



## Legislation Text

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File #: 18-219, Version: 1

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**TO:** Mayor and Members of City Council

**THRU:** Jay Reinstein, Assistant City Manager

**FROM:** Giselle Rodriguez, PE, City Engineer  
Alicia Young, Assistant City Attorney

**DATE:** May 14, 2018

**RE:**  
Text Amendment to Chapter 24 to Accommodate Phase V Annexation Pavement Overlay Process Change

**COUNCIL DISTRICT(S):**  
6, 8

**Relationship To Strategic Plan:**

Goal 1: Safe and Secure Community

Goal 4: Desirable Place to Live, Work and Recreate

**Executive Summary:**

The street system is one of the City's largest assets impacting every citizen, employee, emergency service personnel, commuter, and visitor. At times, this asset provides a refuge for utilities serving our neighborhoods, including water and sewer. Such utilities are currently being installed and/or improved as a City Council and PWC Commission initiative for Phase V Annexation. In addition to the utility work, the resurfacing of the impacted streets has been included in the recent annexation projects and future projects moving forward. After thorough review and consideration, City and PWC staff recommend that the pavement overlay be removed from the annexation projects and added to the City's resurfacing contract under a financial reimbursement agreement. This change will provide a better quality product, increase longevity, and improve the efficiency of both projects. City Council is asked to adopt the text amendment presented for Chapter 24 to accommodate this initiative.

**Background:**

Recent changes to the City/PWC Phase V Annexation agreement included a stipulation that PWC would be responsible for the cost of the pavement overlay for upcoming projects (Area 20 and beyond) which is currently included in the annexation contract. After thorough consideration and analysis, both City and PWC staff recommend that ample time be allowed for any pavement settlement to occur after the repaired streets have been subjected to vehicular traffic. The contractor will then be responsible for correcting any deficiencies for the warranty period of one year. Streets

within the project area will be added to the next available City's Resurfacing Contract under a financial reimbursement agreement with PWC and then will be resurfaced within twelve (12) to eighteen (18) months after completion of the utility installation project to allow any settlement of the temporary patch to occur.

Some of the potential disadvantages that emerge from this change are:

- 1) Inconveniencing the residents of the project area twice; first with the utility installation and then with the overlay,
- 2) Potential complaints from the property owners about the street not being resurfaced and having to pay the assessment.

Recognizing these valid concerns, staff believes that communication is the key. PWC currently has an effective communication plan to deliver information related to the utility installation projects in annexed areas. Partnering with PWC to include the message in the printed materials and at public meetings will keep the property owners aware of the process and the expected sequence of events. The City and PWC will have multiple opportunities to communicate the City's paving schedule to residents. Currently PWC does five separate mailings, holds three meetings in the community, and has a portion of its website dedicated to annexation related projects.

This proposal was discussed and accepted by Council at the Work Session on September 5, 2017. Staff was directed to incorporate the text amendments as needed in the code of ordinances to be considered by Council for adoption.

### **Issues/Analysis:**

By moving the overlay from the utility installation project to the resurfacing contract we expect the following benefits:

- 1) Addressing any settlement as it occurs, usually during the first 6 to 12 months after the project. By waiting to resurface the streets after this time period, repairs will not impact a newly paved road.
- 2) Extended pavement longevity by reducing maintenance needs. This is a result of allowing any potential settlement to occur and holding the contractor responsible.
- 3) Increasing the asphalt quantities on the resurfacing contract could result in lower prices per unit.
- 4) Better quality product to the citizens of Fayetteville.

### **Budget Impact:**

A financial reimbursement agreement will be executed by PWC for every project based on the bid prices received.

### **Options:**

- 1) Approve the text amendments to Chapter 24 to accommodate Phase V Annexation overlay process change, or
- 2) Do not approve the text amendments to Chapter 24 to accommodate Phase V Annexation overlay process change and provide further direction to staff.

**Recommended Action:**

Approve the text amendments to Chapter 24 to accommodate Phase V Annexation overlay process change as presented.

**Attachments:**

Text Amendment Chapter 24 - Redline version

Text Amendment Chapter 24