLOCAL AGREEMENT - 4.5% Occupancy Tax and 0.97% Prep Food and Bev Tax for City/County agreed upon uses for specified facilities and promotion using funds maintained by County RALEIGH - \$680,000 for visitor activities CARY - 0.3% of Occupancy Tax for visitor activities CVB 1.2% Occupancy Tax plus 0.03% Prep Food & Bev Tax for promotion	COUNTY - 1.8% for beach nourishment TDA - 1.2% for promotion CITY - 3% for Convention Center	COUNTY - 0.78% for economic development and cultural/recreation CITY - 0.78% for economic development and cultural/recreation TDA - 3.85% for promotion OTHER MUNICIPALITIES - 0.6% for promotion
Authorized Use of Food & Beverage Tax Proceeds	COUNTY - 1% for Civic Center Commission for facility construction, maintenance, operations, promotion			CITY - 1% for Convention center facilities and promotion						

City of Fayetteville

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

City Council Action Memo

File Number: 18-604

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Public Hearing

Agenda Number: 7.01

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager
Gerald A. Newton, AICP - Development Services Director
Taurus Freeman - Planning & Zoning Divisional Manager

FROM: Sharon D. Williams, AICP - Senior Planner

DATE: February 11, 2019

RE:

P18-41F. The issuance of a Special Use Permit to convert a vacant motel to self-service storage (mini-warehouse) in the Community Commercial (CC) Zoning District, located at 220 South Eastern Boulevard (Tax Map # 0437-91-9027), containing 4.2± acres, near the intersection of E. Russell St. and Locust St. and being the property of W. B. Fayetteville Properties, LLC.

COUNCIL DISTRICT(S):

2 - Dan Culliton

Relationship To Strategic Plan:

2024 Goals, Goal II: Diverse and Viable Economy is achieved through the redevelopment of a vacant commercial property.

Executive Summary:

Currently, the property is developed with an unoccupied, two-story motel in need of repair. The applicant is requesting a Special Use Permit to convert the vacant motel to a self-service storage (mini-warehouse) facility, construct two (2) additional buildings for the same use and to create an open storage area for recreational vehicles, travel trailers and pleasure boats.

Background:

The property contains a dilapidated two-story motel, which was previously known as the Budget Inn. Primary access to the individual guestrooms is provided directly from the exterior of the building. The motel is deteriorated and open to the elements, due to the removal of the windows and doors.

Applicant: Dennis Chisum

Owner: W. B. Fayetteville Properties, LLC.

Requested Action: A Special Use Permit to authorize a self-service storage (mini-warehouse) facility

Property Address: 220 S. Eastern Boulevard

Council District: 2

Status of Property: Vacant two-story motel

Size: 4.2± acres

Adjoining Zoning and Land Use:

North: Heavy Industrial (HI) - Commercial (O'Reilly Auto Parts)

South: Community Commercial (CC) - Commercial (Sunbelt Rentals & Napa Auto Parts)

West: Community Commercial (CC) - Commercial (Flex Space and Multi-Family)

East: Heavy Industrial - Commercial (BP gas station, auto repair and auto sales)

Traffic Count: 20,000 Average Daily Trips (ADT), 2017

Letters Mailed: 26

2010 Land Use Plan: Downtown

The plan acknowledges that existing strip commercial areas are part of the commercial fabric in the County. This type of development is a viable part of the overall commercial activities and should be accommodated. Existing strip commercial areas that are redeveloped, remodeled, or expanded are required to meet new development standards that address most of the negative aspects associated with strip commercial development.

2030 Growth Vision Plan:

Policy Area 1: A More Diversified Local Economy:

Policy 1.2: The rehabilitation and reuse of currently unused or underutilized structures, sites, and infrastructure shall be encouraged.

Policy Area 9: Compatible Commercial Development:

Policy 9.1: Promote policies that address the expansion of strip commercial areas with respect to landscaping, access and buffering. Beyond traffic considerations, the quality of development adjoining the area's travel corridors should have a positive influence on community image, appearance and economic development.

Policy Area 10: Community Appearance and Image:

Policy 10.3: Landscape improvements at existing and new commercial developments, particularly as related to breaking up and softening the appearance of expansive parking areas shall be discouraged.

Issues/Analysis:

Special Use Permit:

The request is for a Special Use Permit (SUP) to allow a self-service storage facility (mini-warehouse). A special use in a particular zoning district is one that may be

appropriate in the district, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings. The purpose of this section is to establish procedures and standards for review and approval of Special Use Permits that provide for such special consideration.

The issuance of an SUP is intended to provide a landowner and the City an alternative to rezoning the land to a more intense zoning district. The base zoning district allows certain uses and development that may be appropriate but also allows uses and development that may not conform to City plans or would have adverse impacts on public facilities or surrounding lands.

The Special Use Permit allows the City Council to impose additional conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations applicable in the parallel base zoning district.

Specifics of this SUP:

The property at 220 S. Eastern Boulevard is an abandoned 130-room motel, which was condemned in May 2016. The applicant proposes to convert the two (2) existing buildings into mini-storage units with an office to service the business. They also propose to construct two (2) new one-story buildings to increase the storage capacity.

Currently, there is a two-story, "L"-shaped structure along the northern and western portion of the property, which will contain 96 units once renovated. The freestanding, two-story building in the northern quadrant will be converted to an office space with 39 units and customer parking.

A new one-story building, to accommodate 11 units, is proposed along the eastern property line, along S. Eastern Boulevard. An additional one-story, L-shaped building is proposed along the eastern (S. Eastern Boulevard.) and southern portion of the property, with space for 64 units.

The applicant proposes to use the interior courtyard to provide leasable outdoor storage for recreational vehicles, travel trailers and pleasure boats. The Unified Development Ordinance (UDO) permits this as an accessory use provided that it is located to the rear of the principal structure. The construction of the new one-story buildings along S. Eastern Boulevard will enable the applicant to meet this requirement.

A seven-foot (7') metal fence with masonry pillars will be constructed at the entrance along S. Eastern Boulevard. Landscaping will be installed to comply with the UDO and include a combination of street trees, canopy trees, understory trees and shrubs.

Landscape islands will be provided internally along the outdoor storage spaces.

The site currently has three access points along S. Eastern Boulevard. To address access management, the applicant has agreed to close two curb cuts and provide a singular access point for the development. There will be curbing and sidewalk improvements, to include an ADA accessible curb along the southeastern portion of S. Eastern Boulevard.

The applicant has worked with the Technical Review Committee (TRC) and City Staff on the requirements for the development. It meets the use specific requirements for a self-storage (mini-warehouse) facility as outlined below. If the Special Use Permit were granted, the applicant would need to obtain site plan approval for the development and the necessary building, trade, sign and North Carolina Department of Transportation (NCDOT) permits before construction can begin.

Use Specific Requirements:

30-4.C.4.j. Self-Service Storage (mini-warehouse)

Self-service storage or mini-warehouse uses shall comply with the following standards:

1. *Site Layout*
 - a. The minimum lot area shall be least three acres.
 - b. If separate buildings are constructed, there shall be a minimum separation of ten feet between buildings.
2. *Operation*
 - a. The only commercial uses permitted on-site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage. Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or conduct similar repair activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.
 - b. Individual storage bays or private postal boxes within a self-service storage facility use shall not be considered premises for the purpose of assigning a legal address.
 - c. No more than one security or caretaker quarters may be developed on the site, and shall be integrated into the building's design.
 - d. Except as otherwise authorized in this subsection, all property stored on the site shall be enclosed entirely within enclosed buildings.
 - e. Hours of public access to a self-storage use abutting a residential zoning district or existing residential use shall be restricted to the hours between 6:00 a.m. and 10:00 p.m.
3. *Parking and Circulation*
 - a. Interior parking shall be provided in the form of aisleways adjacent to the storage bays. Aisleways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of aisleways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted.
 - b. The one or two-way traffic flow patterns in aisleways shall be clearly marked. Marking shall consist, at a minimum, of standard directional signage and painted lane markings with arrows.
 - c. Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aisleways.
 - d. All access ways shall be paved with asphalt, concrete, or comparable paving materials.
4. *Building Appearance*
 - a. Garage doors serving individual storage units shall be perpendicular to a public or private street so as to not be visible from adjacent streets.
 - b. With the exception of a structure used as a security guard or caretaker quarters, or the redevelopment of an existing structure, the maximum height of a self-service storage facility shall be 20 feet.
 - c. Outdoor lighting shall be the minimum necessary to discourage vandalism and theft, and shall be provided in accordance with Section 30-5.E, Exterior Lighting.
 - d. The exterior facades of all structures facing a public street shall be masonry (brick or split-faced CMU).
 - e. Windows may not exceed 20 percent of any street-facing façade and shall not be reflective.
 - f. A maximum of two colors (excluding roof colors) shall be used on wall facades visible

from off-site areas. Colors shall be neutral and shall not be used to call attention to the use.

- g. Perimeter or exterior walls visible from a public street or detached residential dwelling shall not include metal as a primary material.
- h. All mechanical equipment and dumpsters shall be fully screened from off-site views.

5. Fencing

All areas adjacent to a street frontage not occupied by a building shall include fencing designed in accordance with the following standards:

- a. Fences shall be no shorter than six feet or taller than eight feet.
- b. Fencing shall be masonry, wrought iron, steel, or aluminum and shall be painted or vinyl coated with colors that complement the buildings.
- c. Chain link fencing is prohibited except where the use abuts lots with a commercial zoning designation, but in no instance shall chain link fencing be visible from a public street.
- d. Metal fences shall include brick pilasters or supports located with consistent on-center spacing.
- e. Wooden or chain link entry gates into the use are prohibited.

6. Open Storage

Open storage of recreational vehicles, travel trailers, and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:

- a. No outdoor storage shall be visible from off-site views;
- b. The storage shall occur only within a designated area, which shall be clearly delineated;
- c. The size of the storage area shall not exceed 25-percent of the buildable area of the site;
- d. Outdoor storage areas shall be located to the rear of the principal structure and be screened with a wooden fence or masonry wall at least eight feet high;
- e. Storage shall not occur within the areas set aside for minimum building setbacks;
- f. No dry stacking of boats shall be permitted on-site; and
- g. Vehicles shall be allowed on the premises for storage only.

Planning Staff recommends APPROVAL of the Special Use Permit to allow the property to be developed for Self-Service Storage (mini-warehouse).

- The proposed use meets all the Use Specific Requirements per 30-4.C.4.j. of the Unified Development Ordinance (UDO) for Self-Service Storage.
- The rehabilitation of the existing structures and construction of the new buildings will change a derelict site with dilapidated buildings into a functioning business, as recommended by the 2030 Growth Vision Plan.
- The new building facades, ornamental fencing and landscaping along S. Eastern Boulevard will improve aesthetics along a key commercial corridor.
- Access management will be improved with the closure of two (2) of the three (3) existing entrances and the singular access will meet current NCDOT requirements.
- Improvements will be made to curbing along S. Eastern Boulevard to include an ADA accessible curbing.
- The site shall be developed substantially as shown on the site plan entitled "Renovation to Fayetteville Hotel All Climate Control Storage", prepared by Darryl Barker, Architect PA, dated December 15, 2017 and last revised February 14,

2019. The approval of the Special Use Permit does not constitute approval of any building and trade or sign permits. The site plan is subject to approval by the City of Fayetteville Technical Review Committee.

- The findings are based on the initial review, analysis and best available information of the proposal.

On January 8, 2019, the Zoning Commission held a public hearing and voted 5-0 to recommend approval of the Special Use Permit. Since that time, minor changes have been made to the proposed street elevation to increase the aesthetic appeal of the development.

Budget Impact:

There is not an immediate budgetary impact; however, the City can expect an increase in revenue from permit fees and taxes.

Options:

- 1) Approval of the SUP to allow a self-service storage (mini-warehouse) facility (Recommended)
- 2) Approval of the SUP with conditions as set by the City Council
- 3) Denial of the request

Recommended Action:

OPTION 1

I move to APPROVE the Special Use Permit (SUP) in a Community Commercial (CC) zoning district, as presented by Staff, based on the standards of the City's development code and the evidence presented during this hearing. Additionally, the application is consistent with applicable plans because: (1) the development is located in a Community Commercial (CC) District and (2) the use specific standards for Self-Service Storage (mini-warehouse) have been met and (3) that this use complies with the findings listed below and (4) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area.

[Applicable to Motion to Approve] If approved, this Special Use Permit shall become effective ten days after its approval by the City Council, which is March 7, 2019. The SUP shall expire one year from its effective date if a building permit is not issued within that time.

*For a motion to approve, all eight findings below must be met:

1. The special use will comply with all applicable standards in Section 30-4.C, Use-Specific Standards; [insert supporting facts]
2. The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands; [insert supporting facts]
3. The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration; [insert supporting facts]
4. The special use is configured to minimize adverse effects, including visual impacts of

the proposed use on adjacent lands; [insert supporting facts].

5. The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources; [insert supporting facts]
6. The special use maintains safe ingress and egress onto the site and safe road conditions around the site; [insert supporting facts].
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; [insert supporting facts]
8. The special use complies with all other relevant City, State, and Federal laws and regulations. [insert supporting facts]

OPTION 2

I move to DISAPPROVE the Special Use Permit (SUP) in a Community Commercial (CC) zoning district, as presented by Staff, based on the standards of the City's development code and the evidence presented during this public hearing. And that the application is inconsistent with applicable plans because: (1) the proposed SUP does not meet the goals and objectives of the Community Commercial (CC) zoning district and (2) that this use does not comply with the findings listed below and (3) the proposed permit is not in the public interest because the proposed SUP does not fit with the character of the area. [List any of the eight findings below that have not been met.]

[Applicable to Motion to Deny] If denied this action shall become effective ten days after its denial by the City Council, which is March 7, 2019.

* For a motion to deny only one of the findings shown below needs to not apply.

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

Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Plan Map

4. Application
5. Applicant's Letter
6. Site Photo
7. Site Plan
8. Elevations
9. Summary - # of Storage Units and # of Outside Storage Spaces

ZONING COMMISSION
CASE NO. P18-41F



Request: Special Use Plan Review
Location: 220 Eastern Blvd
Lot Size: 4.21 Acres

Zoning Commission: 12/10/2018
Pin: 0437-91-9027-

N

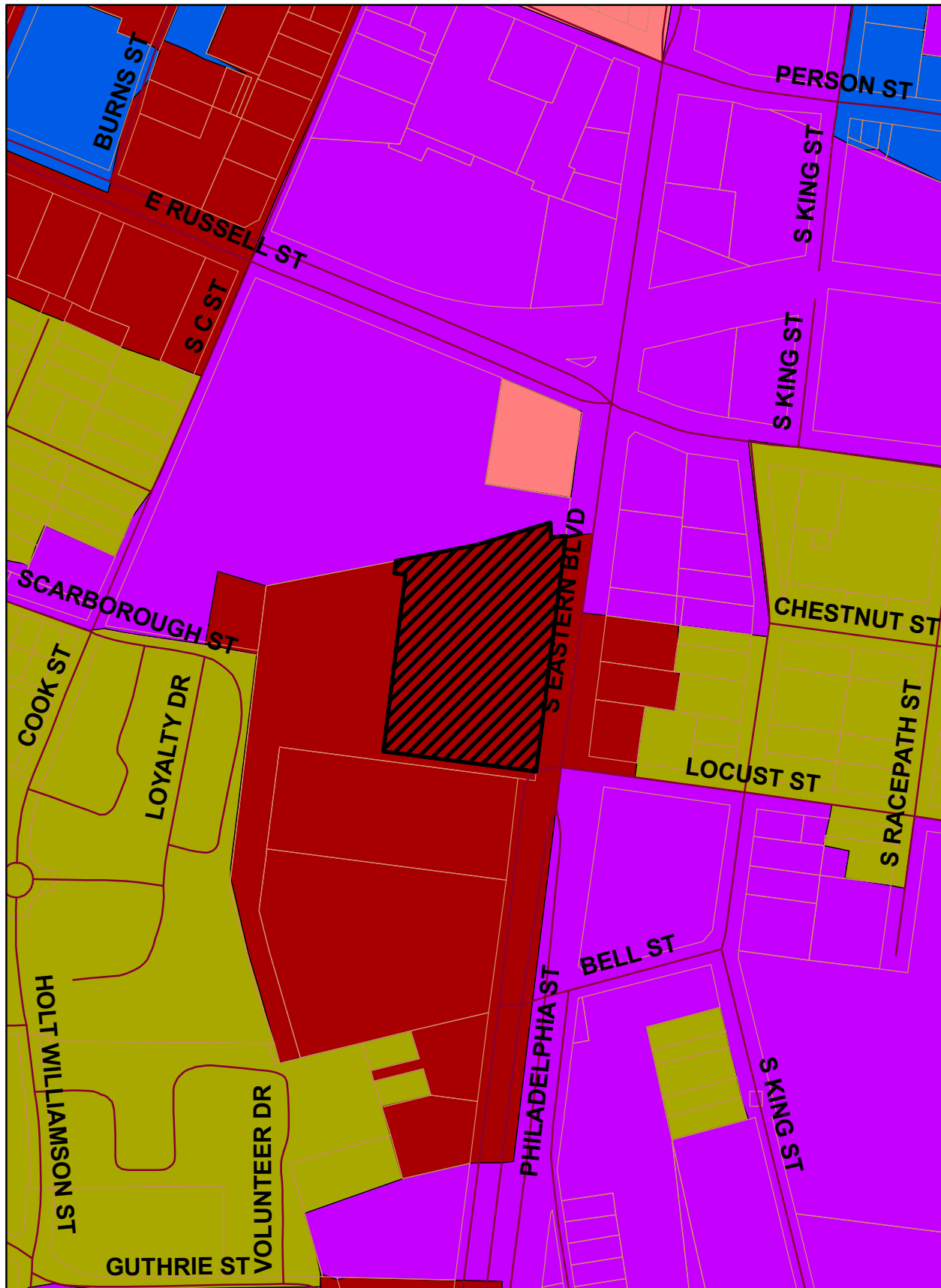


Legend



Subject Parcel with
500' Buffer

Letters are being sent to all property owners within the circle, Subject property is shown in the hatched pattern.



Legend

	Subject Parcel		Downtown		LC
	Community Commercial		Heavy Industrial		MR-5



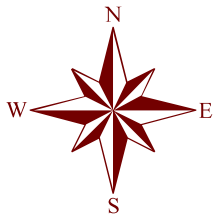
Land Use Map

Request: Special Use Plan Review





Location: 220 Eastern Blvd

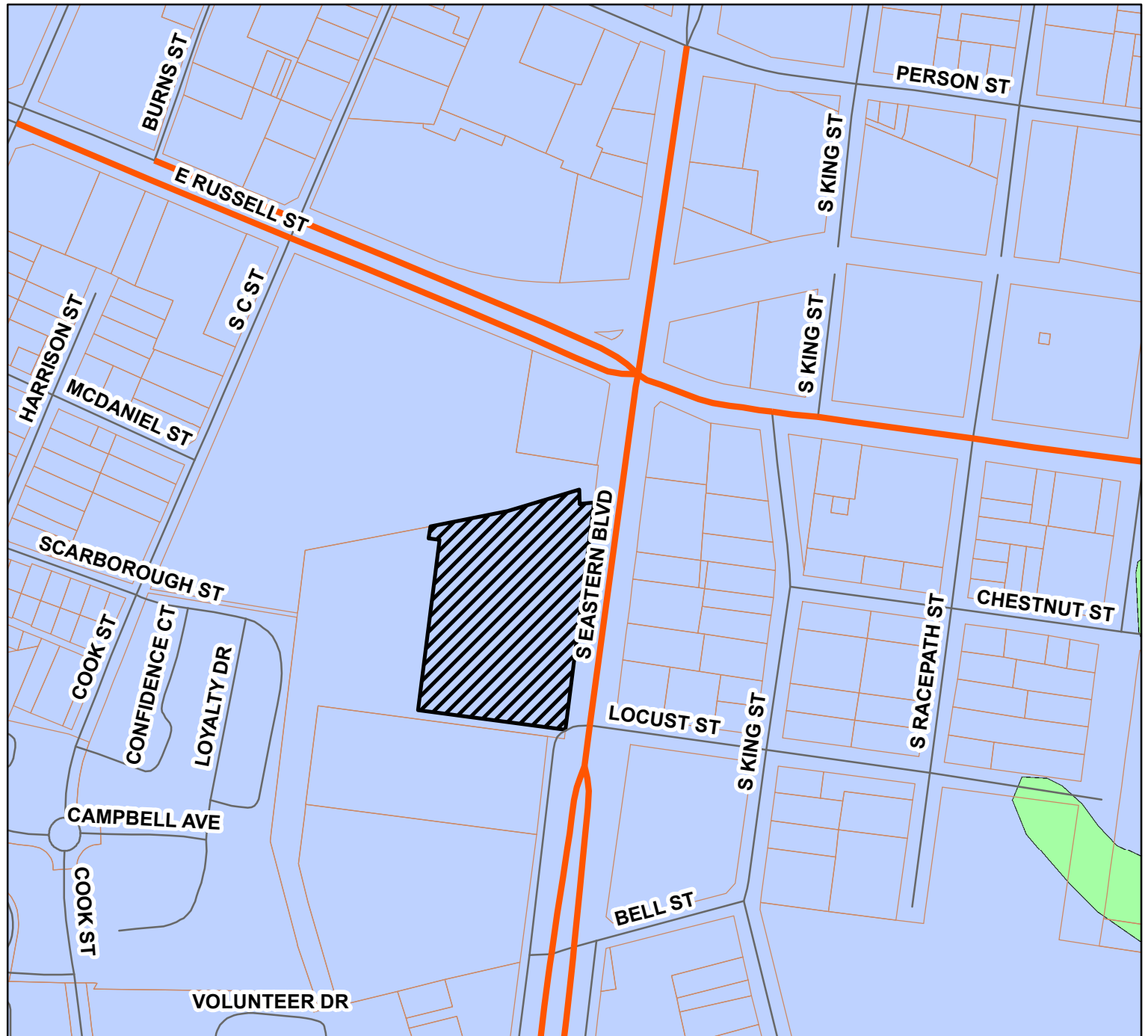
Pin #: 0437-91-9027

Lot Size: 4.21 Acres



Legend

-  Major Road
-  P18-41F
-  Downtown
-  Open Space



Project Overview

Project Title: Climate Control Storage (Special Use Permit)

Application Type: 5.3) Special Use Plan Review

Workflow: Staff Review

Jurisdiction: City of Fayetteville

State: NC

County: Cumberland

Project Location

Project Address or PIN: 220 EASTERN BLV (0437-91-9027-)

GIS Verified Data

Property Owner: Parcel

- 220 EASTERN BLV: WB FAYETTEVILLE PROPERTIES LLC

Acreage: Parcel

- 220 EASTERN BLV: 4.21

Zoning District: Zoning District

- 220 EASTERN BLV: HI

Subdivision Name: Parcel

- 220 EASTERN BLV: NOT APPLICABLE

Written Description of Special Use

A) Provide a written description of the proposed special use, including summary of existing uses and the proposed use/activity in detail. Also include hours and days of operation, number of employees, number of clients, etc.:

Renovation of the existing Budget Inn Motel into a Climate Control Storage and RV/Auto/Boat parking Facility. This renovation project will supply a growing need for secure, dry storage of personal property and secure parking for short or long term needs. We will be open in the hours dictated by the city ordinance: 6 AM to 10 PM. we will employ 1 full time and 3 part time employees. We expect to fill 130-135 enclosed Climate Controlled Units, and 125 exterior secure parking spaces.

B) Please provide a description of the Zoning District designations and existing uses on adjacent properties, including across the street.: This zoning District (CC) includes

storage facility use as described. Adjacent properties include Sunbelt Rentals, Napa Auto Parts, Edmond Grant's Tire Business, flex space rentals, and Convenience Stores.

Special Use Justification. Answer all questions in this section (upload additional sheets as needed).

Indicate how the special use complies with all applicable use-specific standards in the City Code of Ordinances.: This facility complies with all CC Zoned use specific standards. This facility is identical in use as any other storage & exterior parking facility applicable.

Indicate how the special use avoids significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration.: This facility will enhance the beautification of the area and not pose any adverse effect on the area as far as odor, noise, glare, vibration, etc. Storage facilities are very quiet and non-intrusive on the surrounding areas. The entire facility is fenced in a coded gate and complete security, it will

Describe how the special use is compatible with the character and uses permitted in the zoning district(s) of surrounding lands.: This facility fits perfectly with the other businesses in this zoning district and compliment each other.

Demonstrate how the special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands.: This facility will adhere to all zoning and landscaping ordinances and will enhance the beautification of area and eliminate the existing eyesore and liability the current situation exhibits.

properly lighted within an engineered lighting plan.

Explain how the special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.: This new renovated facility will use 90% LESS power, water and sewer usage. It contributes less impervious surface area runoff and has no air or wildlife habitat consequences.

Demonstrate how 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.: This facility will greatly improve the property values of the entire surrounding area businesses. The current status of the area is detrimental to everyone's property values as well as being a liability to city resources.

Indicate how the special use maintains safe ingress and egress onto the site and safe road conditions around the site.: This facility has ample off road ingress and egress spacing and does not impede natural traffic flow. The city is currently putting in new medians directly in front to further improve the safe road conditions.

The special use complies with all other relevant City, State, and Federal laws and regulations.: This facility will comply with all City, County, State, and Federal Laws & Regulations.

Primary Contact Information

Project Contact - Agent/Representative

Dennis D. Chisum
Chisum Construction Co., Inc.
3305 Amber Drive
Wilmington, NC 28409
P:910-367-1984
dennischisum@gmail.com

Indicate which of the following project contacts should be included on this project:

Property Owner

William Troutman
W B Properties, LLC
2318 Crown Center Drive
Charlotte, NC 28227
P:704-819-7800
wbt@graphicsinternational.com

NC State License Number:

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$30,000. :

DARRYL BARKER ARCHITECT PA

Architecture & Planning

December 26, 2018

City of Fayetteville
Planning Staff
Sharon Williams
Senior Planner

The following is to address the requirement of a Special Use Permit for the redevelopment of 220 South Eastern Boulevard into a Self-Service Storage facility.

A Special Use Permit shall be approved only upon a finding that all of the following standards are met:

1. The special use complies with all applicable standards in Section 30-4.C, Use Specific Standards.

The Section 30-4.C.4.j Self-Service Storage (Mini-warehouse) is applicable for the proposed use.

1. *Site Lay-out*

- a. The site is 4.2 acres which exceeds the minimum requirement of three acres.
- b. The minimum separation between buildings on this site is nineteen feet which exceeds the minimum requirement of ten feet.

2. *Operation*

- a. The operation of this project will be for storage only and not to conduct any other type of business on the premises.
- b. The only legal address established at this facility will be for the facility itself.
- c. There will not be an onsite care takers quarters.
- d. All property stored on this site shall be enclosed except for the allowance of open storage as noted in section six below.
- e. This property does not abut a residential zone or use thus not requiring any restrictions on time of use for this facility.

3. *Parking and Circulation*

- a. The aisle ways of this project are all stipulated for two way traffic and meet or exceed the minimum required distance of thirty feet.
- b. Traffic aisle ways will be clearly marked.
- c. Appropriate access and circulation for vehicles and emergency equipment will be provided.
- d. All access ways will consist of a paving material.

4. *Building Appearance*

- a. All garage doors serving individual storage units will be perpendicular to the main streets or screened from view from off site by other buildings.
- b. The maximum height of twenty feet will not be exceeded except by the redevelopment of existing (2) story buildings.
- c. The outdoor lighting shall comply with existing city ordinances in accordance with Section 30-5.E, Exterior Lighting.

- d. The exterior façade of the one story street facing buildings will be brick veneer.
- e. Windows will not exceed 20% on any street facing façade.
- f. A maximum of two colors will be used for the metal panels on this project. The masonry will be an earth tone color. The small canvas awning over the main entry door will be an accent color.
- g. The exterior walls of the two new one story buildings along the street will not have metal as a primary material.

5. *Fencing*

- a. The fence adjacent to the street frontage will be a minimum of seven feet tall and a maximum of eight feet tall above adjacent grade.
- b. The fence adjacent to the street frontage will be made of aluminum.
- c. Chain link fencing will not be used on this project.
- d. The aluminum fence adjacent to street frontage will have masonry pilasters as indicated on the site plan.
- e. The entry gates for the facility will be made of aluminum.

6. *Open Storage*

- a. No outdoor storage will be visible from ground level off-site views.
 - b. The storage occurs only within designated areas. (see site plan for areas)
 - c. The storage area does not exceed twenty-five percent of the buildable site area.
 - d. The outdoor storage areas are located to the rear of the street facing buildings and in the two small areas where there is not a building a wooden shadow box fence will be installed to provide screening.
 - e. The storage areas are located outside of the minimum building setbacks.
 - f. There are no dry stack boat storage buildings on this site.
 - g. Vehicle storage only will be allowed in the storage areas.
2. The special use of Self-Storage is in character with many of the existing surrounding uses in terms of use of the land, size of the buildings, and street facing façade materials and treatments.
 3. The special use does not create a significant adverse impact on the surrounding lands in regards to service delivery as a turn lane is already in existence along the entire property frontage. Adequate parking and loading areas are being provided on site for the facility's customers. There will be no adverse odors, noise, glare or vibrations created by this use.
 4. The two new buildings along the main street and south side property line are being located, designed and built to minimize the visual impacts of this use on adjacent lands.
 5. This proposed use avoids significant deterioration of water and air resources because the redevelopment use consumes significantly less water and generates less car trips on a daily basis than the former use. The wildlife habitat has greatly been increased with the amount of vegetation required to be planted by the redevelopment of this site. Scenic resources and other natural resources will not be impacted by this use. Storm water runoff has also been decreased by the reduction in the amount of impervious surfaces.
 6. This redevelopment use will maintain safe ingress and egress onto the site and safe road conditions around the site. It will also increase safety by eliminating three existing ingress and egress points. A cuing area is provided at the point of ingress for large vehicles to pull into the site out of the existing turn lane.
 7. This redevelopment and use provides for the protection of property values by changing a derelict site with dilapidated buildings to a functioning business with updated building

facades. Values will also be enhanced as this project meets the newest landscaping requirements. This special use does not prohibit neighboring land owners from developing their property with uses permitted in the zoning district.

8. This special use will comply with all other relevant City, State and Federal laws and regulations.

Thank you for your consideration of this Special Use Request.

Regards,

A handwritten signature in black ink, appearing to read "Darryl Barker", written in a cursive style.

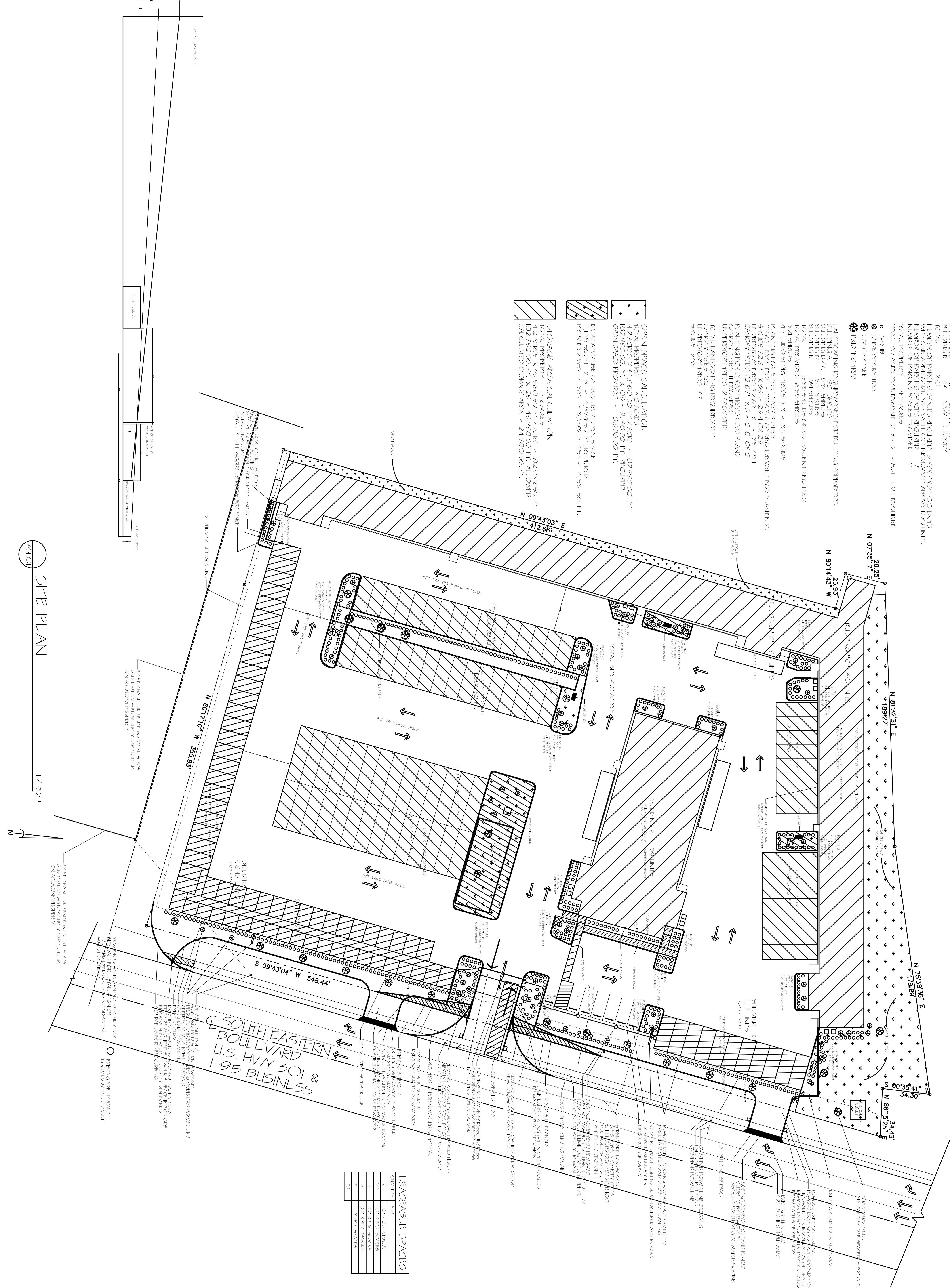
Darryl Barker



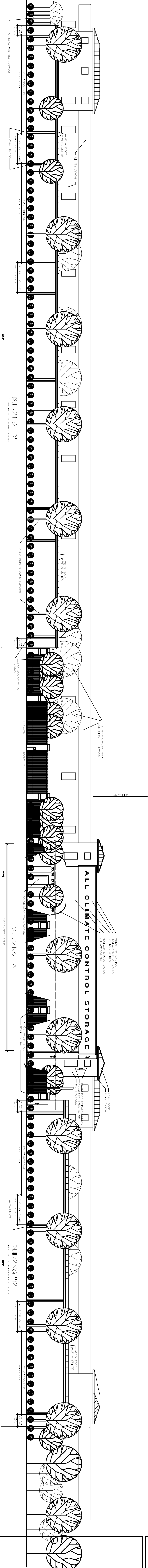
View of Subject Property from S. Eastern Blvd

STORAGE UNITS
BUILDING A 39 EXIST. (2) STORY
BUILDING B/C 96 EXIST. (2) STORY
BUILDING D 11 NEW (1) STORY
BUILDING E 67 NEW (1) STORY
TOTAL 210
NUMBER OF PARKING SPACES REQUIRED: 6 PER FIRST 100 UNITS
WITH ONE ADDITIONAL FOR EACH 100 INCREMENT ABOVE 100 UNITS
NUMBER OF PARKING SPACES REQUIRED 7
TOTAL PROPERTY 4.2 ACRES
TREES PER ACRE REQUIREMENT 2 X 4.2 = 8.4 (9) REQUIRED
9 SHRUB
10 UNDERSTORY TREE
11 CANOPY TREE
12 EXISTING TREE
LANDSCAPING REQUIREMENTS FOR BUILDING PERIMETERS
BUILDING A 92 SHRUBS
BUILDING B/C 54 SHRUBS
BUILDING D 54 SHRUBS
BUILDING E 194 SHRUBS
TOTAL 653 SHRUBS OR EQUIVALENT REQUIRED
521 SHRUBS
44 UNDERSTORY TREES X 3 = 132 SHRUBS
PLANTING FOR STREET YARD BUFFER
12.67' REQUIRED X 52.67' = 667.2' OR REQUIREMENT FOR PLANTINGS
UNDERSTORY TREES 72.67' X 1 = 73 OR 1
CANOPY TREES 72.67' X 3 = 218 OR 2
PLANTING FOR STREET TREES (SEE PLAN)
UNDERSTORY TREES 2 PROVIDED
TOTAL LANDSCAPING REQUIREMENT
CANOPY TREES 22
UNDERSTORY TREES 47
SHRUBS 546

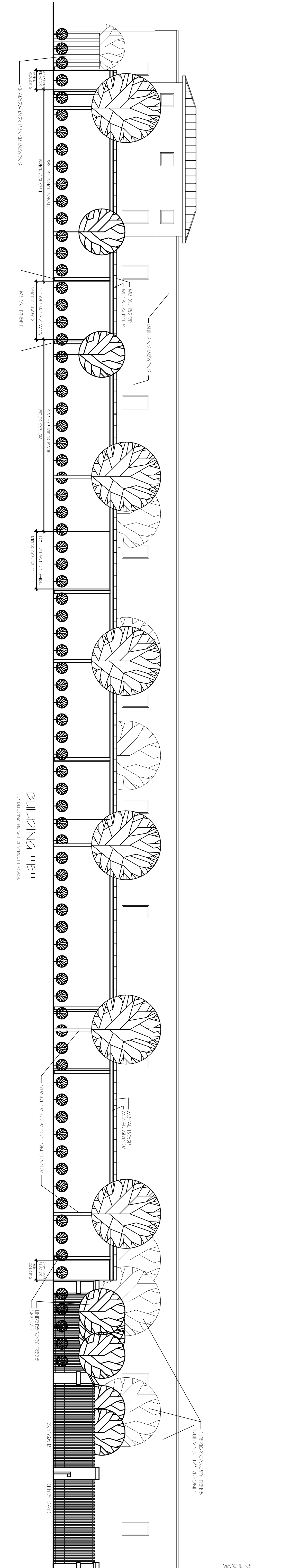
OPEN SPACE CALCULATION
TOTAL PROPERTY 4.2 ACRES
142 ACRES X 43,560 SQ. FT./ACRE = 182,992 SQ. FT.
182,992 SQ. FT. X .05 = 9,149.6 SQ. FT. REQUIRED
OPEN SPACE PROVIDED = 18,590 SQ. FT.
DEDICATED USE OF REQUIRED OPEN SPACE
9,148 SQ. FT. X .5 = 4,574 SQ. FT. REQUIRED
PROVIDED 5,917 + 5,593 + 484 = 11,054 SQ. FT.
STORAGE AREA CALCULATION
TOTAL PROPERTY 4.2 ACRES
142 ACRES X 43,560 SQ. FT./ACRE = 182,992 SQ. FT.
182,992 SQ. FT. X .25 = 45,748 SQ. FT. ALLOWED
CALCULATED STORAGE AREA = 24,780 SQ. FT.



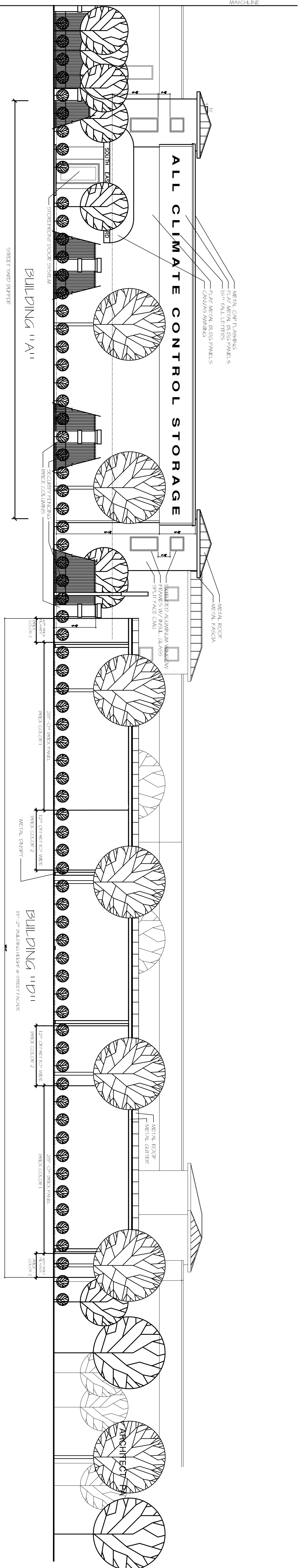
LEASEABLE SPACES	
QUANTITY	SIZE
16	10' X 20' SPACES
24	10' X 30' SPACES
14	10' X 50' SPACES
14	10' X 40' SPACES
7	10' X 20' SPACES
7	10' X 40' SPACES



1 STREET ELEVATION 1/16"



2 STREET ELEVATION ENLARGED



3 STREET ELEVATION ENLARGED

RENOVATION TO FAYETTEVILLE HOTEL
ALL CLIMATE CONTROL STORAGE
220 SOUTH EASTERN BLVD
FAYETTEVILLE, NORTH CAROLINA

INITIAL DATE: 12/16/17

COMPLETED DATE: 2/14/18

DRAWN BY: TJS

CHECKED BY: TJS

This drawing is the property of Darryl Barker Architect PA and is not to be reproduced or copied in whole or part without the written consent of Darryl Barker Architect PA. It is not to be used on any other project and is to be returned upon request.

DARRYL BARKER

REVISIONS:

△

DRAWING: STREET ELEVATION

SHEET NO: A-2.01

OF: ...

Summary of Storage Units and Outdoor Storage Space

Building	Building Type	# Storage Units	Size of Outdoor Storage Space	# of Space
A	Existing 2-story	39	10' x 25'	16
B	Existing 2-story	56	10' x 30'	24
C	Existing 2-story	40	10' x 35'	40
D	New 1-story	11	11' x 40'	7
E	New 1-story	63		
Total:		209		75

City of Fayetteville

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

City Council Action Memo

File Number: 18-638

Agenda Date: 2/25/2019

Version: 2

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Public Hearing

Agenda Number: 7.02

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: Gerald A. Newton, AICP, Development Services Director
Michael L. Martin, Assistant Development Services Director
Bart Swanson, Housing and Code Enforcement Division Manager

DATE: February 25, 2019

RE:

Amortization of Existing Nonconforming Extended Stay Hotels and Motels

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal III: Quality Built Environment

Objective C: To revitalize neighborhoods with effective zoning, code enforcement, and violations abatement.

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

Objective E: To provide high quality affordable housing that revitalizes neighborhoods.

Executive Summary:

The proposed ordinance consists of a text amendment to Section 30-4.C.4.1, adding a new subsection (c) that requires any existing nonconforming extended stay hotel or motel use to be conforming by March 2024. The intent of this proposed ordinance amendment is to facilitate a safe environment for occupants with limited affordable housing options.

Background:

On June 27, 2016, the City Council adopted Ordinance No. S2016-007 defining the requirements for the extended occupancy of a resident(s) for more than thirty (30) days in transient residential facilities such as hotels and motels. The requirements for the newly

defined extended stay occupancies include the minimum presence of a built-in two burner stove and a refrigerator measuring a minimum of five (5) cubic feet. Hotels and motels not in compliance with these requirements at the time the ordinance was adopted were subsequently classified as existing nonconforming uses.

The proposed ordinance amendment was presented to City Council during the November 5, 2018 Work Session. Council consensus supported moving forward with the presented ordinance amendment.

The proposed ordinance amendment was presented to the Planning Commission during the December 18, 2018 meeting. A public hearing was held pursuant to §30-2.C.2.d.3, and the Planning Commission unanimously approved the proposed ordinance amendment in accordance with §30-2.C.2.e.

Issues/Analysis:

Extended stay hotels and motels are often found to meet the immediate needs of a population otherwise presented with limited affordable housing options. Since the adoption of Ordinance No. 2016-007, staff has identified approximately eight (8) hotels and motels operating as an ordinance-defined extended stay occupancy not currently in compliance with the minimum code requirements. Staff has also identified multiple locations in which occupants have resided within extended stay occupancies for several decades.

Due to the long-term occupancy of the residents, extended stay hotels and motels are not required to participate in the Health Department's Food and Lodging Program through an exemption by N.C. Gen. Statute §130A Article 8 Part 6 - Regulation of Food and Lodging Facilities.

The proposed ordinance would institute a five (5) year amortization period and require all existing nonconforming uses to comply by March 2024.

Public Hearing:

The City Council shall hold a standard public hearing on the application in accordance with Fayetteville City Code §30-2.B.12 (Public Notification) and §30-2.B.13 (Standard Public Hearing Procedures). After the close of the hearing, the City Council shall consider the application, relevant support materials, the staff report, the Planning Commission's recommendation, and any comments given by the public. The City Council, by a majority vote of a quorum present, shall take one of the actions identified in the Options section below, based on the standards in Section §30-2.C.2.e (Text Amendment Standards):

Budget Impact:

None

Options:

Adopt the proposed ordinance amendment consisting of a text amendment to Section 30-4.C.4.1, adding a new subsection (c) that requires any existing nonconforming extended stay hotel or motel use to be conforming by March 2024.

Deny the proposed ordinance amendment consisting of a text amendment to Section 30-4.C.4.1, adding a new subsection (c) that requires any existing nonconforming extended stay hotel or motel use to be conforming by March 2024.

Revise and adopt the proposed ordinance amendment consisting of a text amendment to Section 30-4.C.4.1, adding a new subsection (c) that requires any existing nonconforming extended stay hotel or motel use to be conforming by March 2024.

Remand of the proposed ordinance amendment back to the Planning Commission for further consideration.

Recommended Action:

Staff recommends City Council move to adopt the proposed ordinance amendment consisting of a text amendment to Section 30-4.C.4.1, adding a new subsection (c) that requires any existing nonconforming extended stay hotel or motel use to be conforming by March 2024.

Staff recommends approval based upon the congruency of the proposed amendment with the following standards for text amendments as required by the Fayetteville City Code §30-2.C.2(e):

1. The proposed amendment is consistent with all applicable City-adopted plans.
2. The proposed amendment is not in conflict with any provision of this Ordinance, or any related City regulations.
3. The increased concern for the public health, safety, and general welfare of the citizens as referenced in Fayetteville City Code §30-1.C is considered the impetus for the proposed ordinance amendment.
4. The proposed amendment addresses a community need identified by the role of extended stay motels and hotel in meeting the immediate need for housing for vulnerable populations.
5. The proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance.
6. The proposed amendment would not negatively impact development patterns.
7. The proposed amendment would not result in significantly adverse impacts on the natural environment.

Attachments:

Ordinance S2016-007
Proposed Ordinance

NOTE: Proposed Ordinance – Not for Approval

Ordinance No. S2019-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE REQUIRING NONCONFORMING EXTENDED STAY HOTELS AND MOTELS FIVE YEARS TO BECOME CONFORMING UNDER SECTION 30.4.C, USE-SPECIFIC STANDARDS, OF CHAPTER 30, UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Subsection 2, hotels and motels, of Section 30-4.C.4.I, visitor accommodations, is amended by adding a new subsection c as follows:

- c. *Hotel or Motel Extended Stay*
Any nonconforming extended stay hotel or motel shall be conforming by March 2024.

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

Adopted this the _____ day of _____, 2019.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

AN ORDINANCE TO AMEND CITY CODE ARTICLE 30-4.A USES, 30-9 DEFINITIONS AND RELATED SECTIONS TO DEFINE, CLASSIFY AND OTHERWISE PROVIDE STANDARDS FOR LONGER TERM STAYS IN HOTELS OR MOTELS

WHEREAS, the City of Fayetteville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on December 13, 2010, and is codified in Chapter 30 of the Fayetteville City Code (herein "Unified Development Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on July 25, 2011, and are on file and maintained in the offices of the Fayetteville Development Services Department (herein "Official Zoning Maps"); and

WHEREAS, the Fayetteville City Council held a public hearing on June 27, 2016, to consider amending certain provisions of the Unified Development Ordinance in Chapter 30-4 regarding definition and use classification and related sections as needed for extended stay hotel or motel; and

WHEREAS, following the public hearing, the Fayetteville City Council determined that the proposed amendment is in the interest of the public health, safety and welfare; it is supported by adopted plans; and it is consistent with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE THAT:

Section 1. Modify Article 30-9 to define a new use, Hotels or Motels, Extended Stay, as follows:

Hotel or Motel, extended stay

A quasi-residential use not subject to residential density requirements and treated as a hotel or motel for zoning district use assignment, but having a full-size refrigerator (5 cubic feet or larger) and at least a two-burner built-in stove supporting extended stays of more than thirty days.

Section 2. Modify Section 30-4.A Uses to add "Hotel or motel, extended stay" as a permitted use ("P") in the OI, LC, CC, MU, DT and BP zoning districts.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not

affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


Section 5. The City Clerk and/or City Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the material terms of this Development Ordinance.

Section 6. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and become effectively immediately.

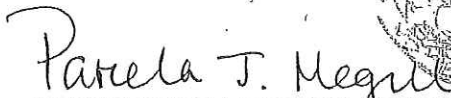
Adopted this the 27th day of June, 2016.

City of Fayetteville, NC




Nat Robertson, 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: 18-620

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Other Items of
Business

Agenda Number: 8.01

TO: Mayor and Members of City Council

THRU: Kristoff T. Bauer, Deputy City Manager

FROM: Lee Jernigan, PE, City Traffic Engineer
Sheila Thomas-Ambat, PE, CCM, CFM, Interim Director of Public
Services

DATE: February 25, 2019

RE:

NCDOT update on the Raeford Road project from east of Robeson Street to Old
Raeford Road

COUNCIL DISTRICT(S):

2, 5, 6, 7, 9

Relationship To Strategic Plan:

Goal IV: Desirable place to Live, Work and Recreate

Executive Summary:

NCDOT will be providing Council an update on the status of the Raeford Road project from east of Robeson Street westward to Old Raeford Road. The project is scoped to install median islands to restrict left turning movements and increase the safety and operation of the roadway. The project was scheduled to be advertised for bids in August 2018, but was delayed to September 2018. The advertisement that occurred in September 2018 did not result in any contractors providing bids. Based on this, NCDOT explored strategies to revise the project and to re-advertise for bids. NCDOT has determined to split the project into 3 segments. The first segment will be between Old Raeford Road to just east of Bunce Road and is scheduled to let for bid in April 2019. The remaining segments will be from Bunce Road to Glensford Drive and from Glensford Drive to just east of Robeson Street. The let dates for the last two phases have not been determined.

Background:

NCDOT has a funded Transportation Improvement Project, U-4405, to complete improvements along Raeford Road from east of Robeson Street westward to Old Raeford Road. The project scope proposes the installation of median islands to restrict left turning movements. Other improvements, including upgraded traffic signals, installation of pedestrian signals, resurfacing and drainage will be included in the project scope. Council approved a municipal agreement at their February 26, 2018 regular meeting to provide funding in the project for sidewalks, bus stop pads and drainage upgrades. The City will be responsible for 50% of the cost of any new sidewalk construction and 100% of the cost of the bus stop pads and drainage improvements. The estimated cost for these improvements is \$509,760.

Issues/Analysis:

This is an informational presentation by NCDOT.

Budget Impact:

The City Council approved a resolution at their February 26, 2018 regular meeting to enter into a municipal agreement with NCDOT on this project for the installation of sidewalk, bus stop pads and improved drainage infrastructure. The total cost of the improvements is estimated to be \$509,760, with \$391,230 from the general fund and \$118,530 from the stormwater fund. These funds were appropriated in the FY 19 budget. Based on NCDOT decision to segment the projects, staff will coordinate with them to determine if any supplemental agreements will be necessary.

Options:

Recommended Action:

This item is for discussion only. No action required.

Attachments:

City of Fayetteville

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

City Council Action Memo

File Number: 18-639

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Administrative
Reports

Agenda Number: 9.01

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: Lee Jernigan, PE, City Traffic Engineer
Sheila Thomas-Ambat, PE, CCM, CFM, Interim Director of Public
Services

DATE: February 25, 2019

RE:

Proposed project to install bicycle lanes on Langdon Street between Murchison
Road and Trinity Drive

COUNCIL DISTRICT(S):

2, 3, 4

Relationship To Strategic Plan:

Goal IV: Desirable Place to Live, Work and Recreate

Objective C: To improve mobility and connectivity by investing in traffic flow strategies,
sidewalks, trails and bike lanes

Executive Summary:

The Fayetteville Area Metropolitan Planning Organization (FAMPO) is developing the Sandhills Regional Bicycle Plan. The plan has developed draft recommendations for improvements to the regional bicycle network in the City and surrounding counties. One recommendation of the plan is to revise pavement markings along a portion of Langdon Street to reduce vehicular travel lanes and create exclusive bicycle travel lanes between Murchison Road and Trinity Drive. Because Langdon Street is scheduled for resurfacing in 2019, staff is recommending the pavement marking revisions for the addition of bicycle lanes be included as a part of the resurfacing project. Staff is providing this recommendation to Council for their information. No Council action is required.

Background:

Staff is a stakeholder in the ongoing Fayetteville Area Metropolitan Planning Organization (FAMPO) Sandhills Regional Bicycle Plan. This plan was initiated by FAMPO after receiving a grant from the NCDOT to develop a regional comprehensive bicycle transportation plan. The overall goal of the plan is to provide a framework for NCDOT and local governments to enhance bicycling as a mode of transportation for resident and visitors alike, improving access, connectivity, and safety. Additional goals of the plan include promoting healthy active lifestyles, diversifying the regional economy, developing tourism resources, and promoting the region as a destination. The plan will identify key routes, connections, opportunities, and obstacles, and it will prioritize areas for future implementation. The plan covers a geographical area that includes Cumberland, Harnett, Hoke, Scotland and Robeson Counties as well as, parts of Bladen and Sampson Counties.

The plan has developed draft recommendations including the proposal to revise pavement markings along a portion of Langdon Street to reduce vehicular travel lanes and create exclusive bicycle travel lanes between Murchison Road and Trinity Drive. The City currently lists Langdon Street on the resurfacing schedule for calendar year 2019 and is recommending these pavement marking changes be incorporated into the resurfacing project.

The FAMPO Sandhills Regional Bicycle Plan is scheduled to be complete in the spring of 2019. This plan will be used as a reference for City staff during the development of the City's Comprehensive Bicycle Plan that began in January 2019. The City's plan, which will expand on the Sandhills Regional Plan, is scheduled to be complete by the end of 2019.

Issues/Analysis:

Langdon Street is a city maintained street with varying cross sections between Murchison Road and Ramsey Street. These different sections include multiple and/or wide vehicular travel lanes that can be reduced to provide an exclusive area for bicycle lanes by revising the pavement markings. Because Langdon Street is scheduled for resurfacing during the 2019 calendar year, staff is recommending these pavement marking changes be completed as a part of the resurfacing project. A concept of these recommended changes is attached.

Budget Impact:

The budget for these revisions will be included in the resurfacing project for Langdon Street.

Options:

- Accept the report
- Reject the report and provide direction to staff

Recommended Action:

No action required.

Attachments:

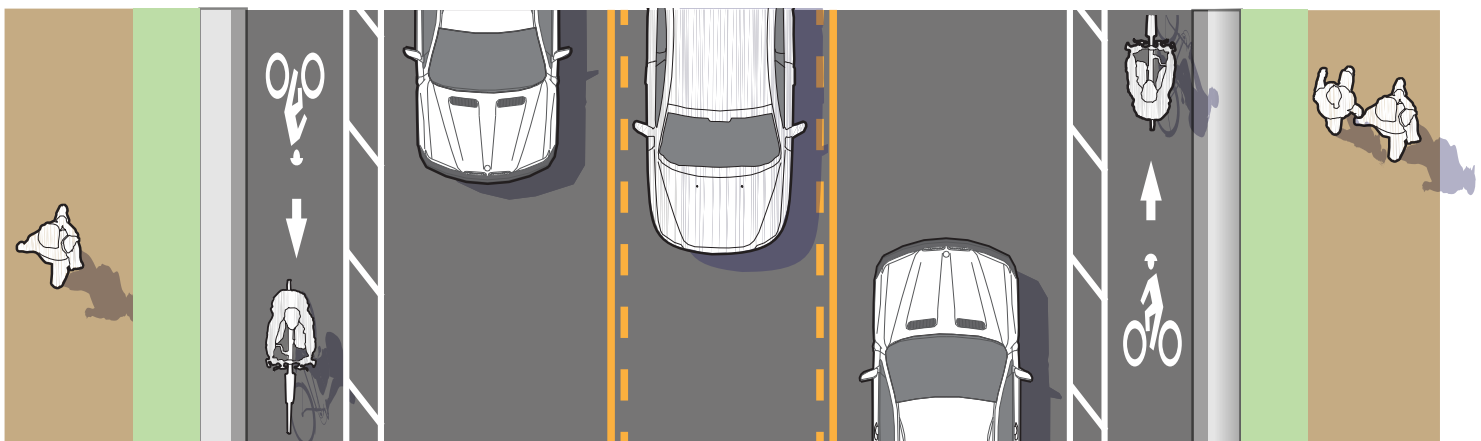
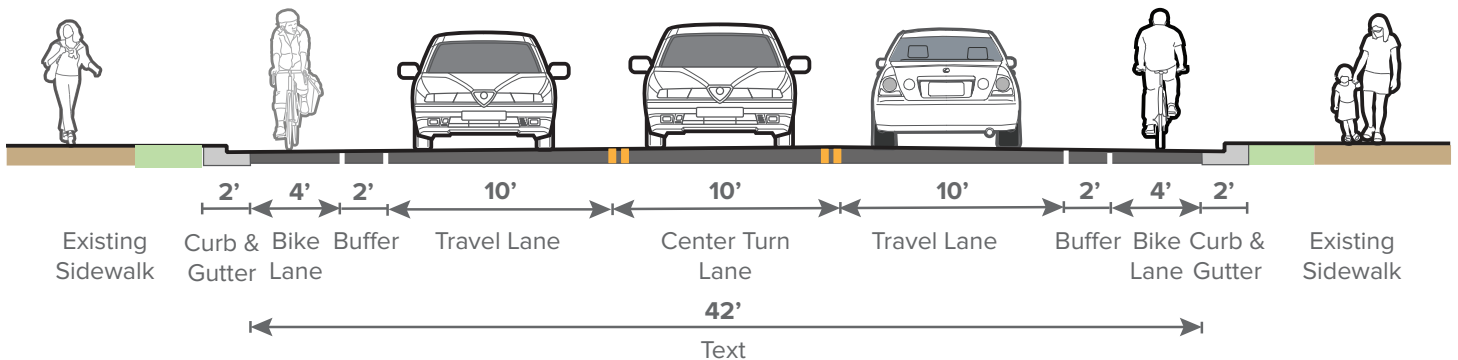
Langdon Street bike lane map, FAMPO Sandhills Regional Bike Plan Langdon Street informational sheet

PROPOSED PROJECT: LANGDON STREET BIKE LANES

October 2018

Connections:

- Fayetteville State University/Physical Education and Recreation Complex/Felton J. Capel Arena
- Seabrook Park/Chalmers Pool/Smith Recreation Center
- Seabrook Neighborhood Research Center
- Seabrook Rd Bike Lanes
- Ramsey Street High School/Ramsey St Alternative School
- Residential areas
- Future connects to Little Cross Creek Trail and Mazarick Park

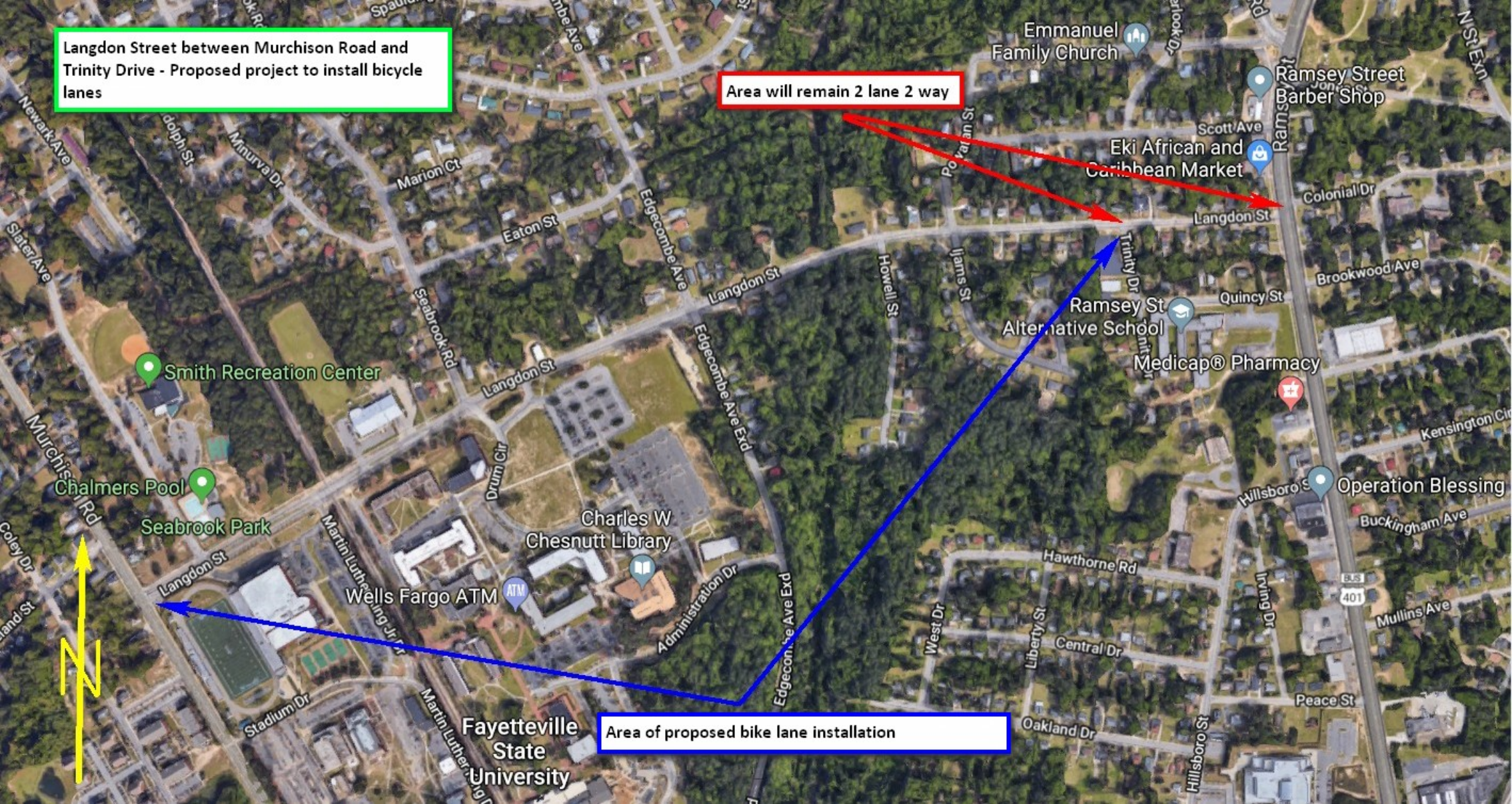


The Fayetteville Area Metropolitan Planning Organization (FAMPO) is developing a regional comprehensive bicycle transportation plan. The overall goal is to provide a framework for NCDOT and local governments to enhance bicycling as a mode of transportation for residents and visitors alike, improving access, connectivity, and safety. As of October 2018, the early stages of the Draft Plan are being developed, and the Langdon St Bike Lanes project is proposed as part of this plan. www.SandhillsBikePlan.com

Langdon Street between Murchison Road and Trinity Drive - Proposed project to install bicycle lanes

Area will remain 2 lane 2 way

Area of proposed bike lane installation



City of Fayetteville

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

City Council Action Memo

File Number: 18-644

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Administrative
Reports

Agenda Number: 9.02

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: Giselle Rodriguez, PE, CFM, City Engineer
Sheila Thomas-Ambat, PE, CFM, CCM, Interim Public Services Director

DATE: February 25, 2019

RE:

Stormwater Administrative Report

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal II: Diverse and Viable Economy
Goal III: High Quality Built Environment
Goal V: Sustainable Organizational Capacity

Executive Summary:

In October 30, 2018 City Council conducted a Special Meeting to discuss Stormwater related items. During the meeting it was requested that staff provide additional data as related to completed capital projects, performance guarantees for stormwater control measures and changes to the regulatory review process.

Background:

In an effort to expand understanding of the stormwater topics discussed on October 30th City Council requested that additional information be provided. The requested information is provided in the form of attachments and includes:

1. Memo and spreadsheet to describe the performance guarantee process and bonds that could be released if the developer complete the projects as designed.
2. Peer City Comparison for Performance Guarantee requirement.
3. A list of the stormwater projects completed since 2009.

4. Notice of process clarification (NOPC) that describes the changes in the regulatory review process as identified in the implementation plan.

Issues/Analysis:

None

Budget Impact:

None at this time

Options:

- Accept the report.
- Request additional information before accepting the report.

Recommended Action:

Accept the report.

Attachments:

Completed CIP Projects
Performance Security Memorandum
Peer City Comparison - Performance security Memo
NOPC - Plan Review Implementation

Completed Stormwater CIP Projects

Year	Project	Identification Source	Status	Cost	Description
2009	Camden Rd Drainage Improvements	Internal Drainage Investigation	Complete	\$195,078	Installation of pipe, catch basins, drop inlets, and outfall on Camden Rd near Woodsdale St
2009	Eutaw Shopping Center Repair	Internal Drainage Investigation	Complete	\$74,175	Pipe and inlet improvements off Stamper Rd at Eutaw Shopping Center
2009	Greenock Ave Drainage	Internal Drainage Investigation	Complete	\$257,127	Removal of 36" pipe downstream of Greenock Ave culvert and installation of 54" RCP from Greenock Ave to Arran Lake
2009	Hillside Avenue Repair	Internal Drainage Investigation	Complete	\$237,142	Removal of 12" and 15" terra cotta pipe and installation of new 15" and 18" RCP, catch basin, and manhole
2009	Kerrow Road Hoke Loop Drainage	Internal Drainage Investigation	Complete	\$5,114	Installation of 15" RCP on Kerrow Rd near Hoke Loop Rd
2010	Skye Drive	Internal Drainage Investigation	Complete	\$281,507	Installation of underground stormwater detention under student parking areas on the FTCC campus
2010	Swainey Ave Drainage	Internal Drainage Investigation	Complete	\$171,808	Construction of roadside swales along Swainey Ave, Helen St, Spivey St, and Stansfield Dr; intallation of new pipe and outfall near Johnson St; construction of dry pond off Johnson St
2010	Conestoga Dr Drainage	Internal Drainage Investigation	Complete	\$34,482	Drainage improvements near the intersection of Conestoga Dr and Richardson Ave
2010	Little Drive Drainage	Internal Drainage Investigation	Complete	\$107,648	Installation of drainage infrastructure (pipe and swale) along Little Drive north of Raeford Road
2010	Media Drive Stormwater	Internal Drainage Investigation	Complete	\$183,583	Improvements to drainage system at Media Drive between Radnor St and 71st School Rd
2010	Murchison Rd & Cumberland St Drainage	Internal Drainage Investigation	Complete	\$77,977	Improvements to the pipe system near the intersection of Murchison Rd and Cumberland St and the outfall at Cross Creek
2010	Redwood and Boros Drainage	Internal Drainage Investigation	Complete	\$239,366	Pipe system improvements near Redwood Dr and Bayleaf Dr in Lafayette Village neighborhood and off Boros Road
2010	Remington Rd Drainage	Internal Drainage Investigation	Complete	\$49,783	Replacement of 24" RCP near Remington Road
2010	Stonebrook Outfall Improvements	Internal Drainage Investigation	Complete	\$72,227	Improvements to Branson Creek outfall near Stonebrook Place
2010	Chicago Dr Pipe Replacement	Internal Drainage Investigation	Complete	\$2,967	Joint project between City, Cumberland County Schools, and a private property owner to upgrade storm drainage system at property on Chicago Drive.
2010	East Park Dr Gabions & Renovation	Internal Drainage Investigation	Complete	\$3,301	Stream bank stabilization and installation of Gabions near East Park Drive
2011	Rogers Drive	Internal Drainage Investigation	Complete	\$28,905	Stream bank stabilization near Rogers Drive in Forest Hills neighborhood
2011	Lyon Road	Internal Drainage Investigation	Complete	\$122,141	Installation of culvert underneath Lyon Rd. and pipe between Lyon Rd and McKimmon Rd in Forest Hills neighborhood
2011	Summerhill Drainage	PWC Annexation Drainage Study	Complete	\$1,053,818	Installation/improvement of drainage system in annexed area
2011	Norwood St Drainage	Internal Drainage Investigation	Complete	\$33,711	Pipe replacement and outfall improvements at Norwood St and Pine Hill Rd
2011	Ancon Drive Drainage	Internal Drainage Investigation	Complete	\$33,711	Pipe installation near Ancon Drive
2012	Lockwood Road Drainage	Internal Drainage Investigation	Complete	\$62,345	Installation of drop inlets behind private property and upsizing of pipe off Lockwood Rd adjacent to Branson Creek Hybart's Branch
2012	Ravenhill Drive Drainage	Internal Drainage Investigation	Complete	\$154,159	Drainage improvements at Ravenhill Drive near Tallywood Lake.

Completed Stormwater CIP Projects

Year	Project	Identification Source	Status	Cost	Description
2012	Anson Pond (Chesapeake)	Internal Drainage Investigation	Complete	\$322,791	Replacement of the culvert under Chesapeake Rd at Anson Pond and installation of gabions at the outfall
2012	Seabrook Drainage	Internal Drainage Investigation	Complete	\$375,010	Installation/improvement of drainage system to address flooding of street, yards, and private properties near the intersection of Seabrook & Broadwell. Project was split into two phases.
2012	Spruce Dr (Lafayette Village)	Lafayette Village Neighborhood Study	Complete	\$2,359,199	Replacement of undersized pipes and outfall, extension of pipes to areas with no drainage infrastructure, and improvements to roadside swales within the Spruce Dr sub-basin.
2012	Cottonade Drainage	Internal Drainage Investigation	Complete	\$495,482	Installation of a new primary storm drainage system in the Cottonade subdivision, near Yadkin Rd and Fort Bragg. The existing system became the parallel secondary system.
2012	Annexation 8	PWC Annexation Drainage Study	Complete	\$218,226	Installation/improvement of drainage system in annexed area
2012	Annexation 10 East	PWC Annexation Drainage Study	Complete	\$99,559	Installation/improvement of drainage system in annexed area
2012	Annexation 10 West	PWC Annexation Drainage Study	Complete	\$106,181	Installation/improvement of drainage system in annexed area
2012	Rutherglen/Rhemish - Annexation 11	PWC Annexation Drainage Study	Complete	\$41,442	Installation/improvement of drainage system in annexed area
2012	Arran Hills/Park - Annexation 11 South	PWC Annexation Drainage Study	Complete	\$107,704	Installation/improvement of drainage system in annexed area
2012	Annexation 12	PWC Annexation Drainage Study	Complete	\$31,670	Installation/improvement of drainage system in annexed area
2012	Annexation 13	PWC Annexation Drainage Study	Complete	\$76,368	Installation/improvement of drainage system in annexed area
2012	Raeford Faison System	Buckhead Creek Watershed Study	Complete	\$218,921	Installation of pipe, inlets, and junction boxes to reroute drainage along Faison Avenue to an existing system flowing to Ireland Drive. Project alleviates flooding on Faison due to backwater from Raeford Rd pipe system.
2012	Montclair System	Buckhead Creek Watershed Study	Complete	\$257,981	Installation of upsized pipe, additional inlets, junction box, and headwall to alleviate flooding along Wellington Dr, Montclair Rd, and Stoneykirk Dr.
2012	Godfrey Outfall	PWC Annexation Drainage Study	Complete	\$1,687,583	Installation of culvert underneath Reilly Rd and improvements to pipe system in adjacent neighborhood
2012	James Creek @ Trayburn Drainage	Internal Drainage Investigation	Complete	\$49,755	Performed drainage system improvements in response to neighborhood flooding complaints
2012	Annexation Area 15	PWC Annexation Drainage Study	Complete	\$26,487	Installation/improvement of drainage system in annexed area
2013	Spruce St PhI (Forest Hills Culvert)	Forest Hills Neighborhood Study	Complete	\$630,434	Replacement of culvert at Forest Hills Dr
2013	McNeill Circle Drainage	Internal Drainage Investigation	Complete	\$1,917,162	Phase 1 included installation of stormwater pipe beneath bragg blvd and extending along Barrington Cr, Ft Bragg Rd, and eastern McNeill Circle. Phase 2 included installation of pipe along western McNeill Circle to Marshall Rd.
2013	North Edgewater Dr	Internal Drainage Investigation	Complete	\$52,621	Relocation of curb due to bank instability, installation of pipe and catch basins
2013	Murray Hill Rd Culvert & Branson Creek Restoration	Branson Creek Watershed Study	Complete	\$600,398	Replacement of undersized culvert at Murray Hill and Branson Creek and restoration of the Creek downstream
2014	Westmont Dr	Internal Drainage Investigation	Complete	\$4,920	Replacement of dilapidated terra cotta storm pipe with corrugated HDPE pipe at Westmont Dr and Rockledge Ave
2014	Annexation Area 14	PWC Annexation Drainage Study	Complete	\$44,455	Installation/improvement of drainage in annexed area

Completed Stormwater CIP Projects

Year	Project	Identification Source	Status	Cost	Description
2016	Yadkin Road Phase I	Internal Drainage Investigation	Complete	\$1,015,051	Replacement of culvert at Glen Canyon Drive
2016	Buckhead Kingsford	Buckhead Creek Watershed Study	Complete	\$1,801,608	Installation of upsized pipe, additional pipe, additional customized inlets and junction boxes, and headwall to alleviate flooding along Murray Hill Road, Levenhall Drive, and Ferncreek Drive in the Buckhead and Kingsford neighborhoods.
2017	Person St Stormwater	Streetscape	Complete	\$581,814	Pervious pavement, bio-infiltration bump outs, filterra units, and silva cells were incorporated into a "green street" streetscape, providing stormwater control within the right-of-way
2017	Bonnie Doone Area 1	Bonnie Doone Neighborhood Study	Complete	\$625,407	Pipe system improvements along Fieldcrest Drive with system collection points at the dead end of Squirrel Street and Allwood Drive. The outfall was relocated to the Fieldcrest Drive dead-end to avoid pipe system replacement along Wheeling Street.
2017	Emergency Repair at McGilvary	Emergency - Referred by Maintenance	Complete	\$278,984	Replacement of failing stormwater pipes along McGilvary St. from Mclver St. to Bradford Ave. PWC relocated 12" water main.
2017	Bonnie Doone Area 12	Bonnie Doone Neighborhood Study	Complete	\$142,350	Roadway gutter improvements and installation of infiltration basins along the east side of Stansfield Drive and in areas along Johnson Street.
2017	Dandridge Dr	Internal Drainage Investigation	Complete	\$32,000	Installation of 15" drainage pipe and additional catch basins along Dandridge Dr
2017	Delliert Dr	Internal Drainage Investigation	Complete	\$43,029	Installation of 24" storm pipe and catch basin between two properties on Delliert Ct.
2017	Ashbrook Dr	Internal Drainage Investigation	Complete	\$40,000	Re-grading of 140 LF of channel and bank stabilization
2017	Devane St	Internal Drainage Investigation	Complete	\$44,620	Installation of additional catch basins to the existing system and replacement of weathered/damaged curbing.
2017	Chester Circle	Internal Drainage Investigation	Complete	\$32,120	Installation of additional catch basins to the existing system and replacement of weathered/damaged curbing.
2018	Coventry Rd Culvert & Floodplain Bench	Buckhead Creek Watershed Study	Complete	\$1,348,847	Installation of two additional box culverts at Coventry Road and Buckhead Creek. Creation of floodplain bench and installation of floodwalls downstream of Coventry Rd.
2018	Ferncreek Norwood System	Buckhead Creek Watershed Study	Complete	\$112,350	Improvements to the pipe system at Ferncreek Drive to alleviate flooding along Ferncreek Drive and Norwick Drive, as well as improve the outfall from Ferncreek Drive to Buckhead Creek in this area
2018	Market House Square Drainage	PWC Project	Complete	\$322,000	Replacement of existing drainage infrastructure around the Market House in downtown Fayetteville.
2018	Landau 1	Internal Drainage Investigation	Complete	\$38,000	Installation of additional catch basins to increase catchment along the sag of the road at 1033 Landau Rd
2018	Landau 2	Internal Drainage Investigation	Complete	\$100,000	Upsize of existing storm system and channel grading at the intersection of Landau Rd and Rose Hill Road
2018	Rock Canyon Dr	Internal Drainage Investigation	Complete	\$49,300	Installation of additional catch basins to the existing system and replacement of weathered/damaged curbing.
Total Number of Completed Projects				62	
Total Cost of Completed Projects				\$19,813,903	



INTEROFFICE MEMORANDUM

TO: GISELLE RODRIGUEZ, PE, CFM, CITY ENGINEER
FROM: BYRON REEVES, PE, ENGINEERING SPECIALIST II
SUBJECT: PERFORMANCE GUARANTEE FOR INSTALLATION
DATE: NOVEMBER 15, 2018

The City of Fayetteville, in accordance with Chapter 23 Article III Sec. 23-41 of the Stormwater Management Ordinance, requires a performance guarantee for the installation of Stormwater Control Measures (SCMs) on all privately developed projects. These projects can be broken into two categories – Commercial Developments and Single-family Residential Subdivisions.

For commercial developments, the performance security for installation is required prior to the issuance of the infrastructure permit. The amount of the performance security is 75% of the total construction cost of the SCM. Prior to the issuance of a Certificate of Occupancy (CO), the SCM is converted, if necessary, and inspected by City staff. If the SCM passes inspection, the warranty period begins and the performance guarantee must remain in place for a minimum of one year. When this one year warranty period is complete, the applicant may petition the city to release the value of the performance guarantee. Upon receipt of such petition, the city engineer shall inspect the stormwater management facility to determine whether the controls are performing as designed and intend and if so, the performance security is refunded.

For residential subdivisions, the performance security for installation is required prior to the approval of the final plat. The amount of the performance security is 100% of the total estimated construction cost of converting from an erosion control measure (NCDEQ permit) to a final SCM. Once the SCM is converted it is inspected by City staff. If the SCM passes inspection, the warranty period begins and the performance guarantee must remain in place for a minimum of one year. When this one year warranty period is complete, the applicant may petition the city to release the value of the performance guarantee. Upon receipt of such petition, the city engineer shall inspect the stormwater management facility to determine whether the controls are performing as designed and intend and if so, the performance security is refunded and the City takes on functional maintenance responsibilities in perpetuity.

The City of Fayetteville is currently managing a total of 184 Stormwater performance securities totaling \$14,470,650.76. These securities are comprised of cash bonds, surety bonds, and letters of credit. Of the 184 securities, 42 of the securities are assigned to projects that are currently under construction, 19 of the securities are currently in the one year warranty period, and 123 of the securities are awaiting developer action.

A more detailed breakdown can be seen in the table below.

Table 1. Securities Held in Various Statuses

Type of Development	Under Construction	Warranty Period	Developer Action Needed*
Commercial	28 - \$1,903,326.44	16 - \$2,232,076.51	97 - \$7,036,553.37
Residential Subdivision	14 - \$1,270,064.69	3 - \$75,243.55	26 - \$1,953,386.20

*Developer Action Needed can be broken down into two categories. 1) The project is inactive and/or never constructed 2) Conversion of the SCM and/or punch list items following the warranty period must be satisfied.

For bonds that are currently in the warranty period, a refund may be granted upon completion of the warranty period accompanied by a petition from the applicant and satisfaction of the performance guarantee release checklist. For bonds that have met the one year warranty period a refund may be granted upon a petition from the applicant and satisfaction of the performance guarantee release checklist. The remaining bonds will require the conversion of the SCM from an erosion control measure to begin the warranty period.

Attachments: Performance Guarantee Release Checklist
 Instructions to Complete Performance Guarantee Checklist
 Performance Security Spreadsheet

Performance Securities

	#	Project Name	Purpose	Engineer	Bond Type	Principal	Insurance Company/Bank	Bond Amount	Bond Date of Issue or Replacement	CO or Conversion Date	Type of Development	Project Status
1	385	1304 RAMSEY STREET DOLLAR GENERAL	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	Rhetson Companies, Inc.	MERCHANTS BONDING COMPANY (MUTUAL)	\$27,640.88	7/10/2018	N/A	Commercial	Current Construction
	384	505 MIDDLE ROAD	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	Horne Brothers Construciton, Inc.	HARTFORD FIRE INSURANCE COMPANY	\$17,586.60	7/17/2018	N/A	Commercial	Current Construction
3	362	ADDITION TO STOUT OFFICES	STORMWATER	GEORGE ROSE	CASH BOND	Frank P. Stout	CITY OF FAYETTEVILLE	\$5,943.75	3/14/2018	N/A	Commercial	Current Construction
4	382	ALDI Parking Lot Addition	STORMWATER	Jeff Strickland	CASH BOND	Krysta Cearley, VP of Aldi (N.C.) L.L.C.	CITY OF FAYETTEVILLE	\$23,542.50	7/11/2018	N/A	Commercial	Current Construction
5	172	AMERICAN FLAG STORAGE	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	STORAGE KINGS, LLC	WESTERN SURETY CO.	\$10,238.51	5/31/2013	N/A	Commercial	Current Construction
6	043	BINGHAM DRIVE PROJECT	STORMWATER	VELOCITEL	SURETY BOND	AMERICAN TOWER CORPORATION	HANOVER INSURANCE CO.	\$2,731.00	1/25/2011	N/A	Commercial	Current Construction
7	373	CAMPBELLS SOUP - DISTRIBUTION FACILITY	STORMWATER		LETTER OF CREDIT	CAMPBELL SOUP SUPPLY COMPANY, LLC	MUFG BANK, LTD., NEY YORK BRANCH	\$425,103.75	5/16/2018	N/A	Commercial	Current Construction
8	050	CEDAR CREEK MINI STORAGE EXPANSION	STORMWATER	GS ENGINEERING	LETTER OF CREDIT	JAMES H. SMITH	CAPE FEAR FARM CREDIT, ACA	\$20,100.00	9/10/2010	N/A	Commercial	Current Construction
9	371	CIRCLE K - 3121 MURCHISON RD	STORMWATER		SURETY BOND	CIRCLE K STORES INC.	FIDELITY AND DEPOSIT COMPANY OF MARYLAND	\$91,636.00	4/24/2018	N/A	Commercial	Current Construction
10	383	Circle K-McArthur Rd	STORMWATER	Greenberg Farrow	SURETY BOND	CIRCLE K STORES INC.	FIDELITY AND DEPOSIT COMPANY OF MARYLAND	\$85,808.25	7/10/2018	N/A	Commercial	Current Construction
11	223	CLIFFDALE COMMUNITY CHURCH	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	CLIFFDALE COMMUNITY CHURCH	AMCO INSURANCE CO.	\$24,415.00	10/1/2014	N/A	Commercial	Current Construction
12	387	COMTHECH TREE SAVE	STORMWATER	4D SITE SOLUTIONS	CASH BOND	Comtech Thomas O Hollinshed	CITY OF FAYETTEVILLE	\$13,324.46	10/16/2018	N/A	Commercial	Current Construction
13	379	FLOW BUICK GMC OF FAYETTEVILLE	STORMWATER	ALLIED DESIGN, INC.	SURETY BOND	FLOW BUICK GMC OF FAYETTEVILLE	TRAVELERS CASUALTY AND SURETY COMPANY OF A	\$62,805.00	3/28/2018	N/A	Commercial	Current Construction
14	375	GROVE VIEW TERRACE/CROSS CREEK POINT APARTMENTS	STORMWATER		SURETY BOND	UNITED DEVELOPERS, INC.	HARTFORD FIRE INSURANCE COMPANY	\$70,312.50	5/22/2018	N/A	Commercial	Current Construction
15	358	HIGHLAND ANIMAL HOSPITAL	STORMWATER	Gordon Rose/James Reed	LETTER OF CREDIT	Bluewater of Fayetteville, LLC	First Citizens Bank and Trust Company	\$69,916.00	2/15/2018	N/A	Commercial	Current Construction
16	271	HOLIDAY INN HOTEL - TWO BALE LANE	STORMWATER	4D SITE SOLUTIONS	LETTER OF CREDIT	NORTHEAST HOSPITALITY LLC	THE FIDELITY BANK	\$30,308.63	9/23/2015	N/A	Commercial	Current Construction
17	357	LAFAYETTE FUNERAL HOME	STORMWATER	N/A	SURETY BOND	Lafayette Funeral Home	Western Surety Company	\$31,795.50	1/9/2018	N/A	Commercial	Current Construction
18	372	LAFAYETTE PARK APARTMENTS	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	EAST POINT HOMES, LLC	GREAT AMERICAN INSURANCE COMPANY	\$80,468.41	5/8/2018	N/A	Commercial	Current Construction
19	349	LOT 4 AVIATION PARKWAY	STORMWATER		CASH BOND	WILLIAM B. FULLER JR	CITY OF FAYETTEVILLE	\$24,920.25	10/12/2017	N/A	Commercial	Current Construction
20	363	MERCEDES-BENZ OF FAYETTEVILLE	STORMWATER	N/A	LETTER OF CREDIT	FAYETTEVILLE AUTO INVESTORS I, LLC	SUNTRUST BANK	\$342,953.00	3/19/2018	N/A	Commercial	Current Construction
21	332	MIRACLE TEMPLE	STORMWATER		SURETY BOND	MIRACLE TEMPLE HOLY DELIVERANCE CHUR	GREAT AMERICAN INSURANCE COMPANY	\$41,602.55	4/13/2017	N/A	Commercial	Current Construction
22	376	PATE'S FARM MARKET	STORMWATER	Greg Bagley	SURETY BOND	William Michael Pate	GREAT AMERICAN INSURANCE COMPANY	\$53,625.00	5/24/2018	N/A	Commercial	Current Construction
23	369	PRECISION TUNE	STORMWATER	N/A	CASH BOND	PRECISION FRANCHISING, INC.	CITY OF FAYETTEVILLE	\$36,642.00	4/16/2018	N/A	Commercial	Current Construction
24	302	REILLY ROAD PLAZA	STORMWATER		SURETY BOND	JAE AND YOUNG KANG	WESTERN SURETY COMPANY	\$39,480.00	7/2/2016	N/A	Commercial	Current Construction
25	169	RHEMA CHURCH	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	RHEMA WORD OF GOD LIFE CHANGING MIN	AMCO INSURANCE CO.	\$8,149.02	5/15/2013	N/A	Commercial	Current Construction
26	312	VILLAGE FAMILY DENTAL	STORMWATER	MKR	SURETY BOND	VFD REAL ESTATE PARTNERS, LLC	WESTERN SURETY COMPANY	\$55,996.00	10/18/2016	N/A	Commercial	Current Construction
27	352	West Fayetteville Place Apartments	STORMWATER		SURETY BOND	UNITED DEVELOPERS, INC.	HARTFORD FIRE INSURANCE COMPANY	\$47,250.00	11/14/2017	N/A	Commercial	Current Construction
28	133	THE GROVE AT PARKPLACE	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	THE GROVE AT PARK PLACE, LLC	THE GUARANTEE COMPANY OF NORTH AMERICA U'	\$159,031.88	2/22/2017	N/A	Commercial	Current Construction
29	012	DR. EJEH OFFICE BUILDING	STORMWATER	PARAMOUNT ENGINEERING	LETTER OF CREDIT	TOCHARI INVESTMENTS, LLC	FIDELITY BANK	\$56,115.00	6/3/2010	3/1/2011	Commercial	Developer Action
30	004	BASSIRI NIGHT CLUB	STORMWATER	JOHN HARRIS	LETTER OF CREDIT	A T BASSIRI PROPERTIES LLC	BRANCH BANKING AND TRUST COMPANY	\$10,281.56	9/23/2009	5/27/2011	Commercial	Developer Action
31	036	CAMPBELL TERRACE PHASE I	STORMWATER	MDG ENGINEERING	SURETY BOND	UNITED DEVELOPERS, INC.	HARTFORD FIRE INSURANCE COMPANY	\$67,200.00	7/1/2010	5/14/2012	Commercial	Developer Action
32	063	EASTSIDE GREEN PHASE III	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	UNITED DEVELOPERS, INC.	HARTFORD FIRE INSURANCE COMPANY	\$65,575.00	3/15/2011	5/23/2012	Commercial	Developer Action
33	099	WALGREENS STORE	STORMWATER	SDG ENGINEERING	SURETY BOND	CATAMOUNT CONSTRUCTORS, INC.	LIBERTY MUTUAL INSURANCE COMPANY	\$27,987.00	12/19/2012	9/24/2012	Commercial	Developer Action
34	134	METHODIST UNIVERSITY- ALLISON PARKING LOT	STORMWATER	CRAWFORD DESIGN	CASH BOND	METHODIST UNIVERSITY	CITY OF FAYETTEVILLE	\$18,670.00	8/8/2012	10/5/2012	Commercial	Developer Action
35	109	ALPHA OMEGA HOLDINGS OFFICE ADDITION	STORMWATER	CT CLAYTON ENGINEERING	LETTER OF CREDIT	ALPHA OMEGA HOLDINGS, LLC	FIRST CITIZENS BANK	\$80,475.00	2/7/2012	10/25/2012	Commercial	Developer Action
36	030	CLIFFDALE CHRISTIAN CENTER	STORMWATER	ANDERSON ENGINEERING	SURETY BOND	CERTIFIED CONSTRUCTION SERVICES, INC.	HUDSON INSURANCE	\$58,000.00	8/16/2010	11/21/2012	Commercial	Developer Action
37	144	VELOCITEL - METHODIST	STORMWATER	VELOCITEL ENGINEERING	SURETY BOND	AMERICAN TOWER, LP	HANOVER INSURANCE CO.	\$3,031.00	9/21/2012	12/7/2012	Commercial	Developer Action
38	112	STRICKLAND BRIDGE SUBSTATION	STORMWATER	J. DAVID LEDFORD	LETTER OF CREDIT	LUMBEE RIVER EMC	BRANCH BANKING & TRUST COMPANY	\$34,485.00	2/27/2012	1/11/2013	Commercial	Developer Action
39	069	RAEFORD CROSSING APARTMENTS	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	RAEFORD CROSSING, LLC	LIBERTY MUTUAL INSURANCE COMPANY	\$144,175.13	2/17/2012	2/1/2013	Commercial	Developer Action
40	098	MACPHERSON PRESBYTERIAN CHURCH	STORMWATER	MOORMAN, KIZER & REITZEL	CASH BOND	MACPHERSON PRESBYTERIAN CHURCH	CITY OF FAYETTEVILLE	\$14,415.08	12/1/2011	2/6/2013	Commercial	Developer Action
41	389	The Villagio Apartments	STORMWATER		LETTER OF CREDIT	4200 Investments, LLC	SELECT BANK & TRUST COMPANY	\$257,950.27	10/19/2018	2/18/2013	Commercial	Developer Action
42	056	ALCO	STORMWATER	JEFFREY D. MCCLUSKEY	LETTER OF CREDIT	GTR, LLC	FIRST BANK	\$44,543.00	2/24/2011	5/7/2013	Commercial	Developer Action
43	074	GOODWILL COMMUNITY FOUNDATION, INC.	STORMWATER	DEVELOPMENT ENGINEERING	CASH BOND	GOODWILL COMMUNITY FOUNDATION, INC	CITY OF FAYETTEVILLE	\$63,525.00	6/7/2011	5/7/2013	Commercial	Developer Action
44	143	BJ'S WHOLESALE CLUB	STORMWATER	KIMLEY HORN AND ASSOCIATES, INC.	SURETY BOND	BJ'S WHOLESALE CLUB, INC.	LIBERTY MUTUAL INSURANCE COMPANY	\$90,963.75	8/6/2012	5/13/2013	Commercial	Developer Action
45	139	NORTHWOOD TEMPLE ACADEMY	STORMWATER	4D SITE SOLUTIONS	CASH BOND	NORTHWOOD TEMPLE ACADEMY	CITY OF FAYETTEVILLE	\$6,837.00	8/31/2012	5/24/2013	Commercial	Developer Action
46	136	DR. LEKE	STORMWATER	CLAYTON ENGINEERING	LETTER OF CREDIT	MICHAEL A. LEKE	PNC BANK	\$14,643.00	8/14/2012	6/27/2013	Commercial	Developer Action
47	064	CAMPBELL AVENUE SENIOR HOUSING - DELONA GARDENS	STORMWATER	MERCER DESIGN GROUP	SURETY BOND	UNITED DEVELOPERS, INC.	HARTFORD FIRE INSURANCE COMPANY	\$291,900.00	3/22/2011	7/24/2013	Commercial	Developer Action
48	068	HEAVENLY HAVEN	STORMWATER	AVERITTE ENGINEERING	SURETY BOND	CONSTRUCTION SYSTEMS, INC.	GREAT AMERICAN INSURANCE COMPANY	\$15,000.00	4/13/2011	7/30/2013	Commercial	Developer Action
49	017	NEW LIFE BIBLE CHURCH	STORMWATER	ANDERSON ENGINEERING	SURETY BOND	CERTIFIED CONSTRUCTION SERVICES, INC.	HUDSON INSURANCE	\$51,000.00	6/22/2010	8/13/2013	Commercial	Developer Action
50	070	CLIFFCREEK APARTMENTS	STORMWATER	HERRING-SUTTON & ASSOCIATES, PA	SURETY BOND	EST GENERAL CONRACTORS, INC.	CINCINNATI INSURANCE COMPANY	\$127,266.00	5/4/2011	9/16/2013	Commercial	Developer Action
51	167	CROSS CREEK PRESBYTERIAN CHURCH PARKING IMPROVEM	STORMWATER	CRAWFORD DESIGN COMPANY	SURETY BOND	CROSS CREEK PRESBYTERIAN CHURCH	HARTFORD FIRE INSURANCE COMPANY	\$12,173.00	4/19/2013	9/20/2013	Commercial	Developer Action
52	060	HOME 2 HOTELS	STORMWATER	LKA & ASSOCIATES	SURETY BOND	SUNBELT - 2 FN, LLC	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$69,000.00	11/10/2009	10/2/2013	Commercial	Developer Action
53	162	STRICKLAND BRIDGE C-STORE	STORMWATER		CASH BOND	AAJ CAROLINA LLC	CITY OF FAYETTEVILLE	\$6,900.00	4/17/2013	10/10/2013	Commercial	Developer Action
54	147	AMERICAN FLAG STORAGE	STORMWATER	SUMMIT DESIGN GROUP	LETTER OF CREDIT	MICHAEL R. VUNCANNON	RANDOLPH BANK & TRUST COMPANY	\$29,250.00	10/31/2012	10/11/2013	Commercial	Developer Action
55	116	ANSLEY AT PATRIOT PARK POND B	STORMWATER	MOORMAN, KIZER & REITZEL	LETTER OF CREDIT	ANSLEY PATRIOT PARK PARTNERS 1 LLC	AFB&T (SYNOVOUS BANK)	\$158,200.00	3/23/2012	10/24/2013	Commercial	Developer Action
56	089	CAMPBELL TERRACE PHASE II	STORMWATER	MDG ENGINEERING	SURETY BOND	UNITED DEVELOPERS, INC.	HARTFORD FIRE INSURANCE COMPANY	\$67,650.00	8/23/2011	11/15/2013	Commercial	Developer Action
57	157	AFFORDABLE SUITES	STORMWATER	LARRY KING & ASSOCIATES	LETTER OF CREDIT	SUITE DEV. OF FNC, LLC	BANK OF NORTH CAROLINA	\$62,307.00	4/15/2013	12/4/2013	Commercial	Developer Action
58	178	KANGAROO EXPRESS-BRAGG BLVD @ SHAW RD	STORMWATER	SITE DESIGN INC	LETTER OF CREDIT	THE PANTRY, INC	WELLS FARGO	\$9,000.00	8/21/2013	12/20/2013	Commercial	Developer Action
59	124	CUMBERLAND COUNTY DETENTION CENTER EXPANSION	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	BALFOUR BEATY CONSTRUCTION, LLC	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$80,643.00	6/20/2012	1/15/2014	Commercial	Developer Action
60	175	RAEFORD ROAD MONEY MIZER	STORMWATER	4D SITE SOLUTIONS	CASH BOND	JPW LAND, LLC - JOHNNY WOOD	CITY OF FAYETTEVILLE	\$35,960.25	6/13/2013	2/19/2014	Commercial	Developer Action
61	182	ORKIN FACILITY	STORMWATER	4D SITE SOLUTIONS	CASH BOND	BILLY HORNE INVESTMENTS	CITY OF FAYETTEVILLE	\$10,428.29	10/1/2013	3/21/2014	Commercial	Developer Action
62	071	SIMON TEMPLE AME ZION CHURCH	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	SIMON TEMPLE AME ZION CHURCH	BRANCH BANKING & TRUST COMPANY	\$160,000.00	9/18/2012	6/26/2014	Commercial	Developer Action
63	001	WOOD VALLEY APARTMENTS	STORMWATER	TRIAD DESIGN GROUP	SURETY BOND	SAMET CORPORATION	LIBERTY MUTUAL INSURANCE COMPANY	\$169,076.33	3/27/2009	6/27/2014	Commercial	Developer Action
64	193	SONIC DRIVE-IN GOOD MIDDLING DR	STORMWATER	CRAWFORD DESIGN COMPANY	SURETY BOND	D.L. ROGERS TRUST	OLD REPUBLIC SURETY COMPANY	\$33,969.00	11/12/2013	7/7/2014	Commercial	Developer Action
65	202	RAINBOW CHILDCARE	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	LAKEWOOD DAYCARE ASSOCIATES, LLC	INTERNATIONAL FIDELITY INSURANCE COMPANY/CI	\$107,373.75	11/10/2014	10/8/2014	Commercial	Developer Action
66	185	PROVIDENCE PRESBYTERIAN CHURCH	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	PROVIDENT PRESBYTERIAN OF FAYETTEVILLI	LEXON INSURANCE COMPANY	\$21,272.54	9/24/2013	12/11/2014	Commercial	Developer Action
67	229	BAKER AMERICAN CYCLES	STORMWATER	ANDERSON ENGINEERING	SURETY BOND	METCON, INC.	LIBERTY MUTUAL INSURANCE COMPANY	\$4,580.00	12/5/2014	6/30/2015	Commercial	Developer Action
68	256	BAKER AMERICAN CYCLES	STORMWATER		CASH BOND	BAKER AMERICAN CYCLES, INC	CITY OF FAYETTEVILLE	\$1,223.30	7/2/2015	6/30/2015	Commercial	Developer Action

69	183	RAEFORD WARD CHURCH	STORMWATER	EARTHCENTERIC ENGINEERING, INC.	SURETY BOND	CORPORATION OF THE PRESIDING BISHOP C	FEDERAL INSURANCE COMPANY	\$229,449.38	9/18/2013	7/23/2015	Commercial	Developer Action
70	235	SOUTHEASTERN FREIGHT	STORMWATER		LETTER OF CREDIT	SOUTHEASTERN FREIGHT LINES, INC.	WELLS FARGO	\$24,801.38	12/12/2014	8/25/2015	Commercial	Developer Action
71	226	FAMILY DOLLAR-MURCHISON	STORMWATER	BURTON ENGINEERING ASSOCIATES	SURETY BOND	FAYETTEVILLE FDS 706215 LLC	NGM INSURANCE COMPANY	\$43,836.60	10/14/2014	11/2/2015	Commercial	Developer Action
72	180	PHILLIPS TOWING SERVICE	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	PHILLIPS TOWING SERVICE, INC	PHILADELPHIA INDEMNITY INSURANCE COMPANY	\$70,000.00	9/10/2013	11/16/2015	Commercial	Developer Action
73	239	SKIBO RETAIL	STORMWATER	CURRY ENGINEERING	CASH BOND	PHD AT SKIBO II LLC	CITY OF FAYETTEVILLE	\$79,140.00	1/13/2015	12/16/2015	Commercial	Developer Action
74	264	DOLLAR GENERAL - TROY DRIVE	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	RHETSON COMPANIES INC	HARTFORD FIRE INSURANCE COMPANY	\$24,121.00	8/18/2015	1/8/2016	Commercial	Developer Action
75	203	MATTHEW'S OFFICE BUILDING	STORMWATER	MOORMAN, KIZER & REITZEL, INC.	CASH BOND	SHARON T. MATTHEWS LIVING TRUST	CITY OF FAYETTEVILLE	\$68,058.00	3/3/2014	1/25/2016	Commercial	Developer Action
76	252	SKIBO COMMONS (2180 SKIBO)	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	REGENCY HOMES, INC., T/A REGENCY CONS	PHILADELPHIA INDEMNITY INSURANCE COMPANY	\$10,884.00	5/20/2015	3/9/2016	Commercial	Developer Action
77	240	WALMART NEIGHBORHOOD MARKET #3411	STORMWATER	BOHLER ENGINEERING	LETTER OF CREDIT	WALMART REAL ESTATE BUSINESS TRUST	JP MORGAN CHASE BANK, N.A.	\$163,801.50	1/5/2015	3/17/2016	Commercial	Developer Action
78	244	ALPHA ACADEMY ADDITION	STORMWATER	PARAMOUNT ENGINEERING	SURETY BOND	J & K CONTRACTING, LLC	DEVELOPERS SURETY AND INDEMNITY COMPANY	\$31,950.94	1/21/2015	5/4/2016	Commercial	Developer Action
79	281	CROWN FORD COLLISION CENTER	STORMWATER		CASH BOND	CROWN FFO, LLC	CITY OF FAYETTEVILLE	\$30,000.00	11/13/2015	6/24/2016	Commercial	Developer Action
80	237	ADDISON RIDGE APARTMENTS PHASE II	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	SANTA FE PROPERTIES, LLC	LEXON INSURANCE COMPANY	\$141,830.63	12/22/2014	6/28/2016	Commercial	Developer Action
81	238	ADDISON RIDGE APARTMENTS PHASE II	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	SANTA FE PROPERTIES, LLC	LEXON INSURANCE COMPANY	\$96,787.88	12/22/2014	6/28/2016	Commercial	Developer Action
82	220	METHODIST HEALTH SCIENCES BUILDING	STORMWATER	CRAWFORD DESIGN COMPANY	CASH BOND	METHODIST UNIVERSITY	CITY OF FAYETTEVILLE	\$8,392.50	8/7/2014	7/12/2016	Commercial	Developer Action
83	280	MOTIVA OFFLOADING RACK	STORMWATER		CASH BOND	MOTIVA ENTERPRISES LLC	CITY OF FAYETTEVILLE	\$16,483.80	11/18/2015	8/16/2016	Commercial	Developer Action
84	277	FIRST IMPRESSIONS ACADEMY PHASE II	STORMWATER	PARAMOUNT ENGINEERING	SURETY BOND	FIRST IMPRESSIONS ACADEMY, LLC	LIBERTY MUTUAL INSURANCE COMPANY	\$50,000.00	10/22/2015	10/6/2016	Commercial	Developer Action
85	127	PLANTATION @ FAYETTEVILLE	STORMWATER	CPT ENGINEERING & SURVEYING, INC.	LETTER OF CREDIT	PAF COMMERCIAL, LLC	BANK OF NORTH CAROLINA	\$62,000.00	7/1/2012	10/25/2016	Commercial	Developer Action
86	251	ALDI - RAMSEY ST	STORMWATER		CASH BOND	ALDI, INC. - SALISBURY DIVISION	CITY OF FAYETTEVILLE	\$10,275.00	5/14/2015	10/28/2016	Commercial	Developer Action
87	236	FAYETTEVILLE EAST SHOPS W/ WALMART	STORMWATER		SURETY BOND	FAYETTEVILLE RETAIL INVESTMENT, LLC	HARTFORD FIRE INSURANCE COMPANY	\$382,433.00	10/21/2014	11/17/2016	Commercial	Developer Action
88	194	BOPIE'S PEARLS AND GEMS	STORMWATER	CLAYTON ENGINEERING	SURETY BOND	BOPIE'S PEARLS AND GEMS	INTERNATIONAL FIDELITY INSURANCE COMPANY	\$39,000.00	12/6/2013	12/1/2016	Commercial	Developer Action
89	100	345 WINSLOW ST	STORMWATER	CALL SIGN ENGINEERS	LETTER OF CREDIT	HAMANN INVESTMENTS, LLC	FIRST CITIZENS BANK	\$12,000.00	12/14/2011	12/7/2016	Commercial	Developer Action
90	295	CAROLINA COLLEGE OF BIBLICAL STUDIES	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	PLAYER, INC.	WESTFIELD INSURANCE COMPANY	\$20,320.91	3/30/2016	3/3/2017	Commercial	Developer Action
91	285	FAMILY DOLLAR 3412 MURCHISON RD	STORMWATER	DRAPER ADEN & ASSOCIATES	SURETY BOND	STOCKS & TAYLOR CONSTRUCTION, INC.	GREAT AMERICAN INSURANCE COMPANY	\$44,062.50	1/5/2016	3/14/2017	Commercial	Developer Action
92	305	DOLLAR GENERAL - N REILLY RD	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	RHETSON COMPANIES INC	MERCHANTS BONDING COMPANY (MUTUAL)	\$31,211.90	9/6/2016	4/12/2017	Commercial	Developer Action
93	306	CIRCLE K - RAEFORD RD	STORMWATER		SURETY BOND	CIRCLE K STORES INC.	FIDELITY AND DEPOSIT COMPANY OF MARYLAND	\$168,699.19	10/4/2018	4/19/2017	Commercial	Developer Action
94	265	OLD RAEFORD ROAD OFFICE	STORMWATER	4D SITE SOLUTIONS	LETTER OF CREDIT	DAVID I. KLUMPAR	FIRST CITIZENS BANK	\$22,176.87	7/24/2015	4/21/2017	Commercial	Developer Action
95	310	CIRCLE K - S. REILLY RD	STORMWATER		SURETY BOND	CIRCLE K STORES INC.	FIDELITY AND DEPOSIT COMPANY OF MARYLAND	\$72,916.98	10/26/2016	5/1/2017	Commercial	Developer Action
96	272	FAYETTEVILLE KIDNEY CENTER	STORMWATER		LETTER OF CREDIT	R. K. WEBB/FORESIGHT DEVELOPMENT LLC	BB&T	\$36,928.50	9/29/2015	5/16/2017	Commercial	Developer Action
97	290	BEREAN BAPTIST EXPANSION	STORMWATER	ANDERSON ENGINEERING	SURETY BOND	RILEY CONTRACTING GROUP, INC.	GREAT AMERICAN INSURANCE COMPANY	\$153,600.00	1/14/2016	7/31/2017	Commercial	Developer Action
98	300	HEADSTART AT ROY TURNER PARK	STORMWATER		CASH BOND	ACTION PATHWAYS, INC.	CITY OF FAYETTEVILLE	\$16,300.00	8/2/2016	10/4/2017	Commercial	Developer Action
99	341	DOLLAR GENERAL-STRICKLAND BRIDGE ROAD	STORMWATER		SURETY BOND	RHESTON COMPANIES INC	MERCHANTS BONDING COMPANY (MUTUAL)	\$33,651.50	6/19/2017	10/10/2017	Commercial	Developer Action
100	308	SANDHILLS PICK-N-PULL	STORMWATER	TRIPP ENGINEERING, P.C.	CASH BOND	SANDHILLS PICK-N-PULL, LLC	CITY OF FAYETTEVILLE	\$118,425.00	10/11/2016	10/10/2017	Commercial	Developer Action
101	344	VILLAGE AT SYCAMORE OFFICE PARK	STORWATER	LARRY KING & ASSOCIATES	LETTER OF CREDIT	SHARLENE R. WILLIAMS	BB&T	\$39,406.35	8/3/2017	10/10/2017	Commercial	Developer Action
102	321	POPEYE'S - 2176 SKIBO RD	STORMWATER	LARRY KING & ASSOCIATES	LETTER OF CREDIT	JS INVESTMENT HOLDINGS, LLC	CAPITAL BANK CORPORATION	\$45,000.00	3/2/2017	11/3/2017	Commercial	Developer Action
103	266	FAYETTEVILLE COMMONS	STORMWATER		LETTER OF CREDIT	FAYETTEVILLE INVESTMENT PARTNERS, LLC	US BANK	\$892,130.48	8/28/2015	11/7/2017	Commercial	Developer Action
104	055	CLIFFDALE PARK (OFFICE BUILDING)	STORMWATER	N/A?	LETTER OF CREDIT	CLIFFDALE PARK LLC	NEW CENTURY BANK	\$76,500.00	2/28/2011	No CO or Conversion	Commercial	Developer Action
105	137	CRYSTAL LAKE APARTMENTS	STORMWATER	LARRY KING & ASSOCIATES	CASH BOND	CRYSTAL LAKE, LLC	CITY OF FAYETTEVILLE	\$46,763.00	8/23/2012	No CO or Conversion	Commercial	Developer Action
106	120	CUMBERLAND CHRISTIAN CENTER (HARVEST FAMILY CHURCH)	STORMWATER	THE LANDPLAN GROUP SOUTH	SURETY BOND	HARVEST FAMILY CHURCH	LEXON INSURANCE COMPANY	\$214,275.00	4/20/2012	No CO or Conversion	Commercial	Developer Action
107	011	CURTIS LANE APARTMENTS	STORMWATER	MDG ENGINEERING	SURETY BOND	CREATIVE BUILDERS, INC.	SAFECO INSURANCE COMPANY OF AMERICA	\$167,250.00	5/10/2010	No CO or Conversion	Commercial	Developer Action
108	196	FAYETTEVILLE COMMUNITY CHURCH	STORMWATER	CRAWFORD DESIGN COMPANY	LETTER OF CREDIT	FAYETTEVILLE COMMUNITY CHURCH	PNC BANK	\$43,890.00	3/13/2014	No CO or Conversion	Commercial	Developer Action
109	210	FIRST CHURCH FAYETTEVILLE	STORMWATER	CRAWFORD DESIGN	LETTER OF CREDIT	FIRST CHURCH FAYETTEVILLE, INC	BRANCH BANKING & TRUST COMPANY	\$30,484.55	5/9/2014	No CO or Conversion	Commercial	Developer Action
110	106	FSU RENAISSANCE HALL	STORMWATER	CRAWFORD DESIGN	SURETY BOND	METCON, INC.	LIBERTY MUTUAL INSURANCE COMPANY	\$80,499.33	1/13/2012	No CO or Conversion	Commercial	Developer Action
111	048	JOHN D. FULLER, SR RECREATIONAL / ATHLETIC COMPLEX	STORMWATER	CRAWFORD DESIGN	CASH BOND	LEWIS CHAPEL MISSIONARY BAPTIST CHURH		\$11,022.00	9/3/2010	No CO or Conversion	Commercial	Developer Action
112	051	KING'S ROAD MINI STORAGE	STORMWATER	AVERITTE ENGINEERING	CASH BOND	WRK INVESTMENTS, LLC	RBC BANK	\$5,200.00	2/24/2011	No CO or Conversion	Commercial	Developer Action
113	005	METHODIST HUMAN ANATOMY LAB	STORMWATER	CRAWFORD DESIGN	CASH BOND	METHODIST UNIVERSITY	FIRST CITIZEN BANK	\$20,872.00	10/22/2009	No CO or Conversion	Commercial	Developer Action
114	065	METHODIST UNIVERSITY BETHUNE PARK	STORMWATER	CRAWFORD DESIGN	CHECK RECEIPT	METHODIST UNIVERSITY		\$12,000.00	2/27/2009	No CO or Conversion	Commercial	Developer Action
115	083	METHODIST UNIVERSITY NURSING BUILDING	STORMWATER	CRAWFORD DESIGN COMPANY	CASH BOND	METHODIST UNIVERSITY	CITY OF FAYETTEVILLE	\$14,400.00	8/16/2011	No CO or Conversion	Commercial	Developer Action
116	214	MILITARY BUSINESS PARK PHASE 2 PART 1	STORMWATER	MKR	CASH BOND	MILITARY BUSINESS PARK, INC.	CITY OF FAYETTEVILLE	\$130,094.25	7/9/2014	No CO or Conversion	Commercial	Developer Action
117	046	NEW LIFE COMMUNITY CHURCH OF FAYETTEVILLE	STORMWATER	4-D SITE SOLUTIONS , INC.	SURETY BOND	NEW LIFE COMMUNITY CHURCH OF FAYETTEVILLE	AMCO INSURANCE CO.	\$51,025.00	11/11/2010	No CO or Conversion	Commercial	Developer Action
118	140	PARKER GAS	STORMWATER	M.A COLVIN ENGINEERING & CONSULTING	SURETY BOND	PARKER INVESTMENTS USA LLC	FEDERATED MUTUAL INSURANCE COMPANY	\$14,000.00	9/11/2012	No CO or Conversion	Commercial	Developer Action
119	037	RAMSEY STREET DEVELOPMENT: FRANCAM	STORMWATER	CRAWFORD DESIGN	LETTER OF CREDIT	FRANCAM, INC.	BRANCH BANKING & TRUST COMPANY	\$56,265.00	2/16/2011	No CO or Conversion	Commercial	Developer Action
120	108	REGENCY OFFICE SITE (CLIFFDALE REGENCY OFFICE)	STORMWATER	4D SITE SOLUTIONS	LETTER OF CREDIT	CLIFFDALE PARK, LLC	NEW CENTURY BANK	\$76,500.00	2/28/2011	No CO or Conversion	Commercial	Developer Action
121	062	RIVERS OF LIVING WATER CHURCH OF GOD	STORMWATER	BENNET ENGINEERS	LETTER OF CREDIT	RIVERS OF LIVING WATER CHURCH OF GOD, MECHANICS & FARMERS BANK		\$34,980.00	6/9/2009	No CO or Conversion	Commercial	Developer Action
122	033	VELOCITEL - IRELAND DRIVE	STORMWATER	VELOCITEL	SURETY BOND	AMERICAN TOWER CORPORATION	HANOVER INSURANCE CO.	\$2,481.00	12/1/2010	No CO or Conversion	Commercial	Developer Action
123	031	VELOCITEL - STRICKLAND BRIDGE	STORMWATER	VELOCITEL	SURETY BOND	AMERICAN TOWER CORPORATION	HANOVER INSURANCE CO.	\$2,039.00	10/1/2010	No CO or Conversion	Commercial	Developer Action
124	158	VELOCITEL-SITE 278099 LAKE RIM NC	STORMWATER	VELOCITEL	SURETY BOND	AMERICAN TOWER, LP	THE HANOVER INSURANCE COMPANY	\$7,480.00	2/26/2013	No CO or Conversion	Commercial	Developer Action
125	039	WESTGATE PLAZA	STORMWATER	ANDERSON ENGINEERING	SURETY BOND	METCON, INC.	LIBERTY MUTUAL INSURANCE COMPANY	\$65,413.20	2/11/2011	No CO or Conversion	Commercial	Developer Action
126	287	SOUTHERN REGIONAL AREA HEALTH EDUCATION CENTER	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	M. B. KAHN CONSTRUCTION CO., INC.	TRAVELERS CASUALTY AND SURETY COMPANY OF A	\$32,804.63	1/12/2016	12/8/2017	Commercial	Warranty Period
127	247	HOMEWOOD SUITES HOTEL	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	LEGEND HOSPITALITY ONE, LLC	AUTO-OWNERS INSURANCE COMPANY	\$27,364.00	2/17/2018	1/9/2018	Commercial	Warranty Period
128	317	TALLYWOOD SHOPPING CENTER	STORMWATER	KIMLEY HORN AND ASSOCIATES, INC.	LETTER OF CREDIT	PUBLIX NORTH CAROLINA, LP	BANK OF AMERICA, N.A.	\$39,950.00	12/22/2016	1/11/2018	Commercial	Warranty Period
129	368	FREEDOM TOWN CENTER PHASE I & III	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	NC FAYETTEVILLE SKIBO, LLC	NORTH AMERICAN SPECIALITY INSURANCE COMPANY	\$718,126.46	4/11/2018	2/21/2018	Commercial	Warranty Period
130	386	FREEDOM TOWN CENTER PHASE II	STORMWATER		SURETY BOND	NC FAYETTEVILLE SKIBO, LLC	NORTH AMERICAN SPECIALITY INSURANCE COMPANY	\$626,983.50	7/27/2018	2/21/2018	Commercial	Warranty Period
131	254	RAMSEY COMMONS PHASE II	STORMWATER	GEORGE ROSE	LETTER OF CREDIT	FRANCAM, INC.	BB&T	\$134,350.00	6/17/2015	3/26/2018	Commercial	Warranty Period
132	343	CIRCLE K - 971 GLENSFORD DR	STORMWATER		SURETY BOND	CIRCLE K STORES INC.	ZURICH AMERICAN INSURANCE COMPANY	\$53,518.84	7/26/2017	4/4/2018	Commercial	Warranty Period
133	008	MILITARY BUSINESS PARK	STORMWATER	MOORMAN, KIZER & REITZEL	CASH BOND	WAVERLY BROADWELL FAMILY, LLC	CITY OF FAYETTEVILLE	\$85,687.50	3/31/2010	4/6/2018	Commercial	Warranty Period
134	346	RAMSEY STREET RETAIL	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	ASHLAND CONSTRUCTION COMPANY	LIBERTY MUTUAL INSURANCE COMPANY	\$75,828.65	9/27/2017	4/9/2018	Commercial	Warranty Period
135	328	ALDI - 7608 RAEFORD RD	STORMWATER	4D SITE SOLUTIONS	LETTER OF CREDIT	ALDI INC.	WELLS FARGO	\$91,515.75	4/19/2018	4/20/2018	Commercial	Warranty Period
136	304	VILLAGE MEDICAL PLAZA	STORMWATER		SURETY BOND	VILLAGE MEDICAL PLAZA, LLC	WESTERN SURETY COMPANY	\$49,744.13	8/15/2016	4/27/2018	Commercial	Warranty Period
137	348	FAYETTEVILLE RNR TIRE	STORMWATER	S. IRBY 1415, LLC	LETTER OF CREDIT	S. IRBY 1415, LLC	CAROLINA ALLIANCE BANK	\$18,639.75	9/27/2017	7/25/2018	Commercial	Warranty Period
138	159	RAEFORD CORPORATE PARK & SYKES CALL CENTER	STORMWATER	LARRY KING & ASSOCIATES	LETTER OF CREDIT	71ST PARTNERS, LLC	BB&T	\$122,640.00	3/26/2013	8/20/2018	Commercial	Warranty Period
139	333	RAYCONDA PLAZA OUTPARCELS "C" & "E"	STORMWATER		LETTER OF CREDIT	RAYCONDA PROPERTIES	BANK OF AMERICA	\$62,775.00	5/2/2017	8/28/2018	Commercial	Warranty Period
140	288	HAMPTON INN & SUITES CEDAR CREEK RD	STORMWATER		CASH BOND	NAMAN WILMINGTON II, LLC	CITY OF FAYETTEVILLE	\$57,453.30	2/3/2016	10/2/2018	Commercial	Warranty Period
141	380	HOLIDAY INN HOTEL - CEDAR CREEK	STORMWATER	HENSON FOLEY	LETTER OF CREDIT	FAYET HOTEL LLC	UNITED COMMUNITY BANKING	\$34,695.00	6/20/2018	10/2/2018	Commercial	Warranty Period
142	117	FAIRFIELD FARMS	STORMWATER	MOORMAN, KIZER & REITZEL	CASH BOND	BROLANCO	FIRST CITIZENS BANK	\$93,666.38	3/30/2012	Not Converted	Residential Sub Division	Current Construction

143	324	GLENN EAGLES AT GATES FOUR	STORMWATER	LARRY KING & ASSOCIATES	LETTER OF CREDIT	WILLIAMS II, INC.	BRANCH BANKING & TRUST COMPANY	\$104,560.50	4/19/2017	Not Converted	Residential Sub Division	Current Construction
144	091	HEATHCLIFF AT WESTPOINT	STORMWATER	GOODEN & ASSOCIATES INC.	LETTER OF CREDIT	BROADWELL LAND COMPANY	BRANCH BANKING & TRUST COMPANY	\$214,742.18	9/27/2011	Not Converted	Residential Sub Division	Current Construction
145	351	HIGHCROFT SUBDIVISION PHASE 2 PART 2	STORMWATER		SURETY BOND	HIGHCROFT OF FAYETTEVILLE, LLC	THE HANOVER INSURANCE COMPANY	\$10,598.00	10/25/2017	Not Converted	Residential Sub Division	Current Construction
146	113	HIGHCROFT SUBDIVISION PHASE I	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	HIGHCROFT OF FAYETTEVILLE, LLC	HANOVER INSURANCE CO.	\$85,912.50	2/20/2012	Not Converted	Residential Sub Division	Current Construction
147	327	LAKEDALE SUBDIVISION SECTION 2 PART 1	STORMWATER		CASH BOND	BROADWELL LAND COMPANY	CITY OF FAYETTEVILLE	\$53,738.00	5/10/2017	Not Converted	Residential Sub Division	Current Construction
148	234	LEGACY AT TRAEMOOR	STORMWATER	LARRY KING & ASSOCIATES	CASH BOND	JACKIE HAIRR-HAIRR FAMILY, LLC	CITY OF FAYETTEVILLE	\$44,754.00	1/6/2017	Not Converted	Residential Sub Division	Current Construction
149	261	LEXINGTON WOODS	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	LEXINGTON WOODS, LLC	LEXON INSURANCE COMPANY	\$222,418.16	2/1/2016	Not Converted	Residential Sub Division	Current Construction
150	365	LITTLE RIVER FARMS	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	LITTLE RIVER FARMS DEVELOPERS LLC	PHILADELPHIA INDEMNITY INSURANCE COMPANY	\$74,675.52	4/3/2018	Not Converted	Residential Sub Division	Current Construction
151	354	NORTHBRIDGE PARK PHASE III	STORMWATER		SURETY BOND	NORTHBRIDGE PARK DEVELOPERS LLC	PHILADELPHIA INDEMNITY INSURANCE COMPANY	\$48,694.75	12/8/2017	Not Converted	Residential Sub Division	Current Construction
152	291	RIVER GLEN SUBDIVISION PHASE II	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	RIVER GLEN AT THE CAPE FEAR, LLC	LEXON INSURANCE COMPANY	\$187,740.20	2/1/2016	Not Converted	Residential Sub Division	Current Construction
153	337	STONEGATE SECTION 4	STORMWATER		CASH BOND	BILL CLARK HOMES OF FAYETTEVILLE, LLC	CITY OF FAYETTEVILLE	\$32,320.00	6/29/2017	Not Converted	Residential Sub Division	Current Construction
154	006	SUMMER GROVE	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	SUMMER GROVE, LLC	LEXON INSURANCE COMPANY	\$45,192.00	9/14/2012	Not Converted	Residential Sub Division	Current Construction
155	329	WESTHAVEN SUBDIVISION SEC 2	STORMWATER		LETTER OF CREDIT	FLOYD PROPERTIES & DEVELOPMENT	THE FIDELITY BANK	\$51,052.50	5/10/2017	Not Converted	Residential Sub Division	Current Construction
156	179	WALTON PLACE SUBDIVISION	STORMWATER	MOORMAN, KIZER & REITZEL	CASH BOND	ASHTON L. FOX	CITY OF FAYETTEVILLE	\$4,500.00	9/10/2013	11/26/2013	Residential Sub Division	Developer Action
157	335	PARK PLACE PHASE 2	STORMWATER		LETTER OF CREDIT	CAVINESS AND CATES BUILDING AND DEVEL SELECT BANK & TRUST COMPANY		\$43,011.00	6/9/2017	In process of converting	Residential Sub Division	Developer Action
158	336	PARK PLACE PHASE 2	STORMWATER		LETTER OF CREDIT	CAVINESS AND CATES BUILDING AND DEVEL SELECT BANK & TRUST COMPANY		\$21,238.00	6/9/2017	In process of converting	Residential Sub Division	Developer Action
159	121	THE RESERVES AT BINGHAM	STORMWATER	MOORMAN, KIZER & REITZEL	LETTER OF CREDIT	CAVINESS AND CATES BUILDING AND DEVEL BANK OF AMERICA		\$198,278.10	5/24/2012	In process of converting	Residential Sub Division	Developer Action
160	364	THE RESERVES AT BINGHAM	STORMWATER	MORMAN, KIZER, & RITZEL	SURETY BOND	CAVINESS AND CATES BUILDING AND DEVEL THE GUARANTEE COMPANY OF NORTH AMERICA U'		\$198,278.10	3/26/2018	In process of converting	Residential Sub Division	Developer Action
161	015	COLINWOOD PLACE & PARK	STORMWATER	CRAWFORD DESIGN	LETTER OF CREDIT	FLOYD PROPERTIES & DEVELOPMENT	RBC BANK	\$60,720.00	6/10/2010	Not Converted	Residential Sub Division	Developer Action
162	135	COLINWOOD PLACE & PARK	STORMWATER	CRAWFORD DESIGN	LETTER OF CREDIT	FLOYD PROPERTIES & DEVELOPMENT	FIDELITY BANK	\$60,720.00	8/9/2012	Not Converted	Residential Sub Division	Developer Action
163	086	HIGHLAND POINTE AT SUMMER GROVE	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	AUTRY GRADING, INC.	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$71,575.59	8/4/2011	Not Converted	Residential Sub Division	Developer Action
164	087	HIGHLAND POINTE AT SUMMER GROVE	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	AUTRY GRADING, INC.	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$64,843.05	8/4/2011	Not Converted	Residential Sub Division	Developer Action
165	151	LIBERTY HILLS	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	LIBERTY HILLS, LLC	LEXON INSURANCE COMPANY	\$94,694.81	2/1/2016	Not Converted	Residential Sub Division	Developer Action
166	088	OLD BUNCE RD SUBDIVISION (BADIN LAKE LANE SUBDIVISIC	STORMWATER	4D SITE SOLUTIONS	SURETY BOND	WBM, LLC	HANOVER INSURANCE CO.	\$51,577.50	9/3/2011	Not Converted	Residential Sub Division	Developer Action
167	213	PALMS @ SUMMER GROVE	STORMWATER		LETTER OF CREDIT	MILO INVESTMENTS, LLC	LUMBEE GUARANTY BANK	\$32,506.79	6/20/2014	Not Converted	Residential Sub Division	Developer Action
168	023	PARKERS RIDGE	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	ST. JAMES SQUARE, INC.	AMCO INSURANCE CO.	\$60,000.00	7/14/2010	Not Converted	Residential Sub Division	Developer Action
169	293	PATRIOT PARK VILLAGE PHASE I	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	RIVER LANDING CENTER, LLC	LEXON INSURANCE COMPANY	\$46,708.00	2/1/2016	Not Converted	Residential Sub Division	Developer Action
170	294	PATRIOT PARK VILLAGE PHASE I	STORMWATER	MOORMAN, KIZER & REITZEL	SURETY BOND	RIVER LANDING CENTER, LLC	LEXON INSURANCE COMPANY	\$45,435.00	2/1/2016	Not Converted	Residential Sub Division	Developer Action
171	040	SUMMER GROVE PHASE II	STORMWATER	4-D SITE SOLUTIONS , INC.	LETTER OF CREDIT	SUMMER GROVE LLC	NEW CENTURY BANK	\$133,920.00	10/22/2010	Not Converted	Residential Sub Division	Developer Action
172	041	SUMMER GROVE PHASE II	STORMWATER	4-D SITE SOLUTIONS , INC.	CASH BOND	SUMMER GROVE LLC	NEW CENTURY BANK	\$133,921.00	10/23/2010	Not Converted	Residential Sub Division	Developer Action
173	042	SUMMER GROVE PHASE II	STORMWATER	4-D SITE SOLUTIONS , INC.	CASH BOND	SUMMER GROVE LLC	NEW CENTURY BANK	\$21,986.85	12/30/2010	Not Converted	Residential Sub Division	Developer Action
174	027	THE BLUFFS AT TREYBURN	STORMWATER	LARRY KING & ASSOCIATES	SURETY BOND	BREEZEWOOD OF FAYETTEVILLE	DEVELOPERS SURETY AND INDEMNITY COMPANY	\$113,804.46	8/6/2015	Not Converted	Residential Sub Division	Developer Action
175	057	THE KNOLLS ON CLIFFDALE	STORMWATER	4-D SITE SOLUTIONS , INC.	SURETY BOND	AUTRY GRADING, INC.	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$131,753.58	1/17/2011	Not Converted	Residential Sub Division	Developer Action
176	058	THE KNOLLS ON CLIFFDALE	STORMWATER	4-D SITE SOLUTIONS , INC.	SURETY BOND	AUTRY GRADING, INC.	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$125,208.65	1/17/2011	Not Converted	Residential Sub Division	Developer Action
177	059	THE KNOLLS ON CLIFFDALE	STORMWATER	4-D SITE SOLUTIONS , INC.	SURETY BOND	AUTRY GRADING, INC.	TRAVELERS CASULATY & SURETY CO. OF AMERICA	\$121,042.59	1/17/2011	Not Converted	Residential Sub Division	Developer Action
178	218	WESTHAVEN SUBDIVISION	STORMWATER		LETTER OF CREDIT	FLOYD PROPERTIES & DEVELOPMENT	FIDELITY BANK	\$22,300.00	7/18/2014	Not Converted	Residential Sub Division	Developer Action
179	101	WYNNHAVEN SUBDVISION	STORMWATER		SURETY BOND	WBM, LLC	HANOVER INSURANCE CO.	\$31,782.00	12/21/2011	Not Converted	Residential Sub Division	Developer Action
180	274	ARRAN'S COVE SUBDIVISION	STORMWATER	4D SITE SOLUTIONS	LETTER OF CREDIT	MOHLER INVESTMENTS, LLC	LUMBEE GUARANTY BANK	\$24,293.91	10/14/2015	Not Converted	Residential Sub Division	Developer Action
181	190	GARDNER PARK	STORMWATER	4D SITE SOLUTIONS	LETTER OF CREDIT	GARDNER PARK, LLC	LUMBEE GUARANTY BANK	\$39,287.22	10/21/2013	Not Converted	Residential Sub Division	Developer Action
182	105	TULLAMORE SQUARE (NORTH EDGE WATER)	STORMWATER	GEORGE M. ROSE, PE	CASH BOND	HORNADAY HOMES LLC	CITY OF FAYETTEVILLE	\$27,110.00	11/1/2017	10/26/2017	Residential Sub Division	Warranty Period
183	259	CAPES LANDING	STORMWATER	VAN HORN HOOVER	SURETY BOND	THE VILLAGES AT PARCSTONE, LLC	HARTFORD FIRE INSURANCE COMPANY	\$22,368.75	7/14/2015	6/4/2018	Residential Sub Division	Warranty Period
184	241	STONEGATE SECTION 3	STORMWATER		LETTER OF CREDIT	CRA HOME BUILDERS, INC	BB&T	\$25,764.80	12/15/2014	10/1/2018	Residential Sub Division	Warranty Period

Total Bonds Secured	184	\$14,470,650.76
Residential Subdivision	43	\$3,298,694.44
Commercial	141	\$11,171,956.32

Current Construction	42	\$3,173,391.13
Warranty Period	19	\$2,307,320.06
Developer Action Needed	123	\$8,989,939.57



PERFORMANCE GUARANTEE RELEASE CHECKLIST

PROJECT NAME: _____

NOTE: Performance securities are not available for release until one year after:

- 1) The issuance of a Certificate of Occupancy for commercial properties,
or
- 2) The conversion of an Erosion Control Measure to a Stormwater Management Facility in a single-family subdivision.

- ☐ Date: ____/____/____
 - Certificate of Occupancy
 - Conversion to BMP
- ☐ Operation and Maintenance Agreement recorded (must have been recorded prior to certificate of occupancy or final plat)
- ☐ Transfer of Maintenance Responsibilities Agreement recorded (if applicable)
- ☐ Drainage Easement / Access Easement recorded (appropriate references)
- ☐ Record Drawings and Engineer's Certification
 - Hard copy – prior to Final Inspection
 - Digital
- ☐ Annual Inspection Report after first year
- ☐ Request for release of performance guarantee in writing
- ☐ Escrow Account of 15% / Maintenance Fund of 20% (for single-family subdivisions only)
- ☐ Final Inspection of BMP by the City
- ☐ Payment of BMP Inspection Fee
- ☐ City Engineer's Approval

City Engineer

Date

Additional Comments:



Instructions to Complete

Performance Guarantee Release Checklist

- **Certificate of Occupancy Requirements**
 - Signed / Completed As-Built Drawings
 - Recorded Operations and Maintenance Agreement – Commercial (Form SCO2)
 - Satisfactory Inspection By Stormwater Inspector (Use This Date for Checklist)
 - Disregard – If Single Family Subdivision
- **Conversion from Erosion Control Measure to Stormwater Management Facility**
 - Signed / Completed As-Built Drawings
 - Recorded Operations and Maintenance Agreement – Public / Property Owner Maintained (Form SCO2) Two Forms available Public – City maintains Structure and requires Maintenance Fund, Property Owner – requires escrow account
 - Satisfactory Inspection By Stormwater Inspector (Use This Date for Checklist)
 - Disregard – If Commercial Property
- **Operation and Maintenance Agreement Recorded or Transfer if Maintenance Agreement**
 - Developer/Builder/Engineer Records and Provides Engineering a Copy / Deed Book and Page
 - There are 3 Versions to the form
 - Operations and Maintenance Agreement – (Public Maintained) Property Owner Association – Use when a subdivision will have Public dedicated road/Right-of-way and city will be responsible for the structural maintenance, the property owners will be responsible for the grass, debris removal, etc.
 - Operations and Maintenance Agreement – Commercial – Use when it's a commercial development that will be responsible for all maintenance
 - Operations and Maintenance Agreement – Property Owner Association is responsible for all maintenance
- **Drainage Easement / Access Easement Recorded**
 - Developer/Builder/Engineer Records and Provides Engineering a Copy / Plat Book and Page
- **Record Drawings and Engineer's Certification**
 - Record Drawings – See Stormwater Control Ordinance and Storm Drainage Record Drawing Requirements (Form SCO9)
 - Hard Copy – Digital or Paper is Acceptable
 - Digital – CAD / GIS file
 - Engineer's Certificate – A memo / letter stating that the stormwater facilities have been constructed as per the approved Stormwater Design Plan and Specifications

- **Annual Inspection Report After First Year**
 - See Form SCO4 – Varies depending on type of Stormwater Management Facility
 - Variations in requirements dependent on type of Operations and Maintenance Agreement executed (See Administrative Manual for Implementation of the Stormwater Control Ordinance)
- **Request For Release of Performance Guarantee In Writing**
 - Email or Letter from principle is acceptable
- **Escrow Account of 15% / Maintenance Fund of 20% (For Single-Family Subdivisions Only)**
 - Escrow Account Applies – When Property Owners Association is Responsible for All Maintenance (Money Deposited to...)
 - Maintenance Fund Applies – When City is Responsible for Structural Maintenance (Money received by city for maintenance)
 - Disregard – When Commercial Property Conducting Own Maintenance
- **Final Inspection of BMP By The City**
 - Requires Annual Inspection to Be Completed
 - Produces either SCO11 Notice of Site Compliance or SCO12 Notice of Site Non-Compliance
- **Payment of BMP Inspection**
 - Fee is Payable to Engineering Front Desk
 - Fee Cost is based on Staff Resources
 - Fee Covers all inspections
 - Fee Required for Each BMP (If multiple)
- **City Engineer's Approval**
 - Received if all requirements have been met



INTEROFFICE MEMORANDUM

TO: GISELLE RODRIGUEZ, PE, CFM, CITY ENGINEER
FROM: BYRON REEVES, PE, CFM ENGINEERING SPECIALIST II
SUBJECT: PEER CITY PERFORMANCE SECURITY COMPARISON
DATE: DECEMBER 21, 2018

The City of Fayetteville, in accordance with Chapter 23 Article III Sec. 23-41 of the Stormwater Management Ordinance, requires a performance guarantee for the installation of Stormwater Control Measures (SCMs) on all privately developed projects. These projects can be broken into two categories – Commercial Developments and Single-family Residential Subdivisions.

For commercial developments, the performance security for installation is required prior to the issuance of the infrastructure permit. The amount of the performance security is 75% of the total construction cost of the SCM. Prior to the issuance of a Certificate of Occupancy (CO), the SCM is converted, if necessary, and inspected by City staff. If the SCM passes inspection, the warranty period begins and the performance guarantee must remain in place for a minimum of one year. When this one year warranty period is complete, the applicant may petition the city to release the value of the performance guarantee. Upon receipt of such petition, the city engineer shall inspect the stormwater management facility to determine whether the controls are performing as designed and intend and if so, the performance security is refunded.

For residential subdivisions, the performance security for installation is required prior to the approval of the final plat. The amount of the performance security is 100% of the total estimated construction cost of converting from an erosion control measure (NCDEQ permit) to a final SCM. Once the SCM is converted it is inspected by City staff. If the SCM passes inspection, the warranty period begins and the performance guarantee must remain in place for a minimum of one year. When this one year warranty period is complete, the applicant may petition the city to release the value of the performance guarantee. Upon receipt of such petition, the city engineer shall inspect the stormwater management facility to determine whether the controls are performing as designed and intend and if so, the performance security is refunded and the City takes on functional maintenance responsibilities in perpetuity.

City staff recently reached out to our peer cities to inquire about their specific ordinance requirements for performance securities for both commercial and residential development. The below tables offer a comparison of requirements of these peer cities when compared to the City of Fayetteville.

Table 1. Peer City Comparisons for Performance Securities – Commercial Development SCMs

City	Bond Required Prior to Permit Issuance	Bond Required Prior to CO	Bond Amount	Warranty Period	Bond Released
Durham	No	Yes	Based upon a tier level & adjustment factor based on SCM facility type	No	Upon As-built acceptance
Greensboro	No	Yes	125% of remaining construction cost	No	Upon As-built acceptance
Greenville	No	Yes	100% of cost of remaining construction	No	Upon As-built acceptance
Raleigh	Yes	Yes	125% of estimated construction cost	No	Upon As-built acceptance
Winston Salem	No	Yes	125% Cost of remaining construction	No	Upon As-built acceptance
Fayetteville	Yes	Yes	75% of estimated construction cost	Yes	Completion of one year warranty period

Table 2. Peer City Comparisons for Performance Securities – Residential Subdivision SCMs

City	Bond Required Prior to Permit Issuance	Bond Required Prior to Plat Recordation	Bond Amount	Warranty Period	Bond Released
Durham	No	Yes	125% of remaining construction cost	No	Upon As-built acceptance
Greensboro	No	Yes	125% of remaining construction cost	No	Upon As-built acceptance
Greenville	No	Yes	Cost of remaining construction	No	Upon As-built acceptance
Raleigh	No	Yes	125% of remaining construction cost	No	Upon As-built acceptance
Winston Salem	No	Yes	Cost of remaining construction	No	Upon As-built acceptance
Fayetteville	No	Yes	100% of conversion cost	Yes	Completion of one year warranty period after conversion

It should be noted that some peer Cities have other specific requirements as it pertains to performance securities.

- They City of Durham has an extensive as-built program in which consultants have to be placed on an approved list before submitting as-builts for review.
- The City of Raleigh, prior to CO issuance, requires developers to remit a one-time payment of 24% of the construction cost of the SCM into a fund that the City retains in case of future device failure.
- The City of Winston-Salem requires commercial developments remit a one-time nonrefundable 4% payment based on the cost estimate for the SCM prior to the issuance of a permit. Residential Subdivision developers remit a nonrefundable 15% contribution into an escrow account. HOA must fund an escrow account with 2/3 of the estimated annualized cost of maintenance within 5 years of as-built approval and fully fund the escrow account within 10 years of as-built approval.



NOTICE OF PROCESS CLARIFICATION (NOPC)

TO: DEVELOPMENT COMMUNITY
FROM: GISELLE RODRIGUEZ, PE, CFM, CITY ENGINEER
SUBJECT: ENGINEERING REGULATORY REVIEW PROCESS CHANGES
DATE: NOVEMBER 15, 2018

In an effort to enhance the services provided by the Engineering Division, some changes have been made with the organization of staff. A regulatory review team has been formed with Byron Reeves as the team lead. Currently with him, Danny Strickland and Dennis Miller carry out all duties related to regulatory review and SCM inspections.

As the City's Engineering Division transitions to online submittals through IDT, some process changes are being implemented to help streamline the permit process and promote faster review and response from the City. The City's goal is to expedite the engineering plan review process to meet the growing needs of the development community and citizens of Fayetteville. The below outline describes these process changes in detail:

1. All plans submitted should be signed and sealed by the applicable professional registered in North Carolina. Preliminary plans may be marked *Not for Construction* until such time plans are requested by the City for approval.
2. Only complete submittals will be reviewed. If pertinent information is missing during the initial screening, both designer and owner will be notified of the missing information necessary for the review to begin. Again, incomplete submittals will not be reviewed and it is the responsibility of the designer/owner to provide absent items.
3. At such time the City provides comments for a submittal, resubmittal, or revision, a response comment sheet indicating how each comment was addressed will be required in subsequent resubmittals until all pre-approval comments have been addressed.
4. Resubmittals should address all prior comments provided by the City. Resubmittals, accompanied by the response to comment sheet, that do not address all prior comments will be considered incomplete and not reviewed until such time all prior comments are addressed.
5. All site layout and/or design modifications must to be noted in the response to comments sheet detailing any changes to the site or calculations. If applicable, additional items may need to accompany the resubmittal.
6. No submittal will be reviewed until such time that the applicable permit fee has been paid. This initial permit fee covers the initial review and one resubmittal.

7. A resubmittal fee of \$225.00 will be required prior to the 2nd resubmittal and additionally for any subsequent resubmittal afterwards. Review will not begin until the resubmittal fee is remitted to the City.
8. Revisions to approved projects will be treated as a resubmittal and require a resubmittal fee of \$225.00 prior to review. Each subsequent revision will require a resubmittal fee of \$225.00.
9. Revisions to approved projects will not be accepted by email.

With the understanding that these process implementation will be an adjustment, the above listed will become department policy Wednesday January 2, 2019. In the interim, if there are any questions or concerns please contact Byron Reeves at (910) 433-1613 or breeves@ci.fay.nc.us.

City of Fayetteville

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

City Council Action Memo

File Number: 18-668

Agenda Date: 2/25/2019

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Administrative
Reports

Agenda Number: 9.03

TO: Mayor and Members of City Council

THRU: Barbara Hill, Interim Assistant City Manager

FROM: Pamela Megill, City Clerk

DATE: February 25, 2019

RE:

Monthly Statement of Taxes for January 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 January 2019. 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:

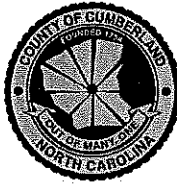
Recommended Action:

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

Date: February 7, 2019

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 January 2019. 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

JANUARY 2019

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
01/01/19	2018-132		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01/02/19	2018-133	1,804,139.67	1,332,908.47	141.35	7,991.44	0.00	10.00	10.00	272,276.66	189,595.33
01/03/19	2018-134	1,475,755.96	1,063,643.10	252.59	3,513.58	0.00	30.00	30.00	228,028.80	178,188.87
01/04/19	2018-135	4,674,184.13	3,982,035.84	150.11	2,772.28	0.00	30.00	30.00	517,645.27	170,580.07
01/07/19	2018-136	3,692,153.33	2,862,257.33	582.57	8,605.36	0.00	25.00	25.00	549,561.04	270,238.30
01/08/19	2018-137	751,593.06	568,666.76	70.30	1,173.66	0.00	10.00	10.00	114,216.33	63,714.12
01/09/19	2018-138	684,994.45	568,803.81	124.36	203.24	0.00	5.00	5.00	76,075.06	34,630.61
01/10/19	2018-139	616,834.41	466,394.61	286.73	1,474.91	0.00	15.00	15.00	110,789.81	34,135.03
01/11/19	2018-140	245,194.37	176,781.54	200.34	520.15	0.00	10.00	10.00	33,979.15	28,517.86
01/14/19	2018-141	335,138.63	247,635.24	138.98	109.74	0.00	35.00	35.00	48,918.01	31,927.64
01/15/19	2018-142	269,736.35	219,460.29	177.67	0.00	0.00	15.00	15.00	32,338.64	14,131.67
01/16/19	2018-143	53,298.26	32,499.23	377.79	167.17	0.00	40.00	40.00	4,805.40	10,749.42
01/17/19	2018-144	67,532.13	45,145.65	448.09	0.00	0.00	50.00	50.00	6,988.72	12,932.38
01/18/19	2018-145	174,978.44	137,735.17	23.29	0.00	0.00	5.00	5.00	23,129.95	8,037.20
01/21/19	2018-146		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01/22/19	2018-147	77,164.18	47,839.54	167.39	807.81	0.00	35.00	35.00	10,346.79	14,727.66
01/23/19	2018-148	105,700.10	73,199.26	115.63	0.00	0.00	10.00	10.00	20,171.92	8,683.62
01/24/19	2018-149	70,914.67	48,710.03	201.44	271.89	0.00	20.00	20.00	10,766.44	8,271.46
01/25/19	2018-150	55,929.23	29,555.80	125.89	948.40	0.00	20.00	20.00	7,506.08	15,204.38
01/28/19	2018-151	110,250.35	76,731.70	183.67	558.21	0.00	15.00	15.00	11,267.38	18,333.37
01/29/19	2018-152	60,051.18	38,201.36	38.53	933.33	0.00	0.00	0.00	8,140.86	11,602.84
01/30/19	2018-153	50,778.62	32,752.79	77.18	22.97	0.00	5.00	5.00	5,614.37	10,287.97
01/31/19	2018-154	135,213.43	86,876.85	276.68	0.76	1.84	25.00	25.00	21,074.03	20,658.41
TOTALS		15,511,534.95	12,137,834.37	4,160.58	30,074.90	1.84	410.00	410.00	2,113,640.71	1,155,148.21

TRUE

MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)
CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

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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	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	748.89	74.85	0.00	0.00	0.00	0.00	5.28	11.20	0.00	58.15	0.00
0.00	1,052.78	0.00	0.00	0.00	0.00	0.00	148.83	315.18	0.00	170.14	0.00
0.00	757.85	31.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.90	0.00
0.00	381.33	125.87	0.00	0.00	0.00	0.00	0.00	0.00	0.00	94.03	0.00
0.00	631.90	0.00	0.00	0.00	0.00	0.00	102.00	216.00	0.00	95.12	0.00
0.00	1,187.19	2.94	0.00	0.00	0.00	0.00	211.80	664.51	0.00	141.66	0.00
0.00	435.23	0.06	0.00	0.00	0.00	0.00	51.00	108.00	0.00	0.00	0.00
0.00	327.56	10.71	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,210.25	0.00
0.00	363.09	21.99	0.00	0.00	5.00	5.00	137.49	75.15	0.00	5.45	0.00
0.00	301.17	0.00	0.00	0.00	0.00	0.00	51.00	108.00	0.00	234.77	0.00
0.00	1,305.92	15.28	0.00	0.00	0.00	0.00	408.00	324.00	0.00	578.68	0.00
0.00	180.79	3.85	0.00	0.00	0.00	0.00	51.00	108.00	0.00	89.34	0.00
0.00	1,123.49	0.00	0.00	0.00	0.00	0.00	102.00	216.00	0.00	565.49	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	919.06	10.52	0.00	0.00	0.00	0.00	27.28	57.77	0.00	0.00	0.00
0.00	986.08	(12.55)	0.00	0.00	(5.00)	(5.00)	51.00	108.00	0.00	34.42	0.00
0.00	726.12	10.28	0.00	0.00	0.00	0.00	102.00	108.00	0.00	0.00	0.00
0.00	623.89	21.89	0.00	0.00	0.00	0.00	80.35	170.17	0.00	0.00	0.00
0.00	453.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	392.38	118.32	0.00	0.00	5.00	5.00	5.13	10.85	0.00	195.12	0.00
0.00	1,052.80	37.49	0.00	0.00	0.00	0.00	109.20	231.26	0.00	569.56	0.00
0.00	13,951.33	473.13	0.00	0.00	5.00	5.00	1,643.36	2,832.09	0.00	5,045.08	0.00

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2015 FTT	2015 STORM WATER	2015 FAY STORM WATER	2015 FAY 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	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	107.73	33.02	0.00	0.00	11.24	11.23	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	78.90	0.00	0.00	15.40	15.40	3.52	7.04
0.00	0.00	0.00	0.00	0.00	1.86	26.21	0.00	0.00	5.00	5.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	55.77	0.00	0.00	10.00	10.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	29.42	67.30	0.00	0.00	10.00	10.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	240.59	127.84	0.00	0.00	20.00	20.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	65.87	0.00	0.00	10.00	10.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	60.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	5.89	97.54	0.00	0.00	16.64	16.64	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	87.13	0.00	0.00	17.81	17.81	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	87.79	0.00	0.00	15.00	15.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	7.63	0.00	0.00	5.00	5.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	30.26	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	0.00	80.50	0.00	0.00	25.00	20.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	33.85	0.00	0.00	10.00	10.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	57.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	132.33	0.00	0.00	18.36	18.36	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	61.00	10.92	0.00	0.00	5.00	5.00	8.48	16.96
0.00	15.00	30.00	44.00	0.00	396.71	27.40	0.00	0.00	5.00	5.00	0.00	0.00
0.00	15.00	30.00	44.00	0.00	961.23	1,050.26	0.00	0.00	204.45	199.44	12.00	24.00

FAYETTEVILLE MACC LEDGER
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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	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	127.98	0.00	0.00	0.00	0.14	0.00	0.29	6.64	1,804,139.67
11.15	0.00	177.63	0.00	3.37	6.73	16.57	0.00	45.76	0.62	1,475,755.96
0.00	0.00	106.22	0.00	0.00	0.00	0.00	0.00	0.00	3.89	4,674,184.13
0.00	0.00	146.32	0.00	5.49	9.89	0.00	0.00	14.65	5.38	3,692,153.33
0.00	0.00	1,945.76	1.92	0.00	0.00	279.83	0.00	333.60	9.04	751,593.06
0.00	0.00	1,589.71	0.00	0.00	0.00	335.48	0.00	455.06	15.11	684,994.45
0.00	0.00	2,113.98	0.90	0.00	0.00	521.62	0.00	381.37	7.53	616,834.41
0.00	0.00	2,112.96	0.00	1.38	2.76	112.14	0.00	311.40	0.10	245,194.37
0.00	0.00	4,154.45	2.20	0.00	0.00	806.90	0.00	608.97	11.03	335,138.63
0.00	0.00	2,160.95	0.00	0.00	0.00	209.29	0.00	302.87	14.58	269,736.35
0.00	0.00	1,064.83	3.76	0.00	0.00	177.34	0.00	276.03	12.12	53,298.26
0.00	0.00	1,046.52	0.00	0.00	0.00	143.33	0.00	265.09	11.74	67,532.13
0.00	0.00	3,093.81	0.00	0.00	0.00	478.23	0.00	196.03	4.57	174,978.44
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	1,415.02	23.19	0.00	0.00	244.14	0.00	332.65	14.08	77,164.18
0.00	0.00	1,717.97	0.00	0.00	0.00	412.14	0.00	187.85	0.20	105,700.10
0.00	0.00	1,126.03	5.57	0.00	0.00	236.10	0.00	187.42	9.04	70,914.67
0.00	0.00	1,040.19	21.65	0.00	0.00	206.31	0.00	326.68	0.00	55,929.23
0.00	0.00	1,885.66	11.17	0.00	0.00	232.81	0.00	386.39	7.13	110,250.35
0.00	0.00	713.00	18.76	0.00	0.00	164.92	0.00	237.58	0.00	60,051.18
26.85	0.00	814.03	0.32	0.06	0.13	112.05	0.00	207.71	3.20	50,778.62
0.00	0.00	2,282.69	0.02	4.39	8.78	431.45	0.00	468.59	4.21	135,213.43
38.00	0.00	30,835.71	89.46	14.69	28.29	5,120.79	0.00	5,525.99	140.21	15,511,534.95