



City Council Agenda Item Request

Date of Request: September 27, 2017

Name of Requester: Jim Arp, Council Member

Agenda Item Title: Annexation of all PWC real properties into the City of Fayetteville

What do you want to accomplish with this item?

To annex all PWC real properties not within the City of Fayetteville into the City of Fayetteville within the next 90 days.

How does this item connect to the City's Strategic Plan?

- * The City of Fayetteville will be designed to include vibrant focal points, desirable industrial, commercial and residential opportunities with high quality and sustainable infrastructure.
- * Fayetteville will have unity of purpose and sustainable capacity across the organization.

Comments:

Currently, there are some PWC real properties that are not located within the boundaries of the City of Fayetteville. Since PWC is the City of Fayetteville's utility all real property of PWC belongs to the City and should be annexed into the City. No tax revenue is generated by PWC real properties, but the City does receive a payment in lieu of taxes from PWC. In the event of a future sale of PWC real property the City of Fayetteville would not receive tax revenue on these properties as they would be located in the County. Therefore, the City should annex all of these properties that belong to the City into the City.

Language from the

"§ 6A.9. Title to property; acquisition and disposal of property. Title to all vehicles and equipment purchased or otherwise acquired by the Commission and used or employed by the Commission in the discharge of its duties may be held in the name of the Commission.

All other **real** or personal **property** related to, used, or necessary for the operation of the utility systems under the management and control of the Commission (including plants, transmission and distribution mains and lines, **other real property**, fixtures, appurtenances, inventory, accounts, and revenues) shall be and remain in the name of the City of Fayetteville. Nothing in this Chapter shall be construed as conferring upon the Commission any power or authority to convey title or ownership to sell, lease, or otherwise transfer or dispose of any property owned or held in the name of the City of Fayetteville, but under the management and control of the Commission, unless such transaction is approved by resolution of the City Council and is in compliance with the Financing Documents.

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