



FAYETTEVILLE CITY COUNCIL
AGENDA
OCTOBER 1, 2012
5:00 P.M.
Lafayette Room

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 APPROVAL OF AGENDA

4.0 OTHER ITEMS OF BUSINESS

4.1 Community Development - HOPE VI Business Park Redevelopment Update

Presented By: Victor Sharpe, Community Development Director and Craig Gossman, MSKS

4.2 Consider Authorization for Condemnation on Remaining Parcels in the Designated Hope VI Business Park

Presented By: Kecia Parker, Real Estate Manager

4.3 Multimodal Center Design Update

Presented By: Randy Hume, Transit Director and Craig Hampton, Special Projects Director

4.4 Update on Assessments Collection Process

Presented By: Lisa Smith, Chief Financial Officer

4.5 Hire Fayetteville First - Defining "Local"

Presented By: Kristoff Bauer, Asst. City Manager

4.6 City Council Request (s): (In order of receipt date)

(a) Council Member Applewhite - Private Street Standard

5.0 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 non-public 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.

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: Victor Sharpe, Community Development Director
DATE: October 1, 2012
RE: **Community Development - HOPE VI Business Park Redevelopment Update**

THE QUESTION:

What is the status of the HOPE VI Business Park Redevelopment Plan?

RELATIONSHIP TO STRATEGIC PLAN:

Greater Tax Base - Strong Local Economy and More Attractive City - Clean and Beautiful and Revitalized Downtown A Community Focal Point.

BACKGROUND:

- On December 13, 2010, City Council approved the site and concept for the HOPE VI Business Park.
- City Staff is in the process of acquiring property in the project area.
- 23 parcels have been acquired.
- The City is working with the Fayetteville Cumberland County Chamber of Commerce to complete a plan for developing a business park for the HOPE VI Revitalization Project.
- The Chamber hired MKSK to complete the plan.
- A community meeting was held on September 6, 2012 to get input from the community.
- MKSK will present an update on the status of the redevelopment plan.

ISSUES:

Staff is working to resolve problems in acquiring the remaining parcels due to title issues.

BUDGET IMPACT:

- Funding has been allocated for this project.

OPTIONS:

This item is being presented for informational purposes. Staff will provide and update on the business park plan.

RECOMMENDED ACTION:

Receive as information.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Kecia Parker, Real Estate Manager
DATE: October 1, 2012
RE: **Consider Authorization for Condemnation on Remaining Parcels in the Designated Hope VI Business Park**

THE QUESTION:

Whether Council is willing to authorize acquisition of the remaining parcels necessary for the Hope VI Business Park through condemnation pursuant to North Carolina General Statute due to numerous title issues.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods-A Great Place to Live

BACKGROUND:

- On November 24, 2008, a Resolution was approved authorizing the City Manager or his designee to negotiate and acquire property in the Hope VI revitalization area.
- On December 13, 2010, City Council approved the site and concept for the Hope VI Business Park.
- Council has allotted \$1,000,000 to date for the property acquisition for the Hope VI Business Park.
- City staff has acquired 23 parcels to date for the project.
- City staff has performed research on the remaining 18 parcels but has not acquired them to date.

ISSUES:

- Due to title issues that inhibit the City from getting proper title to the properties that are left, staff is asking for City Council's opinion and approval to begin condemnation actions.
- If Condemnation action is initiated the problems would be cleared through that process and would allow the City to have clear title to the property.
- The title issues involve unknown heirs in the majority of the parcels.
- In the Condemnation action a guardian ad litem will be appointed by the Clerk of Court to represent the unknown heirs.
- By going through this process the City is ensuring that no impropriety exists and all interests are represented.

BUDGET IMPACT:

The money has already been allocated for the acquisitions for this project.

OPTIONS:

- Direct staff to continue with appropriate procedure for adopting resolution to authorize condemnation procedures.
- Decline to authorize the condemnation procedure and direct staff as to how to proceed with project.

RECOMMENDED ACTION:

This item is presented for discussion only. Action will be considered at a Council Regular meeting.

ATTACHMENTS:

Hope VI Potential Condemnations

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Randy Hume, Transit Director
DATE: October 1, 2012
RE: **Multimodal Center Design Update**

THE QUESTION:

What are the design plans for the Multimodal Transit Center?

RELATIONSHIP TO STRATEGIC PLAN:

Revitalized Downtown - A Community Focal Point
Policy Action 3: Multimodal Center

BACKGROUND:

The Multimodal Transit Center has been a strategic priority for several years and a key component to the Transit Development Plan adopted in 2008. The project site was selected in December 2008. Federal Transit Administration (FTA) provided environmental clearance (Finding Of No Significant Impact) in August 2010 at which time the City began property acquisition in accordance with federal acquisition and relocation guidelines.

FTA has provided grant funding for property acquisition, relocation, demolition and design/engineering work. Project design began in September 2011. In July, FTA announced an \$8,015,000 federal grant for constructing the initial phase for the Multimodal Transit Center.

Staff will provide an update of design plans for the facility and an overview of the project's phasing.

ISSUES:

Budget and project phasing

BUDGET IMPACT:

Design funding appropriated in FY 2013 for current grants.
Construction funding included in CIP for FY 2014 and FY 2015.

OPTIONS:

Information and feedback

RECOMMENDED ACTION:

Information and feedback

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 1, 2012
RE: **Update on Assessments Collection Process**

THE QUESTION:

Does Council wish to pursue foreclosure as a method of collection for assessments?

RELATIONSHIP TO STRATEGIC PLAN:

Principles A and B: Great Place to Live - Means a clean and safe community; Desirable Neighborhoods.

Goal 2: More Efficient City Government - Cost Effective Service Delivery

BACKGROUND:

- In June, City Council approved the FY2013 Annual Budget which included a new position to focus on the collection of outstanding assessments.
- At the August worksession, Council directed staff to bring back information regarding foreclosure of properties with outstanding assessments, particularly demolition assessments.
- As of June 30, 2012, the principal balances on outstanding lot cleaning/demolition assessments and paving assessments was \$910,195 and \$225,553, respectively.
- As of June 30, 2012, there were 2,187 outstanding lot cleaning/demolition assessments and 137 paving assessments.

ISSUES:

Is foreclosure the preferred method of collection for assessments?

BUDGET IMPACT:

See information provided above.

OPTIONS:

1. Use various measures to collect assessments, including foreclosure when necessary and cost-effective.
2. Proceed directly to foreclosure on properties with outstanding assessments.

RECOMMENDED ACTION:

Provide feedback on options outlined above. Staff recommends using various collection measures, including foreclosure when necessary and cost-effective.

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Kristoff Bauer, Asst. City Manager
DATE: October 1, 2012
RE: Hire Fayetteville First - Defining "Local"

THE QUESTION:

As the City works to implement Council Policy 135.2 Hire Fayetteville First, what are the factors that identify a business as "local" for the purposes of that policy?

RELATIONSHIP TO STRATEGIC PLAN:

Council Policy 135.2 (Attached)

BACKGROUND:

Council adopted policy 135.2, Hire Fayetteville First Jobs Creation Policy, on July 9, 2012. Staff presented a timeline and action plan for implementing that program during the Sept. 4th Council Worksession. The next step called for was clarifying the definition of "Locally Owned Businesses" as used in the adopted policy.

ISSUES:

Policy 135.2 directs staff to conduct a disparity study as part of developing programs to support:

- Locally owned businesses;
- Women owned businesses;
- Minority owned businesses;
- Disabled and disadvantaged owned businesses; and
- Veteran owned businesses.

Staff has been able to identify authoritative definitions from federal or state law sources for all categories of business identified above except "Locally owned Businesses."

BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

This is for discussion purposes only. Consistent with the previous presentation to Council, staff will return at the November Work Session with a draft RFP for the Disparity Study.

ATTACHMENTS:

Definition of "Local"
Council Policy 135.02



Fayetteville
North Carolina

City Manager's Office

To: Mayor & City Council
CC: Theodore Voorhees, City Manager
From: Kristoff Bauer, Assistant City Manager
Date: September 26, 2012
Re: "Local Business" Definition

Below are three definitions that staff will present and contrast in order to facilitate Council discussion. Consider how each addresses the three fundamental characteristics:

- Area (city or county or defined area);
- Key policy compliance (zoning, licensing, tax payment); and
- Relationship to area (principle place of business, employees in area).

1. Cumberland County Definition: (The following was incorporated into the County purchasing policies in November 2010)

Local vendors or suppliers shall be those who demonstrate that they pay business personal or real property taxes and are self-employed residents of Cumberland County or employ at least one resident of Cumberland County as an employee or officer of the contracting business entity.

2. Tampa Webinar: (The following was provided as part of a presentation given by the purchasing director of the City of Tampa in November, 2010)

Vendor has a valid occupational license issued by a municipal/county government within the defined geographic area.

Vendor operating at a physical address located within the defined geographic area at the time the bid is submitted and in an area zoned for conduct of such business.

3. Staff option:

Local businesses shall be those who hold a valid City Privilege License, operate in compliance with all City regulations, and who operate a place of business with at least one fulltime employee within the City limits.

SUBJECT – CITY COUNCIL Hire Fayetteville First Jobs Creation Policy	Number 135.2	Revised	Effective Date 7-09-12	Page 1 of 1
--	-------------------------------	----------------	---	--------------------

In an effort to promote economic opportunity for Fayetteville/Cumberland County businesses and to support job creation in the City of Fayetteville, it is the policy of the City of Fayetteville and the City’s Public Works Commission (collectively, the “City”) to use the City’s spending powers in a manner that promotes fiscal responsibility and maximizes the effectiveness of local tax dollars by ensuring that City spending for goods and services provides business opportunity to businesses having a principal place of business within Fayetteville/Cumberland County, and Historically Underutilized Businesses (HUBs) as defined in N.C. General Statutes 143-48.4, and 143-128.4 (a), and (b), as measures to support the local economy.

To implement the policy, the City does hereby do the following:

- City seeks to establish goals in the future contingent upon a disparity study for all City departments for local and HUB business participation relating to procurement of all goods and services in the following categories:
 - locally owned businesses
 - women owned businesses
 - minority owned businesses
 - disabled and disadvantaged owned businesses
 - veteran owned businesses

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Valencia Applewhite, Council Member
DATE: October 1, 2012
RE: **City Council Request (s): (In order of receipt date)**
(a) Council Member Applewhite - Private Street Standard

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

ISSUES:

BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

ATTACHMENTS:

Council Member Agenda Item

City Council Agenda
Item Request

Date of Request: September 24, 2012

Name of Requester: CM Applewhite

Agenda Item Title: Private Street Standards

What do you want to accomplish with this item? Establish a "minimum" and "acceptable" standard for privately owned streets within the City to ensure accessibility for public safety response. Provide citizens a means to travel across roads safely without concern for damage to private property or personal injury.

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

- Desirable Neighborhoods: Quality infrastructure - paved streets and well maintained private roads (Principle B, Item 2)
- Beauty by Design: Balanced and compatible urban development, clean community with visual appeal (Principle D Items 2 & 3)
- Great Place to Live: A clean & safe community, Neighborhoods that are liveable (Principle A items 1 & 3)

Comments: Many of the roads in severe disrepair impact rental properties throughout our community. This effort could complement our Rental Program.