



FAYETTEVILLE CITY COUNCIL
AGENDA
FEBRUARY 14, 2011
7:00 P.M.
CITY HALL COUNCIL CHAMBER

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1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 ANNOUNCEMENTS AND RECOGNITIONS

6.0 PUBLIC FORUM

Each speaker shall have up to 2 minutes to address Council on issues related to the City of Fayetteville. No time will be yielded to any speaker by another speaker. The Public Forum shall last no longer than 15 minutes. The Mayor shall have the discretion to extend the Public Forum up to 30 minutes.

7.0 CONSENT

7.1 Consideration of Revisions to City Code Chapter 2 Article II Sec. 2-42. - Public Art Commission; Composition and Responsibilities

7.2 Adopt a Resolution Confirming Non-Inclusion of a Portion of Ardmore Drive and a Portion of Baldwin Avenue on Street Plan

7.3 Adopt a Resolution Confirming Non-Inclusion of a Portion of Nimocks Avenue and a Portion of an Unnamed Alley off of Old Wilmington Road on Street Plan

7.4 Addition of Streets to the City of Fayetteville's System of Streets

7.5 Adoption of Municipal Speed Ordinances

7.6 Adopt a Resolution Designating the Chief Financial Officer of the City To Declare Official Intent to Reimburse Expenditures Under United States Department of Treasury Regulations on Behalf of the City

7.7 Budget Ordinance Amendment 2011-6 (General Fund and Airport)

- 7.8 Special Revenue Fund Project Ordinance Closeouts 2011-6 (FY08 Operation Ceasefire) and 2011-7 (FY06 Homeland Security)
- 7.9 Special Revenue Fund Project Ordinance 2011-7 (FY2011 Operation Ceasefire Program)
- 7.10 Special Revenue Fund Project Ordinance 2011-8 (FY 2011 Juvenile Restitution Program)
- 7.11 Adopt Resolution to Accept a Report of Unpaid Taxes for 2010 and Direct the Advertisement of Tax Liens
- 7.12 Bid Recommendation - Voltage Regulators
- 7.13 PWC Financial Matters - Budget Amendments
- 7.14 Interlocal Agreement for Fiber Services
- 7.15 Site Solutions Proposal for Assisting with Bond Package

8.0 OTHER ITEMS OF BUSINESS

- 8.1 Consider Adoption of Resolution Authorizing Condemnation to Acquire Right of Way for the Murchison Road Sidewalk Project

Presenter(s): Jeffery P. Brown, PE, Engineering & Infrastructure Director

- 8.2 Consider Recommended Award for Veterans Park Exhibit Item

Presenter(s): Craig Hampton, Special Projects Director

- 8.3 Consider Award of Sole Source Contract for Veterans Park Exhibit Item

Presenter(s): Craig Hampton, Special Projects Director

- 8.4 Adopt a Resolution Authorizing Condemnation to Acquire Property for the Multi-Modal Transportation Center

Presenter(s): Doug Hewett, Assistant City Manager

- 8.5 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

Presenter(s): Robert T. Hurst, Jr., Council Member, District 5

9.0 ADMINISTRATIVE REPORTS

- 9.1 Monthly Statement of Taxes for January 2011

10.0 ADJOURNMENT

CLOSING REMARKS

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.

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 in the Executive Offices, Second 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 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 twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

**COUNCIL MEETING WILL BE AIRED
FEBRUARY 14, 2011 - 7:00 PM
COMMUNITY CHANNEL 7**

**COUNCIL MEETING WILL BE RE-AIRED
FEBRUARY 16, 2011 - 10:00 PM
COMMUNITY 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 Ron McElrath, ADA Coordinator, at rmcelrath@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 COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Rita Perry, City Clerk
DATE: February 14, 2011
RE: **Consideration of Revisions to City Code Chapter 2 Article II Sec. 2-42. - Public Art Commission; Composition and Responsibilities**

THE QUESTION:

Whether to approve the recommended revisions to the Code regarding the composition of the Public Art Commission.

RELATIONSHIP TO STRATEGIC PLAN:

Principle 1: Partnership with Citizens

BACKGROUND:

As discussed at the February 1, 2011 Appointment Committee meeting, the code regarding the composition of the Public Art Commission specifies that three members of the Public Art Commission be nominated by the Fayetteville Museum of Art. In light of the Board of Trustees of the Fayetteville Museum of Art vote to close the museum on May 31, 2010 and to ensure the Public Art Commission membership remains current and active, staff recommends these nominations be made by the City Council Appointment Committee.

ISSUES:

Does the code revisions meet with Council's interest?

BUDGET IMPACT:

NA

OPTIONS:

- Approve the code revisions
- Approve the code revisions with additional recommendations
- Disapprove the code revisions

RECOMMENDED ACTION:

Approve the code revisions

ATTACHMENTS:

Ordinance Amending Public Art Commission Nominations

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AMENDING §2-42, PUBLIC ART COMMISSION; COMPOSITION AND
RESPONSIBILITIES**

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 2-42, Public Art Commission; composition and responsibilities, is amended by deleting paragraph (a) COMPOSITION and substituting the following:

(a) COMPOSITION - The Public Art Commission shall have six (6) members appointed for two-year terms in the following manner: Three members shall be nominated by the Arts Council of Fayetteville/Cumberland County to the Fayetteville City Council for review and approval. Three members shall be nominated by the ~~Fayetteville Museum of Art~~ to Appointment Committee of the Fayetteville City Council for review and approval. The Public Art Commission shall elect the Chairperson of the Public Art Commission. The Chairperson shall serve as liaison to the Arts Council Board of Trustees.

Adopted this 14th day of February, 2011.

CITY OF FAYETTEVILLE

(SEAL)

By: _____
ANTHONY G. CHAVONNE, MAYOR

ATTEST:

JENNIFER PENFIELD, DEPUTY CLERK

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Jeffery P. Brown, Engineering & Infrastructure Director
DATE: February 14, 2011
RE: **Adopt a Resolution Confirming Non-Inclusion of a Portion of Ardmore Drive and a Portion of Baldwin Avenue on Street Plan**

THE QUESTION:

How best to respond to a request from Edward W. Grannis, Jr. to declare a portion of Ardmore Drive and a portion of Baldwin Avenue free from City Maintenance.

RELATIONSHIP TO STRATEGIC PLAN:

A Growing City - A Great Place to Live

BACKGROUND:

- The portions of these 60' rights of way were identified on Plat 26, Page 9 dated March 1962.
- This resolution of non-inclusion on a city street plan helps enable the adjacent property owner to better develop the property around it.
- The said right of way will be a part of the next phase of the Eastside Green Development located off of Cedar Creek Road

ISSUES:

- That portion of Ardmore Drive and Baldwin Avenue identified on attached map was never opened or used for public access nor are they a part of any approved street plan.
- No lots will be landlocked.
- The requester is an abutting property owner.
- A public hearing is not required for this action.

BUDGET IMPACT:

- There is no significant impact on the budget for this project.

OPTIONS:

- Adopt the attached resolution of non-inclusion for a portion of Ardmore Drive and a portion of Baldwin Avenue.
- Do not approve the resolution.

RECOMMENDED ACTION:

Adopt the attached resolution.

ATTACHMENTS:

Resolution
Map

RESOLUTION CONFIRMING NON-INCLUSION OF A PORTION OF ARDMORE DRIVE AND A PORTION OF BALDWIN AVENUE IN THE CITY OF FAYETTEVILLE STREET PLAN

WHEREAS, the City of Fayetteville, NC, has requested that a determination be made of whether a portion of Ardmore Drive and a portion of Baldwin Avenue, as shown on the copy of a map attached to this Resolution, is shown as a future street on a street plan adopted by the City of Fayetteville pursuant to G.S. § 136-66.2; and

WHEREAS, the City of Fayetteville has examined its records, and has determined that its street plan does not include the unopened portion of Ardmore Drive and the portion of Baldwin Avenue as depicted on attached map.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fayetteville finds that the above-described portion of Ardmore Drive and a portion of Baldwin Avenue has not been included in a street plan adopted pursuant to North Carolina General Statutes 136-66.2.

ADOPTED this the 14th day of February 2011.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G.CHAVONNE, Mayor

ATTEST:

Jennifer Penfield, Deputy City Clerk



SUNNY ACRES
 PROPERTY OF
 MRS. E. V. G. BROWNIS
 CEDAR CREEK TOWNHIP
 CUMBERLAND COUNTY, N.C.
 SCALE: 1" = 100' MARCH, 1962.
 WOODMAN & LITTLE, INC.
 FAYETTEVILLE, N. C.

I, Walter C. Woodman, certify that this plat was drawn from the original survey, that the same have been examined and found to conform with the laws of North Carolina, and that the same are correct and true to the original survey. I have not been paid for this plat, and I have not been paid for the original survey. I have not been paid for the original survey. I have not been paid for the original survey.

Count of each section.
 Court of North Carolina
 Clerk of Superior Court
 County of Cumberland
 State of North Carolina
 This day of March, 1962, at Fayetteville, N.C.

Walter C. Woodman
 Clerk of Superior Court
 State of North Carolina
 County of Cumberland
 This day of March, 1962, at Fayetteville, N.C.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Jeffery P. Brown, Engineering & Infrastructure Director
DATE: February 14, 2011
RE: **Adopt a Resolution Confirming Non-Inclusion of a Portion of Nimocks Avenue and a Portion of an Unnamed Alley off of Old Wilmington Road on Street Plan**

THE QUESTION:

How best to respond to a request from Fayetteville Metropolitan Housing Authority to declare a portion of Nimocks Avenue and a portion of an Unnamed Alley off of Old Wilmington Road free from City Maintenance.

RELATIONSHIP TO STRATEGIC PLAN:

A Growing City - A Great Place to Live

BACKGROUND:

- The portion of the 40' right of way known as Nimocks Avenue and the Unnamed Alley off of Old Wilmington Road were identified on Plat 8, Page 80 dated October 1933 and Plat 12, Page 21 dated June 1948.
- This resolution of non-inclusion on a city street plan helps enable the adjacent property owner to better develop the property around it.
- The said right of way will be a part of the Hope VI redevelopment plans.

ISSUES:

- That portion of Nimocks Avenue and Unnamed Alley off of Old Wilmington Road identified on attached map were never opened or used for public access nor are they a part of any approved street plan.
- No lots will be landlocked.
- The requester is an abutting property owner.
- A public hearing is not required for this action.

BUDGET IMPACT:

- There is no impact on the budget for this project.

OPTIONS:

- Adopt the attached resolution of non-inclusion for a portion of Nimocks Avenue and a portion of Unnamed Alley off of Old Wilmington Road.
- Do not adopt the resolution.

RECOMMENDED ACTION:

Adopt the attached resolution.

ATTACHMENTS:

Resolution
Map

RESOLUTION CONFIRMING NON-INCLUSION OF A PORTION OF NIMOCKS AVENUE AND A PORTION OF AN UNNAMED ALLEY OFF OF OLD WILMINGTON ROAD IN THE CITY OF FAYETTEVILLE STREET PLAN

WHEREAS, the City of Fayetteville, NC, has requested that a determination be made of whether a portion of Nimocks Avenue and a portion of an Unnamed Alley off of Old Wilmington Road, as shown on the copy of a map attached to this Resolution, is shown as a future street on a street plan adopted by the City of Fayetteville pursuant to G.S. § 136-66.2; and

WHEREAS, the City of Fayetteville has examined its records, and has determined that its street plan does not include the unopened portion of Nimocks Avenue and a portion of an Unnamed Alley off of Old Wilmington Road as depicted on attached map.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fayetteville finds that the above-described portion of Nimocks Avenue and a portion of an Unnamed Alley off of Old Wilmington Road has not been included in a street plan adopted pursuant to North Carolina General Statutes 136-66.2.

ADOPTED this the 14th day of February 2011.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G.CHAVONNE, Mayor

ATTEST:

Jennifer Penfield, Deputy City Clerk

N.C.G.S. "CUR 15"
 N = 275,130.45'
 S = 275,130.45'
 NAD 83 (NAD83 2007)
 ALL DISTANCES ARE HORIZONTAL
 DISTANCES UNLESS OTHERWISE NOTED.

N.C.G.S. "CUR 15"
 N = 275,130.45'
 S = 275,130.45'
 NAD 83 (NAD83 2007)
 ALL DISTANCES ARE HORIZONTAL
 DISTANCES UNLESS OTHERWISE NOTED.

- N.C.G.S. MONUMENT
- 1" IRON PIPE (FOUND)
- 5/8" REBAR WITH I.D. CAP (CIT)
- MASONRY NAIL (CIT) IN TOP OF CONCRETE UTILITY BOX
- UNMARKED POINT
- EXISTING PLANTED STONE
- EXISTING CONCRETE MONUMENT
- SEWER MANHOLE
- FIRE HYDRANT
- UTILITY POLE WITH OVERHEAD LINES
- FENCE
- CENTERLINE OF CREEK
- TOP OF EAST BANK OF CREEK

CHAIN	BEARINGS	ANGLE	LENGTH	SHOWS	LENGTH	CHAIN	BEARINGS	ANGLE	LENGTH
C1	20.00'	S 11.41° E	26.24'	20.00'	26.24'	C2	20.00'	S 11.41° E	26.24'
C2	20.00'	S 11.41° E	26.24'	20.00'	26.24'	C3	20.00'	S 11.41° E	26.24'
C3	20.00'	S 11.41° E	26.24'	20.00'	26.24'	C4	20.00'	S 11.41° E	26.24'
C4	20.00'	S 11.41° E	26.24'	20.00'	26.24'	C5	20.00'	S 11.41° E	26.24'



PROPERTY OWNERS:
 -FAYETTEVILLE METROPOLITAN HOUSING AUTHORITY
 -FRIENDSHIP MISSIONARY BAPTIST CHURCH

SURVEY OF
DELONA GARDENS AND CAMPBELL AVENUE

CITY OF FAYETTEVILLE
 CROSS CREEK TOWNSHIP
 CUMBERLAND COUNTY
 NORTH CAROLINA

DATE: JANUARY 07, 2011
 REVISION: _____

McMAHAN & ASSOCIATES, P.A. (C-319)
 P.O. BOX 1296
 WEAVERVILLE, N.C. 28787

828-645-5554
 JOB NO. 10-0566/DELONA GARDENS
 E:\PROJECTS\DELONA GARDENS\2010-05-06.DWG

PRELIMINARY
 NOT FOR RECORDING, LEGAL
 USE, OR FINAL DESIGN.

SCALE: 1" = 100'
 0' 100' 200' 300' 400'

Tax Map# 0437-71-6351
 (Presently)

0437-71-4633
 PRELIMINARY 0437-71-2413
 CITY OF FAYETTEVILLE 2403/437

I HEREBY CERTIFY TO THE FOLLOWING:
 1. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

0437-71-4633
 PRELIMINARY 0437-71-2413
 CITY OF FAYETTEVILLE 2403/437

DO NOT FOR RECORDING, LEGAL USE, OR FINAL DESIGN.

DO NOT FOR RECORDING, LEGAL USE, OR FINAL DESIGN. I CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED IN DEED BOOK, SEE PAGE, PLAT, PLAT BOOK, SEE, PAGE, PLAT, THAT THE RATIO OF PREPARED IN ACCORDANCE WITH G.S. 20-100; THAT THIS PLAT WAS WITNESSED BY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS 7TH DAY OF JANUARY, A.D., 2011.

SURVEYOR: _____ REGISTRATION NUMBER: 2475

FILED FOR REGISTRATION ON THE _____ DAY OF _____ 20 _____ AT _____, N.C., AND RECORDED IN _____ REGISTER OF DEEDS CUMBERLAND COUNTY BY _____ DEPUTY

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Jeffery P. Brown, PE, Engineering & Infrastructure Director
DATE: February 14, 2011
RE: **Addition of Streets to the City of Fayetteville's System of Streets**

THE QUESTION:

Council is being asked to accept the dedication of the attached list of streets for maintenance and addition to the City of Fayetteville system of streets.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods, A Great Place to Live

BACKGROUND:

- Staff has identified several subdivision streets throughout the City that are now acceptable for addition to the City of Fayetteville system of streets.
- These streets are subdivision streets that have been constructed over the last year.

ISSUES:

These streets need to be officially accepted and added to City of Fayetteville system of streets for us to begin providing maintenance services on them and for them to be included in our 2011 Powell Bill appropriation.

BUDGET IMPACT:

OPTIONS:

- Approve the attached list for inclusion in the City of Fayetteville system of streets.
- Modify the list, then approve.
- Do not accept these streets for maintenance.

RECOMMENDED ACTION:

Approve the attached list of subdivision streets for inclusion in the City's system of streets.

ATTACHMENTS:

List of Streets

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Jeffery P. Brown, PE, Engineering and Infrastructure Director
DATE: February 14, 2011
RE: **Adoption of Municipal Speed Ordinances**

THE QUESTION:

Does the City Council concur with NCDOT's request to enact municipal speed limit ordinances on NCDOT maintained streets? Many of these locations are streets that were previously covered by County statutory ordinances that are now within the city limits and have not been updated previously following the Phase V annexation.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - A Great Place To Live

BACKGROUND:

- All of these ordinances will maintain the speed limit in the City.
- They are a "house cleaning" effort to consolidate the NCDOT speed ordinance database.

ISSUES:

If NCDOT and the City cannot agree on modifying the speed limit for a particular street the existing speed limit will remain in place.

BUDGET IMPACT:

The adoption of these ordinances will not have an impact on the budget. If approved, NCDOT will be responsible for signing these changes.

OPTIONS:

- Adopt ordinances as recommended.
- Reject the ordinances.
- Reject specific ordinances until NCDOT has studied for further reduction.

RECOMMENDED ACTION:

Adopt the attached speed ordinances for concurrence for NCDOT.

ATTACHMENTS:

US 401 ordinances

Municipal Ordinance		NS2011 -		
Road Name	Description	Existing	Recommended	Comments
US 401 (Raeford Rd.)	From the Hoke County Line to NC 162.	55	55	ENACT
US 401 (Raeford Rd./Skibo Rd.)	From NC 162 to 0.14 mile north of NC 24.	45	45	ENACT
US 401 (Skibo Rd.)	From 0.14 mile north of NC 24 to 0.39 mile south of Longview Dr.	50	50	ENACT
US 401 (Ramsey St.)	From 0.39 mile south of Longview Dr. to 0.10 mile north of Oates Dr.	45	45	ENACT
US 401 (Ramsey St.)	From 0.10 mile north of Oates Dr. to 0.02 mile north of McCloskey Rd.	50	50	ENACT
US 401 (Ramsey St.)	From 0.10 mile south of McArthur Rd. to 0.22 mile north of McArthur Rd. (School)	35	35	ENACT
US 401 (Country Club Dr.)	From 0.13 mile north of NC 210 to 0.33 mile north of NC 210. (School)	25	25	ENACT
US 401 (Skibo Rd.)	From 0.07 mile north of US 401 Bus. (Raeford Rd.) to 0.73 mile north of US 401 Bus. (Raeford Rd.). (School)	35	35	ENACT
US 401 (Raeford Rd.)	From 0.44 mile south of Graham Rd. to 0.27 mile north of Graham Rd. (School)	35	35	ENACT
US 401 Bus. (Raeford Rd./Robeson St.)	From US 401 (Skibo Rd.) to Robeson St.	45	45	ENACT
US 401 Bus. (Ramsey St.)	From 0.71 mile north of NC 210 to 0.39 mile south of Longview Dr.	45	45	ENACT
US 401 Bus. (Ramsey St.)	From 0.69 mile south of US 401 (Country Club Dr.) to 0.99 mile south of US 401 (Country Club Dr.). (School)	35	35	ENACT
US 401 Bus. (Ramsey St.)	From 0.05 mile south of US 401 (Country Club Dr.) to 0.48 mile south of US 401 (Country Club Dr.). (School)	35	35	ENACT
US 401 (Greene St.)	Greene St. (US 401) from Person St. (US 301 Bus.) to the northern end of Cross Creek Bridge.	25		REPEAL
US 401 (Raeford Rd.)	Raeford Rd. (US 401) from Robeson St. (US 401) to the western corporate limit.	45		REPEAL
US 401 (Country Club Dr.)	Country Club Dr. (US 401 Bypass) from a point 0.28 mile west of McChoen St. (SR 1799), eastward to Ramsey St. (US 401).	50		REPEAL
US 401 (Ramsey St.)	Ramsey St. (US 401) from Northwest Avenue to Lynn Avenue.	45		REPEAL
US 401 (Pamalee Dr.)	From 0.22 mile north of NC 24 (Bragg Blvd.), northward to a point 0.14 mile north of NC 87/210.	50		REPEAL
US 401 (Skibo Rd.)	From a point 0.35 mile south of Morganton Rd., the western corporate limit, northward to a point 0.22 mile north of NC 24.	45		REPEAL
US 401 (Ramsey St.)	From the corporate limit, a point 0.28 mile south of Stacey Weaver Rd., northward to a point 0.28 mile south of Carvers Fall Rd.	50		REPEAL
US 401 (Ramsey St.)	From a point 0.04 mile south of Carvers Fall Rd., northward to a point 0.07 mile north of Carvers Fall Rd.	50		REPEAL
US 401 (Ramsey St.)	From a point 0.08 mile south of Andrews Rd. northward to a point 0.14 mile north of Andrews Rd.	50		REPEAL
US 401 (Ramsey St.)	Ramsey St. from Kirkland Dr. to Northwest Avenue.	45		REPEAL
US 401 (Ramsey St.)	From McArthur Rd. northward to a point 0.10 mile north of McArthur Rd.	45		REPEAL

Adopted this ____ day of _____, 2011.

CITY OF FAYETTEVILLE

(SEAL)

By: _____
ANTHONY G. CHAVONNE, MAYOR

ATTEST:

JENNIFER PENFIELD, DEPUTY CLERK

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: February 14, 2011
RE: **Adopt a Resolution Designating the Chief Financial Officer of the City To Declare Official Intent to Reimburse Expenditures Under United States Department of Treasury Regulations on Behalf of the City**

THE QUESTION:

Does Council wish to adopt a resolution that will allow the Chief Financial Officer to declare the City's intent to reimburse expenditures from the proceeds of future debt issuances?

RELATIONSHIP TO STRATEGIC PLAN:

Principle 5 -Providing services in a Cost Effective Manner: Means - Improving the process

BACKGROUND:

- Consistent with the adopted budget and capital improvement plan, the City occasionally issues bonds or enters into financing agreements for various projects such as the construction of a fire station or the acquisition of vehicles and equipment.
- Historically, when the City has issued debt, staff has recommended that Council approve reimbursement resolutions that would allow the City to reimburse expenditures made before the debt was issued from the financing proceeds.
- This resolution will allow the Chief Financial Officer to sign reimbursement certificates for future planned debt issuances instead of requiring Council's approval of a reimbursement resolution each time the City issues debt.
- It is important to note that City Council would still have to approve all bond issuances and financing agreements.
- This resolution only authorizes the Chief Financial Officer to express the City's intent to reimburse itself for any project expenditures incurred prior to the issuance of debt.
- Adoption of this resolution was suggested by the City's bond counsel since it is a common practice by local governments and would reduce the number of required Council actions in the financing process.
- A sample reimbursement certificate that would be approved by the Chief Financial Officer is attached for your information.

ISSUES:

None.

BUDGET IMPACT:

None.

OPTIONS:

1. Approve the resolution.
2. Do not approve the resolution and Council will continue to approve a reimbursement resolution each time the City plans to issue debt.

RECOMMENDED ACTION:

Approve the resolution.

ATTACHMENTS:

Resolution Designating Chief Financial Officer
Sample Reimbursement Certificate

RESOLUTION DESIGNATING THE CHIEF FINANCIAL OFFICER OF THE CITY TO DECLARE OFFICIAL INTENT TO REIMBURSE EXPENDITURES UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS ON BEHALF OF THE CITY

BE IT RESOLVED, by the City Council of the City of Fayetteville, North Carolina (the “City”) as follows:

Section 1. It is hereby found, determined and declared by the City Council as follows:

(a) Section 1.150-2 of the United States Department of Treasury Regulations (the “Regulations”) prescribe specific procedures which will be applicable to certain bonds or notes issued by the City including, without limitation, a requirement that the City declare its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the City prior to, or within sixty (60) days of, payment of the expenditures to be reimbursed.

(b) The Regulations expressly permit the statement of official intent to be declared by any person designated by the City to declare official intent on behalf of the City.

(c) The City Council believes that it is in the best interest of the City to designate the Chief Financial Officer of the City to declare official intent on behalf of the City for such purposes.

Section 2. As permitted by the Regulations, the Chief Financial Officer of the City, now or hereafter serving in such capacity, is designated by the City Council to declare the official intent on behalf of the City to reimburse any and all expenditures with the proceeds of debt to be incurred by the City.

Section 3. This resolution shall take effect upon its passage.

ADOPTED this _____ day of _____,

CITY OF FAYETTEVILLE

(SEAL)

By:

ANTHONY G. CHAVONNE, MAYOR

ATTEST:

JENNIFER PENFIELD, DEPUTY CLERK

DECLARATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES

I, Lisa T. Smith, Chief Financial Officer of the City of Fayetteville, North Carolina (the "City"), having been designated by the City Council of the City for such purpose pursuant to a resolution adopted by said City Council on February 14, 2011, and on behalf of the City, DO HEREBY DECLARE AND CERTIFY as follows:

1. The City intends to advance its own funds in order to pay certain capital costs (the "Original Expenditures") relating to **[the acquisition, construction, expansion and renovation of the City's stormwater system, including, without limitation, the erosion control projects, drainage projects, culverts, outfall and the acquisition of any related land, rights of way and equipment]** (collectively, the "Project").

2. The City reasonably expects to reimburse itself for the Original Expenditures from the proceeds of indebtedness to be incurred by the City (the "Indebtedness").

3. The maximum principal amount of the Indebtedness expected to be incurred by the City for the Project is **[\$9,000,000]**.

4. This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to declare the official intent of the City to reimburse itself from the proceeds of the Indebtedness for certain expenditures paid by the City in connection with the Project on or after the date which is sixty (60) days prior to the date hereof.

5. The funds heretofore advanced or to be advanced by the City to pay the Original Expenditures are or will be available only on a temporary basis, and do not consist of funds that were otherwise earmarked or intended to be used by the City to permanently finance the Original Expenditures.

6. All Original Expenditures to be reimbursed by the City were paid no more than sixty (60) days prior to, or will be paid on or after the date of, this declaration of official intent, except with respect to certain amounts incurred before such 60-day period not exceeding 20% of the issue price of the Indebtedness which are expended for "preliminary expenditures" within the meaning of Section 1.150-2 of the Treasury Regulations (the "Preliminary Expenditures"). The City understands that, except for the Preliminary Expenditures, such reimbursement must occur not later than eighteen (18) months after the later of (a) the date the Original Expenditures were paid and (b) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the Original Expenditures were paid.

7. This declaration shall take effect immediately upon execution hereof.

WITNESS my hand this ____ day of February, 2011.

Chief Financial Officer

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: February 14, 2011
RE: **Budget Ordinance Amendment 2011-6 (General Fund and Airport)**

THE QUESTION:

This budget ordinance amendment will appropriate \$266,610 in the General Fund to fund the first debt service payment for the parking deck loan, and will transfer existing budgeted funding between the Information Technology and Police departments, the Parks, Recreation and Maintenance and Environmental Services departments, and the City Attorney's office and the Engineering and Infrastructure department. The funding sources for the debt service payment include a 45% interest subsidy from the Federal government and a contribution from the Public Works Commission (PWC).

This budget ordinance amendment will also appropriate \$173,359 of net assets (fund balance) for the Airport Fund to facilitate the early repayment of an interfund loan from the General Fund. In the General Fund, the fund balance appropriation will be reduced by \$173,359 and Interfund Transfers will be increased by \$173,359 to reflect the early payment from the Airport Fund.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principle: Financially Sound City Government

BACKGROUND:

- The appropriation for the parking deck debt service payment is consistent with the funding agreement and debt issuance previously approved by City Council. The initial debt service payment will be due in February 2011, and is fully funded by a \$68,276 Federal interest subsidy, a \$198,334 contribution from the PWC, and a \$83,449 payment from the financing proceeds.
- The Police department has assumed operational responsibility for the City Hall information and security desk from the Information Technology department. This budget ordinance amendment will transfer budgeted funding of \$15,000 for the desk staffing for the second half of the current fiscal year between the departments.
- The Real Estate division has been reassigned from the City Attorney's office to the Engineering and Infrastructure Department. As a result, the division budget for the current fiscal year totalling \$213,928 will be transferred between the departments with this budget ordinance amendment.
- Funding for some open encumbrances for the Environmental Services department was inadvertently re-appropriated to the Parks, Recreation and Maintenance department budget. This budget ordinance amendment will transfer \$6,092 between the department budgets to correct the oversight.
- An interfund loan occurred between the General Fund and the Airport Fund in fiscal year 2000 to fund the construction of T-Hangars. The Airport Fund now has sufficient net assets to repay accumulated interest and the outstanding balance of the loan. The budget ordinance amendment will appropriate \$173,359 of Airport Fund net assets (fund balance) to facilitate the repayment to the General Fund.

ISSUES:

None

BUDGET IMPACT:

Please see background information for budget impact.

OPTIONS:

- Adopt Budget Ordinance Amendment 2011-6.
- Do not adopt Budget Ordinance Amendment 2011-6.

RECOMMENDED ACTION:

Adopt Budget Ordinance Amendment 2011-6.

ATTACHMENTS:

Budget Ordinance Amendment 2011-6

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

That the City of Fayetteville Budget Ordinance adopted June 28, 2010 is hereby amended as follows:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2010, and ending June 30, 2011, to meet the appropriations listed in Section 2.

<u>Item</u>	<u>Listed As</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule A: General Fund</u>			
Intergovernmental Revenues	\$ 51,486,992	\$ 68,276	\$ 51,555,268
Other Revenues	2,140,614	198,334	2,338,948
Interfund Transfers	10,479,372	173,359	10,652,731
Fund Balance Appropriation	7,768,513	(173,359)	7,595,154
All Other General Fund Revenues and OFS	67,193,301	-	67,193,301
Total Estimated General Fund Revenues and Other Financing Sources	<u>\$ 139,068,792</u>	<u>\$ 266,610</u>	<u>\$ 139,335,402</u>

Schedule G: Airport Fund

Net Assets Appropriation	\$ 700,000	\$ 173,359	\$ 873,359
All Other Airport Fund Revenues and OFS	<u>3,901,738</u>	<u>-</u>	<u>3,901,738</u>
Total Estimated General Fund Revenues and Other Financing Sources	<u>\$ 4,601,738</u>	<u>\$ 173,359</u>	<u>\$ 4,775,097</u>

Section 2. The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2010, and ending June 30, 2011, according to the following schedules:

<u>Item</u>	<u>Listed As</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule A: General Fund</u>			
City Attorney's Office	\$ 1,151,964	\$ (213,928)	\$ 938,036
Engineering & Infrastructure	10,877,011	213,928	11,090,939
Environmental Services	8,659,187	6,092	8,665,279
Information Technology	3,539,701	(15,000)	3,524,701
Other Appropriations	20,942,731	266,610	21,209,341
Parks, Recreation & Maintenance	15,905,721	(6,092)	15,899,629
Police	43,352,184	15,000	43,367,184
All Other General Fund Departments	34,640,293	-	34,640,293
Total Estimated General Fund Expenditures	<u>\$ 139,068,792</u>	<u>\$ 266,610</u>	<u>\$ 139,335,402</u>

Schedule G: Airport Fund

Total Estimated Airport Fund Expenditures	<u>\$ 4,601,738</u>	<u>\$ 173,359</u>	<u>\$ 4,775,097</u>
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Adopted this 14th day of February, 2011.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: February 14, 2011
RE: **Special Revenue Fund Project Ordinance Closeouts 2011-6 (FY08 Operation Ceasefire) and 2011-7 (FY06 Homeland Security)**

THE QUESTION:

Staff requests Council to closeout two Special Revenue Fund Project Ordinances as follows:

- Special Revenue Fund Project Ordinance Closeout 2011-6 (FY08 Operation Ceasefire Project)
- Special Revenue Fund Project Ordinance Closeout 2011-7 (FY06 Homeland Security Grant)

RELATIONSHIP TO STRATEGIC PLAN:

Goal 3: More Efficient City Government - Cost-Effective Service Delivery

Vision Principle B: Desirable Neighborhoods - Neighborhoods where people are safe and secure

BACKGROUND:

- Annually, the City closes out several projects that have been completed in previous fiscal years and that are no longer active.
- The projects referenced above have been completed in a previous fiscal year and the revenues and expenditures related to the projects have been audited.
- The attached ordinance closeouts detail the budget and actual revenues and expenditures for the projects.

ISSUES:

None

BUDGET IMPACT:

N/A

OPTIONS:

- 1) Adopt the Special Revenue Fund Project Ordinance Closeouts.
- 2) Do not adopt the Special Revenue Fund Project Ordinance Closeouts.

RECOMMENDED ACTION:

Adopt the Special Revenue Fund Project Ordinance Closeouts.

ATTACHMENTS:

SRO CLO 2011-6
SRO CLO 2011-7

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT
CLO 2011-6 (SRO 2008-6)

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

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2008-6, adopted October 8, 2007, as amended, for the funding of the FY2008 Operation Ceasefire Grant, awarded by the North Carolina Department of Crime Control and Public Safety, a division of the Governor's Crime Commission.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

	<u>Budget</u>	<u>Actual</u>
N.C. Governor's Crime Commission	<u>\$ 82,629</u>	<u>\$ 82,629</u>

Section 4. The following amounts were appropriated and expended for the project:

	<u>Budget</u>	<u>Actual</u>
Project Expenditures	<u>\$ 82,629</u>	<u>\$ 82,629</u>

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

Adopted this 14th day of February , 2011.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT
CLO 2011-7 (SRO 2007-10)

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

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2007-10, adopted January 22, 2007, for the funding of the FY06 State Homeland Security Grant awarded by the North Carolina Department of Crime Control and Public Safety Division of Emergency Management.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

	<u>Budget</u>	<u>Actual</u>
N.C. Department of Crime Control & Public Safety	<u>\$ 192,857</u>	<u>\$ 192,806</u>

Section 4. The following amounts were appropriated and expended for the project:

	<u>Budget</u>	<u>Actual</u>
Project Expenditures	<u>\$ 192,857</u>	<u>\$ 192,806</u>

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

Adopted this 14th day of February , 2011.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: February 14, 2011
RE: **Special Revenue Fund Project Ordinance 2011-7 (FY2011 Operation Ceasefire Program)**

THE QUESTION:

This ordinance will establish the budget for the Operation Ceasefire Program for fiscal year 2011. This program is funded by a \$21,800 grant awarded by the State of NC Department of Crime Control and Public Safety, Division of the Governor's Crime Commission. The grant will fund supplies and other operating costs of the program.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: GROWING CITY, LIVABLE NEIGHBORHOODS - A GREAT PLACE TO LIVE
Objective 1: Consistent improvement in reducing crime rates

BACKGROUND:

- This project will utilize the existing local Project Safe Neighborhood framework and community partnerships to combat gun and gang related crime through prevention, intervention, suppression, community mobilization and education.
- The grant does not require a local match.

ISSUES:

None

BUDGET IMPACT:

None

OPTIONS:

- 1) Adopt Special Revenue Fund Project Ordinance 2011-7.
- 2) Do not adopt Special Revenue Fund Project Ordinance 2011-7.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance 2011-7.

ATTACHMENTS:

Special Revenue Project Ordinance 2011-7

SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2011-7

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

Section 1. The project authorized is for the FY 2011 Project Safe Neighborhoods - Operation Ceasefire Program, funded by a grant from the North Carolina Department of Crime Control and Public Safety, a division of the Governor's Crime Commission.

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

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

N.C. Governor's Crime Commission	<u>\$ 21,800</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 21,800</u>
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Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 14th day of February, 2011.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: February 14, 2011
RE: **Special Revenue Fund Project Ordinance 2011-8 (FY 2011 Juvenile Restitution Program)**

THE QUESTION:

This ordinance appropriates \$129,735 for the Juvenile Restitution Program for fiscal year 2011.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: GROWING CITY, LIVABLE NEIGHBORHOODS - A GREAT PLACE TO LIVE

Objective 1: Consistent improvement in reducing crime rates

BACKGROUND:

- The funding sources for this program are an \$80,502 grant awarded by the NC Department of Juvenile Justice and Delinquency Prevention, \$12,152 from Cumberland County, \$12,151 from the City of Fayetteville and a \$24,930 in-kind match for office space, supplies, utilities and materials.
- The Fayetteville/Cumberland County Juvenile Restitution Program is a sentencing alternative for Fayetteville and Cumberland County youth. The program's goal is to teach youth served by this program accountability and responsibility for their actions. The City of Fayetteville has participated in the Juvenile Restitution program since 1991.
- This ordinance will appropriate the funds needed for personnel and operating costs for fiscal year 2011.

ISSUES:

None

BUDGET IMPACT:

The City's \$12,151 match is included in the General Fund budget.

OPTIONS:

- 1) Adopt Special Revenue Fund Project Ordinance 2011-8.
- 2) Do not adopt Special Revenue Fund Project Ordinance 2011-8.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance 2011-8.

ATTACHMENTS:

Special Revenue Project Ordinance 2011-8

SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2011-8

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

Section 1. The authorized project is for the funding for the Fayetteville-Cumberland Juvenile Restitution Program awarded by the N.C. Department of Juvenile Justice and Delinquency Prevention for FY 2011.

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:

N.C. Department of Juvenile Justice and Delinquency prevention	\$ 80,502
Local Match - Cumberland County	12,152
Local Match - City of Fayetteville	12,151
Local In-Kind Match - City of Fayetteville	24,930
	<u>\$ 129,735</u>

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

Project Expenditures	<u>\$ 129,735</u>
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Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 14th day of February, 2011.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: February 14, 2011
RE: **Adopt Resolution to Accept a Report of Unpaid Taxes for 2010 and Direct the Advertisement of Tax Liens**

THE QUESTION:

Council is asked to adopt a resolution to accept the report of unpaid taxes for 2010 and direct the advertisement of tax liens.

RELATIONSHIP TO STRATEGIC PLAN:

Core Value: Stewardship

BACKGROUND:

North Carolina General Statute 105-369 requires the County Tax Administrator to report to the governing body in February of each year the total amount of unpaid taxes for the current fiscal year that are liens on real property. The purpose of the report is to allow the governing body to order the Tax Collector to advertise the tax liens. The statute requires the advertisement period to occur during the period of March 1st through June 30th.

Please review the attached correspondence from the County Tax Administrator. The detailed report is available in the City Clerk's office for review. The report lists delinquent city and county taxes for all city properties. According to the County Tax Administrator, delinquent ad valorem taxes for the City of Fayetteville and the Downtown Revitalization District as of January 22, 2011 were \$3,269,593.27.

ISSUES:

None

BUDGET IMPACT:

Not applicable

OPTIONS:

1. Adopt the resolution.
2. Do not adopt the resolution.

RECOMMENDED ACTION:

Adopt the resolution to accept the report of unpaid taxes for 2010 and direct the advertisement of tax liens.

ATTACHMENTS:

Resolution for Unpaid Taxes
Correspondence from Tax Administrator

**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 14th day of February, 2011.

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

ATTEST:

Jennifer Penfield, Deputy City Clerk



OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

January 25, 2011

TO: Anthony G. Chavonne, Mayor
FROM: Aaron Donaldson, Tax Administrator *AD*
RE: Delinquent Taxes for Year 2010 for the City of Fayetteville

BACKGROUND: North Carolina General Statute 105-369 requires the Tax Collector to report unpaid taxes for municipalities for the current fiscal year that are liens on real property by the second Monday in February. The purpose of the reporting is to allow you to order the Tax Collector to advertise the tax liens.

Upon receipt of your order, I will advertise the tax liens by publishing each lien at least one time in one or more of the local newspapers having general circulation in the County. The statute requires that advertisement period to occur during the period of March 1st through June 30th. It is my intention to deliver the list of delinquent taxes to the newspaper in the latter part of March for advertisement in April.

Enclosed please find the list of real property delinquent taxes for your municipality that is required to be posted at the city or town hall of each municipality by North Carolina General Statute 105-369(c).

RECOMMENDATION: Accept the report of unpaid taxes for the current fiscal year that are liens on real property and charge the Collector to advertise the tax liens.

AD/kp

cc: file

Celebrating Our Past...Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: February 14, 2011
RE: **Bid Recommendation - Voltage Regulators**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests Council approve bid award for the purchase of three (3) 833kVA,7.2kV Voltage Regulators.

RELATIONSHIP TO STRATEGIC PLAN:

Quality Utility Services

BACKGROUND:

The Public Works Commission during their meeting of January 26, 2011 approved bid award for purchase of three (3) 833kVA,7.2kV Voltage Regulators, PWC Stock No. 1-245-013 to HD Supply Utilities, Wake Forest, NC, low bidder meeting specifications in the total amount of \$125,240.01 (\$41,746.67 each) with option to purchase additional quantities within a one-year period upon agreement of both parties and forward to City Council for approval. This inventory item was last purchased in July 2008 at a cost of \$43,848.48 each.

Bids were solicited from five (5) vendors with three vendors responding. Bids were received December 8, 2010 as follows:

<u>Bidders</u>	<u>Unit Cost</u>	<u>Total Cost</u>
HD Supply Utilities, Wake Forest, NC	\$41,746.67	\$125,240.01
**Stuart C. Irby, Rocky Mount, NC	\$27,921.00	\$ 83,763.00
**Siemens Energy, Richland, MS	\$33,765.00	\$101,295.00
**HD Supply Utilities, Wake Forest, NC (Alternate)	\$34,157.14	\$102,471.42

**The bids submitted by Stuart C. Irby, Siemens Energy and HD Supply Utilities (quoting an alternate) were found to be non-compliant to our specifications. The Cooper unit bid by HD Supply is the only unit which meets the 'self-cooled regulator rated 833kVA" requirement of the specification.

ISSUES:

HD Supply Utilities, Wake Forest, NC is not classified as a SDBE, Minority or Woman Owned Business.

BUDGET IMPACT:

PWC Inventory Item

OPTIONS:

N/A

RECOMMENDED ACTION:

Award bid to HD Supply Utilities, Wake Forest, NC, low bidder meeting specifications in the total amount of \$125,240.01.

ATTACHMENTS:

Bid recommendation

Bid History

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** January 19, 2011

FROM: Gloria Wrench, Purchasing Manager

ACTION REQUESTED: Award contract for the purchase of three (3) 833kVA, 7.2 kV Voltage Regulators, PWC Stock No. 1-245-013 (with the option to purchase additional quantities within a one-year period upon the agreement of both parties).

BID/PROJECT NAME: Voltage Regulators

BID DATE: December 8, 2010 **DEPARTMENT:** Electric Inventory

LAST PURCHASE/PRICE: This inventory item was last purchased in July 2008 at a cost of \$43,848.48 each.

BIDDERS	UNIT COST	TOTAL COST
<u>HD Supply Utilities, Wake Forest, NC</u>	<u>\$41,746.67</u>	<u>\$125,240.01</u>
<u>**Stuart C. Irby, Rocky Mount, NC</u>	<u>\$27,921.00</u>	<u>\$ 83,763.00</u>
<u>**Siemens Energy, Richland, MS</u>	<u>\$33,765.00</u>	<u>\$101,295.00</u>
<u>**HD Supply Utilities, Wake Forest, NC (Alternate)</u>	<u>\$34,157.14</u>	<u>\$102,471.42</u>

***See comments below*

AWARD RECOMMENDED TO: HD Supply Utilities, Wake Forest, NC

BASIS OF AWARD: Lowest bidder meeting specifications

AWARD RECOMMENDED BY: Mark Bielat, PE (Electric Engineering) and Gloria Wrench

COMMENTS: Bids were solicited from five (5) vendors with three (3) vendors responding. **The bids submitted by Stuart C. Irby, Siemens Energy and HD Supply Utilities (quoting an alternate) were found to be non-compliant to our specifications. The Cooper unit bid by HD Supply is the only unit which meets the "self-cooled regulator rated 833kVA" requirement of the specification. The low bid meeting specifications is recommended.

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY
VOLTAGE REGULATORS

Advertisement

1. Public Works Commission Website October 14, 2010 - November 2, 2010

List of Organizations Notified of Bid

1. NAACP Fayetteville Branch, Fayetteville, NC
2. NAWIC, Fayetteville, NC
3. N.C. Institute of Minority Economic Development, Durham, NC
4. CRIC, Fayetteville, NC
5. Fayetteville Business & Professional League, Fayetteville, NC
6. SBTDC, Fayetteville, NC
7. FTCC Small Business Center, Fayetteville, NC
8. The Raleigh Black Chamber of Commerce, Raleigh, NC
9. Fayetteville Area Chamber of Commerce, Fayetteville, NC

List of Prospective Bidders

1. WESCO Distribution, Inc., Raleigh, NC
2. Stuart C. Irby Company, Rocky Mount, NC
3. HD Supply Utilities, Wake Forest, NC
4. Shealy Electrical Wholesalers, Inc., Greenville, SC
5. Siemens Energy, c/o National Transformer Sales, Inc., Raleigh, NC

SDBE/MWBE Participation

HD Supply Utilities is not a SDBE, minority or woman-owned business.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: February 14, 2011
RE: **PWC Financial Matters - Budget Amendments**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests City Council adopt the following PWC Budget Amendments: (1) Annexation Phase V – Project 1 Capital Project Fund, Amendment #4, Final Close, (2) Annexation Phase V Reserve Fund – Amendment #3, (3) Electric, Water/Wastewater & Fleet Maintenance Internal Service Fund – Amendment #2

RELATIONSHIP TO STRATEGIC PLAN:

Lowest Responsible Rates, Most Financially Sound Utility

BACKGROUND:

During their regular meeting of January 26, 2011 the Public Works Commission considered and approved the following financial matters relating to the PWC Budget and to forward to City Council for adoption:

1. **Annexation Phase V – Project 1 Capital Project Fund, Amendment #4, Final Close**

This amendment will close out the Capital Project Fund and will allow the distribution of the remaining balance to the City General Fund (\$688,156) and PWC Phase V Annexation Reserve Fund (\$727,903). One million dollars was previously transferred to each of the City General Fund and PWC W/S Fund. Total project cost \$11,017,183.

2. **Annexation Phase V Reserve Fund – Amendment #3**

This amendment reduces the transfer from PWC Water/Wastewater General Fund of \$727,903 and receives the transfer of \$727,903 from the Annexation Phase V – Project 1 Capital Project Fund.

3. **Electric, Water/Wastewater & Fleet Maintenance Internal Service Fund – Amendment #2**

a. Electric Fund

- i. Increase the Transfer to City - Street Lights by \$130,000
- ii. Decrease General & Administration - Contingency by \$130,000
- iii. Increase Capital Expenditures - Structures and Improvements/Parking Deck by \$281,000
- iv. Provide for a Renewable Energy Loan - \$2,000,000
- v. Reduce Generation Plant - Cross Creek Methane Project by \$2,054,925
- vi. Reduce Appropriation to Electric Net Assets by \$226,075

b. Water/Wastewater Fund

- i. Reduces the Appropriation to the Annexation Phase V CPF by \$727,903
- ii. Increases the Appropriation to the Water/Wastewater Net Assets by \$727,903

c. Fleet Maintenance Internal Service Fund

- i. Increase Capital Expenditures - Fleet Storage Building Conversion by \$200,000
- ii. Increase Appropriations from FMISF Net Assets \$200,000

d. Total original budget of \$271,481,025, Amendment #1 of \$7,227,175 proposed Amendment #2 of \$200,000, Proposed Amended FY 2011 Budget \$278,958,200

ISSUES:

None

BUDGET IMPACT:

PWC Budget Item

OPTIONS:

None

RECOMMENDED ACTION:

Adopt PWC Budget Amendments: (1) Annexation Phase V – Project 1 Capital Project Fund, Amendment #4, Final Close, (2) Annexation Phase V Reserve Fund – Amendment #3, (3) Electric, Water/Wastewater & Fleet Maintenance Internal Service Fund – Amendment #2

ATTACHMENTS:

Budget Memo

Budget Amendment - Annexation Phase V-Project 1 Capital Project Fund, Amendment #4, Final Close

Budget Amendment - Annexation Phase V Reserve Fund, Amendment #3

Electric, W/WW, FMISF Amendment #2



WILSON A. LACY, COMMISSIONER
TERRI UNION, COMMISSIONER
LUIS J. OLIVERA, COMMISSIONER
MICHAEL G. LALLIER, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302 1089
TELEPHONE (AREA CODE 910) 483-1401
FAX (AREA CODE 910) 829-0207

ELECTRIC & WATER UTILITIES

January 20, 2011

MEMO TO: Steven K. Blanchard, CEO

MEMO FROM: J. Dwight Miller, CFO

SUBJECT: Budget Amendments

1. Annexation Phase V – Project 1 Capital Project Fund, Amendment #4, Final Close
This amendment will close out the Capital Project Fund and will allow the distribution of the remaining balance to the City General Fund (\$688,156) and PWC Phase V Annexation Reserve Fund (\$727,903). One million dollars was previously transferred to each of the City General Fund and PWC W/S Fund. Total project cost \$11,017,183.
2. Annexation Phase V Reserve Fund – Amendment #3
This amendment reduces the transfer from PWC Water/Wastewater General Fund of \$727,903 and receives the transfer of \$727,903 from the Annexation Phase V – Project 1 Capital Project Fund.
3. Electric, Water/Wastewater & Fleet Maintenance Internal Service Fund – Amendment #2
 - a. Electric Fund
 - i. Increase the Transfer to City – Street Lights by \$130,000
 - ii. Decrease General & Administration - Contingency by \$130,000
 - iii. Increase Capital Expenditures – Structures and Improvements/Parking Deck by \$281,000
 - iv. Provide for a Renewable Energy Loan - \$2,000,000
 - v. Reduce Generation Plant- Cross Creek Methane Project by \$2,054,925
 - vi. Reduce Appropriation to Electric Net Assets by \$226,075
 - b. Water/Wastewater Fund
 - i. Reduces the Appropriation to the Annexation Phase V CPF by \$727,903
 - ii. Increases the Appropriation to the Water/Wastewater Net Assets by \$727,903
 - c. Fleet Maintenance Internal Service Fund
 - i. Increase Capital Expenditures – Fleet Storage Building Conversion, by \$200,000
 - ii. Increase Appropriations from FMISF Net Assets \$200,000
 - d. Total original budget of \$271,481,025, Amendment #1 of \$7,227,175, proposed Amendment #2 of \$200,000, Proposed Amended FY 2011 Budget \$278,958,200

BUILDING COMMUNITY CONNECTIONS SINCE 1905

AN EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION EMPLOYER

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Annexation Phase V - Project 1 Capital Project Fund
For Fiscal Years 2007 - 2011

Amendment #4
Final Close

	Current Approved Budget	Proposed Budget Amendment #4	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
City of Fayetteville	\$ 4,822,492	\$ 398	\$ 4,822,890
Public Works Commission - W/S Fund	4,822,492	398	4,822,890
Series 2008 Revenue Bonds proceeds (1)	4,547,362	-	4,547,362
Interest Income	238,300	1,800	240,100
Total Revenues and Other Funding Sources	\$ 14,430,646	\$ 2,596	\$ 14,433,242

Estimated Expenditures and Other Uses

Utility installation cost	\$ 12,285,816	\$ (1,268,633)	\$ 11,017,183
Transfer to the PWC W/S Fund	1,000,000	-	1,000,000
Transfer to the PWC Phase V Annexation Reserve Fund	-	727,903	727,903
Transfer to the City of Fayetteville General Fund	1,000,000	688,156	1,688,156
Appropriated Net Assets	144,830	(144,830)	-
Total Expenditures and Other Uses	\$ 14,430,646	\$ 2,596	\$ 14,433,242

(1) Net of financing costs

Final Close

ADOPTED BY COMMISSION
ADOPTED BY CITY COUNCIL

July 14, 2010	<i>Proposed</i>	January 26, 2011
July 26, 2010	<i>Proposed</i>	February 14, 2011

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Annexation Phase V Reserve Fund
From Inception through Fiscal Year 2011

Amendment #3

	Current Budget	Proposed Amendment #2 Budget - FY 2011	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
Transfer from PWC Water/Sewer Fund	\$ 3,045,000	\$ (727,903)	\$ 2,317,097
Transfer from PWC Annexation Phase V Proj 1 CPF	-	727,903	727,903
Transfer from City of Fayetteville	878,103	-	878,103
Loan from Electric Rate Stabilization Fund	4,505,000	-	4,505,000
Assessment revenue including interest	942,082	-	942,082
Interest Income	2,000	-	2,000
Total Revenues and Other Funding Sources	\$ 9,372,185	\$ -	\$ 9,372,185

Estimated Expenditures and Other Uses

Transfer to PWC Water/Sewer Fund - Debt Service	\$ 344,100	\$ -	\$ 344,100
Transfer to Annexation Phase V, Areas 8 -13 CPF	9,000,000	-	9,000,000
Transfer to Electric Rate Stabilization Fund - Interest	26,700	-	26,700
Appropriated net assets	1,385	-	1,385
Total Expenditures and Other Uses	\$ 9,372,185	\$ -	\$ 9,372,185

ADOPTED BY COMMISSION:
ADOPTED BY CITY COUNCIL:

April 28, 2010	Proposed	January 26, 2011
May 10, 2010	Proposed	February 14, 2011

ELECTRIC, W/WW & FLEET MNT INTERNAL SERVICE FUNDS SUMMARY

DESCRIPTION	ADOPTED ORIGINAL BUDGET FY 2011	BUDGET AMENDMENT #1 FY 2011	BUDGET AMENDMENT #2 FY 2011	PROPOSED AMENDED BUDGET FY 2011
ELECTRIC UTILITY OPERATING FUND	\$163,644,325	\$3,778,175	\$1,773,925	\$169,196,425
ELECTRIC CAPITAL OUTLAY	25,610,200	0	(1,773,925)	23,836,275
TOTAL ELECTRIC FUND	\$189,254,525	\$3,778,175	\$0	\$193,032,700
WATER & WASTEWATER UTILITIES OPERATING FUNDS	\$61,219,500	\$3,456,000	\$0	\$64,675,500
WATER & WASTEWATER CAPITAL OUTLAY	14,430,000	43,000	0	14,473,000
TOTAL WATER & WASTEWATER FUND	\$75,649,500	\$3,499,000	\$0	\$79,148,500
TOTAL ELECTRIC & W/WW FUNDS	\$264,904,025	\$7,277,175	\$0	\$272,181,200
FLEET MAINT INTERNAL SERVICE OPERATING FUND	\$6,528,500	\$0	\$0	\$6,528,500
FLEET MAINT INTERNAL SERVICE CAPITAL OUTLAY	48,500	0	200,000	248,500
TOTAL FLEET MAINT INTERNAL SERVICE FUND	\$6,577,000	\$0	\$200,000	\$6,777,000
TOTAL BUDGET	\$271,481,025	\$7,277,175	\$200,000	\$278,958,200

ELECTRIC, W/WW & FMIS FUNDS SUMMARY

DESCRIPTION	ADOPTED	BUDGET	BUDGET	PROPOSED
	ORIGINAL BUDGET FY 2011	AMENDMENT #1 FY 2011	AMENDMENT #2 FY 2011	AMENDED BUDGET FY 2011
ELECTRIC FUND:				
REVENUES	\$187,337,800	\$0	\$0	\$187,337,800
CONTRIBUTIONS AND/OR GRANTS	1,450,000	0	0	1,450,000
REMITTANCES FROM CITY	20,900	0	0	20,900
ADVANCE FROM ELEC RATE STABILIZATION FUND	0	4,224,000	0	4,224,000
APPR. FROM RATE STABILIZATION FUND	0	0	0	0
APPR. FROM ELECTRIC NET ASSETS	445,825	(445,825)	0	0
TOTAL REVENUES ELECTRIC	\$189,254,525	\$3,778,175	\$0	\$193,032,700
EXPENDITURES				
EXPENDITURES	\$28,832,525	(\$685,300)	(\$130,000)	\$28,017,225
PURCHASED POWER & GENERATION	106,667,600	0	0	106,667,600
DEBT INTEREST EXPENSE	1,005,000	(38,000)	0	967,000
BOND INTEREST AMORTIZATION	241,000	8,000	0	249,000
TRANSFER TO CITY	9,002,500	0	0	9,002,500
TRANSFER TO CITY - STREET LIGHTS	0	0	130,000	130,000
CAPITAL EXPENDITURES	25,610,200	0	(1,773,925)	23,836,275
TOTAL DEBT RELATED PAYMENTS	2,095,700	4,267,400	0	6,363,100
APPR. TO RATE STABILIZATION FUND	15,800,000	0	0	15,800,000
TRANSFER TO WATER & WASTEWATER FUND	0	0	0	0
RENEWABLE ENERGY LOAN	0	0	2,000,000	2,000,000
APPR. TO NET ASSETS	0	226,075	(226,075)	0
TOTAL EXPENDITURES ELECTRIC	\$189,254,525	\$3,778,175	\$0	\$193,032,700
WATER & WASTEWATER FUND:				
REVENUES	\$66,630,700	\$0	\$0	\$66,630,700
CONTRIBUTIONS AND/OR GRANTS	6,178,200	43,000	0	6,221,200
REMITTANCES FROM CITY	385,200	0	0	385,200
NOTE REC. - CUMBERLAND COUNTY	39,600	0	0	39,600
RESERVE FOR NCDOT PROJECTS	0	0	0	0
RES. FOR WATER LG. DIAMETER CONST. FD.	163,000	0	0	163,000
RESERVE ANNEXATION PHASE V	0	0	0	0
TRANSFER FROM ANNEX PH V RESERVE FUND	252,800	0	0	252,800
TRANSFER FROM ANNEX PH V PROJECT 1 CPF	0	0	0	0
ADVANCE FROM RATE STABILIZATION FUND	0	3,456,000	0	3,456,000
APPR. FROM RATE STABILIZATION FUND	2,000,000	0	0	2,000,000
APPR. FROM W/WW NET ASSETS	0	0	0	0
TOTAL REVENUES WATER & WASTEWATER	\$75,649,500	\$3,499,000	\$0	\$79,148,500

ELECTRIC, W/WW & FMIS FUNDS SUMMARY

DESCRIPTION	ADOPTED	BUDGET	BUDGET	PROPOSED
	ORIGINAL BUDGET FY 2010	AMENDMENT #1 FY 2010	AMENDMENT #2 FY 2010	AMENDED BUDGET FY 2010
EXPENDITURES	\$40,056,700	(\$1,159,300)	\$0	\$38,897,400
DEBT INTEREST EXPENSE	6,739,800	(32,000)	0	6,707,800
BOND INTEREST EXPENSE - CITY ANNEX.	280,800	0	0	280,800
BOND INTEREST - AMORTIZATION	695,000	8,000	0	703,000
STATE LOAN INTEREST EXPENSE	464,400	0	0	464,400
CAPITAL EXPENDITURES	14,430,000	43,000	0	14,473,000
DEBT RELATED PAYMENTS	8,864,600	3,491,500	0	12,356,100
BOND PRINCIPAL PAYMENTS - CITY ANNEX.	805,300	0	0	805,300
LOAN PRINCIPAL PAYMENTS	1,267,900	0	0	1,267,900
TOTAL CONTRACTS PAYABLE PAYMENT	0	0	0	0
APPR. TO RATE STABILIZATION FUND	500,000	0	0	500,000
APPR. TO ANNEXATION PHASE V	1,545,000	0	(727,903)	817,097
APPR. TO NET ASSETS	0	1,147,800	727,903	1,875,703
TOTAL EXPEND. WATER & WASTEWATER	\$75,649,500	\$3,499,000	\$0	\$79,148,500
TOTAL ELECTRIC & W/WW	\$264,904,025	\$7,277,175	\$0	\$272,181,200
FLEET MAINTENANCE INTERNAL SERVICE FUND:				
REVENUES	\$6,528,500	\$0	\$0	\$6,528,500
APPROPRIATION FROM NET ASSETS	48,500	0	200,000	248,500
TOTAL REVENUES FMISF	\$6,577,000	\$0	\$200,000	\$6,777,000
EXPENDITURES	\$6,528,500	\$0	\$0	\$6,528,500
CAPITAL EXPENDITURES	48,500	0	200,000	248,500
TOTAL EXPENDITURES FMISF	\$6,577,000	\$0	\$200,000	\$6,777,000
GRAND TOTAL ELECTRIC, W/WW & FMISF	\$271,481,025	\$7,277,175	\$200,000	\$278,958,200

FY 2011 AMENDMENT #2 BUDGET ORDINANCE

PUBLIC WORKS COMMISSION REVENUE

Electric Fund

Operating and Other Revenue	\$187,337,800
Customer Contributions	1,450,000
Transfer from City	20,900
Budgetary Appropriations	4,224,000

Total Estimated Electric Fund Revenue **\$193,032,700**

Water and Wastewater Fund

Operating and Other Revenue	\$66,630,700
Customer Contributions	6,221,200
Transfer from City	385,200
Budgetary Appropriations	5,911,400

Total Estimated Water and Wastewater Fund Revenue **\$79,148,500**

Fleet Maintenance Internal Service Fund

Operating Revenue and Other Revenue	\$6,777,000
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Total Estimated Fleet Maintenance Internal Service Fund Revenue **\$6,777,000**

TOTAL ESTIMATED PWC REVENUE

\$278,958,200

PUBLIC WORKS COMMISSION EXPENDITURES

Electric Fund

Operating Expenses	\$142,263,925
Operating Capital	23,836,275
Transfers	
General Fund	9,002,500
Street Lights	130,000
Appropriation to Rate Stabilization Fund	15,800,000
Budgetary Appropriations	2,000,000

Total Estimated Electric Fund Expenses **\$193,032,700**

Water and Wastewater Fund

Operating Expenses	\$61,482,700
Operating Capital	14,473,000
Transfers	
General Fund	0
Appropriation to Rate Stabilization Fund	500,000
Appropriation to Annexation Fund	817,097
Budgetary Appropriations	1,875,703

Total Estimated Water and Wastewater Fund Expenses **\$79,148,500**

Fleet Maintenance Internal Service Fund

Total Estimated Fleet Maintenance Internal Service Fund Expenses **\$6,777,000**

TOTAL PWC ELECTRIC, W/WW & FMISF EXPENSES

\$278,958,200

ELECTRIC FUND SUMMARY

DESCRIPTION	ADOPTED	BUDGET	BUDGET	PROPOSED
	ORIGINAL BUDGET FY 2011	AMENDMENT #1 FY 2011	AMENDMENT #2 FY 2011	AMENDED BUDGET FY 2011
ELECTRIC OPERATING REVENUE	\$183,818,500	\$0	\$0	\$183,818,500
OTHER ELECTRIC REVENUE	3,519,300	0	0	3,519,300
TOTAL OPERATING & OTHER REVENUE	\$187,337,800	\$0	\$0	\$187,337,800
CONTRIBUTIONS AND/OR GRANTS	\$1,450,000	\$0	\$0	\$1,450,000
REMITTANCES FROM CITY	20,900	0	0	20,900
ADVANCE FROM ELEC RATE STABILIZATION FUND	0	4,224,000	0	4,224,000
APPR. FROM RATE STABILIZATION FUND	0	0	0	0
APPR. FROM ELECTRIC NET ASSETS	445,825	(445,825)	0	0
TOTAL ELECTRIC REVENUE	\$189,254,525	\$3,778,175	\$0	\$193,032,700
ELECTRIC DIVISION - DISTRIBUTION	\$10,637,920	\$0	\$0	\$10,637,920
ELECT. DIV. - PURCHASED POWER & GEN.	106,667,600	0	0	106,667,600
MANAGEMENT DIVISION	3,593,075	0	0	3,593,075
FINANCIAL DIVISION	6,786,970	0	0	6,786,970
ADMINISTRATIVE DIVISION	4,963,560	0	0	4,963,560
GENERAL & ADMINISTRATION	5,756,600	0	(130,000)	5,626,600
DEPRECIATION EXPENSE	14,722,200	0	0	14,722,200
AMORTIZATION OF BOND ISSUE COSTS	29,000	(5,000)	0	24,000
OVERHEAD CLEARING	(3,304,600)	(436,300)	0	(3,740,900)
DEBT INTEREST EXPENSE	1,005,000	(38,000)	0	967,000
BOND INTEREST - AMORTIZATION	241,000	8,000	0	249,000
TRANSFER TO CITY	9,002,500	0	0	9,002,500
TRANSFER TO CITY - STREET LIGHTS	0	0	130,000	130,000
TOTAL OPERATING & OTHER EXPENSES	\$160,100,825	(\$471,300)	\$0	\$159,629,525
NET OPERATING RESULTS	\$27,236,975	\$471,300	\$0	\$27,708,275
OTHER DEDUCTIONS	\$399,000	\$0	\$0	\$399,000
CAPITAL EXPENDITURES	25,610,200	0	(1,773,925)	23,836,275
TOTAL DEBT RELATED PAYMENT	2,095,700	4,267,400	0	6,363,100
DEPRECIATION/AMORTIZATION ADJUSTMENT	(14,751,200)	(244,000)	0	(14,995,200)
TOTAL SUPPLEMENTAL EXPENDITURES	\$13,353,700	\$4,023,400	(\$1,773,925)	\$15,603,175
TOTAL EXPENSES & SUPPLEMENTAL EXP.	\$173,454,525	\$3,552,100	(\$1,773,925)	\$175,232,700
APPR. TO RATE STABILIZATION FUND	\$15,800,000	\$0	\$0	\$15,800,000
TRANSFER TO WATER & WASTEWATER FUND	0	0	0	0
RENEWABLE ENERGY LOAN	0	0	2,000,000	2,000,000
APPR. TO NET ASSETS	0	226,075	(226,075)	0
TOTAL APPR. AND NET ASSETS	\$15,800,000	\$226,075	\$1,773,925	\$17,800,000
TOTAL ELECTRIC EXPENDITURES	\$189,254,525	\$3,778,175	\$0	\$193,032,700

WATER & WASTEWATER FUND SUMMARY

DESCRIPTION	ADOPTED ORIGINAL BUDGET FY 2011	BUDGET AMENDMENT #1 FY 2011	BUDGET AMENDMENT #2 FY 2011	PROPOSED AMENDED BUDGET FY 2011
WATER OPERATING REVENUE	\$29,678,100	\$0	\$0	\$29,678,100
SANITARY SEWER OPERATING REVENUE	34,055,500	0	0	34,055,500
OTHER OPERATING REVENUE	2,050,300	0	0	2,050,300
OTHER WATER & SAN. SEWER REVENUE	846,800	0	0	846,800
TOTAL OPERATING & OTHER REVENUE	\$66,630,700	\$0	\$0	\$66,630,700
CONTRIBUTIONS AND GRANTS	\$6,178,200	\$43,000	\$0	\$6,221,200
REMITTANCES FROM CITY	385,200	0	0	385,200
NOTE REC. - CUMBERLAND COUNTY	39,600	0	0	39,600
RESERVE FOR NCDOT PROJECTS	0	0	0	0
RES. FOR WATER LG. DIAMETER CONST. FD.	163,000	0	0	163,000
RESERVE ANNEXATION PHASE V	0	0	0	0
TRANSFER FROM ANNEX PH V RESERVE FUND	252,800	0	0	252,800
TRANSFER FROM ANNEX PH V PROJECT 1 CPF	0	0	0	0
ADVANCE FROM ELEC RATE STABILIZATION FUND	0	3,456,000	0	3,456,000
APPR. FROM RATE STABILIZATION FUND	2,000,000	0	0	2,000,000
APPR. FROM W/WW NET ASSETS	0	0	0	0
TOTAL WATER/WASTEWATER REVENUE	\$75,649,500	\$3,499,000	\$0	\$79,148,500
WATER RESOURCES DIVISION	\$23,622,120	\$0	\$0	\$23,622,120
MANAGEMENT DIVISION	2,601,800	0	0	2,601,800
FINANCIAL DIVISION	5,720,400	0	0	5,720,400
ADMINISTRATIVE DIVISION	4,436,080	0	0	4,436,080
GENERAL & ADMINISTRATION	6,210,100	0	0	6,210,100
DEPRECIATION EXPENSE - WATER	5,907,600	0	0	5,907,600
DEPRECIATION EXPENSE - SEWER	9,144,300	0	0	9,144,300
AMORTIZATION OF BOND ISSUE COSTS	143,000	(4,000)	0	139,000
OVERHEAD CLEARING	(2,533,800)	(456,300)	0	(2,990,100)
DEBT INTEREST EXPENSE	6,739,800	(32,000)	0	6,707,800
BOND INTEREST EXPENSE - CITY ANNEX.	280,800	0	0	280,800
BOND INTEREST - AMORTIZATION	695,000	8,000	0	703,000
STATE LOAN INTEREST EXPENSE	464,400	0	0	464,400
TRANSFER TO CITY - ANNEXATION SUPPORT	0	0	0	0
TOTAL OPERATING & OTHER EXPENSES	\$63,431,600	(\$484,300)	\$0	\$62,947,300
NET OPERATING RESULTS	\$3,199,100	\$484,300	\$0	\$3,683,400

WATER & WASTEWATER FUND SUMMARY

DESCRIPTION	ADOPTED ORIGINAL BUDGET FY 2011	BUDGET AMENDMENT #1 FY 2011	BUDGET AMENDMENT #2 FY 2011	PROPOSED AMENDED BUDGET FY 2011
OTHER DEDUCTIONS	\$0	\$0	\$0	\$0
CAPITAL EXPENDITURES	14,430,000	43,000	0	14,473,000
DEBT RELATED PAYMENTS	8,864,600	3,491,500	0	12,356,100
BOND PRINCIPAL PAYMENT - CITY ANNEX.	805,300	0	0	805,300
LOAN PRINCIPAL PAYMENTS	1,267,900	0	0	1,267,900
TOTAL CONTRACTS PAYABLE PAYMENT	0	0	0	0
DEPRECIATION/AMORTIZATION ADJUSTMENT	(15,194,900)	(699,000)	0	(15,893,900)
TOTAL SUPPLEMENTAL EXPENDITURES	\$10,172,900	\$2,835,500	\$0	\$13,008,400
TOTAL EXPENSES & SUPPLEMENTAL EXP.	\$73,604,500	\$2,351,200	\$0	\$75,955,700
APPR. TO RATE STABILIZATION FUND	\$500,000	\$0	\$0	\$500,000
APPR. TO ANNEXATION PHASE V	1,545,000	0	(727,903)	817,097
APPR. TO NET ASSETS	0	1,147,800	727,903	1,875,703
TOTAL APPR. AND NET ASSETS	\$2,045,000	\$1,147,800	\$0	\$3,192,800
TOTAL WATER & WASTEWATER EXPEND.	\$75,649,500	\$3,499,000	0	\$79,148,500

FLEET MAINTENANCE INTERNAL SERVICE FUND SUMMARY

DESCRIPTION	ADOPTED ORIGINAL BUDGET FY 2011	BUDGET AMENDMENT #1 FY 2011	BUDGET AMENDMENT #2 FY 2011	PROPOSED AMENDED BUDGET FY 2011
45950 CITY SERVICES	\$3,853,500	\$0	\$0	\$3,853,500
45950 CITY SERVICES - FUEL REVENUE	600,000	0	0	600,000
45950 CITY SERVICES - SUPPLEMENTAL	0	0	0	0
45955 PWC SERVICES	2,075,000	0	0	2,075,000
45955 PWC SERVICES - SUPPLEMENTAL	0	0	0	0
TOTAL OPERATING REVENUES	\$6,528,500	\$0	\$0	\$6,528,500
49700 OTHER NON-OPERATING REVENUE	\$0	\$0	\$0	\$0
49800 GAIN (LOSS) ON SALE OF PROPERTY	0	0	0	0
TOTAL NON-OPERATING REVENUES	\$0	\$0	\$0	\$0
TOTAL REVENUES	\$6,528,500	\$0	\$0	\$6,528,500
APPR. FROM FMISF NET ASSETS	\$48,500	\$0	\$200,000	\$248,500
TOTAL BUDGETARY APPROPRIATIONS	\$48,500	\$0	\$200,000	\$248,500
TOTAL FMISF REVENUE	\$6,577,000	\$0	\$200,000	\$6,777,000
FMISF OPERATING EXPENSES	\$6,528,500	\$0	\$0	\$6,528,500
40355 DEPRECIATION EXPENSE	112,700	0	0	112,700
TOTAL OPERATING EXPENSES	\$6,641,200	\$0	\$0	\$6,641,200
NET OPERATING RESULTS	(\$112,700)	\$0	\$0	(\$112,700)
CAPITAL EXPENDITURES:				
CAPITAL IMPROVEMENT PROGRAM	\$0	\$0	\$0	\$0
GENERAL PLANT	48,500	0	200,000	248,500
TOTAL CAPITAL EXPENDITURES	\$48,500	\$0	\$200,000	\$248,500
11200 DEPRECIATION ADJUSTMENT	(\$112,700)	\$0	\$0	(\$112,700)
TOTAL ADJUSTMENTS	(\$112,700)	\$0	\$0	(\$112,700)
TOTAL SUPPLEMENTAL EXPENDITURES	(\$64,200)	\$0	\$200,000	\$135,800
TOTAL EXPENDITURES	\$6,577,000	\$0	\$200,000	\$6,777,000
APPR. TO FMISF NET ASSETS	\$0	\$0	\$0	\$0
TOTAL APPROPRIATIONS & NET ASSETS	\$0	\$0	\$0	\$0
TOTAL FMISF EXPENDITURES	\$6,577,000	\$0	\$200,000	\$6,777,000

FY 2011 ELECTRIC, W/WW & FMISF AMENDMENT #2 ITEMS

<u>PUBLIC WORKS COMMISSION - REVENUES</u>	AMENDMENT AMOUNT
Electric Fund	
APPR FROM ELECTRIC NET ASSETS	0
Total Amendment Electric Fund Revenues	0
<u>PUBLIC WORKS COMMISSION - EXPENDITURES</u>	
Electric Fund	
TRANSFER TO CITY - STREET LIGHTS	130,000
CONTINGENCY - ELECTRIC	(130,000)
GENERATION PLANT - CROSS CREEK METHANE PROJECT	(2,054,925)
RENEWABLE ENERGY LOAN	2,000,000
STRUCTURES & IMPROVEMENTS - PARKING DECK	281,000
APPR. TO ELECTRIC NET ASSETS	(226,075)
Total Amendment Electric Fund Expenditures	0
<u>PUBLIC WORKS COMMISSION - REVENUES</u>	
WATER/WASTEWATER	
Total Amendment W/WW Revenues	0
<u>PUBLIC WORKS COMMISSION - EXPENDITURES</u>	
WATER/WASTEWATER	
APPR. TO ANNEXATION PHASE V	(727,903)
APPR. TO W/WW NET ASSETS	727,903
Total Amendment W/WW Expenditures	0
<u>PUBLIC WORKS COMMISSION - REVENUES</u>	
FMISF	
APPR FROM FMISF NET ASSETS	200,000
Total Amendment FMISF Revenues	200,000
<u>PUBLIC WORKS COMMISSION - EXPENDITURES</u>	
FMISF	
FLEET STORAGE BUILDING CONVERSION	200,000
Total Amendment FMISF Expenditures	200,000
Grand Total	200,000

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: February 14, 2011
RE: **Interlocal Agreement for Fiber Services**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests City Council approve the Interlocal Agreement for Fiber Services between the Public Works Commission of the City of Fayetteville and the Town of Hope Mills, N.C.

RELATIONSHIP TO STRATEGIC PLAN:

Quality Utility Services

BACKGROUND:

The Public Works Commission, during their regular meeting of January 26, 2011 approved an Interlocal Agreement for Fiber Services between the Public Works Commission of the City of Fayetteville, NC and the Town of Hope Mills, North Carolina to lease fiber to the Hope Mills Police Department to facilitate the use of the Cumberland County Multi-Jurisdictional Public Safety System and forward to City Council for approval. The Town of Hope Mills approved this agreement on December 9, 2010. The fiber lease agreement will generate annual revenue to PWC in the amount of \$5,100 and is for a five (5) year term with option to renew.

ISSUES:

No outstanding issues.

BUDGET IMPACT:

PWC Budget - Agreement will generate annual revenue in the amount of \$5,100.00.

OPTIONS:

N/A

RECOMMENDED ACTION:

Request City Council approve and execute the Interlocal Agreement with the Town of Hope Mills, N.C.

ATTACHMENTS:

Memo
Interlocal Agreement
Exhibits for Interlocal Agreement



WILSON A. LACY, COMMISSIONER
TERRI UNION, COMMISSIONER
LUIS J. OLIVERA, COMMISSIONER
MICHAEL G. LALLIER, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE
ELECTRIC & WATER UTILITIES

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302 1089
TELEPHONE (910) 483-1401
WWW.FAYPWC.COM

January 4, 2011

MEMO TO: Steven K. Blanchard, CEO

FROM: James B. Rose, CAO

SUBJECT: Fiber Lease Agreement – Town of Hope Mills

Attached is a lease agreement between PWC and the Town Of Hope Mills for a fiber connection to the Hope Mills Police Department to facilitate the use of the Cumberland County Multi-Jurisdictional Public Safety System. The Town of Hope Mills approved this agreement during their meeting of December 9, 2010. The agreement is for a five (5) year term with option to renew and will generate annual revenue to the PWC of \$5,100.

Please place on the upcoming Commission agenda for consideration as staff recommends approval.

cc: Barney McClure

BUILDING COMMUNITY CONNECTIONS SINCE 1905

AN EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

INTERLOCAL AGREEMENT FOR FIBER SERVICES
STATE OF NC TOWN OF HOPE MILLS/
PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE, NC

This Interlocal Agreement is made between Public Works Commission of the City of Fayetteville, North Carolina (PWC), and Town of Hope Mills, North Carolina

RECITALS

PWC owns certain fiber optic facilities and desires to make available certain unused capacity on its wide area fiber optic communications network to the TOWN OF HOPE MILLS to enhance utilization and to obtain additional revenues.

PWC and TOWN OF HOPE MILLS believe that the interests of the Public and the Parties will be well served by using some of PWC's unused fiber optic capacity in accordance with the terms and conditions contained herein.

WHEREAS, said official agencies are authorized to enter into interlocal agreements with each other, and in the interest of providing the best service with the least possible expenditure of public funds, full cooperation between the PWC and the TOWN OF HOPE MILLS is necessary.

NOW, THEREFORE, in consideration of these premises, the PWC and the TOWN OF HOPE MILLS do now agree pursuant to N.C.G.S § 160A-460, et seq., to enter into an Interlocal Agreement as follows:

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual covenants, agreements and undertakings contained herein, the Parties agree as follows:

Article 1. Incorporation of Recitals

The above reference recitals are incorporated in this Agreement as if fully set forth herein.

Article 2. Grant of Use

- 2.1. PWC hereby grants to TOWN OF HOPE MILLS, the use of fiber optic cable, as identified on Exhibit B, for connection to TOWN OF HOPE MILLS facilities, along PWC's fiber optic network. The list of TOWN OF HOPE MILLS facilities with connectivity to the network is referenced in Exhibit B. The PWC retains the right to use and otherwise grant the use of additional fibers along the PWC's fiber optic network to other entities, provided that such uses do not unreasonably interfere with the rights granted to the TOWN OF HOPE MILLS herein.

- 2.2 Technical Specifications: A detailed specification of the fibers is contained in Exhibit C, incorporated herein.
- 2.3 Testing and Acceptance of Fibers: PWC will perform acceptance tests to ensure that the fibers meet the technical specifications described in Exhibit C. PWC shall provide TOWN OF HOPE MILLS with written results of such tests, if required by TOWN OF HOPE MILLS. If the fibers fail to meet the specifications, PWC shall repair or substitute fibers that meet the required tests and specifications, unless TOWN OF HOPE MILLS otherwise accepts the original fibers. Upon receipt of test results, if required, TOWN OF HOPE MILLS shall accept the fibers and such date of acceptance shall be the Acceptance Date.
- 2.4 Right of Ingress and Egress: TOWN OF HOPE MILLS grants PWC the right of full ingress and egress thereto and therefrom over property of TOWN OF HOPE MILLS for the purposes of operating, inspecting, maintaining, removing, repairing and replacing PWC's fiber and associated equipment. Access into the TOWN OF HOPE MILLS building shall be conditioned upon factors that will maintain the security and confidentiality of TOWN OF HOPE MILLS operations.
- 2.5 Access Points: PWC shall have the right to access the fibers at the access points at TOWN OF HOPE MILLS facilities. If additional access to facilities are required after initial installation, PWC shall provide to TOWN OF HOPE MILLS ninety-six (96) hour notice prior to accessing the site(s). At splice location(s) where PWC is accessing the fiber and possible disruption of fiber may occur, PWC will provide seventy-two (72) hour notice to TOWN OF HOPE MILLS prior to accessing the site(s).

Article 3: Term

- 3.1 The term of this Agreement is identified for each facility in Exhibit B, and uses granted herein shall be from the date of the execution of this Agreement for the facility as identified in Exhibit B. At the end of the initial term of the agreement, for the facility as identified in Exhibit B, TOWN OF HOPE MILLS shall have the right to renew this agreement at a mutually agreed to rate and term for the facility as identified in Exhibit B.
- 3.2 Immediately upon termination of this Agreement by the expiration of the term hereof or otherwise, TOWN OF HOPE MILLS shall peaceably quit and surrender the fibers to PWC in their original condition, reasonable wear and tear excepted.

Article 4: Compensation

- 4.1 Fee: TOWN OF HOPE MILLS shall pay to PWC for use of the fibers a fee by facility as listed in Exhibit B.
- 4.1.0 Fees shall be paid monthly, due two weeks after receipt of invoice. Invoice will be rendered at the beginning of each month.

4.1.1 In the event of termination of this Agreement by the expiration of the term hereof or otherwise, TOWN OF HOPE MILLS shall pay a prorated portion of the fees due for the month until the date of such termination. Any excess fees previously paid to PWC shall be promptly refunded to TOWN OF HOPE MILLS upon termination, less any set-off for damages to the Facilities or unpaid fees and charges.

4.1.2 The TOWN OF HOPE MILLS will pay a one-time installation and configuration fee for each TOWN OF HOPE MILLS facility as it is connected to the network. This fee will be estimated and conveyed to TOWN OF HOPE MILLS prior to connection for their approval and will be billed at a later date when actual costs are known. A non-refundable engineering fee, identified in Exhibit B, is included in the configuration fee.

4.2 Ownership Of Access Point/Splice Enclosure Equipment: TOWN OF HOPE MILLS will be responsible for all cost of material and installation of access points or splice points at each TOWN OF HOPE MILLS facility. At such time installation is complete at access/splice point(s), TOWN OF HOPE MILLS shall give sole ownership of such equipment to PWC. TOWN OF HOPE MILLS shall retain ownership of designated splice tray which contains fibers for TOWN OF HOPE MILLS use.

4.3 Upon termination of this Agreement by the expiration of the term hereof or otherwise, PWC shall immediately remove said equipment from access points and shall leave the area in its original condition, reasonable wear and tear expected.

Article 5. Taxes, Licenses, Liens NOT APPLICABLE

Article 6. TOWN OF HOPE MILLS's Racks and Equipment

6.1 TOWN OF HOPE MILLS shall have the option to install racks and equipment, at its sole expense, within PWC's Point of Presence, located at Access Points in TOWN OF HOPE MILLS facilities connected to the network. Points of Presence are existing locations in which the PWC's network has termination points for the fiber. Access points are existing locations in which the TOWN OF HOPE MILLS accesses the PWC fiber network.

6.2 Said racks, as well as any and all electronic equipment installed therein, shall be and remain the sole and exclusive property of TOWN OF HOPE MILLS, and PWC shall neither make any claim on or claim any property interest in such equipment.

6.3 Said racks and any and all equipment placed thereon shall be installed in accordance with the technical specifications as specified in separate agreement between TOWN OF HOPE MILLS and others.

6.4 TOWN OF HOPE MILLS shall be solely responsible for the operation, maintenance and repair of said racks and any and all electronic equipment.

Article 7: Maintenance

7.1 Fibers

7.1.1 PWC and its contractors or subcontractor shall at all times hereunder, maintain the fibers and operate PWC's Facilities associated therewith in such a manner as will best enable PWC to fulfill PWC's own service and other requirements, and in accordance all applicable ordinances, statues, regulations, laws, tariffs, and codes. PWC shall, at no cost to TOWN OF HOPE MILLS, supply all labor, tools and equipment necessary to perform maintenance, if any, as to PWC's facilities hereunder, provided, however, that TOWN OF HOPE MILLS shall cooperate with, and assist, as may be reasonably required and requested by PWC.

7.1.2 TOWN OF HOPE MILLS agrees to pay all costs (time and material) of maintenance of the network if the required maintenance is caused by the TOWN OF HOPE MILLS.

7.1.3 PWC agrees to use reasonable efforts to perform such maintenance, if required. Subject to Force Majeure, PWC will notify TOWN OF HOPE MILLS to respond to outage emergencies in connection with the fibers. PWC shall notify TOWN OF HOPE MILLS of any outages at _____. TOWN OF HOPE MILLS shall notify PWC of any outages at 678-7400.

7.1.4 In the event of interruptions projected to last longer than 24 hours, PWC will, as soon as is reasonably possible, provide alternate capacity to TOWN OF HOPE MILLS subject to availability within PWC's Facilities. In the event of an interruption longer than 24 hours, TOWN OF HOPE MILLS shall be entitled to an abatement of its lease to be deducted from the next payment otherwise due under this agreement.

7.1.5 The period(s) of any interruption(s) shall be measured from the time PWC actually receives notice, to the time the service is reported restored to the PWC. Scheduled outages, for maintenance purposes, shall not be counted as interruptions. Scheduled outages shall be those outages of which TOWN OF HOPE MILLS has at least a fourteen (14)-day advance notice. The PWC shall call TOWN OF HOPE MILLS at _____ to schedule all maintenance operations and to report service interruptions.

7.1.6 Except in emergency situations, if the PWC needs to repair or replace any of the fibers to comply with the specifications stipulated in Exhibit C, the PWC shall notify the TOWN OF HOPE MILLS in writing not less than fourteen (14) days prior to the time that the work will take place where the TOWN OF HOPE MILLS's use of the fibers will be interrupted, and the estimated duration of the interruption. In the event of such a repair or replacement, the interruption will not be counted as one of the aforementioned interruptions. To the extent possible, PWC and TOWN OF HOPE MILLS shall agree upon the times maintenance will be performed so as not to interfere with TOWN OF HOPE MILLS's

business, however PWC retains the right to perform maintenance on fibers upon proper notification to TOWN OF HOPE MILLS without a mutual agreement between parties.

7.2 Access Point Facilities: TOWN OF HOPE MILLS, at its sole expense, shall make available and maintain its Access Points at TOWN OF HOPE MILLS facilities connected to the network. TOWN OF HOPE MILLS, at its sole expense shall be responsible for any items at the access point which do not become property of the PWC.

Article 8 Relocation:

8.1 Fibers

8.1.1 PWC shall make no changes in the location of the fibers without sixty (60) days written notification to TOWN OF HOPE MILLS.

8.1.2 If for any reason, PWC is required by any third party, including, but not limited to a government entity, to relocate any of the facilities used or required in providing the fibers, PWC shall give TOWN OF HOPE MILLS at least sixty (60) days, or as much time as PWC reasonably can, prior written notice of any such relocation. Such relocation shall be undertaken at PWC's sole cost and expense. If PWC desires, for any other reason, to relocate any of the facilities used or required in providing the fibers, such relocation shall be undertaken at PWC's sole cost and expense.

8.1.3 During relocation scheduled outages may occur. PWC shall give TOWN OF HOPE MILLS at least sixty (60) days, or as much time as PWC reasonably can, prior written notice of any such outages. In the event of an outage longer than 24 hours TOWN OF HOPE MILLS shall be entitled to an abatement of its lease to be deducted from the next payment otherwise due under this agreement.

8.2 Access Points

8.2.1 TOWN OF HOPE MILLS shall make no changes in the location or configuration of the Access Points to the fibers without the prior written consent and approval of PWC.

8.2.2 In the event relocation of TOWN OF HOPE MILLS's Facilities and Access Points is required for any reason all costs associated with such required relocation of Access Points, shall be the sole responsibility of TOWN OF HOPE MILLS. TOWN OF HOPE MILLS shall give PWC at least sixty (60) days, or as much time as TOWN OF HOPE MILLS reasonably can, prior written notice of any such relocation.

Article 9. Reclamation

9.1 Subject to the terms, conditions and limitations set forth in this agreement, PWC shall have

the right to terminate from time to time the use of any or all of the fibers on any or all segments of the network for use (and solely for use) directly by PWC.

- 9.2 In the event that PWC desires to reclaim any fibers, PWC shall give notice of such intent to TOWN OF HOPE MILLS at least twelve (12) months prior to the date of reclamation (Reclamation Notice). The Reclamation Notice shall identify each fiber on each segment which PWC desires to reclaim, and the intended date of reclamation.
- 9.3 At any time following receipt of a Reclamation Notice, TOWN OF HOPE MILLS may initiate negotiations with PWC as to possible alternatives to reclamation, including, for example, (1) greater compression of TOWN OF HOPE MILLS's traffic on the fibers within the network already in use by PWC, (2) alternate or additional optoelectronic equipment, (3) alternate routes, and/or (4) installation of additional fibers along the network. PWC and TOWN OF HOPE MILLS each shall conduct any such negotiations in good faith. The exact alternative(s) to reclamation (if any) and the allocation of the costs thereof between the parties shall be subject to mutual consent.
- 9.4 Unless otherwise agreed between PWC and TOWN OF HOPE MILLS pursuant to paragraphs (9.2, 9.3) above, reclamation shall be effective on the date of reclamation set forth in the Reclamation Notice. TOWN OF HOPE MILLS shall be entitled to a fee adjustment with respect to the fibers subject to the reclamation date.

Article 10. Representations and Warranties

- 10.1 PWC represents that, to its knowledge, after due inquiry, it has the right and authority to enter into this agreement and grant the rights and uses contained herein.
- 10.2 TOWN OF HOPE MILLS represents that, to its knowledge, after due inquiry, it has all licenses, permits and rights authorizing it to enter into this Agreement.

Article 11. Assignment and Transfer

- 11.1 Unless specifically provided herein, TOWN OF HOPE MILLS shall not assign, transfer or sublet any of the privileges described in this Agreement without the prior written consent of the PWC, said consent not to be unreasonably withheld.

Article 12. Indemnification

- 12.1 Indemnity and Defense: In any suit against TOWN OF HOPE MILLS or PWC there shall be no indemnity of either by the other, except as by law provided, and each party shall be obligated to present and pay for its own defense.

Article 13. Insurance

- 13.1 TOWN OF HOPE MILLS agrees to execute and deliver to PWC at the time of acceptance and execution of this Agreement a commercial general liability insurance policy, including public liability, contractual liability, premises liability, and property damage, acceptable to and approved by the PWC Risk Manager, covering bodily injury and property damage, premises, operations described hereunder and products therein, in amounts as follows: \$1,000,000 per individual; \$2,000,000 per occurrence.
- 13.2 TOWN OF HOPE MILLS further shall at all times maintain adequate Workmen's Compensation Insurance as required by State of North Carolina Statutes.
- 13.3 Excess liability/umbrella coverage for limits of not less than \$1,000,000 excess of \$1,000,000 each occurrence.
- 13.4 Certified copies of the above policy, or a certificate evidencing the existence thereof, or a binder shall be delivered to the PWC upon the execution of this Agreement. In the event a binder is delivered, it shall be replaced within ten days by a certificate of insurance. Each such policy or certificate shall contain a valid provision or endorsement that the policy may not be canceled, terminated, changed or modified without giving thirty days written notice thereof to PWC.
- 13.5 A renewal certificate shall be delivered to PWC at least fifteen days prior to a policy's expiration date except for any policy expiring on or after the expiration date of this Agreement.
- 13.6 Failure to maintain or provide proof of insurance shall constitute an immediate breach of this Agreement.
- 13.7 At all times during the term of this Agreement, TOWN OF HOPE MILLS shall maintain and shall require its contractor and subcontractors, which do any work in connection with this Agreement, to maintain insurance coverage as described herein and will produce proof of insurance on demand by PWC.
- 13.8 In the event TOWN OF HOPE MILLS fails to obtain the required insurance, PWC reserves the right to purchase insurance on the account of TOWN OF HOPE MILLS.

Article 14. Default

- 14.1 In the event either Party shall fail to observe or perform any of the terms and provisions of this Agreement and such failure shall continue for a period of thirty (30) days after receipt of written notice from the non-defaulting party ("Default"), then the non-defaulting party may terminate this Agreement, provided however, that where such Default cannot reasonably be cured within such period, and the defaulting party has proceeded promptly to cure the same

and is prosecuting such cure with diligence, the time for curing such Default shall be extended for an amount of time, not to exceed sixty (60) days, as may be necessary under the circumstances to complete such cure.

Article 15. Termination

PWC may, at its sole discretion, terminate this Agreement upon the conditions set forth for cause and at its discretion.

- 15.1 For Cause, Without Illegality. PWC may terminate this Agreement and may repossess the fibers in the event that any payment or amount is not furnished the PWC as set forth in Article 4 hereof, when due, upon giving fifteen days written notice to the TOWN OF HOPE MILLS of the PWC's intention to terminate unless full and proper payment is made to the PWC of all monies due on or before the expiration of the fifteen day period indicated in the notice. In like manner, upon thirty days written notice, the PWC may terminate the Agreement in the event any of the other terms of this Agreement other than involving violation of any penal law, have been violated, unless TOWN OF HOPE MILLS has fully rectified any such failure to conform to the conditions of the Agreement within such period.
- 15.2 Surrender of Fibers Upon Termination On the Agreement Expiration Date or any earlier termination of TOWN OF HOPE MILLS's rights to use any or all of the fibers under this agreement, regardless of the reason for termination, TOWN OF HOPE MILLS shall allow PWC to promptly (1) remove all of its equipment and other property from TOWN OF HOPE MILLS's premises, and (2) peaceably quit and surrender the fibers to PWC.

Article 16. Renewal Provisions

- 16.1 TOWN OF HOPE MILLS shall provide ninety (90) day notice of intent to renew Fiber Use Agreement prior to date of expiration of current Agreement.

Article 17. General Provisions

- 17.1 Confidentiality If either Party provides confidential information to the other in writing and is identified as such, the receiving Party shall protect the confidential information from disclosure to third parties with the same degree of care afforded its own confidential and proprietary information. Neither Party shall, however, be required to hold confidential any information which becomes publicly available other than through the recipient, which is required to be disclosed by a governmental or judicial order, by statute, is independently developed by the receiving Party or which becomes available to the receiving Party or which becomes available to the receiving party without known restrictions from a third party.
- 17.2 Costs Except as otherwise expressly provided above, each party shall bear all of its own

attorney's fees and other expenses related to this Agreement.

- 17.3 No Third Party Beneficiaries. None of the terms or conditions in this Agreement shall give or allow any claim, benefit, or right of action by any third person not a party hereto. Any person other than the Public Works Commission or the TOWN OF HOPE MILLS receiving services or benefits under this Agreement shall be only an incidental beneficiary.

- 17.4 No Partnership The Parties acknowledge and agree that this Agreement does not create a partnership between, or a joint venture of, PWC and TOWN OF HOPE MILLS.
- 17.5 Binding Effect. This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors and assigns.
- 17.6 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina without giving effect to the principles of conflicts of laws.
- 17.7 Severability. In the event any term, covenant or condition of this Agreement, or the application of such term covenant or condition, shall be held invalid as to any person or circumstance by any court having jurisdiction, all other terms, covenants and conditions of this Agreement and their application shall not be affected thereby, but shall remain in force and effect unless a court holds that the invalid term, covenant or condition is not separable from all other terms covenants and conditions of Agreement.
- 17.8 Force Majeure. Neither Party shall be liable to the other for any failure of performance under this Agreement due to causes beyond its control, including, but not limited to: acts of God, fire, flood or other catastrophes, adverse weather conditions, material or facility shortages or unavailability not resulting from such party's failure to timely place orders therefore, lack of transportation, the imposition of any governmental codes, ordinances, laws, rules, regulations or restrictions, national emergencies, insurrections, riots, wars, or strikes, lock-outs, work stoppages or other labor difficulties.
- 17.9 Waiver. No delay or omission by either party to exercise any right or power occurring upon non-compliance or failure of performance by the other Party shall impair that right or power or be construed to be a waiver thereof. A waiver by either Party of any of the covenants, conditions or agreements to be performed by the other Party shall not be construed to be a general waiver of any such covenants, conditions or agreements, but the same shall be and remain at all times in full force and effect.
- 17.10 Headings The Article headings herein are for convenience and reference only, and in no way define or limit the scope and content of this Agreement or in any way affect its provisions.
- 17.11 Notices. All notices, requests or other communications (other than those normally required during the installation process) under this Agreement or required by law shall be in writing and shall be hand-delivered, sent by overnight delivery service, mailed by first-class, registered or certified mail, postage prepaid and return receipt requested, or transmitted by telegram or facsimile.
- 17.12 No Implied Representations. No representations, agreements, covenants, warranties, or certifications, express or implied, shall exist as between the parties, except as specifically set

forth in this Agreement.

17.13 Integrated Agreement and Amendments. This Agreement is an integration of the entire understanding of the parties with respect to the matters set forth herein. The parties shall only amend this Agreement in writing with the proper official signatures attached thereto.

17.14 Both PWC and TOWN OF HOPE MILLS are willing proceed with further negotiations on additional fiber requirements.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on their behalf.

_____ day of _____, _____.

CITY OF FAYETTEVILLE

BY: _____
Tony Chavonne, Mayor

ATTEST:

Jennifer Penfield, Deputy City Clerk

**PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, N.C.**

BY: _____
Luis J. Olivera, Chairman

TOWN OF HOPE MILLS, NORTH CAROLINA

ATTEST: _____
Natashia McCants, Deputy Town Clerk

BY: _____
Eddie Dees, Mayor

EXHIBIT C

ELECTRIC SYSTEMS DIVISION
Material Specification

1-400-100
CABLE, FIBER OPTIC, 144 FIBERS ADSS

Revision Date: 23-APR-99

Description:

All dielectric self supporting aerial cable containing 144 single mode optical glass fibers arranged in 12 loose buffer tubes each containing 12 fibers. Each fiber shall be distinguishable from the others per Bellcore color coding and each tube shall have the same color coding scheme. Each fiber shall be Corning SMF-28 Single mode silica (or an approved equivalent). Each buffer tube shall be filled with soft moisture resistant compound which will allow the fibers to float inside the buffer tube. The buffer tubes shall be helically or reverse oscillation stranded torsion free around a dielectric central member to make a completed core unit. The core region shall be completely flooded with a special compound to prevent moisture entry to the cable. All of the tubes shall be covered with a polyethylene inner jacket which in turn shall be covered with the strength member an aramid yarn which shall provide 100% of the mechanical strength required to support the cable. The entire cable core shall be covered with a black outer jacket made of high molecular weight polyethylene. Cable jacket shall be imprinted with the manufacturer, year of manufacture, PWC logo, and sequential footage markings. The inner and outer jackets shall have easily distinguishable rip cords for ease of removal.

Performance Standards:

All parts, materials, and cable shall meet the requirements of the latest revision of IEEE, ANSI, NEMA, ASTM, EIA/TIA, and Bellcore TSY-TR-000020.
 Operating Wavelengths shall be 1290-1330nm and 1530-1570 nm.
 Maximum attenuation shall be less than or equal to 0.40 dB/km at 1310 nm and 0.30 dB/km at 1550 nm
 Cable shall have a pulse dispersion of 3.5 ps/nm-km in the operating range of 1290-1330 nm and 19 ps/nm-km maximum in the range of 1530-1570 nm.
 PWC shall be entitled to compensation from the manufacturer if color identification problems are discovered at the time of splicing.
 An overall cable diameter from 0.785" to 0.820".
 Maximum cable span length shall be 400 feet.

Delivery Standards:

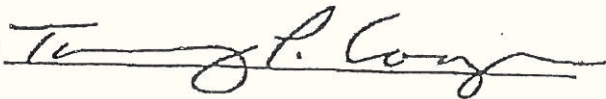
All cable shall be shipped on non-returnable wooden reels designed for outside storage. Each reel shall be marked with manufacturer, PWC and supplier part number, reel cable length, and PWC reel number in a minimum of 3" print. Reels shall be shipped on open trailers that can be unloaded by a forklift. Both ends of the cable shall be accessible on the reel. Attenuation and OTDR test data shall be provided on each reel.

Types Accepted:

<i>Manufacturer</i>	<i>Product</i>
FITEL LUCENT TECH	FLT-144 ADSS
SIECOR	144 ADSS
PIRELLI	ADSS - 144

Note - Catalog numbers are shown for reference use only, supplier is responsible for conforming to specifications as stated.

Specification reviewed by:



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Michael Gibson, Parks and Recreation Director
DATE: February 14, 2011
RE: **Site Solutions Proposal for Assisting with Bond Package**

THE QUESTION:

- Should Council accept Site Solutions' Proposal for Assisting with Bond Package?

RELATIONSHIP TO STRATEGIC PLAN:

- Listed as a Policy Agenda - Parks & Recreation Master Plan Bond Referendum Planning. This target for action is linked to City goal #2 - Growing City, Livable Neighborhoods - A Great Place to Live.

BACKGROUND:

- The department desires to present an informative bond package that will promote the park expansion and improvements identified in the 2006 Parks and Recreation Master Plan.
- The proposed consultant, Site Solutions, assisted the City in the development of the 2006 Master Plan. They were selected after an open and competitive RFQ process. Staff is proposing to go directly to this firm in this case based on their previous work. That work is the basis for the bond projects proposed and this firm has access to the data generated during the Master Plan process which will make their work here uniquely efficient.
- There are 15 projects identified in the draft bond package. Each project will address 12 elements (operational objectives, user demographics, operational costs, initial fee assumptions, other revenue, operational cost, construction cost, service areas, vicinity maps, prototype plan, staffing and Council districts).

ISSUES:

- Staff recommends the use of Site Solutions due to their ability to quickly and credibly develop critical background information necessary to respond to questions relating to the bond proposal and individual projects. Staff doesn't have the resources or expertise to develop this information without assistance.

BUDGET IMPACT:

- The projected total cost of the contract is \$49,360. This funding will be transferred from line items within the existing P&R budget, predominantly Parks Maintenance which is supported by revenues from both the City and County.

OPTIONS:

- This is for discussion purposes.
- This contract must be approved by Council and staff is proposing to add it to the February 28th regular Council Meeting Agenda for consideration.

RECOMMENDED ACTION:

- No action required - Staff will place the proposed contract for services on the Council's regular agenda for consideration. Council should identify any questions or concerns that should be addressed as part of that consideration of approval.

ATTACHMENTS:

Proposal for Bond Package



February 1, 2011

Karen M. Brady, Business Manager
Fayetteville-Cumberland Parks and Recreation Department
121 Lamon Street
Fayetteville, NC 28301

RE: Proposal for Assisting with Bond Package

Dear Karen:

I enjoyed meeting with you, Michael, and Wayne prior to Christmas to discuss the development of an information package to clarify and identify elements of a future bond campaign for parks. The successful development of a bond package for park expansion and improvements would help the Department meet many of the needs identified in the 2006 Parks and Recreation Master Plan. It would also greatly improve the active and passive recreational opportunities for all citizens.

Based on our meeting and a subsequent review of the information you provided, it appears that there are two levels of information/study that you are requesting. First, there needs to be a Project Definition Phase where each of the projects is reviewed and more clearly defined. A second phase will focus on packaging the information in a document that will provide a Summary Document of the bond package improvements.

PROJECT DEFINITION PHASE

During this phase, each of the 15 capital projects will be studied to address the 12 elements identified in your Bond Proposal Structural Plan. The purpose of this research phase is to further refine the benefits, cost, and impacts of the 15 projects that have initially been identified for the bond package. Developing this body of information on each of the projects will require balance. It is important to understand the cost and benefits of each project; however, a detailed assessment of each project (as developed in the Kirkland Indoor Recreation Facility Plan) will require considerable time and money. This may be more investment that you wish to incur at this early stage of the planning process.

For purposes of this proposal, I have assumed you will want to go through a general investigation of each of the 15 projects; addressing each of the 12 elements listed in the Structural Plan description. Most of the information for these elements can be provided by your staff with some input from Site Solutions. Site Solutions would provide input on construction cost and prototype plans. Please note, I have not assumed detailed assessment or program development in this proposal. We will simply pull information from previous experience. The enclosed spreadsheet defines my assumptions with regard to our involvement in this research/information gathering phase.

An important component of this information gathering process will be two work sessions with Departmental staff. During our initial work session, we will meet with various stakeholders/staff on each of the 15 projects. From these meetings,

LANDSCAPE
ARCHITECTURE

CIVIL ENGINEERING

SITE PLANNING

2320 W. Morehead St.
Charlotte, NC 28208
Phone: 704.521.9880
Fax: 704.521.8955
sitesolutionspa.com

we will gather information on project scope and program. In addition we will assign responsibilities for gathering information on Structural Plan elements.

A second work session will be held to review all of the information and confirm each project scope/goal. With the number of projects (15) to cover, we have allocated two days for each of these work sessions.

In addition to facilitating these work sessions, we have allocated time to assemble construction cost and prototype information on each of the projects. It should be noted that we have only allocated one or two days' time for each of the 15 projects. While we can provide very valuable background information in this time frame, we do not have time for detailed programming or pricing in this proposal.

SUMMARY DOCUMENT

Once all of the information on the 12 elements of the Structural Plan have been gathered for all 15 projects, Site Solutions will assemble this information in a Bond Package Summary Document. This document will include a written, photographic, and graphic description of each of the 15 projects. In these descriptions, all 12 elements will be addressed for each of the projects (goals, demographics, operation cost, fees, revenue, cost recovery, construction cost, service areas, vicinity maps, prototype plan, staffing, and council districts). Each project will contain a 3-5 page description.

The summary report will be provided in electronic format to allow the Department to print as many copies as needed. In addition we will also provide a PowerPoint presentation for Departmental use.

I have developed a very simple spreadsheet to identify our time and cost to help with these two steps. Unfortunately, the number of projects makes this a pretty significant undertaking. If we spend an average of 16 hours gathering information on each of the 15 projects, that's over 240 man hours pulling together information. Several of the projects will require more than 16 hours. Likewise, if we spend a day and a half producing a 2-3 page summary on each of the projects, that is another 180 hours.

I realize this is probably more than you have envisioned investing in the project. Unfortunately, when you break it down into individual tasks, you realize it is a lot of work. One option may be to have us help you with the Project Research and work with you on a format for the Summary Document. Departmental staff could then produce the document. This scenario would allow you to keep the fee below \$30,000.

Please review my assumptions and spreadsheet. Let me know if I have misunderstood your goals, or overestimated our involvement. We will adjust our time accordingly.

Karen Brady
Proposal for Assisting with Bond Package
February 1, 2011
Page 3

Finally, we can work with you on a time and expense basis on this project. With this arrangement, we may be able to lower the cost if the process goes faster than expected.

Sincerely,

SITE SOLUTIONS

A handwritten signature in black ink, appearing to read 'D Williams', followed by a long horizontal line extending to the right.

Derek C. Williams, ASLA
President

	DCW	RC
	\$ 150	\$ 85
PROJECT DESCRIPTION PHASE		
Initial Work Sessions	16	
Multipurpose Aquatic Center		
Construction Cost	4	8
Prototype Plans	4	8
Community Pool (City)		
Construction Cost	2	4
Prototype Plans	2	4
Community Pool (District)		
Construction Cost	2	4
Prototype Plans	2	4
Tennis Center		
Construction Cost	2	4
Prototype Plans	2	4
Field Road Sports Complex		
Construction Cost	2	8
Prototype Plans	2	8
Cape Fear River Park		
Construction Cost	4	8
Prototype Plans	4	8
Recreation Center (East)		
Construction Cost	2	4
Prototype Plans	2	4
Crystal Spring Recreation Center		
Construction Cost	2	4
Prototype Plans	2	4
Splash Pads City/County		
Construction Cost	2	4
Prototype Plans	2	4
Multi-cultural Performing Arts		
Construction Cost	4	8
Prototype Plans	4	8
Skateboard Park		
Construction Cost	2	4
Prototype Plans	2	4
Neighborhood/Community Park		
Construction Cost	2	8
Prototype Plans	2	8
Existing Park Renovations		
Construction Cost		16
Greenways Acquisition/Development		
Construction Cost		4
2nd Work Session	16	
Project Description Phase Totals		
Number of Hours	92	156
Cost	\$ 13,800	\$ 13,260
Reimbursable Expenses	\$ 250	
Total Cost of Project Description Phase		\$ 27,310

	DCW	RC
	\$ 150	\$ 85
SUMMARY DOCUMENT		
Establish Report Format	4	4
Review with Staff	4	
Write/Produce Document		
15 Sections @4 (text)	60	
15 Sections @4 (graphics)		60
Submit Report/Meet to Review	8	
Revisions	16	8
Final Document	8	8
Summary Document Phase Totals		
Number of Hours	100	80
Cost	\$ 15,000	\$ 6,800
Reimbursable Expenses	\$ 250	
Total Cost of Summary Document Phase		\$ 22,050

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Jeffery P. Brown, PE, Engineering & Infrastructure Director
DATE: February 14, 2011
RE: **Consider Adoption of Resolution Authorizing Condemnation to Acquire Right of Way for the Murchison Road Sidewalk Project**

THE QUESTION:

Whether Council is willing to authorize condemnation pursuant to North Carolina General Statute of the necessary right of way required for the sidewalk along Murchison Road.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - A Great Place to Live

BACKGROUND:

- Fayetteville State University executed Municipal Agreement with NCDOT in September 2008.
 1. FSU responsible for R/W acquisitions
 2. NCDOT funding construction - \$20,000
 3. Extended until July 1, 2011
- FSU executed Memorandum of Understanding with the City of Fayetteville in December 2008.
 1. FSU responsible for funding R/W from Council Street to Langdon Street.
 2. City responsible for funding R/W from Langdon Street to Lakeland Street.
- To date, the City has acquired eleven parcels needed to complete the construction of the sidewalk.
- This sidewalk project will improve the pedestrian safety for all citizens along the Murchison Road corridor.

ISSUES:

- City staff has not been able to acquire all of the needed right of ways for this project after numerous attempts.
- The Agreement with FSU is close to the expiration date and action is required.

BUDGET IMPACT:

This project will have minimal impact on the budget. FSU is responsible for the cost of acquiring the right of way needed for the last remaining parcel.

OPTIONS:

- Adopt the resolution authorizing the necessary right of ways for the project through condemnation in order to keep the project moving forward.
- Do not adopt the resolution which will delay the project and jeopardize the funding available from NCDOT.

RECOMMENDED ACTION:

Adopt the resolution authorizing the acquisition of the necessary right of way for the project through condemnation in order to keep the project moving forward.

ATTACHMENTS:

Resolution

Map of R/W Needed

Aerial View Photo

**A RESOLUTION AUTHORIZING CONDEMNATION
TO ACQUIRE CERTAIN PROPERTY**

WHEREAS, the governing body of the City of Fayetteville hereby determines that it is necessary and in the public interest to acquire certain property for the following public purpose:

**SIDEWALK IMPROVEMENTS, COMMONLY KNOWN AS THE MURCHISON ROAD
SIDEWALK PROJECT**

WHEREAS, the proper officials or representatives of the City of Fayetteville have been unable to acquire the needed interest in this property by negotiated conveyance.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
OF FAYETTEVILLE, THAT:**

1. The City of Fayetteville shall acquire by condemnation, for the purpose stated above, the property and interest as shown on the attached map sheet;

PARCEL

0438-02-5482 Allen Rentals, LLC 350 square ft

2. The City Attorney is directed to institute the necessary proceedings under North Carolina General Statute § 40A-42 to acquire the property herein described.

ADOPTED this the 14TH day of February, 2011, by the City Council of the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer Penfield, Deputy City Clerk

COUNCIL STREET
10' R/W

BRYAN M. EVANS
PIN # 0438-02-6285

BRYAN M. EVANS
PIN # 0438-02-6259

SHELTON L. CLARK & WIFE
PIN # 0438-02-6333-

SHELTON L. CLARK & WIFE
PIN # 0438-02-6308-

ALLEN RENTALS LLC
PIN # 0438-02-5482-

CAMPBELL, LUBERTA
0438-02-5465-

CAMPBELL, LUBERTA
0438-02-5449-

D.T. WATSON - HEIRS
PIN # 0348-02-5522

CITY OF FAYETTEVILLE
PIN # 0438-02-5515

RONNIE CHALMERS & WIFE
PIN # 0438-02-4589

CHALMERS, RONNIE & WIFE
PIN # 0438-02-4653

FORTUNE HILLS DEVELOPMENT
PIN # 0438-02-4619

LAKELAND STREET
30' R/W

MURCHISON ROAD
R/W VARIES

GOLLEY DR

8438-02-5482-
ALLEN RENTALS LLC
DB 6282 PG 752

MILFORD RD

LANEY ST

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Hampton, Special Projects Director
DATE: February 14, 2011
RE: **Consider Recommended Award for Veterans Park Exhibit Item**

THE QUESTION:

Will Council consider and award the recommended bid for an exhibit item for the Veterans Park Visitor Center

RELATIONSHIP TO STRATEGIC PLAN:

Goal #1, objective #5-attract more military-based industries
Goal#4, objective #3-increase green space throughout the city
Goal#5, objective #5-marketing the city
Goal#6, objective #3, Develop World Class North Carolina Veterans Park

BACKGROUND:

The Visitors Center in Veterans Park contains several exhibits and displays, one being a larger than life display of military services ribbons within the respective branches of service. A concept drawing is attached to this action request. This exhibit was intended by design to be a major element within the visitors center and is one of the most prominent features within the park. It is expandable as ribbons are added and is complete with a guide that states the ribbon's meaning. After concept design and approval by the project management team (PMT) and the council-appointed Content Committee the city issued bids for this item. Attached to this request is a recommendation letter from the designers that contains a recap of the bids received, and the basis for the recommendation to award to the high bidder. It is the unanimous opinion of the PMT and design team that the product offered by CD&D Studios is the only product that meets the quality and intent design specifications of the exhibit and that the contract award should be made as recommended herein.

ISSUES:

- Please note that the design team has negotiated with the recommended vendor to reduce the initial price and improve the quality.

BUDGET IMPACT:

The budget for this item has been appropriated within the Veterans Park budget and the expense is within the estimated exhibit budget.

OPTIONS:

1. Award the contract as requested to CG&D Studios, Raleigh, NC in the amount of \$98,271.00
2. Do not award and provide guidance to staff

RECOMMENDED ACTION:

1. Award the contract as requested to CG&D Studios, Raleigh, NC in the amount of \$98,271.00

ATTACHMENTS:

Service Ribbon Exhibit and Backup

1

2

3





Quote

Quote No **Q000475/3**
Date 03 December 2010
Valid To 15 February 2011

CG&D Studios
6909 Glenwood Ave.
Raleigh, NC 27612
Phone: (919)852-5353
Fax: (919)852-5052

City of Fayetteville
P.O. Box 1089,
Fayetteville, North Carolina 28302
Attention: Gloria B. Wrench

171 Service Ribbon and Exhibit Legend Decorative Glass Display for Veterans Park

Job Description:

1. Create 20 color palette for approval.
2. Build service ribbons per specification and approved color palette.
3. Build exhibit legend per specification.
4. Deliver and Install service ribbons and exhibit legend with specified hardware.

Products

Description	Quantity	Rate	Amount
3/8" Starfire Crystal Glass 7" x 44" x 3/8", tempered	86.00	85.00	7,310.00
Hardware Assembly for Installation - Option A Powder coated aluminum. Includes cover plate for finished look. Also includes retaining clips and permanent mounting tabs for easy installation and removal of individual glass panels.	30.00	329.00	9,870.00
Carve glass and paint ribbons with light fast glass paints per approved 20 color palette "white" color is unpainted etched glass.	171.00	376.00	64,296.00
Deliver and Install Approved Hardware Assembly and Carved Glass Ribbon Panels	86.00	102.00	8,772.00
Glass panel for legend, fabricated and installed High Resolution Film application on Starfire glass, installed per spec with selected hardware option. Art work to be provided by customer.	2.00	477.00	954.00

Sub Total	91,202.00
Tax	7,068.17
Total	98,270.17

We appreciate your business.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Hampton, Special Projects Director
DATE: February 14, 2011
RE: **Consider Award of Sole Source Contract for Veterans Park Exhibit Item**

THE QUESTION:

Will Council consider award of a sole source contract as allowed by North Carolina General Statute 143-129(e)(6)

RELATIONSHIP TO STRATEGIC PLAN:

Goal #1, objective #5-attract more military-based industries
Goal #4, objective #3-increase green space throughout the city
Goal#5, objective #5-marketing the city
Goal#6, objective #3, **Develop World Class North Carolina Veterans Park**

BACKGROUND:

The Visitor Center located within the Veterans Park will have a variety of exhibits and displays. Most items are developed in concept and design to be innovative or unique, educational, high-quality, and to useful to all visitors. One particular exhibit item is a world globe which will allow visitors to locate points on the earth where they may have served military duty, or have loved ones that are located in a foreign land. A prevailing design criteria for most of the items within the park was "Made in America". In the case of an item such as this our research has only discovered a single source for the particular design and budget. Attached to the request is a complete write up from the design architect of the efforts taken to find additional sources for this product. Unfortunately most others were located in Asia. We have also attached concept drawings of the globe and a description of the operations of the system. North Carolina General Statute 143-129(e)(6) allows sole source awards if the item is available from only one known source. The recommendation is unanimously made by the project management team, the design team, and the Content Committee to award the contact as recommended herein.

ISSUES:

None unresolved

BUDGET IMPACT:

The budget for this item has been appropriated within the Veterans Park budget and the expense is within the estimated exhibit budget.

OPTIONS:

1. Award the contract as requested to Bohl Iron Works, LLC for \$117,500
2. Do not award and provide guidance to staff

RECOMMENDED ACTION:

1. Award the contract as requested to Bohl Iron Works, LLC for \$117,500

ATTACHMENTS:

Recommendation Letter and Backup
Exterior View
Interior View



A DIVISION OF KIMLEY-HORN AND ASSOCIATES, INC.

February 14, 2011

Craig Hampton
Special Projects Director
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301

RE: NORTH CAROLINA VETERANS PARK VISITORS CENTER – FAYETTEVILLE, NC
SERVICE LOCATION GLOBE EXHIBIT

Dear Craig,

In their role as project architect and exhibit designers, Clearscapes has spent the last several months developing the Service Location Globe Exhibit, and researching potential fabricators for this important element. Enclosed is a description of the exhibit and renderings indicating its high visibility – both from the exterior of the building along the entrance drive into the park, and as the largest single exhibit within the Visitors Center. Because of the uniqueness of its fabrication and its interactivity with the menu-driven, touch-screen control panel, it was concluded that the final detailing and electronic connectivity would have to be performed by the fabricator.

Clearscapes communicated with seven large globe fabricators, and have only been able to identify one in this country that has the capabilities to produce this exhibit. They are Bohl Iron Works of Jamestown, North Dakota. Every other fabricator identified, while having representatives in this country, are actually fabricated overseas – mostly in Asia.

Enclosed is the proposal from the fabricator in the amount of \$117,500.00. While we recognize the unusual process to select a sole source fabricator, we recommend that your elected officials award this contract to them because of the uniqueness of this exhibit and their qualification to produce it.

Please advise if you have any questions.

Sincerely,

URBAN RESOURCE GROUP
A Division of Kimley-Horn and Associates


Sal Musarra, RLA
Vice President

CLEARSCAPES, P.A.


Steven D. Schuster, FAIA
Principal

February 3, 2011

**North Carolina Veterans Park Visitors Center
Service Location Globe Exhibit**

The purpose of the Service Location Globe Exhibit is to provide an interactive experience where veterans and the general public can identify locations across the world where service personnel of the United States Military have been stationed in the defense of our nation. The exhibit will be controlled by a menu-driven, touch-screen computer, which will allow the visitor to call up, by time periods or conflicts, locations across the globe where veterans have served. With the selection made, the globe will rotate, bringing the selected place to the primary position and then will be highlighted by a laser spotlight. In each case, the globe will “home” at Fayetteville, North Carolina.

In this manner, the visitor can physically see how veterans, for more than 200 years, have been protecting our freedoms from across the planet. Given the size of the globe, it will be seen from the entrance driveway by all those who enter to the North Carolina Veterans Park and Airborne and Special Operations Museum campus. Because it is suspended from the ceiling, it becomes the dominant exhibit in the Visitors Center. It will serve as a reminder that North Carolinians leave their homes to serve our country on a global basis.

Client:

Clearscapes, PA
311-200 West Martin Street
Raleigh, NC 27601

Bohl Iron Works, LLC
1310 41st St NW
Jamestown, ND 58401
www.bohlironworks.com
701.252.3800

Final Quotation

Custom Globe.....\$117,500 USD

Globe Details:

- 10' diameter hard foam globe with hard coat and raised relief continents and land masses.
- Coated with LuminOre metal of choice (additional samples are included in the price to help determine the final choice of metal)
- Blue patina applied to the ocean and seas
- Finish will be sealed with a ceramic clear coating (Cerakote-micro clear)
- Globe will be delivered in 4 quarters and will bolt together with recessed bolts at the axis points

Description of motorization and interface:

- Programmed with up to 200 input locations which will be highlighted with a 1/2" diameter red laser
- 19" touch screen monitor with tower PC (will be inside enclosure)
- Materials, fabrication and wiring of the electrical enclosure housing the OCS, motor drives, and support hardware. UL labeled

1. One two pole 30 Amp through door disconnect wired for 230V 1 Phase 3 wire supply. Including primary fuses or circuit breakers
2. One Homer XL6 OSC mounted through door.
3. Two DC motor controllers and accessories.
4. Terminal Strips for Wire Interconnections
5. External J45 Ethernet connection

- Development of the OCS application which will control the two axis rotation of the globe. This will accomplish the following:

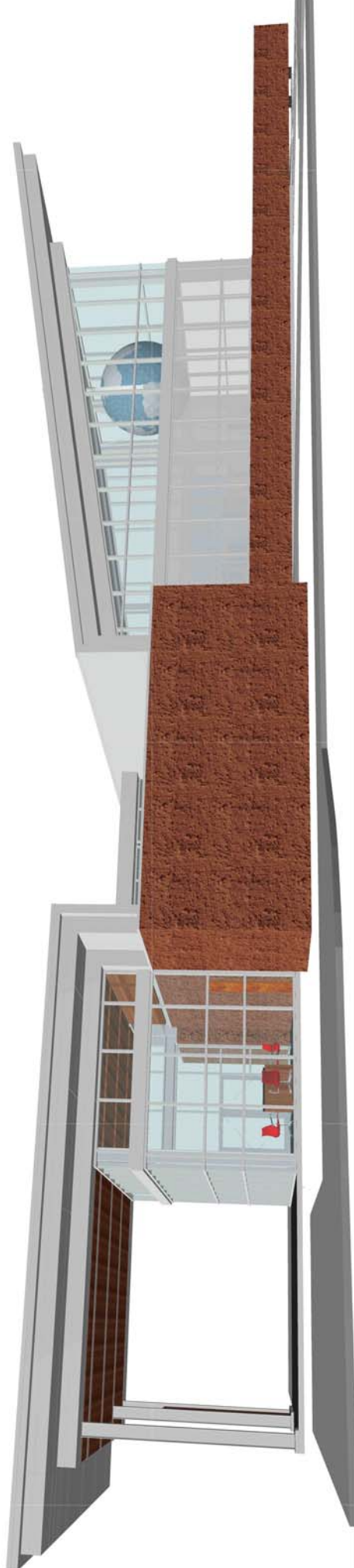
1. Execute a Home move to establish a 0-0 position for the globe
2. Execute a move to coordinates based on data received from a PC interface by controlling the motion of two motors using encoder feedback.

Development of a PC application to be implemented as a user interface to the OCS through which the following may be accomplished:

1. Call for homing function on system power up to establish 0-0 coordinates for the drive system
2. Offer a menu selection of places through which a rotational coordinates might be applied to the OCS to direct globe positioning .

Bohl Iron Works will provide a representative onsite to help with installation and initial startup of the globe and touch screen interface

Includes shipping

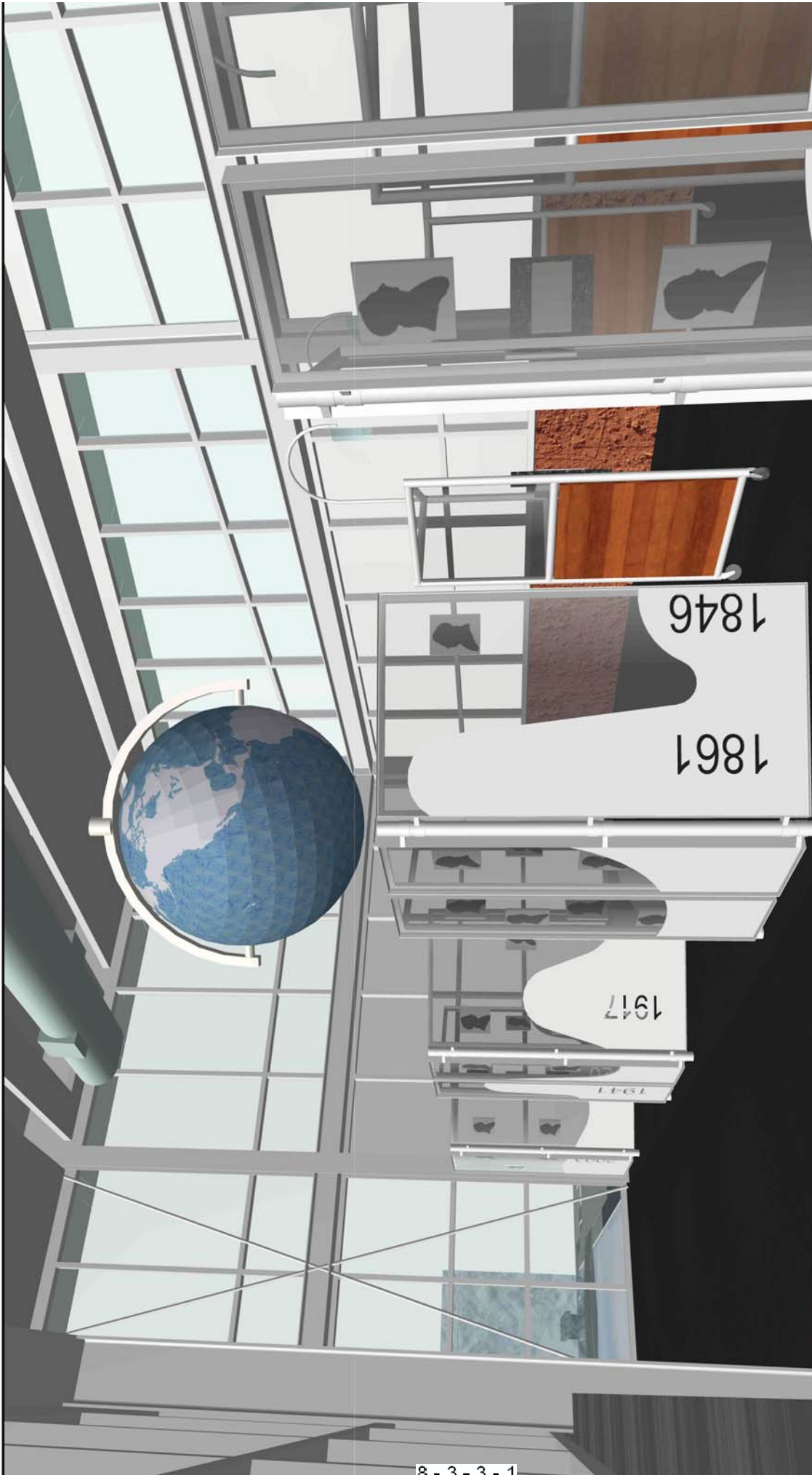


City of
Fayetteville
North Carolina

NORTH CAROLINA VETERANS PARK VISITOR CENTER
2011.02.03

2 | **GLOBE**
NOT TO SCALE
Rendering
Exterior View

CLEARSCAPES
ARCHITECTURE + ART



8 - 3 - 3 - 1

City of
Fayetteville
North Carolina

NORTH CAROLINA VETERANS PARK VISITOR CENTER
 2011.02.03

1 | **GLOBE**
 NOT TO SCALE
 Rendering
 Interior View

CLEARSCAPES
 ARCHITECTURE + ART

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Doug Hewett, Assistant City Manager
DATE: February 14, 2011
RE: **Adopt a Resolution Authorizing Condemnation to Acquire Property for the Multi-Modal Transportation Center**

THE QUESTION:

Whether Council is willing to authorize acquisition through condemnation of property located on a portion of 135 Robeson Street and another property located at 500 West Russell Street for use as a Multi-Modal Transportation Center, MMTC.

RELATIONSHIP TO STRATEGIC PLAN:

A Growing City – A Great Place to Live.

BACKGROUND:

In 2004, the City began work on a development plan for the location of a MMTC utilizing federal grants (Multi-Modal Center). The City Council retained HGA Architects in September 2007 to analyze and identify sites for the MMTC. In the Spring of 2008, several sites in the Downtown area were identified.

After several public meetings, on December 8, 2008, the City Council approved the property bounded by Robeson, Franklin, Winslow, and West Russell Streets comprised of seven parcels for the location of the MMTC. Thereafter, we began pursuing acquisition of the properties consistent with federal land procurement guidelines.

In 2009, City Council authorized condemnation of 2 parcels with a street address of 135 Robeson Street. Since that time, City staff has learned that there are actually 3 parcels that comprise 135 Robeson Street, one of which wasn't deeded to the current owners when they purchased the property in 2009. While this is a legal technicality and staff doesn't believe it affects the ownership of the property, we are seeking City Council's authorization to condemn the remaining parcel to prevent any confusion as we continue our negotiations with the property owners of 135 Robeson Street. This property is referenced on the attached resolution as Parcel 'A.'

Additionally, staff has worked diligently to acquire the property located at 500 W. Russell Street. However, given the attempts to purchase the property, we don't believe that we will be successful in acquiring the property and follow the federal land procurement guidelines. For that reason, staff is also seeking condemnation authority for that parcel. This property is referenced on the attached resolution as Parcel 'B.'

ISSUES:

- The City currently owns the majority of the block. Unless we are able to acquire the remaining parcels, we will be unable to proceed with this project.
- Staff will continue efforts to acquire the remaining property, without filing condemnation. However, given our negotiations to date, staff doesn't believe we will be successful without using the City's condemnation authority.
- Under any scenario, including possible condemnation, the property owners would be paid, at a minimum, the full appraised price for their property and would be offered assistance in relocating their business, if they choose.

BUDGET IMPACT:

None at this time.

OPTIONS:

- Approve the attached resolution authorizing acquisition of these properties through condemnation.
- Do not approve these resolutions.

RECOMMENDED ACTION:

Approve the attached resolutions.

ATTACHMENTS:

Resolution
Map

**A RESOLUTION AUTHORIZING CONDEMNATION
TO ACQUIRE CERTAIN PROPERTY**

WHEREAS, the governing body of the City of Fayetteville hereby determines that it is necessary and in the public interest to acquire certain property for the following public purpose:

**MULTI-MODAL PUBLIC TRANSPORTION FACILITY AND RELATED PUBLIC
TRANSPORTATION IMPROVEMENTS, COMMONLY KNOWN AS THE
“FAYETTEVILLE TRANSIT MULTIMODAL CENTER”**

WHEREAS, the proper officials or representatives of the City of Fayetteville have been unable to acquire the needed interest in this property by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAYETTEVILLE, THAT:

1. The City of Fayetteville shall acquire by condemnation, for the purpose stated above, the property and interest described as follows;

PARCEL A

BEGINNING at a point in the Southern margin of Franklin Street (formerly referred to as Pershing Street) 96 feet from the intersection of the said Southern margin of Franklin Street with the Eastern margin of Robeson Street, and running thence with the Southern margin of Franklin Street, South 65 degrees 00 minutes East 42 feet to a point, the intersection of the Western margin of a 12 foot alley with the Southern margin of Franklin Street; thence with the said Western margin of the 12 foot alley, South 25 degrees 00 minutes West 132 feet to a point, thence North 65 degrees 00 minutes West 27 feet to a point, thence North 25 degrees 00 minutes East 66 feet to a point, thence North 65 degrees 00 minutes West 15 feet to a point; thence North 25 degrees 00 minutes East 66 feet to the **BEGINNING** corner.

PARCEL B

BEGINNING at the intersection of the Northern margin of West Russell Street (formerly Elm or Mumford Street) with the Western margin of Winslow Street, and running thence Northwardly about 60 feet with the Western margin of Winslow Street to the Old Solomon Nash line, now Haigh’s line; thence with that line Westwardly about 131.6 feet to the Northeast corner of the lot conveyed by Carl P. Chandler and wife, Ruth S. Chandler to A. Wilbur Clark and wife, Marjorie M. Clark by deed of record in Book 523, Page 130 Cumberland County Registry, thence with the Eastern line of that lot Southwardly about 60 feet to a point in the Northern margin of West Russell Street; thence with it eastwardly about 131.6 feet to the beginning point.

2. The City Attorney is directed to institute the necessary proceedings under North Carolina General Statute § 40A-42 to acquire the property herein described.

ADOPTED this the 14TH day of February, 2011, by the City Council of the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE

BY: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

Jennifer Penfield, Deputy City Clerk



FRANKLIN ST

WINSLOW ST

B

A

W RUSSELL ST

ROBESON ST

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Robert T. Hurst, Jr., Council Member, District 5
DATE: February 14, 2011
RE: Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

THE QUESTION:

Do the attached recommendations from the City Council's Appointment Committee meet the City Council's approval?

RELATIONSHIP TO STRATEGIC PLAN:

- Partnership of Citizens - Citizens Volunteering to help the City
- Greater Community Unity - Pride of Fayetteville
- Diverse Culture and Rich Heritage - Diverse people working together with a single vision and common goals

BACKGROUND:

The Appointment Committee met on Tuesday, February 1, 2011 to review applications for appointments to boards and commissions. It is from that meeting that the Appointment Committee provides the attached recommendations for appointments to the City of Fayetteville boards and commissions. Consistent with the City Council's wishes, the Appointment Committee's recommendations for appointments are indicated on the attachment.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

1. Approve Appointment Committee recommendations to fill the board and commission vacancies as indicated on the attachment.
2. Approve Appointment Committee recommendations to fill some board and commission vacancies and provide further direction.
3. Do not approve Appointment Committee recommendations to fill the board and commission vacancies and provide further direction.

RECOMMENDED ACTION:

Approve Appointment Committee recommendations for board and commission appointments.

ATTACHMENTS:

Appointment Committee Recommendations

**FAYETTEVILLE CITY COUNCIL APPOINTMENT COMMITTEE RECOMMENDATIONS FOR
March 2011 Vacancies**

BOARDS/COMMISSIONS		RECOMMENDATION	TERM
1.	Airport Commission ❖ 1 Appointment	Katherine Marable	Fill-in
2.	Fair Housing ❖ 1 Reappointment ❖ 2 Appointments	David B. Lucas	2 nd
		Charles Gibbs	1 st
		Delisa Berhow	1 st
3.	Historic Resources Commission ❖ Category 3 – 1 Reappointment ❖ Category 4 – 1 Appointment ❖ Category 5 – 1 Appointment ❖ Category 6 – 2 Reappointments 2 Appointments	Neil Grant	2 nd
		Eric Lindstrom	1 st
		John S. Duvall, Sr.	1 st
		Catherine M. Mansfield	2 nd
		Paul H. Monroe	2 nd
		Calvin J. Dalton	1 st
		Sara Hayes	1 st
4.	Joint City and County Senior Citizens Advisory Commission ❖ 1 Appointment	Carey D. Berg	Fill-in
5.	Linear Park Corporation ❖ 1 Reappointment ❖ 1 Appointment	Molly Arnold	2 nd
		Amy Renee Wilson	Fill-in
6.	North Carolina Firemen’s Relief Fund Board of Trustees ❖ 1 Reappointment	Robert A. Nobles	2 nd
7.	Personnel Review Board ❖ 1 Reappointment ❖ 1 Appointment ❖ 1 vacancy remaining	Alicia L. Chinlund	2 nd
		Catherine L. Ramos	1 st
8.	Fayetteville Planning Commission ❖ 1 Appointment	Maurice Wren	Fill-in
9.	Public Arts Commission Museum of Arts ❖ 1 Reappointment Arts Council ❖ 1 Reappointment ❖ 1 Appointment	Dell K. Hollstein	2 nd
		Dwight Smith	2 nd
		Suzanne Frank	1 st
10.	Wrecker Review Board ❖ 1 Appointment	Lloyd Lietz	Fill-in

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Rita Perry, City Clerk
DATE: February 14, 2011
RE: **Monthly Statement of Taxes for January 2011**

THE QUESTION:

For information only

RELATIONSHIP TO STRATEGIC PLAN:

Greater Tax Base Diversity - Strong Local Economy

BACKGROUND:

Attached is the report that has been furnished to the Mayor and City Council by the Cumberland Tax Administrator for the month of January 2011.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

For information only

RECOMMENDED ACTION:

For information only

ATTACHMENTS:

Monthly Statement of Taxes for January 2011



OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

MEMORANDUM

TO: Rita Perry, Fayetteville City Clerk
FROM: Aaron Donaldson, Tax Administrator *AD*
DATE: February 1, 2011
RE: 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 2011. 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 any questions regarding this report, please contact me at 678-7587.

AD/sn
Attachments

Celebrating Our Past... Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

FAYETTEVILLE MACC LEDGER
2000-2010

DATE	REPORT #	REMITTED TO FINANCE	2010 CC	2010 VEHICLE	2010 CC REVIT	2010 VEHICLE REVIT	2010 FVT	2010 TRANSIT	2010 STORM WATER	2010 FAY STORM WATER
01/03/11	2010-133	3,142,467.39	2,739,510.16	40,373.36	7,571.79	3.12	4,905.00	4,905.00	87,862.93	175,725.87
01/04/11	2010-134	2,948,562.15	2,640,422.49	11,198.06	4,295.17	35.65	1,332.86	1,332.85	85,897.21	171,794.40
01/05/11	2010-135	2,130,333.04	1,890,321.65	12,038.47	11,663.71	26.70	1,595.00	1,595.00	56,930.56	113,837.13
01/06/11	2010-136	740,360.06	611,929.13	25,733.42	1,715.65	0.00	3,480.00	3,480.00	22,130.07	44,260.10
01/07/11	2010-137	268,569.92	213,045.95	17,331.33	1,889.87	0.00	2,114.91	2,114.91	6,765.06	13,530.14
01/10/11	2010-138	SNOW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01/11/11	2010-139	SNOW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01/12/11	2010-140	974,646.64	806,616.96	56,344.88	4,402.83	13.83	7,485.00	7,485.00	23,935.77	47,871.56
01/13/11	2010-141	79,239.18	49,670.45	13,502.84	78.71	0.00	1,799.70	1,799.70	1,231.94	2,463.89
01/14/11	2010-142	97,013.62	50,952.83	19,963.56	2,690.31	86.09	2,544.74	2,544.76	2,474.04	4,948.10
01/17/11	2010-143	HOLIDAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01/18/11	2010-144	112,696.15	54,994.23	25,985.69	304.52	34.18	3,311.29	3,311.28	4,923.78	9,847.55
01/19/11	2010-145	63,442.23	35,440.56	12,362.79	77.13	3.31	1,690.00	1,690.00	1,334.02	2,668.04
01/20/11	2010-146	216,702.20	42,410.46	13,537.80	3.28	24.91	1,731.68	1,731.69	3,766.38	7,532.78
01/21/11	2010-147	82,395.12	50,806.98	15,692.36	10.34	21.77	1,997.52	1,997.51	1,777.96	3,555.88
01/24/11	2010-148	133,244.44	85,743.06	27,045.52	702.10	1.25	2,836.05	2,836.06	1,933.60	3,867.20
01/25/11	2010-149	70,544.86	46,688.17	8,809.37	365.02	0.00	1,140.80	1,140.80	1,610.59	3,221.19
01/26/11	2010-150	61,059.28	35,517.29	13,208.83	252.58	39.26	1,700.50	1,700.50	1,407.21	2,814.43
01/27/11	2010-151	63,700.78	37,373.82	12,298.54	0.00	0.00	1,570.00	1,570.00	1,319.24	2,638.50
01/28/11	2010-152	72,243.34	39,630.19	14,906.37	0.00	0.00	1,800.00	1,800.00	1,561.60	3,123.23
01/31/11	2010-153	180,412.17	113,672.07	28,278.29	136.04	0.00	3,790.69	3,790.69	4,426.30	8,852.60
TOTALS		11,437,632.57	9,544,746.45	368,611.48	36,159.05	290.07	46,825.74	46,825.75	311,288.26	622,552.59

TRUE

MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)
CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

FAYETTEVILLE MACC LEDGER
2000-2010

2008 CC	2008 VEHICLE	2008 CC REVIT	2008 VEHICLE REVIT	2008 FVT	2008 TRANSIT	2008 STORM WATER	2008 FAY STORM WATER	2008 FAY RECYCLE FEE	2008 ANNEX	2007 CC	2007 VEHICLE	2007 CC REVIT
113.29	140.44	0.00	0.00	25.22	25.21	12.00	0.00	0.00	0.00	0.00	67.71	0.00
249.08	210.57	0.00	0.00	30.00	25.00	45.41	66.82	116.93	0.00	223.44	123.39	0.00
0.00	26.54	0.00	0.00	13.96	8.96	0.00	0.00	0.00	0.00	0.00	97.83	0.00
21.47	(31.10)	0.00	0.00	15.00	5.00	16.10	8.21	14.35	0.00	0.00	26.44	0.00
0.00	169.81	0.00	0.00	30.00	20.00	0.00	0.00	0.00	0.00	0.00	52.85	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	226.22	0.00	0.00	26.04	16.04	0.00	0.00	0.00	0.00	0.00	(3.30)	0.00
0.00	201.28	0.00	0.00	40.00	30.00	0.00	0.00	0.00	0.00	0.00	84.04	0.00
0.00	67.65	0.00	0.00	30.00	15.00	0.00	0.00	0.00	0.00	0.00	(98.60)	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
27.87	87.64	0.00	0.00	25.57	20.57	36.00	0.00	0.00	0.00	0.00	0.00	0.00
47.70	148.09	0.00	0.00	45.00	15.00	0.00	0.00	0.00	0.00	47.70	173.27	0.00
3,493.89	76.68	0.00	0.00	25.00	20.00	1,932.00	3,864.00	0.00	0.00	3,493.89	2.74	0.00
0.00	4.16	0.00	0.00	5.00	5.00	0.00	0.00	0.00	0.00	33.57	23.26	0.00
7.20	31.33	0.00	0.00	10.00	5.00	0.00	0.00	0.00	0.00	0.00	43.39	0.00
0.00	184.06	0.00	0.00	43.29	33.30	0.00	0.00	0.00	0.00	0.00	113.53	0.00
0.00	20.09	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	9.13	0.00	0.00
49.91	47.94	0.00	0.00	7.42	2.41	0.00	0.00	0.00	0.00	0.00	10.02	0.00
0.00	123.12	0.00	0.00	25.00	15.00	0.00	0.00	0.00	0.00	0.00	158.67	0.00
0.00	254.97	0.00	0.00	70.00	50.00	0.00	0.00	0.00	0.00	0.00	162.70	0.00
4,010.41	1,989.49	0.00	0.00	481.50	326.49	2,041.51	3,939.03	131.28	0.00	3,807.73	1,037.94	0.00

FAYETTEVILLE MACC LEDGER

JANUARY 2011

2000-2010

2007 VEH REVIT	2007 FVT	2007 STORM WATER	2007 FAY STORM WATER	2007 ANNEX	2006 & PRIOR CC	2006 & PRIOR VEH	2006 & PRIOR CC REVIT	2006 & PRIOR VEH REVIT	2006 & PRIOR FVT	2006 & PRIOR STORM WATER	2006 ANNEX
0.00	25.00	0.00	0.00	0.00	0.00	159.43	0.00	0.00	50.00	0.00	0.00
0.00	5.00	14.44	24.00	0.00	174.03	144.51	0.00	0.00	25.53	0.00	9.79
0.00	5.00	0.00	0.00	0.00	121.36	142.12	0.00	0.00	25.00	0.00	29.49
0.00	5.00	0.00	0.00	0.00	0.00	102.00	0.00	0.00	40.00	0.00	0.00
0.00	10.00	0.00	0.00	0.00	0.00	214.66	0.00	0.00	61.49	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
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	5.00	0.00	0.00	0.00	24.46	160.29	0.00	0.00	20.00	0.00	56.21
0.00	20.00	7.19	0.00	0.00	0.00	169.78	0.00	0.00	24.47	0.00	0.00
0.00	5.00	0.00	0.00	0.00	0.00	13.97	0.00	0.00	5.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	36.00	0.00	0.00	215.56	85.10	0.00	0.00	27.05	36.00	0.00
0.00	20.00	0.00	0.00	0.00	55.06	116.93	0.00	0.00	30.60	0.00	0.00
0.00	5.00	1,932.00	3,864.00	0.00	51,440.23	0.02	0.00	0.00	5.00	11,592.00	0.00
0.00	10.00	0.00	0.00	0.00	6.61	102.63	0.00	0.00	13.51	0.00	0.00
0.00	5.00	0.00	0.00	0.00	0.00	198.98	0.00	0.00	50.00	0.00	0.00
0.00	15.00	0.00	0.00	0.00	0.00	202.52	0.00	0.00	40.00	0.00	0.00
0.00	0.00	12.00	0.00	0.00	0.00	39.38	0.00	0.00	15.00	0.00	0.00
0.00	5.00	4.81	0.00	0.00	0.00	90.62	0.00	0.00	15.00	0.00	0.00
0.00	35.00	0.00	0.00	0.00	0.00	115.47	0.00	0.00	35.00	0.00	0.00
0.00	50.00	0.00	0.00	0.00	19.18	274.06	0.00	0.00	85.00	0.00	0.00
0.00	225.00	2,006.44	3,888.00	0.00	52,056.49	2,332.47	0.00	0.00	567.65	11,628.00	95.49

