



FAYETTEVILLE CITY COUNCIL
AGENDA
JUNE 24, 2013
7:00 P.M.
Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 CONSENT

5.1 Capital Project Ordinance Amendment 2013-38 (Winslow Street Streetscape Municipal Agreement)

5.2 Approval of a supplemental municipal agreement with NCDOT for streetscape improvements along Winslow Street

5.3 Municipal Agreement with NCDOT for sidewalk improvements on Camden Road from King Charles Road to north of Owen Drive

5.4 Approval of a Municipal Agreement with NCDOT for landscape improvements on Glensford Drive

5.5 Resolution Authorizing Sale of Real Property located at 1107 Clark Road, Fayetteville, NC

5.6 Capital Project Ordinance Amendment 2013-39 and Associated Resolutions Authorizing a North Carolina Department of Transportation Grant (State Transit Capital and Planning Grant 514)

5.7 Application of County Animal Control Ordinance Revisions to City

6.0 PUBLIC HEARINGS

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

- 6.1 P13-14F. Rezoning of property from SF-10 Single Family Residential to CC – Community Commercial or to a more restrictive district, located on Lake Valley Road across from 4760 Lake Valley containing 12.95 acres more or less and being the property of JKAM Investments LLC.
Presenter(s): Craig Harmon, AICP, CZO - Planner II

7.0 OTHER ITEMS OF BUSINESS

- 7.1 Fiscal Year 2013-2014 Budget Ordinance and Fee Schedule, Fiscal Year 2014-2018 Capital Improvement and Information Technology Plans, Capital Project Ordinances 2014-1 through 2014-10, and Capital Project Ordinance Amendments 2014-1 through 2014-16
Presenter(s): Theodore L. Voorhees, City Manager

- 7.2 Award Contract for Resurface Various Streets 2014 - Phase I
Presenter(s): Rusty Thompson, Engineering and Infrastructure Director

8.0 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.

COUNCIL MEETING WILL BE AIRED

**June 24, 2013 - 7:00 p.m.
COMMUNITY CHANNEL 7**

COUNCIL MEETING WILL BE RE-AIRED

**June 26, 2013 - 10:00 p.m.
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: Lisa T. Smith, Chief Financial Officer
DATE: June 24, 2013
RE: **Capital Project Ordinance Amendment 2013-38 (Winslow Street Streetscape Municipal Agreement)**

THE QUESTION:

Council is asked to approve this Capital Project Ordinance Amendment which will appropriate \$1,413,080 for streetscape improvements along both sides of Winslow Street, from Hay Street south to approximately Kyle Street. The source of funds for this amendment will be a reimbursement from the N.C. Department of Transportation in the amount of \$1,230,000 and \$183,080 from the General Fund previously set aside for this agreement.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - A Great Place to Live
More Attractive City - Clean and Beautiful

BACKGROUND:

The City entered into an agreement with the N.C. Department of Transportation (NCDOT) on June 6, 2005 for the implementation of a Traffic Separation Study. The study consisted of near-term, mid-term and long-term recommendations.

As part of the study, the railroad crossing at Rankin Street was to be closed permanently. This supplemental agreement is a result of the railroad crossing closure.

The N.C. Department of Transportation will reimburse the City 100% of costs relating to hardscape and landscape improvements, storm drainage, erosion control, traffic signals, traffic control items and demolition. The City's participation in the project is expected to be \$183,080, which consists of costs associated with brick pavers and concrete flatwork in excess of NCDOT standards. PWC will be billed for their portion of the work which includes waterline, sewer and electrical improvements.

The Municipal Agreement between the City and the N.C. Department of Transportation is also on the agenda for Council approval.

ISSUES:

None.

BUDGET IMPACT:

As stated above.

OPTIONS:

1. Adopt Capital Project Ordinance Amendment 2013-38.
2. Do not adopt Capital Project Ordinance Amendment 2013-38.

RECOMMENDED ACTION:

Staff recommends that Council adopt Capital Project Ordinance Amendment 2013-38.

ATTACHMENTS:

Capital Project Ordinance Amendment 2013-38 Winslow Streetscape Municipal Agreement

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-38 (CPO 2010-13)**

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

Section 1. The project change authorized is to Capital Project Ordinance 2010-13, adopted November 9, 2009, as amended, for the funding of various transportation and railroad crossing safety improvement projects committed under Municipal Agreements with North Carolina Department of Transportation.

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:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	\$ 3,472,275	\$ -	\$ 3,472,275
Federal Highway Administration (pass through N.C. Department of Transportation)	-	1,230,000	1,230,000
	<u>\$ 3,472,275</u>	<u>\$ 1,230,000</u>	<u>\$ 4,702,275</u>

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

Project Expenditures	<u>\$ 3,472,275</u>	<u>\$ 1,230,000</u>	<u>\$ 4,702,275</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 24th day of June, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lee Jernigan, P.E., City Traffic Engineer
DATE: June 24, 2013
RE: **Approval of a supplemental municipal agreement with NCDOT for streetscape improvements along Winslow Street**

THE QUESTION:

Supplemental municipal agreement with NCDOT for streetscape improvements along Winslow Street

RELATIONSHIP TO STRATEGIC PLAN:

More Attractive City - Clean and Beautiful
Growing City, Livable Neighborhoods - Great Place to Live

BACKGROUND:

This is a supplemental municipal agreement for installation of streetscape improvements along Winslow Street and to transfer the ownership of Winslow Street to the City upon completion of the project. The original municipal agreement was executed by the City and NCDOT on June 6, 2005 for the installation of railroad crossing improvements in the City. Funding for this project is as a result of the railroad crossing closure at Rankin Street.

ISSUES:

The City is entering into this supplemental agreement to install streetscape improvements and provide ongoing maintenance of Winslow Street.

BUDGET IMPACT:

The Supplemental Municipal Agreement will provide a 100% reimbursement from NCDOT to the City of \$1,230,000 for the construction of the streetscape improvements.

OPTIONS:

- Approve the attached Supplemental Municipal Agreement
- Reject the Supplemental Municipal Agreement

RECOMMENDED ACTION:

The recommended action is approval of this supplemental agreement.

ATTACHMENTS:

Winslow Street Streetscape Resolution
Winslow Street Streetscape Supplemental Agreement

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR
THE INSTALLATION OF STREETScape IMPROVEMENTS ALONG
WINSLOW STREET (SR 3826)**

WHEREAS, NCDOT is proposing the City close the railroad crossing at Rankin Street and construct streetscape improvements along Winslow Street (SR 3826) from Kyle Street to Hay Street; and

WHEREAS, NCDOT requests to transfer ownership of Winslow Street (SR 3826) to the City upon completion of the streetscape improvements; and

WHEREAS, the Department of Transportation will provide funding reimbursement for the installation of the streetscape improvements to the City of Fayetteville in the estimated amount of \$1,230,000;

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

The City of Fayetteville endorses the Department of Transportation's project to reimburse the City for installation of streetscape improvements along Winslow Street (SR 3826) from Kyle Street to Hay Street. The City Manager is directed to execute the supplemental agreement necessary to pursue these improvements.

ADOPTED this _____ day of _____, 2013, by the City Council of the City of Fayetteville.

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

NORTH CAROLINA
CUMBERLAND COUNTY

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

May 3, 2013

AND

CITY OF FAYETTEVILLE

SUPPLEMENTAL MUNICIPAL
AGREEMENT NO. 1
MUNICIPAL AGREEMENT

TIP: Y-4806A
WBS: 40325.1.4, PE
40325.3.4, CONST

THIS AGREEMENT is made and entered into on the last date executed below, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the "Department" and CITY OF FAYETTEVILLE, a local government entity, hereinafter referred to as the "Municipality"; and individually hereinafter referred to as "Party," and collectively, as "Parties."

WITNESSETH:

WHEREAS, the Department and Municipality entered into a Municipal Agreement (hereinafter referred to as "MA") on June 6, 2005 that consisted of the implementation of the near-term, mid-term, and long-term recommendations for crossing improvements within the City of Fayetteville; and,

WHEREAS, the Parties now wish to supplement the aforementioned Municipal Agreement to reflect the required provisions necessary for the Department to provide payment to the Municipality for improvements to Winslow Street (SR 3826); and,

WHEREAS, the Department and the Municipality are authorized by the following legislation: G.S. 136-66.1 and 136.66.3 to participate in the planning and construction of a project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

NOW, THEREFORE, this Supplemental Municipal Agreement (hereinafter referred to as "SMA") states the promises and undertakings of each Party as herein provided, and the Parties do hereby covenant and agree, each with the other, as follows:

PROVISION 15 A. is amended as follows:

15. A. Letting of contracts for construction and purchases shall be in accordance with applicable Federal and/or State procedures pertaining to the advertisement of the Project, bid opening, and award of the contract, according to Title 49 of the Code of Federal Regulations, Part 18.36 and Title 23 of the Code of Federal Regulations, Part 633 and Part 635, and NCGS,

Chapter 143, Article 8 (Public Contracts), all incorporated into this Supplemental Municipal Agreement by reference.

The following Provisions will be added:

PROJECT DESCRIPTION/ RIGHT OF WAY/UTILITIES

21. In accordance with plans prepared by the Department and as mitigation for the Rankin Street at-grade crossing closure, the Municipality shall construct streetscape improvements along both sides of Winslow Street from Hay Street south to approximately Kyle Street, hereinafter referred to as the "Streetscape Project". The streetscape improvements shall include, but not be limited to the following: hardscape and landscape improvements, storm drainage, erosion control, traffic signals, traffic control items and demolition.

It is understood by all Parties that all streetscape improvements shall be contained within the existing right of way. The Municipality will be responsible for the relocation and adjustment of all utilities in conflict with the "Streetscape Project", at no expense to the Department.

CONTRACTOR PROCUREMENT

22. Upon receipt of written construction authorization from the Department, the Municipality may advertise the Streetscape Project.

A. CONSTRUCTION CONTRACTOR REQUIREMENTS

All Contractors submitting bids on the Streetscape Project shall be pre-qualified by the Department. All proposed subcontractors must be pre-qualified before construction work begins. Any subcontractors who are proposed to meet the Disadvantaged Business Enterprise goal must be certified by the Department.

B. CONSTRUCTION SUBCONTRACTOR REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 of the Code of Federal Regulations, Part 26 and the North Carolina Administrative Code.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this SMA, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

C. AWARDING CONTRACT

After the advertisement of the Streetscape Project for construction bids, the Municipality shall request concurrence from the Department to award the construction contract by submitting a letter along with tabulated bids received depicting Disadvantaged Business Enterprises (DBE) goals, and a resolution recommending award of the Project to the lowest responsible, responsive bidder. The Department will review the submitted information and provide written approval to the Municipality prior to the contract being awarded by the Municipality.

D. DELAY IN PROCUREMENT

In the event the Streetscape Project has not been let to contract within six (6) months after receiving construction authorization from the Department, the Municipality shall be

responsible for documenting to the Department justification for the Streetscape Project delay and that the Streetscape Project remains in compliance with the terms of this Supplemental Municipal Agreement, the approved plans and specifications, and current codes.

E. FORCE ACCOUNT

Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than a contract awarded by a competitive bidding process, or there is an emergency. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration (FHWA) regulations governing Force Account are contained in Title 23 Code of Federal Regulations, Part 635.201, Subpart B and North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts).

CONSTRUCTION

23. The Municipality, and/or its agents shall construct the Project in accordance with the plans and specifications of the Project as filed with, and approved by, the Department. During the construction of the Project, the procedures set out below shall be followed:

A. CONSTRUCTION CONTRACT ADMINISTRATION

The Municipality shall comply with the NCDOT Construction Manual which outlines the procedures for records and reports that must be adhered to in order to obtain uniformity of contract administration and documentation. This includes, but is not limited to, inspection reports, material test reports, materials certification, documentation of quantities, project diaries, and pay records. The Municipality, and/or its agent, shall perform the construction engineering, sampling and testing required during construction of the Project, in accordance with Departmental procedures, including the Department's Guide for Process Control and Acceptance Sampling and Testing. The Municipality shall document that said compliance was accomplished in accordance with State and Federal procedures, guidelines, standards and specifications.

B. SITE LAYOUT

The Municipality shall be responsible for ensuring that all site layout, construction work, and Project documentation are in compliance with applicable city, state and federal permits, guidelines, and regulations, including American Association of State Highway and Transportation Officials (AASHTO) guidelines and Americans with Disabilities Act (ADA) Standards for Accessible Design.

C. RIGHT TO INSPECT

The Department and representatives of the FHWA shall have the right to inspect, sample or test, and approve or reject, any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this SMA. Prior to any payment by the Department, any deficiencies inconsistent with approved plans and specifications found during an inspection must be corrected. Upon completion of the Streetscape Project, the Municipality shall arrange for a final inspection by the Department.

D. CONTRACTOR COMPLIANCE

The Municipality will be responsible for ensuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department or FHWA as a result of any review or inspection made by said representatives.

E. CHANGE ORDERS

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

24. MAINTENANCE

Upon completion of the Streetscape Project, the Municipality shall be responsible for the maintenance of all streetscape improvements, at no expense or liability to the Department.

A. Upon completion and acceptance of the Winslow Street (SR 3826) improvements by the Department and pending approval by the NC Board of Transportation, said street shall be removed from the State Highway System. The Municipality's City Council shall submit a request to the Department to add Winslow Street (SR 3826) to the Municipal Street System for maintenance, subject to approval by the NC Board of Transportation.

B. Upon completion of the Project, the Department shall notify the Municipality, in writing, when the Municipality should assume responsibility for all maintenance and replacement of the new landscape materials. All costs of maintenance shall be borne by the Municipality. The Municipality agrees to continually maintain the landscape materials in accordance with the generally accepted horticulture practices.

25. REIMBURSEMENT

The Department shall reimburse the Municipality one hundred percent (100%) of the actual construction cost of the streetscape improvements with the following exceptions: waterline improvements, sewer improvements, electrical and lighting improvements, brick pavers, and the portion of the concrete flatwork (sidewalk and driveways) in excess of the Department's roadway standards. The total estimated cost of the Department's participation is \$1,230,000.

A. REIMBURSEMENT GUIDANCE

The Municipality shall adhere to applicable administrative requirements of Title 49 Code of Federal Regulations, Part 18 and Office of Management and Budget (OMB) Circulars A-102 "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23, Code of Federal Regulations, Part 140 and Part 172, and by Office of Management and Budget (OMB) Circular A-87 "Cost Principles for State, Local, and Indian Tribal Governments." Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable Federal policy and procedures.

B. REIMBURSEMENT LIMITS

▪ WORK PERFORMED BEFORE NOTIFICATION

Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work shall not be eligible for reimbursement.

▪ UNSUBSTANTIATED COSTS

The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs or any costs that have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division.

- **CONSTRUCTION CONTRACT UNIT PRICES**

Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved change orders.

- **FORCE ACCOUNT**

Invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for allowable costs set forth in Office of Management and Budget (OMB) Circular A-87 "Cost Principles for State, Local, and Indian Tribal Governments."

Reimbursement shall be based on actual eligible costs incurred with the exception of equipment owned by the Municipality or its Project partners. Reimbursement rates for equipment owned by the Municipality or its Project partners cannot exceed the Department's rates in effect for the time period in which the work is performed.

26. BILLING THE DEPARTMENT

PROCEDURE

A. The Municipality shall submit itemized invoices for progress payments to the Department every thirty (30) days, and shall submit a final itemized invoice for payment to the Department not later than six (6) months after the completion and acceptance of the work to be completed by the Municipality under this SMA. Proper supporting documentation shall accompany each invoice as may be required by the Department. By submittal of each invoice, the Municipality certifies that it has adhered to all applicable State and Federal laws and regulations as set forth in this SMA.

B. Along with each invoice, the Municipality is responsible for submitting the FFATA Recipient Information Form, which is available at <http://www.ncdot.gov/programs/Enhancement/ProjectAdministration/Forms/>. All Parties to this Agreement, including contractors, subcontractors, and subsequent workforces, associated with any work under the terms of this Agreement shall provide reports as required by the Federal Funding and Transparency Act (FFATA) for this Streetscape Project.

C. Subject to compliance by the Municipality with the provisions set forth in this SMA, reimbursement by the Department shall be made within thirty (30) calendar days after approval of an itemized invoice by the Department.

- **INTERNAL APPROVALS**

Reimbursement to the Municipality shall be made upon approval of the invoice by the Department's Financial Management Division and Office of Inspector General.

- **TIMELY SUBMITTAL OF INVOICES**

The Municipality may invoice the Department monthly for work accomplished, but no less than once every six (6) months to keep the Streetscape Project funds active and available. If the Municipality is unable to invoice the Department, then they must provide an explanation. Failure to submit invoices or explanation may result in de-obligation of funds.

- **FINAL INVOICE**

All invoices associated with the Streetscape Project must be submitted within six (6) months of the completion of construction and acceptance of the Streetscape Project

to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.

27. REPORTING REQUIREMENTS AND RECORDS RETENTION

PROJECT RECORDS

The Municipality and its agents shall maintain all books, documents, papers, accounting records, Streetscape Project records and such other evidence as may be appropriate to substantiate costs incurred under this SMA. Further, the Municipality shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the FHWA, for inspection and audit by the Department's Financial Management Section, the FHWA, or any authorized representatives of the Federal Government.

28. OTHER PROVISIONS

REFERENCES

It will be the responsibility of the Municipality to follow the current and/or most recent edition of references, websites, specifications, standards, guidelines, recommendations, regulations and/or general statutes, as stated in this SMA.

DEBARMENT POLICY

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this SMA, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

TITLE VI - CIVIL RIGHTS ACT OF 1964

The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

OTHER AGREEMENTS

The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this Streetscape Project. The Department is not responsible for any expenses or obligations incurred for the Project except those specifically eligible for the funds and obligations as approved by the Department under the terms of this SMA Agreement. Nothing in this SMA shall serve to prevent or forbid the Municipality from adding supplemental contract terms by separate agreement, contract, or work order with third parties (hereinafter "Municipality's Supplemental Contract") that are in addition to, but not conflicting with, those contemplated by this SMA. Such supplemental contract terms include, but are not limited to, the contractor's obligations and responsibilities to the Municipality. In the event that any of the supplemental contract terms of Municipality's Supplemental Contract conflict with the required terms of the Department's Standard Construction Contract, the terms of the Department's Standard Construction Contract will control. Furthermore, pursuant to 22.B. above, prior to execution, the Department shall review and approve the contents of all contracts for services performed under this SMA.

AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the SMA and this SMA shall automatically terminate if funds cease to be available.

IMPROPER USE OF FUNDS, EXCESS USE OF FUNDS

Where either the Department or the FHWA determines that the funds paid to the Municipality for this Project are not used in accordance with the terms of this Agreement, the Department will bill the Municipality.

TERMINATION OF PROJECT

The Department shall have the right to abandon the Streetscape Project at any time before the Municipality has been called upon to perform any part of its Agreement.

If the Municipality decides to terminate the Streetscape Project without the concurrence of the Department, the Municipality shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Streetscape Project.

AUDITS

In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" dated June 27, 2003 and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

ETHICS PROVISION

"By Executive Order 24, issued by Governor Perdue, and N.C.G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Cultural Resources, Environment and Natural Resources, Health and Human Services, Public Safety, Revenue, Transportation, and the Office of the Governor).

Except as hereinabove provided, the Agreement heretofore executed by the Department and Municipality on February 5, 2009, is ratified and affirmed as therein provided.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Supplemental Agreement has been executed, in duplicate originals, the day and year heretofore set out below, on the part of the Department and Municipality by authority duly given.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this Agreement, you attest, for your entire organization and its employees or agents, that you are not aware that any gift in violation of N.C.G.S. § 133-32 and Executive Order 24 has been offered, accepted, or promised by any employees of your organization.

WITNESS

CITY OF FAYETTEVILLE

BY: _____

BY: _____

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

SEAL

Approved by City Council of the City of Fayetteville as attested to by the signature of

Clerk of the City Council, _____
(Date)

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

Municipal Finance Officer

FEDERAL IDENTIFICATION NUMBER
56-600031

City of Fayetteville

MAILING ADDRESS

City of Fayetteville
433 Hay Street
Fayetteville, NC 28302

ATTN: _____

IN WITNESS WHEREOF, this Supplemental Agreement has been executed, in triplicate original, the day and year heretofore set out below, on the part of the Department and Municipality by authority duly given.

ATTEST

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

BY: _____

BY: _____

NAME: Sarah Mitchell

NAME: Paul C. Worley

TITLE: Secretary to Board of
Transportation

TITLE: Division Director
Rail Division

DATE: _____

DATE: _____

MAILING ADDRESS

North Carolina Department of Transportation
Rail Division, Engineering & Safety
1556 MSC
Raleigh, NC 27699-1556
ATTN: Dan Havener, PE
Project Engineer

APPROVED BY BOARD OF TRANSPORTATION ITEM O:

(Date)

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lee Jernigan, P.E., City Traffic Engineer
DATE: June 24, 2013
RE: **Municipal Agreement with NCDOT for sidewalk improvements on Camden Road from King Charles Road to north of Owen Drive**

THE QUESTION:

Municipal Agreement with NCDOT for sidewalk improvements on Camden Road from King Charles Road to north of Owen Drive

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - Great Place to Live

BACKGROUND:

This Municipal Agreement supersedes the agreement executed on April 25, 2012 with NCDOT for sidewalk improvements on Camden Road. The current agreement reflects the City's request for sidewalk along both sides of Camden Road within the City limits of the project.

ISSUES:

The City is entering into this agreement to install sidewalk on Camden Road.

BUDGET IMPACT:

The Municipal Agreement will provide a reimbursement from the City to NCDOT of \$40,741 for the installation of the sidewalk.

OPTIONS:

- Approve the attached Municipal Agreement
- Reject the Municipal Agreement

RECOMMENDED ACTION:

The recommended action is approval of this agreement.

ATTACHMENTS:

Camden Road Sidewalk Resolution
Camden Road Sidewalk Agreement

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR
THE INSTALLATION OF SIDEWALK IMPROVEMENTS ALONG
CAMDEN ROAD (SR 1003)**

WHEREAS, NCDOT is constructing a roadway project along Camden Road (SR 1003) from King Charles Road (SR 1290) to north of Owen Drive (SR 1007); and

WHEREAS, the City of Fayetteville has requested sidewalk be installed along both sides of this roadway project; and

WHEREAS, the Department of Transportation will provide 50% of the cost for the installation of the sidewalk improvements, and the City of Fayetteville will reimburse the Department of Transportation 50% of the cost of the sidewalk improvements;

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

The City of Fayetteville endorses the Department of Transportation's roadway project, including the installation of sidewalk improvements, along Camden Road (SR 1003) from King Charles Road (SR 1290) to north of Owen Drive (SR 1007). The City Manager is directed to execute the agreement necessary to pursue these improvements.

ADOPTED this _____ day of _____, 2013, by the City Council of the City of Fayetteville.

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

NORTH CAROLINA

**TRANSPORTATION IMPROVEMENT PROJECT
-MUNICIPAL AGREEMENT**

CUMBERLAND COUNTY

DATE: 4/24/2013

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: U-2810C

AND

WBS Elements: 34866.3.3

CITY OF FAYETTEVILLE

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of Fayetteville, a local government entity, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality under Project 34866.3.3, in Cumberland County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following legislation: General Statutes of North Carolina, Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, this Agreement supersedes Agreement #2437 adopted on April 25, 2012; and

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of construction and improvements on SR 1003 (Camden Road) from SR 1290 (King Charles Road) to north of SR 1007 (Owen Drive) in Cumberland County.. At the request of the Municipality and the Fayetteville Area Metropolitan Planning Organization (FAMPO), additional work to be included within the scope of the project shall include sidewalk on both sides of Camden Road within the city limits, and sidewalk on the north side of Camden Road from the city limits to the end of the project near King Charles Road.

PLANNING, DESIGN AND RIGHT OF WAY

2. The Department shall prepare the environmental and/or planning document, and obtain any environmental permits needed to construct the Project, and prepare the Project plans and specifications needed to construct the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.
3. The Department shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

UTILITIES

4. It is understood that the municipally-owned water and sewer lines are owned by Fayetteville Public Works Commission, therefore a separate Utility Agreement will be prepared with Fayetteville Public Works Commission. The Municipality shall exercise any rights which it may have under any franchise to effect all necessary changes, adjustments, and relocations of telephone, telegraph, and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately - or publicly-owned utilities.

FUNDING

5. The Municipality shall participate in the Betterment costs of the Project as follows:
 - A. Upon completion of the work, the Municipality shall reimburse the Department fifty percent (50%), of the actual cost, including administrative costs, of the work associated with the construction of the sidewalks in the Municipality. The Department shall participate in fifty percent (50%) of the cost of the sidewalks of the actual total project construction cost of that portion of the project within the corporate limits, where new sidewalks are to be

installed. The estimated cost of the sidewalks is \$81,483. The estimated cost to the Municipality is \$40,741. Both parties understand that this is an estimated cost and is subject to change.

- B. Reimbursement to the Department shall be made in one final payment upon completion of the work and within sixty days of invoicing by the Department.
 - C. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment herein above provided, North Carolina General Statute 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1 until such time as the Department has received payment in full under the reimbursement terms set forth in this Agreement. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23.
6. FAMPO and the Department agree to provide funding for the portion of the sidewalk on the north side of Camden Road from the end of the project near King Charles Road to the city limits approximately 540 feet south of SR 1150 (Veda Street). FAMPO will provide 80% of the actual cost using State Transportation Program Direct Attributable (STP-DA) funds in an amount of \$125,000, with the Department funding the remaining 20% with State Match. A memorandum from the Executive Director of FAMPO stating the funding arrangement is attached and made part of this agreement.

CONSTRUCTION AND MAINTENANCE

- 7. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.
- 8. It is further agreed that upon completion of the Project, the Department shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and departmental criteria.
- 9. Upon completion of the Project, improvements that are part of the State Highway System shall be owned and maintained by the Department.

10. Upon completion of the Project the Municipality, at no expense to the Department, shall assume ownership and all maintenance responsibilities for all sidewalks and shall release the Department from all liability relating to such maintenance.

ADDITIONAL PROVISIONS

11. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.
12. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
13. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
14. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST: CITY OF FAYETTEVILLE

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ of the local governing body of the City of Fayetteville as attested to by the signature of Clerk of said governing body on _____(Date)

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

(SEAL)

BY: _____
(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:
City of Fayetteville

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lee Jernigan, P.E., City Traffic Engineer
DATE: June 24, 2013
RE: **Approval of a Municipal Agreement with NCDOT for landscape improvements on Glensford Drive**

THE QUESTION:

Municipal Agreement with NCDOT for landscape improvements on Glensford Drive

RELATIONSHIP TO STRATEGIC PLAN:

More Attractive City - Clean and Beautiful

BACKGROUND:

In conjunction with the new Glensford Road construction project, NCDOT plans to install landscaping from Raeford Road to Cliffdale Road and the city has requested irrigation be included. This is an agreement for the installation of irrigation and the city's responsibility for ongoing maintenance of the landscaping along Glensford Drive.

ISSUES:

The City is entering into this agreement to install irrigation and provide ongoing maintenance of the landscaping on Glensford Drive.

BUDGET IMPACT:

The Municipal Agreement will provide a reimbursement from the City to NCDOT of \$78,720 for the irrigation and will provide yearly maintenance costs.

OPTIONS:

- Approve the attached Municipal Agreement
- Reject the Municipal Agreement

RECOMMENDED ACTION:

The recommended action is approval of this agreement.

ATTACHMENTS:

Glensford Drive Landscaping Resolution
Glensford Drive Landscape Agreement

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR
THE INSTALLATION OF LANDSCAPING PLANTINGS AND AN IRRIGATION
SYSTEM ALONG GLENSFORD DRIVE (SR 1596)**

WHEREAS, NCDOT is constructing a roadway project along Glensford Drive (SR 1596) from Raeford Road (US 401 Business) to Cliffdale Road (SR 1400); and

WHEREAS, the City of Fayetteville has requested landscape plantings and an irrigation system along this project; and

WHEREAS, the Department of Transportation will provide enhancement funding for the installation of the landscape plantings and the City of Fayetteville will reimburse the Department of Transportation for the installation of the irrigation system;

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

The City of Fayetteville endorses the Department of Transportation's project to install landscape plantings and an irrigation system along Glensford Drive (SR 1596) from Raeford Road (US 401 Business) to Cliffdale Road (SR 1400). The City Manager is directed to execute the agreement necessary to pursue these improvements.

ADOPTED this _____ day of _____, 2013, by the City Council of the City of Fayetteville.

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

NORTH CAROLINA
CUMBERLAND COUNTY

LANDSCAPE AGREEMENT

DATE: 4/3/2013

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Elements: 35024.3.4 and
3706.3.26
CFDA: 20.205

CITY OF FAYETTEVILLE

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of Fayetteville, a municipal corporation, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Municipality has requested enhancement funding for certain landscape plantings in Cumberland County; and,

WHEREAS, the Municipality has agreed to participate in the costs of the project, subject to conditions hereinafter set forth; and,

WHEREAS, the Department and the Municipality have also agreed to the maintenance of said plantings as hereinafter set out;

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of landscape plantings, including construction of the irrigation system, in the newly constructed median islands along Glensford Drive (SR 1596) from Raeford Road (US 401 Bus) to Cliffdale Road (SR 1400) in Fayetteville.

PLANNING AND DESIGN

2. The Department, without expense to the Municipality, shall develop the landscape design and prepare the landscape plans and specifications in accordance with the Department's standard landscaping policies and procedures for highways. The landscape plans must be approved by the Department and the Municipality prior to planting.

FUNDING

3. The Municipality shall reimburse the Department one-hundred percent (100%) for the actual cost of the irrigation system, estimated to be of \$78,720, upon completion of construction of the irrigation system.
4. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment herein above provided, North Carolina General Statute 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1 until such time as the Department has received payment in full under the reimbursement terms set forth in this Agreement. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23.

RIGHT OF WAY AND UTILITIES

5. The Department, without expense to the Municipality, shall prepare the site and furnish and install the plantings and irrigation system in accordance with the approved project plans and provide a one-year establishment period. All work shall be performed in accordance with Departmental standards, policies and procedures. In the event any additional right of way or construction easement is required for the plantings, the Municipality shall provide said additional right of way/or easement at no expense or liability whatsoever to the Department. Acquisition of any right of way and/or easements shall be performed in accordance with all State and Federal procedures.
6. The Department does not anticipate the need to relocate and adjust any municipally-owned utilities at this time. If during the project it becomes necessary to adjust and relocate the

municipally-owned utilities the Municipality, at no expense to the Department, shall be responsible for the relocation and adjustment of all utilities in conflict with the landscape planting.

CONSTRUCTION

7. The Department shall install, or cause to be installed, said plantings and irrigation system in accordance with the plans and specifications of said project as filed with, and approved by, the Department.
 - A. Any changes, revisions, or alterations to the landscaping shall require prior review and approval by the Department's Division Engineer prior to the work being initiated.
 - B. Upon completion of the plantings, the Department shall maintain said planting areas for a period of one (1) calendar year, at no expense to the Municipality.

MAINTENANCE

8. At the end of the one (1) year establishment period, the Department shall notify the Municipality, in writing, of the date the Municipality shall assume responsibility for all maintenance and replacement of the landscape materials. Maintenance shall include, but not be limited to, the following: watering, mulching, pruning, fertilizing, weeding, pest control, mowing, and replacing plant materials. All cost of maintenance shall be borne by the Municipality.
9. The Municipality agrees to continually maintain all plantings in accordance with generally accepted horticultural practices. The Municipality agrees to mow areas where landscaping will prohibit the ability of NCDOT to effectively mow without damage to plantings or equipment as mutually identified by the Department's Division Engineer and the Municipality. The Department shall have the right to periodically inspect the maintenance practices being utilized by the Municipality.
10. If the Department determines that the Municipality is not properly maintaining the plantings, the Department shall notify the Municipality. If proper maintenance is not performed by the

Municipality within a reasonable time after notification, the Municipality agrees that the Department shall perform the necessary maintenance, or at the Department's option, shall return the planted area to a natural condition (i.e. seeded and mulched, etc.). It is further agreed that the costs of the restoration shall be reimbursed to the Department by the Municipality. Reimbursement to the Department shall be made in one final payment within sixty (60) days of invoicing by the Department. The Department shall charge a late payment penalty and interest on any unpaid balance due in accordance with G.S. 147.86.23.

11. In the event these plantings require relocation or removal for highway construction, re-construction, maintenance or safety, the Municipality shall be given the option to remove or relocate any plantings it considers salvageable immediately upon notification by the Department, at no expense to the Department.

TRAFFIC

12. The Municipality, at no expense to the Department, shall provide traffic control during landscape maintenance procedures as required by the latest revision of the "Manual for Uniform Traffic Control Devices.

ADDITIONAL PROVISIONS

13. The Department, at the end of the one (1) year establishment period, will not be responsible for any damages to the plantings which may be done by third parties.
14. Provisions for routine mowing shall be handled under separate agreement between the Department's Division Engineer and the Municipality.
15. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.

16. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.

17. By Executive Order 24 and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

18. All terms and conditions of this Agreement are dependent upon and subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

WITNESS: CITY OF FAYETTEVILLE

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ of the local governing body of the City of Fayetteville as attested to by the signature of Clerk _____ of said governing body on _____ (Date)

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

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Fayetteville

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Kecia Parker, NCCP Real Estate Manager
DATE: June 24, 2013
RE: **Resolution Authorizing Sale of Real Property located at 1107 Clark Road, Fayetteville, NC**

THE QUESTION:

To Adopt a Resolution Authorizing the Sale of City owned property located at 1107 Clark Road, Fayetteville, North Carolina by Advertisement for Sealed Bids

RELATIONSHIP TO STRATEGIC PLAN:

A Growing City -A Great Place to Live

BACKGROUND:

On September 26, 2012, the City of Fayetteville acquired property known as 1107 Clark Road. The property was acquired through a foreclosure on a Community Development Rehabilitation loan. The City has found no use for the property and declared in surplus in accordance with City Council Policy Number 155.1. The City seeks for Council to authorize sale of the property by advertisement for sealed bids in accordance with North Carolina General Statute § 160A-268.

ISSUES:

- Staff has asked and no other City department is in need of this property at this time.

BUDGET IMPACT:

There is no significant impact to the budget at this point.

OPTIONS:

- Accept the attached Resolution Authorizing Sale by Advertisement for Sealed Bids.
- Reject the attached Resolution Authorizing Sale by Advertisement for Sealed Bids.

RECOMMENDED ACTION:

Staff recommends that the City Council accept the attached Resolution Authorizing the Sale by Advertisement for Sealed Bids.

ATTACHMENTS:

Resolution

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND
CITY OF FAYETTEVILLE**

Resolution R2013-_____

**RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL
PROPERTY BY ADVERTISEMENT FOR SEALED BIDS**

WHEREAS, the City of Fayetteville owns a residential parcel identified as Tax Parcel Number 0437-04-2582 and located at 1107 Clark Road in Fayetteville, North Carolina (the "Property"); and

WHEREAS, the Property is more particularly described as:

BEGINNING in the southern margin of Clark Street at a point 100 feet from its intersection with the eastern margin of Maple Avenue (now Highland Avenue), and running thence with Clark Street, South 87 degrees East 50 feet to the corner of Lot #60; thence South 03 degrees West 150 feet; thence North 87 degrees West 50 feet; thence North 03 degrees East 150 feet to the BEGINNING, being a part of Lots 43, 44 and 45 in Pine View Heights, plat of which appears of record in Book of Plats Y-6, Page 339, Cumberland County Registry, also known as Book of Deeds 151, Page 339, Cumberland County Registry; and

WHEREAS, the City of Fayetteville is not in need of the Property and has declared it to be surplus pursuant to City Council policy number 155.1; and

WHEREAS, North Carolina General Statute §160A-266(a)(2) permits the City of Fayetteville to sell real property by advertisement for sealed bids.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville resolves that:

1. Sale of the Property by advertisement for sealed bids is authorized; and
2. The City Council reserves the right to withdraw the Property from sale at any time and the right to reject all bids.

ADOPTED this 24th day of June, 2013 by the City Council of the City of Fayetteville, North Carolina

CITY OF FAYETTEVILLE

By: _____
Anthony G. Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: June 24, 2013
RE: **Capital Project Ordinance Amendment 2013-39 and Associated Resolutions Authorizing a North Carolina Department of Transportation Grant (State Transit Capital and Planning Grant 514)**

THE QUESTION:

Capital Project Ordinance Amendment 2013-39 will appropriate \$136,800 in state grant funds and reduce the local match from the General Fund by the same amount for transit projects associated with Federal Grant 514. In addition, the attached resolutions will authorize the City Manager to execute the associated grant agreements with the North Carolina Department of Transportation (NCDOT) for the State Planning and Capital 514 Grant.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: More Efficient City Government - Cost Effective Service Delivery
Objective 3: Investing in City's future infrastructure, facilities and equipment

BACKGROUND:

Transit received a federal grant (NC-90-X514) for various capital items totaling \$2,713,000 that was appropriated by City Council on August 27, 2012. At that time, the City did not know if the NCDOT would provide a local match for the grant funded projects. To proceed with purchases and activities authorized in the grant, the City provided the full local match, assuming that NCDOT would not approve any funds for the project.

In addition, Federal Transit Administration (FTA) subsequently approved the reallocation of \$64,441 in project funding to the pedestrian access/walkway portion of the grant.

At its May meeting, NCDOT approved a matching grant award of \$65,000 for engineering and design of the multi-modal transportation facility. As a result, City Council approved Capital Project Ordinance Amendment 2013-32 on May 28, 2013 to appropriate the state grant award.

More recently, the State approved additional matching funds of \$136,800 for the replacement and expansion of buses and vans. Capital Project Ordinance Amendment 2013-39 will appropriate the additional state grant funds and reduce the local match from the General Fund by the same amount.

Finally, to accept the updated state planning and capital 514 grants, Council must adopt two resolutions authorizing the City Manager to execute the grant agreement with the NCDOT.

ISSUES:

None.

BUDGET IMPACT:

See background information above.

OPTIONS:

- 1) Adopt Capital Project Ordinance Amendment 2013-39 and the two accompanying state grant resolutions.
- 2) Do not adopt the project amendment and the two resolutions.

RECOMMENDED ACTION:

Adopt Capital Project Ordinance Amendment 2013-39 and the two accompanying state grant resolutions.

ATTACHMENTS:

Capital Project Ordinance Amendment 2013-39

Resolution for Capital Grant NC-90-X514

Resolution for Planning Grant NC-90-X514

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-39 (CPO 2013-16)

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

Section 1. The project change authorized is to Capital Project Ordinance 2013-16, adopted August 27, 2012, as amended, for the funding of the Transit Capital Grant 514, which includes funds for the replacement and expansion of buses and vans, design/engineering of the Multi Modal Center, bus shelters, equipment & related pedestrian sidewalk construction.

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

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

	Listed As	Amendment	Revised
Federal Transit Administration	\$ 2,273,253	\$ -	\$ 2,273,253
North Carolina Department of Transportation	65,000	136,800	201,800
Local Match - General Fund Transfer	439,188	(136,800)	302,388
	<u>\$ 2,777,441</u>	<u>\$ -</u>	<u>\$ 2,777,441</u>

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

Project Expenditures	<u>\$ 2,777,441</u>	<u>\$ -</u>	<u>\$ 2,777,441</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 24th day of June, 2013.

RESOLUTION
AUTHORIZING **CITY OF FAYETTEVILLE**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____ for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the **CITY OF FAYETTEVILLE** has requested the North Carolina Department of Transportation to assist in the funding of the **FY2013 Transit Capital Grant NC-90-X514**; and

WHEREAS, the **CITY OF FAYETTEVILLE** will provide a portion of the cost of the above described project;

NOW THEREFORE, BE IT RESOLVED that the **CITY MANAGER** * is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....
I, Anthony G. Chavonne * do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the **City of Fayetteville City Council** duly held on the 24th day of **June, 2013**.

BY: _____
ANTHONY G. CHAVONNE, Mayor

(Official Seal)

ATTEST:

Pamela J. Megill, City Clerk

* the official authorized to enter onto agreement **SHOULD NOT** sign the resolution.

RESOLUTION
AUTHORIZING **CITY OF FAYETTEVILLE**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____ for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the **CITY OF FAYETTEVILLE** has requested the North Carolina Department of Transportation to assist in the funding of the **FY2013 Transit Planning Grant NC-90-X514**; and

WHEREAS, the **CITY OF FAYETTEVILLE** will provide a portion of the cost of the above described project;

NOW THEREFORE, BE IT RESOLVED that the **CITY MANAGER** * is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....
I, Anthony G. Chavonne * do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the **City of Fayetteville City Council** duly held on the 24th day of **June, 2013**.

BY: _____
ANTHONY G. CHAVONNE, Mayor

(Official Seal)

ATTEST:

Pamela J. Megill, City Clerk

* the official authorized to enter onto agreement **SHOULD NOT** sign the resolution.

CITY COUNCIL ACTION MEMO

TO: Mayor and Council Members
FROM: Brian M. Meyer, Assistant City Attorney
DATE: June 24, 2013
RE: **Application of County Animal Control Ordinance Revisions to City**

THE QUESTION:

Whether to make County's revisions to its Animal Control Ordinance applicable within the municipal limits of Fayetteville.

RELATIONSHIP TO STRATEGIC PLAN:

More Efficient City Government

BACKGROUND:

At the City Council's May 14, 2012 Regular Meeting, the County Attorney presented proposed revisions to the Animal Control Ordinance. The Board of Commissioners adopted the revised Animal Control Ordinance on May 21, 2012. In order to meet the City Council's interest of having one ordinance for the City and the County, the City Council adopted a resolution making the County's ordinance applicable within the municipal limits of Fayetteville as well as an Ordinance repealing Chapter 6, Animals and Fowl, Section 17-15, Barking dogs, Section 18-9, Animals running at Large, and Section 20-3, Police dogs and horses, of the City Code. On June 17th the County Board of Commissioners adopted certain revisions to the Animal Control Ordinance. These changes include additional definitions, reduction in the compliance period following notices of violation, regulation of nuisance animals and new sections regarding spaying or neutering of dogs and cats as a condition for reclamation by an owner, tethering of animals, sanitation, breeding permits, and nuisance/reckless owners. City staff has provided for the Council's consideration the County's Revised Animal Control Ordinance and a proposed Resolution making the County's revised ordinance, and any subsequent revisions, applicable within the municipal limits of Fayetteville.

ISSUES:

Whether the Council has an interest in making the County's Ordinance as revised applicable within the municipal limits of Fayetteville.

BUDGET IMPACT:

None.

OPTIONS:

1. Adopt the proposed resolution.
2. Not adopt the proposed resolution.
3. Provide further direction to staff.

RECOMMENDED ACTION:

Staff recommends that the City Council adopt the attached resolution making the County's revised ordinance and any subsequent revisions applicable within the City limits of Fayetteville.

ATTACHMENTS:

Cumberland County Revised Animal Control Ordinance
Resolution Making Cumberland County Revised Animal Control Ordinance Applicable Within the City Limits

AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 3, ANIMALS, OF THE CUMBERLAND COUNTY CODE

WHEREAS, the Cumberland County Board of Commissioners adopted a revised County Animal Control Ordinance in May, 2012; and

WHEREAS, the Board of Commissioners wishes to make revisions to the Cumberland County Animal Control Ordinance by repealing and replacing certain sections and adopting additional new sections; and

WHEREAS, the Board of Commissioners finds the revisions of Chapter 3, Animals, of the Cumberland County Code, to be in the public interest and to promote public health, safety and welfare,

NOW THEREFORE, BE IT ORDAINED by the Cumberland County Board of Commissioners that:

Chapter 3, Animals, of the Cumberland County Code is hereby amended as follows:

Repeal "Section 3-10. Definitions" in its entirety

New Section 3-10 adopted as follows:

Sec. 3-10. Definitions

(a) As used in this ordinance, the following terms shall have the meanings respectively ascribed to them in this section:

"Abandon" means to cease providing for the care, control or maintenance of an animal without the transfer of ownership of such animal.

"Animal Shelter or Department's Shelter" means the premises operated by the Animal Control Department for the purposes of impounding, sheltering or caring for animals or any other premises operated by another entity with which the county contracts for such purposes.

"Animal Control Department" means the Cumberland County Animal Control Department.

"Animal Control Director" means the Director of the Animal Control Department, or his/her designee.

"Animal Control Officer" means a person employed by the Animal Control Department as its enforcement officer in the impoundment of animals, controlling of animals running at large, and as otherwise provided or required in this Chapter.

"At large" or "running at large" means any animal which is not confined on the property of its owner, the leased premises of the animal's owner, or under the actual physical control of a competent person, other than a licensed, currently privilege tax paid, hunting dog under supervision while engaged in a lawful actual or simulated hunt.

“Breeding, Show, or Hunting Dog” means any animal that was used in Breeding, Showing, or Hunting in the last year if over one (1) year old: or any animal younger than one (1) year that is eligible to breed, show or hunt in the coming year.

“Chapter” means the provisions of this Animal Control Ordinance as may be in effect in Cumberland County or any municipal jurisdiction located therein.

"Confinement" means to secure an animal in a locked house, run, enclosure or fenced yard within the boundaries of the owner's, leaseholder's, or keeper's property (i.e., house, fenced yard).

"County Manager" shall mean the duly appointed County Manager of the County or his/her designee.

"Cruelty" means to endanger by any act of omission or commission the life, health or safety of an animal.

“Director” means the Director of the Animal Control Department.

"Exposed to rabies" means any animal that has been bitten by or exposed in a manner proven to be able to transmit rabies, to any other animal known to have been infected with rabies or any other animal reasonably suspected of being infected with rabies that is not available for laboratory diagnosis.

"Fee Schedule" means any schedule of fees related to the administration of this ordinance, which may be adopted by the Board of Commissioners.

"Fowl" means chickens, guineas, geese, ducks, pigeons, and other avian animals.

“Harboring” means regularly feeding, sheltering or caring for an animal.

"Impoundment" means placing an animal in an animal control vehicle or unit, or holding an animal at the animal shelter, or holding an animal at any other location at the direction of the Director of Animal Control.

"Keeper" means any person, acting in the capacity of the owner, or at the owner's request, who is responsible for the care, welfare and maintenance of the animal.

"Livestock" includes, but is not limited to, equine animals, bovine animals, sheep, goats, llamas and swine.

"Neuter" means to render a male dog or cat unable to reproduce.

“Nuisance/Reckless” owner is an owner who has received a violation under Chapter 3 and has outstanding fees owed to Cumberland County Animal Control for previous violation(s) or who has not complied with the requirements for ownership of a dangerous or potentially dangerous dog.

"Owner" shall mean anyone taking care of or having custody of an animal, such as by providing food, water, shelter or medical care, but shall not include taking care or having custody of the animal for compensation.

"Permit" means a permit issued by the Animal Control Department or similar agency of any applicable governmental unit having jurisdiction.

"Potentially Dangerous Dog" and "Dangerous Dog" shall have the meanings set forth in Section 3-30 hereof.

"Restraint" means that an animal is actually physically controlled by leash or tether held by a competent person or within any vehicle, trailer or other conveyance being driven, pulled or parked on the street or confined within the property limits of its owner or keeper.

"Run" means an area used to confine a dog or dogs of a size that complies with any of the requirements of this Chapter.

"Sanitary" means a condition of good odor and cleanliness, which precludes the probability of disease transmission and insect breeding and which preserves the health of the public.

"Spay" means to remove the ovaries of a female dog or cat in order to render the animal unable to reproduce.

"State law" means the General Statutes of North Carolina.

"Stray" means any animal reasonably presumed not to have any owner, including but not limited to an animal running at large or not under restraint.

"Tethered" or "tethering" mean attaching an animal to a stationary object by means of a chain, cable, rope or similar device.

"Vaccination" means an injection of United States Department of Agriculture approved rabies vaccine administered by a licensed veterinarian or certified rabies vaccinator as defined in G.S. 130A-186.

"Transfer" means to convey or change ownership from one person to another with or without the exchange of money or other consideration.

(b) All other words or phrases used herein shall be defined and interpreted according to their common usage.

(Adopted June 17, 2013)

Repeal "Section 3-15. Nuisance animals; animals posing a threat to the public."

New Section 3-15 adopted as follows:

Sec. 3-15. Nuisance animals; animals posing a threat to the public.

(a) For the purposes of this section, "nuisance" means but is not limited to the conduct or behavior resulting from any act of omission or commission by the owner or keeper of any small or large animal, fowl, cat or dog which molests passersby or passing vehicles, damages private or public property; barks, whines, howls, crows or makes other noises in an habitual or continuous fashion which annoys the comfort, repose, health or safety of the people in the community; is unconfined in season; ~~habitually~~ defecates on the property of someone other than

the owner; or ~~habitually~~ eats or otherwise destroys the plants, shrubs or similar landscaping on the property of someone other than the owner.

(b) For the purposes of this section, “nuisance animal” means any animal that commits any of the acts, conduct or behaviors defined as constituting a nuisance in this section.

(c) No person shall keep any animal which is a nuisance animal or which causes a nuisance as defined in this section.

(d) Notice of violation. When an Animal Control Officer determines that a violation of this section has occurred, he may issue a written warning of violation and notice of public nuisance, which shall be served on the owner or keeper of the animal. The owner or keeper shall be responsible for abating the nuisance within ~~twenty-four (24) seventy-two (72)~~ hours by making sure his animal does not engage in any further act or acts which may constitute a nuisance under this section.

(e) Failure to abate the nuisance. If the Animal Control Officer determines that the animal has engaged in any further act(s) constituting a nuisance, or if the owner or keeper of the animal fails to abate the condition which constitutes the nuisance within ~~twenty-four (24) seventy-two (72)~~ hours after issuance of the written warning of violation, the Animal Control Officer may issue a notice of violation and civil penalty for the first offense and additional penalties for each subsequent offense. If the owner fails to abate the nuisance after the first ~~second~~ civil penalty, the Animal Control Officer may seize and impound the animal. If the animal is seized, the Animal Control Officer must post a notice of seizure and impoundment with the owner or keeper of the animal. The owner or keeper may reclaim the animal upon payment of any civil penalties and shelter fees or charges for the impoundment. If the animal is not reclaimed within five (5) days, it shall become the property of the Animal Control Department and shall be disposed of according to the Department’s policies.

(f) Owner unknown. In situations where the owner of a nuisance animal is unknown, the Animal Control Officer shall impound the animal without posting notice of the impoundment. If the owner does not redeem the animal within five (5) days, the animal shall become the property of the Animal Control Department and shall be disposed of according the Department’s policies.

(g) Animal housed or restrained less than fifteen (15) feet from public way. When an Animal Control Officer has determined that an animal is being housed or restrained within fifteen (15) feet of a public street, road or sidewalk, and the animal poses a threat to the public, but the animal is not in the street, road or on the sidewalk, the Animal Control Officer shall issue a warning to the owner or keeper of the animal directing that the animal be moved to a distance greater than fifteen (15) feet from the public street, road or sidewalk. If the owner or keeper refuses to move the animal, the Animal Control Officer shall issue a notice of violation and civil penalty for the first offense and additional penalties for each subsequent offense. After the first ~~second~~ civil penalty ~~second offense~~ the animal control services officer may impound the animal. The Animal Control Officer must leave a notice of impoundment with the owner/ keeper or affix the notice to the premises from which the animal has been seized. The owner shall have five (5) days to redeem the animal. If the animal is redeemed, the owner must pay all civil penalties and shelter fees for the impoundment. If the owner fails to redeem the animal within five (5) days the animal shall become the property of the Animal Control Department and shall be disposed of according to the Department’s policies.

(h) Animal found in the public way. If an animal is housed or restrained within fifteen (15) feet of a public street, road or sidewalk and the animal poses a threat to the public, and the Animal Control Officer finds it to be in the public street, road or on the sidewalk and the owner or keeper is not at home or refuses to remove the animal from the public street, road or sidewalk, the Animal Control Officer may impound the animal. The Animal Control Officer must leave a notice of impoundment with the owner or keeper or affix the notice to the premises from which the animal was housed or restrained. The animal services officer may issue a notice of violation and civil penalty for a first offense and additional penalties for each subsequent offense. The owner shall have five (5) days to redeem the animal. If the animal is redeemed the owner or keeper must pay all civil penalties and shelter fees for the impoundment. If the owner or keeper fails to redeem the animal within five (5) days the animal shall become the property of the Animal Control Department and shall be disposed of according to the Department's policies.

(i) Private remedies. This section shall not be construed to prevent a private citizen from pursuing a private cause of action for damages against the owner or keeper of any animal that has caused injury to said private citizen or his property for damages or any other loss resulting from an animal being a nuisance as defined by this section or otherwise.

(Adopted June 17, 2013)

Repeal "Section 3-22. Spaying or neutering as condition for adoption of dogs and cats; violations."

New Section 3-22 adopted as follows:

Sec. 3-22. Spaying or neutering as condition for adoption or reclaiming by owner of dogs and cats; violations.

(a) No dog or cat may be adopted from the animal shelter unless the animal has been surgically spayed or neutered, or the adopting owner agrees to do have the animal surgically spayed or neutered in accordance with any time limit imposed by the Animal Control Director.

(b) The Animal Control Director shall implement procedures to enforce this section.

(c) The failure of any person adopting an impounded animal to comply with this section shall constitute a violation of this section and shall constitute the forfeiture of the animal to the Animal Control Department.

(d) Any animal picked up by Animal Control for running at large: or designated Potentially Dangerous or Dangerous Dog shall be spayed or neutered prior to being returned to its owner.

(e) The Animal Control Director when dealing with dogs picked up for running at large may make a one-time exception for Breeding, Show, or Hunting Dogs.

(Adopted June 17, 2013)

Repeal "Section 3-23. Keeping of animals; mistreatment, abandonment prohibited; care; restraining of dogs; exercise area for dogs."

New Section 3-23 adopted as follows:

Sec. 3-23. Keeping of animals; mistreatment, abandonment prohibited; care; restraining of dogs; exercise area for dogs.

(a) All dogs, cats and other small animals kept as house pets shall be housed, fed and protected from the weather in such a manner as not to create a nuisance.

(b) No person shall willfully or negligently:

(1) Torture, cruelly beat, injure, maim, mutilate or without good cause destroy or kill any animal, whether wild or tame, belonging to himself or to another;

(2) Deprive any animal of food, drink or shelter; or

(3) Cause any other person to do any of the above acts.

(c) If an animal is found by any Animal Control Officer to be in one of the above described conditions in subsection 3-23(a) or (b), the officer shall take appropriate measures, including civil or criminal enforcement, to protect the welfare of the animal. If the Animal Control Officer determines that a confined animal's life is in immediate danger or the animal has been abandoned, the Animal Control Officer shall seize such animal if such seizure is not prohibited by applicable law and shall report the conditions to an appropriate law enforcement agency if seizure is not permitted. The Animal Control Officer shall leave a notice for the owner or keeper advising why the animal has been taken.

(d) No dog, cat or other small animal shall be confined within or on a motor vehicle under such conditions as may endanger the health or well-being of the animal, including, but not limited to, dangerous temperature or lack of adequate food or water.

(e) No person shall abandon or cause to be abandoned any dog, cat or any other type of animal.

(f) Owners and keepers of dogs, cats and other small animals shall provide food, shelter and medical attention to such animals, including but not limited to the following:

(1) Sufficient wholesome food that is nutritious for the species;

(2) Fresh, potable drinking water;

(3) Medical attention to relieve such animals from suffering;

(4) Shade from the sun; and

(5) Shelter to allow the animal to remain dry and protected from the elements. Such shelter shall be fully enclosed on three (3) sides, roofed and have

a solid floor. The entrance to the shelter shall be flexible to allow the animal's entry and exit, and sturdy enough to block entry of wind or rain. The shelter shall be small enough to retain the animal's body heat and large enough to allow the animal to stand and turn comfortably. The enclosure shall be structurally sound and in good repair.

(g) It shall be unlawful to tether a dog except in accordance with this subsection.

(1) No dog shall be tethered outdoors unless the keeper or owner of the dog is holding the tether.

(2) It shall be an affirmative defense to a violation of this subsection that the tethering is required to protect the safety or welfare of a person or the dog, provided that the keeper or owner of the dog acquires a permit from the Animal Control Director ~~for the temporary tethering of a dog while acquiring kennels or fencing.~~

(3) The provisions of this subsection (g) shall not apply to a temporary tether:

(a) During a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity; or

(b) To a keeper or owner walking a dog with a hand-held leash, or during lawful hunting activities if reasonably necessary for the safety of the dog, or while a dog is actively engaged in shepherding or herding livestock; or

(c) When meeting the requirements of a camping or recreation facility; or

(d) When the animal's caretaker is outside and within eyesight of the animal;

or

(e) After taking possession of a dog that appears to be a stray dog and after having advised the Animal Control Department of the stray.

(4) The provisions of subsections (g)(2) and (3) above shall apply only if:

(a) The tether is not placed directly round the dog's neck and is attached to a properly fitting collar or harness of nylon or leather worn by the dog; and

(b) The weight of the tether does not exceed more than one-tenth of the dog's body weight; and

(c) The tether is unlikely to become tangled or twisted and is attached with a swivel that will prevent tangling or twisting.

(d) The tether is arranged to be free of any obstacles which may limit the movement of the dog length of the tether and the tether is at least twelve (12) feet long; and

(e) The dog is tethered in a manner that permits access to necessary shelter and water.

(5) Any dog that remains tethered in violation of this subsection for more than fourteen (14) days after the owner receives a notice of violation may be seized by an Animal Control Officer or law enforcement officer and impounded at the Department's shelter. If the dog's owner does not show that an adequate confinement enclosure complying with the requirements of this ordinance has been installed on the owner's property within 72 hours of the impoundment, exclusive of Sundays and county government holidays, the dog shall be deemed to have been forfeited to the county and shall be disposed of in accordance with the Department's policy.

(h) Any dog confined within a fenced yard or run must have an adequate space for exercise. Provided, however, that where dogs are kept or housed on property without a fenced yard and such dogs are kept in an enclosure or run, such enclosure or run shall provide adequate space for exercise. Such an enclosure or run shall be constructed of chain link or similar type of materials with all four sides enclosed. The enclosure shall be of sufficient height to prevent the dog from escaping from such enclosure. The top of such enclosure shall be sufficiently covered to provide the dog with adequate shade and protection from the elements.

(Adopted June 17, 2013)

Adopt New Section 3-27 as follows:

Sec.3-27. Sanitation.

No keeper of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public way, play area or common grounds owned jointly by the members of a homeowners or condominium association, or upon private property without permission of the occupant of said property, unless such keeper immediately removes and disposes of all feces deposited by such animal by the following methods:

(a) Collection of the feces by appropriate implement and placement in a paper or plastic bag or other appropriate container; and

(b) Removal of such bag or container and disposition thereafter in a manner as otherwise permitted by law.

(Adopted June 17, 2013)

Adopt New Section 3-28 as follows:

Sec. 3-28. Breeding/Advertising/Transfer[BAT] Permit.

Owners who wish to breed their dog or cat and meet the requirements of the breeding/advertising/transfer [BAT] permit as outlined in part B of this section, may apply for such permit through the Animal Control division. The holder of the [BAT] permit would be authorized to breed, sell, trade, advertise, receive for any compensation, give away or transfer ownership of no more than one litter per licensed animal, per household, per year.

(a) Under no circumstances shall a [BAT] permit be issued:

(1) For any dog or cat not currently licensed as required in Section 3-50 of this code unless such person lives outside the county limits.

(2) To any person who has ever been convicted by any court of a charge relating to animal cruelty or neglect or has such a charge[s] pending until outcome of charges has been determined.

(b) A [BAT] Permit must be obtained by, but not limited to:

(1) Any person wishing to breed their dog or cat;

(2) Each breeding pair, dog or cat, before breeding shall take place;

(3) Any person who intentionally or unintentionally causes or allows the breeding of dogs or cats.

(c) Any person convicted of violating the provisions of subsection (b) of this section shall be punished by a fine of not less than three hundred dollars (\$300) or by imprisonment in the county jail for not more than thirty (30) days.

(Adopted June 17, 2013)

Adopt New Section 3-29 as follows:

Sec. 3-29. Nuisance/Reckless owner.

A person cited as a Nuisance/Reckless owner shall be ordered to surrender all of his/her dogs/cats to Animal Control and shall refrain from owning, keeping or harboring those dogs/cats or any dogs/cats for a period of three (3) years.

(Adopted June 17, 2013)

Repeal "Section 3-74. Selling live animals in public rights of way and other public property prohibited."

New Section 3-74 as follows:

Sec. 3-74. Selling live animals in public rights of way and other public property prohibited.

It is unlawful to sell, auction, trade, barter, and display for commercial purposes or give away any live animal within the right of way of any public highway, commercial parking lot, garage sale, flea market, festival, park, community center, public vehicular area, public sidewalk, public property or street within Cumberland County. The Animal Control Department may immediately take custody of and impound any live animals found being sold in violation of this section. This section shall not apply to any animal welfare organization or humane society qualified under Section 501(c)(3) of the Internal Revenue Code acting pursuant to a permit issued by the Animal Control Director, which permit may be conditioned on reasonable conditions to assure the health, welfare and safety of the animals being sold, auctioned, traded, bartered, displayed or given away.

(Adopted June 17, 2013)

ORDAINED this the ____ day of June, 2013, by the Cumberland County Board of Commissioners.

Jimmy Keefe, Chairman

Cumberland County Board of Commissioners

ATTEST:

Candice H. White, Clerk to the Board

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
PURSUANT TO NCGS §153A-122 MAKING THE REVISED ANIMAL CONTROL
ORDINANCE, CHAPTER 3 OF THE CUMBERLAND COUNTY, NORTH CAROLINA,
CODE OF ORDINANCES, ADOPTED BY THE CUMBERLAND COUNTY BOARD OF
COMMISSIONERS ON JUNE 17, 2013, AND ANY SUBSEQUENT REVISIONS,
APPLICABLE WITHIN THE CITY OF FAYETTEVILLE**

THAT WHEREAS, on June 17, 2013, the Cumberland County Board of Commissioners adopted revisions to Chapter 3 of the Cumberland County Code of Ordinances, an Animal Control Ordinance for Cumberland County;

AND WHEREAS, said ordinance established a comprehensive program designed to address animal control in Cumberland County and its municipalities;

AND WHEREAS, it is beneficial to the City of Fayetteville and its citizens to be a part of this revised comprehensive plan for managing animal control within its incorporated limits;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville, North Carolina, that pursuant to N.C.G.S. § 153A-122 and Chapter 3 of the Code of Ordinances of Cumberland County, the Cumberland County Animal Control Ordinance, adopted on May 21, 2012, and revised on June 17, 2013 by the Cumberland County Board of Commissioners, a copy of which is attached hereto, and any subsequent revisions, shall be applicable, have the same force and effect of, and shall be enforced to the same extent, within the incorporated limits of the City of Fayetteville, as within Cumberland County.

ADOPTED this the ____ day of June, 2013, by the City Council of the City of Fayetteville.

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: June 24, 2013
RE: **P13-14F. Rezoning of property from SF-10 Single Family Residential to CC – Community Commercial or to a more restrictive district, located on Lake Valley Road across from 4760 Lake Valley containing 12.95 acres more or less and being the property of JKAM Investments LLC.**

THE QUESTION:

Request to rezone property from SF-10 Single Family Residential to CC – Commercial Commercial

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development

BACKGROUND:

Owner: JKAM Investments LLC.
Applicant: JKAM Investments LLC
Requested Action: SF-10 to CC
Property Address: Lake Valley Road across from street #4760
Council District: 9
Status of Property: Vacant
Size: 12.95 acres +/-
Adjoining Land Use & Zoning:
North - CC Vacant - Movie Theater Proposed
South - SF-10 Residential Subdivision/Woods & Wetlands
West - SF-10 Residential Subdivision/Woods & Wetlands
East – SF-10 & CC Vacant
Letters Mailed: 86
Land Use Plan: Heavy Commercial

ISSUES:

This property is located behind property facing Lake Valley Drive to the south side across from the Embassy Suites Hotel and Conference Center. This property does not have direct access to Lake Valley Drive, but it is part of a larger proposed development that would include a movie theater. This property does adjoin residential developments to the west and south. The proposed development will be separated from the residential by a creek, woods and wetlands area. Please view the attached survey noting areas of proposed open space and tree save areas. Most of the existing woods will be preserved on this property and will form a natural buffer between this property and its residential neighbors. The detention pond shown on the attached site plan already exist. It serves as the storm water detention for the Embassy Suites development. The only new construction on this property will be approximately 60 parking spaces. These will be located in one of the furthest areas away from the neighboring residential properties.

The Zoning Commission voted 5-0 to recommend approval of this rezoning request. There were four speakers during the public hearing. Two spoke in favor and two in opposition to the request.

The Zoning Commission and staff recommend Approval of the rezoning to CC based on:

1. The Land Use Plan calls for Heavy Commercial on this property.
2. The property to the north which borders Lake Valley Drive is already zoned CC.
3. The open space and tree save areas will provide an adequate buffer between this property and the surrounding residential.

BUDGET IMPACT:

This action would result in an increase in City services which would be offset by the revenue collected through the City property taxes.

OPTIONS:

- 1) Approval of the rezoning as requested by the applicant (Recommended);
- 2) Approval of the rezoning to a more restrictive district;
- 3) Denial of the rezoning request.

RECOMMENDED ACTION:

Zoning Commission and Staff Recommend: That the City Council move to APPROVE the rezoning to the Community Commercial district, as presented by staff.

ATTACHMENTS:

Zoning Map

Current Land Use

Land Use Plan

Site Photo

Site Photo

Surrounding Area Photo

PowerPoint with Site Plan

ZONING COMMISSION
CASE NO. P13-14F

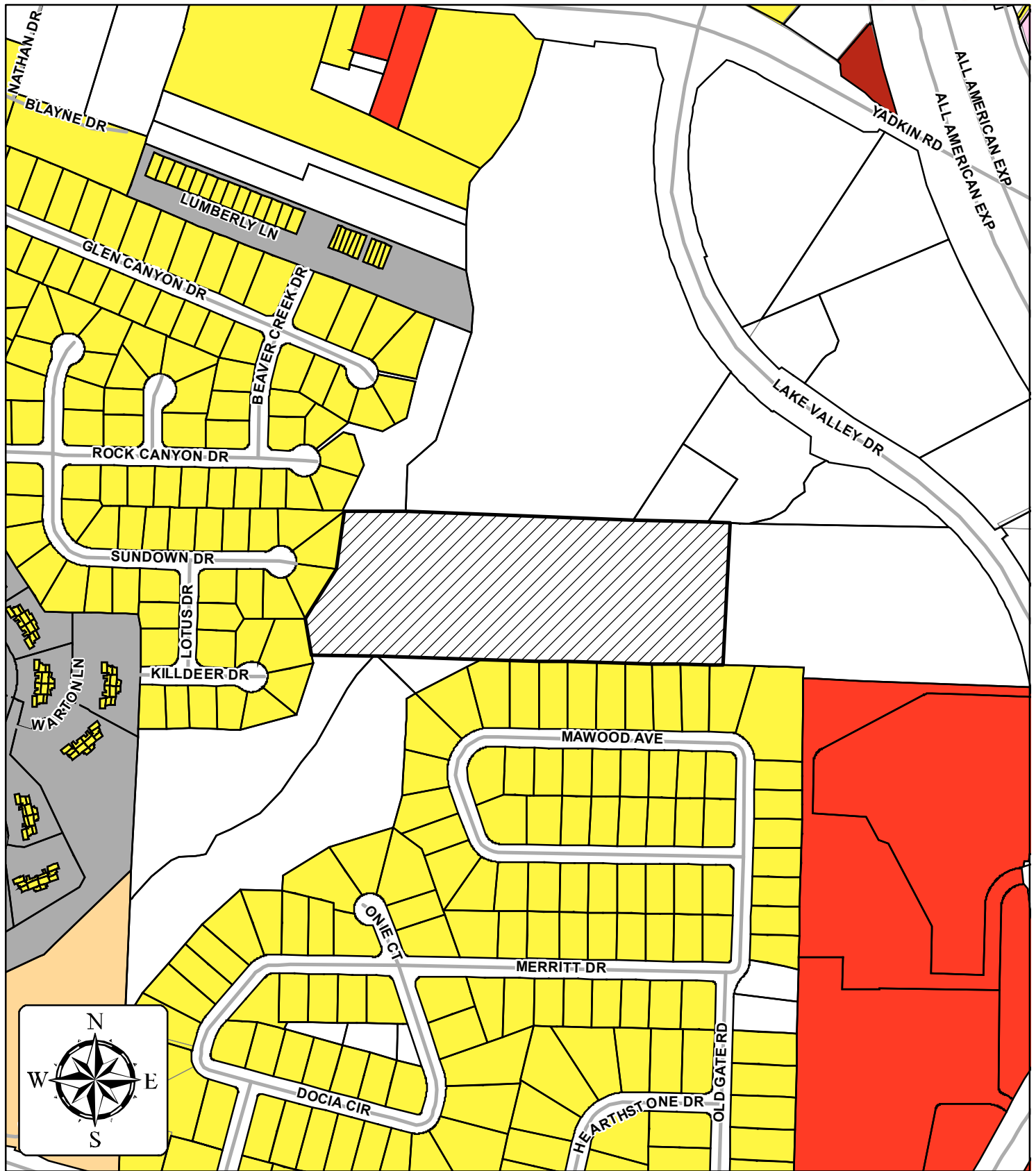


Request: SF-10 to CC
Location: Lake Valley Rd across from 4760 Lake Valley.
Size: 12.95 acres +/-

Zoning Commission: 05/14/2013 **Recommendation: _____**
City Council: _____ **Final Action: _____**
Pin: 0408-93-1493

Current Land Use

P13-14F

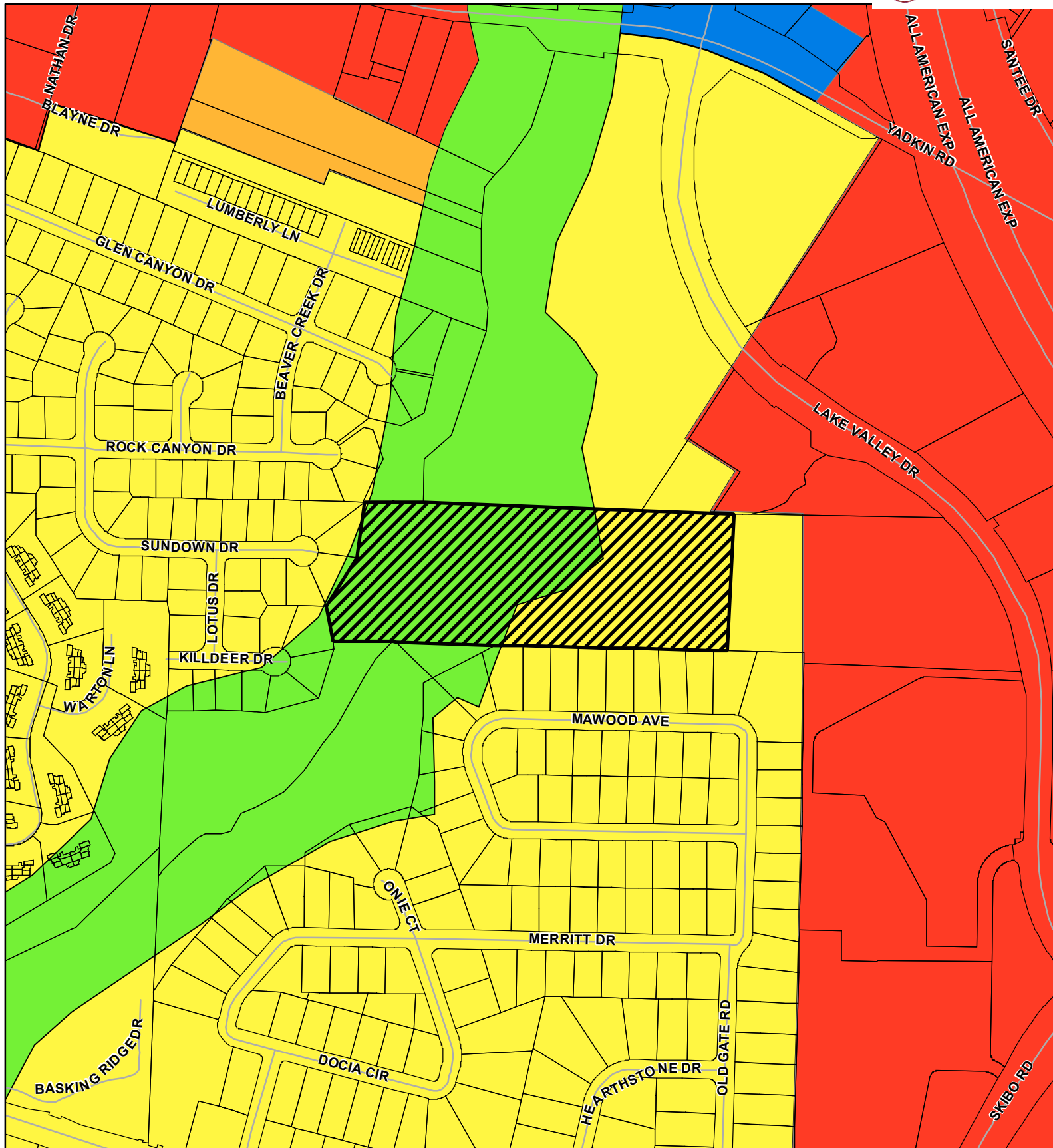


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

2010 Land Use Plan

Case No. P13-14F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential



6-1-4-1



6-1-5-1



EMBASSY
SUITES



CITY COUNCIL MEETING

June 24, 2013



City of
Fayetteville
North Carolina





CASE NO. P13-14F

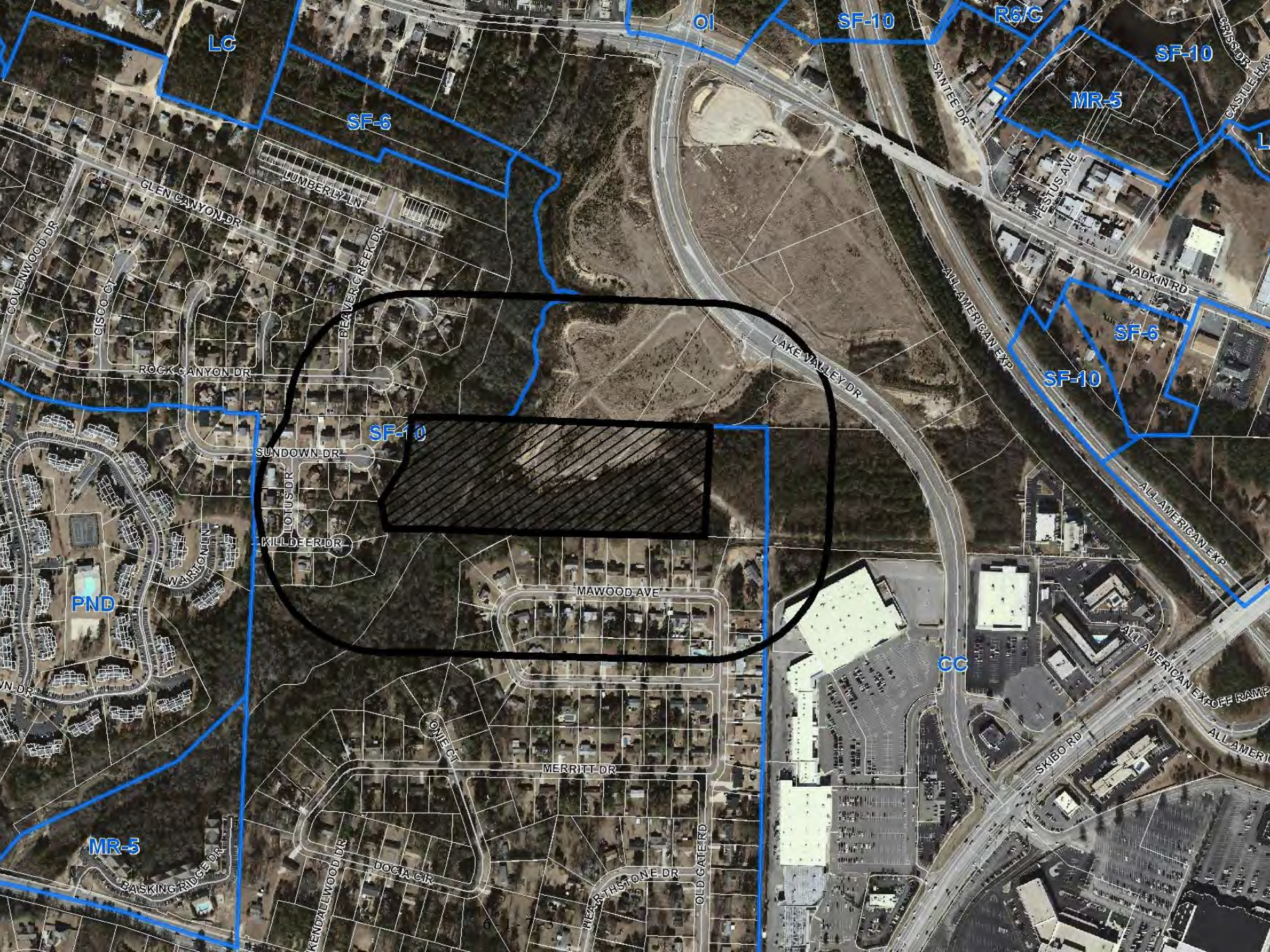
(Appeal of Zoning Commission)



Requested Action: SF-10 to CC

Property Address: Lake Valley Road
across from 4760 Lake Valley

Size: 12.95 acres +/- (8.15 acres in
wetlands & open space)



LG

OI

SF-10

R6/C

SF-10

SF-6

MR-5

GLEN CANYON DR

LUMBER LYLN

SANTEE DR

PESTUS AVE

COVENTRY DR

CISCO CT

BEAVER CREEK DR

MADKIN RD

ROCK CANYON DR

LAKE VALLEY DR

SF-6

SF-10

SF-10

SUNDOWN DR

ALL AMERICAN EXP

LOTUS DR

MILLDEER DR

MAWOOD AVE

PND

CC

WN DR

WAKSTON

ALL AMERICAN EX/OFF RAMP

ONE CT

MERRITT DR

SKIBO RD

MR-5

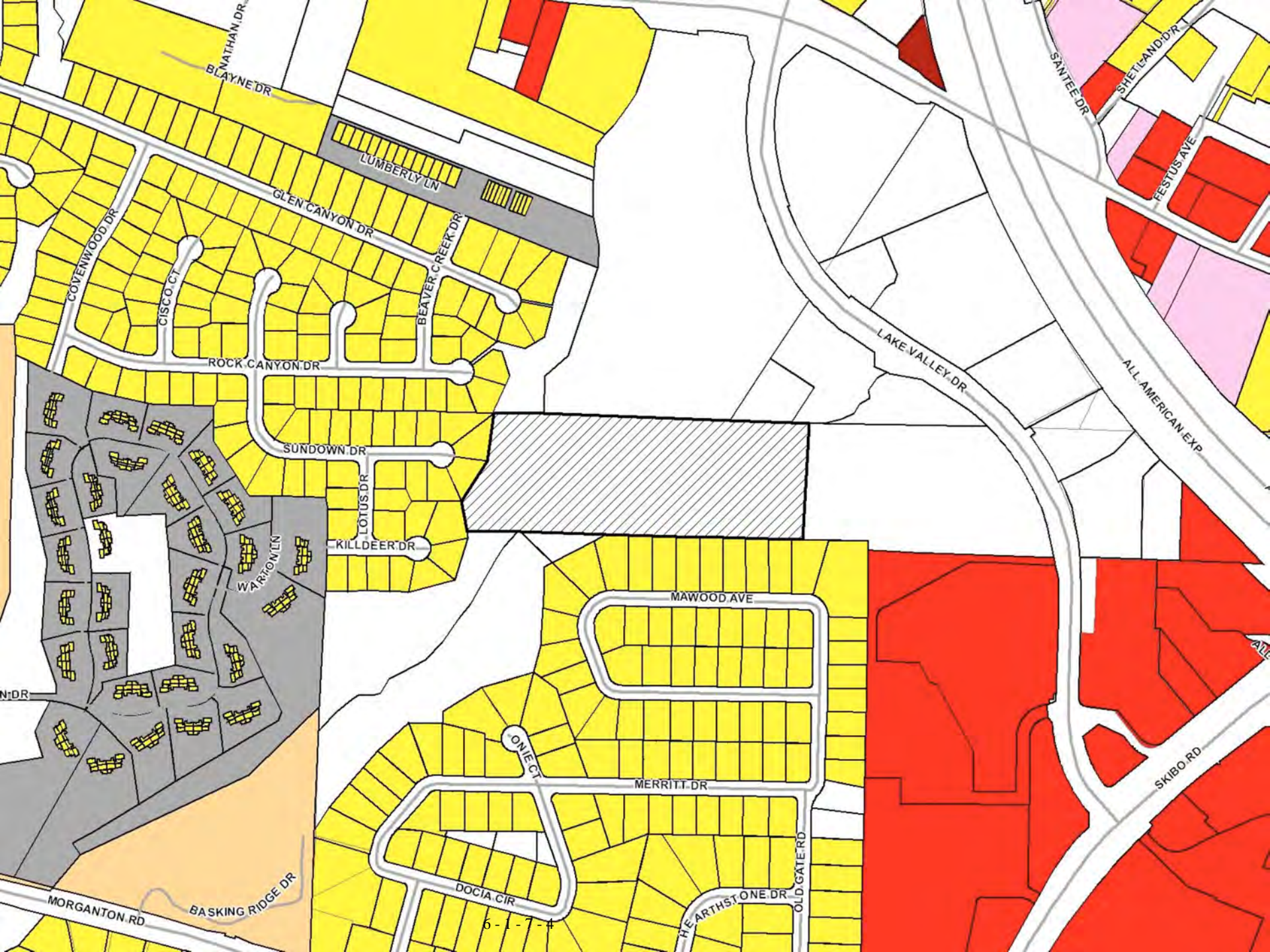
BASKING RIDGE DR

KENDALL WOOD DR

DOGIA CIR

HEARSTHSTONE DR

OLD GATE RD



NATHAN DR
BLAYNE DR

LUMBERLY LN

GLEN CANYON DR

BEAVER CREEK DR

COVERWOOD DR

CISCO CT

ROCK CANYON DR

SUNDOWN DR

LOTUS DR

KILLDEER DR

WARRIOR LN

MAWOOD AVE

ONE CT

MERRITT DR

DOCIA CIR

HEARTHSTONE DR

OLD GATE RD

MORGANTON DR

BASKING RIDGE DR

LAKE VALLEY DR

SANTE DR

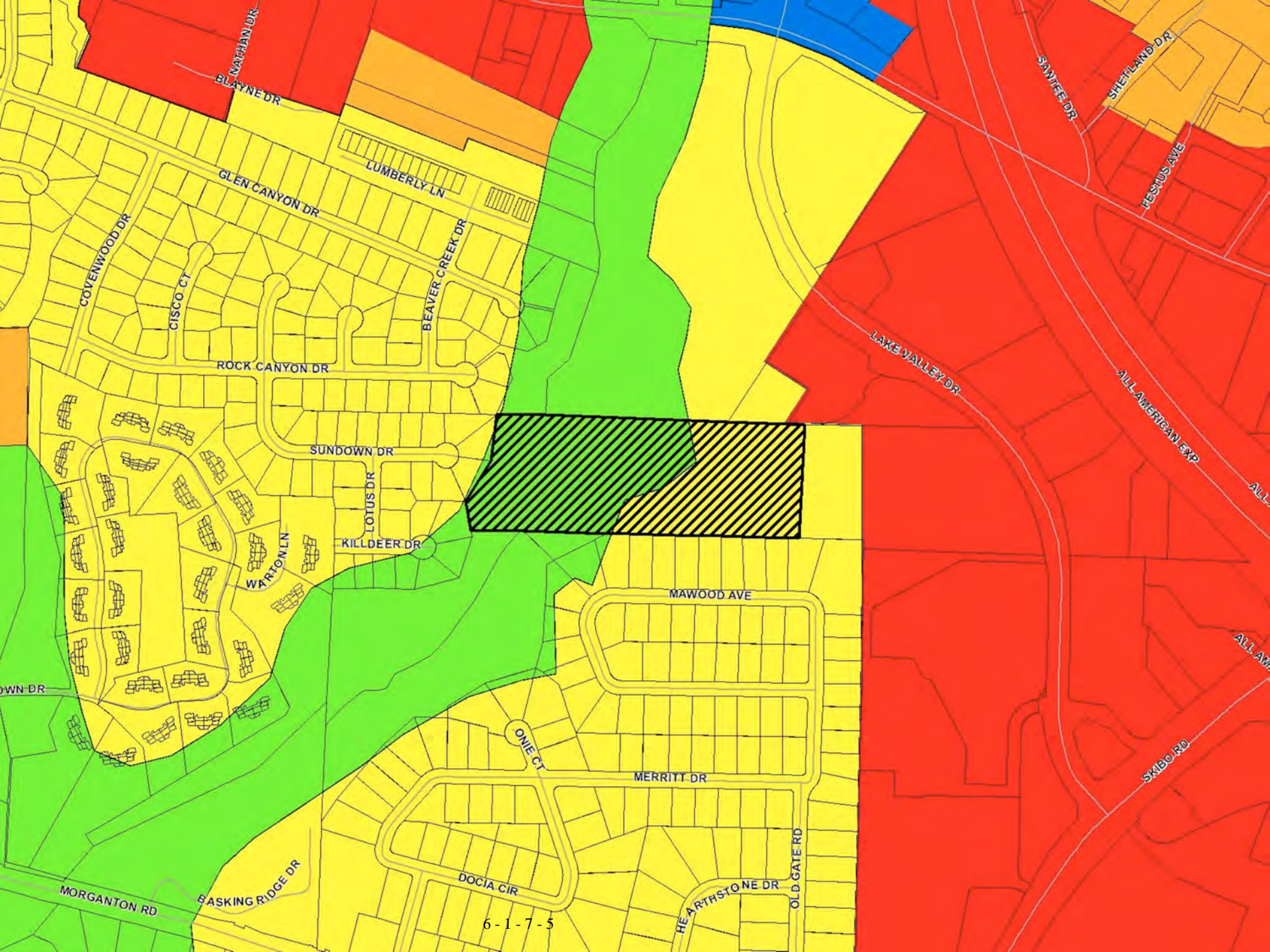
SHELLLAND DR

FESTUS AVE

ALL-AMERICAN EXP

SKIBO RD

6-1-74



NATHAN DR
BLAYNE DR

SANTEE DR
SHEPHERD DR

HESTUS AVE

COVENWOOD DR

GLEN CANYON DR

LUMBERLY LN

CISCO CT

BEAVER CREEK DR

ROCK CANYON DR

LAKE VALLEY DR

ALL AMERICAN EXP

SUNDOWN DR



LOTUS DR

KILLDEER DR

WARTON LN

MAWOOD AVE

DOWN DR

ALL AMERICAN EXP

ONE CT

MERRITT DR

SKIBO RD

MORGANTON RD

BASKINGRIDGE DR

DOCIA CIR

HEARTHSTONE DR

OLD GATE RD

6-1-7-5

GLEN CANYON DRIVE

FOXFIRE SEC. 5, PART TWO
P.B. 39, PG. 10

1084

1080

1081

1083

1082

CITY OF FAYETTEVILLE
D.B. 3028, PG. 263
(WETLANDS)

BEAVER

WETLANDS (TYP.)

SAN

30' UTILITY ESM'T. (D.B. 2277, PG. 25)

UTILITY ESM'T.
D.B. 6762, PG. 183
(EASEMENT NO. 2)

JKAM, LLC
D.B. 5596, PG. 0263
ZONED CC

ROAD

1020

FOXFIRE SEC. 5
PART TWO (REVISION)
P.B. 41, PG. 52

1019

S 85°08'07" E
185.05'

S 84°35'47" E
712.33'

ZONING LINE CC
SF-10

S 84°45'45" E
303.62'

30' GAS EASEMENT (D.B. 778, PG. 65)
30' POWER LINE ESM'T. (D.B. 2853, PG. 478; D.B. 2858, PG. 229)
(NOTE: POWER LINE ESM'T. GAS LINE EASEMENT OVERLAP BY 15')

30' DRAINAGE ESM'T.

E.C.M.
(Beginning Point)

FOXFIRE SEC. 7
P.B. 40, PG. 78
(SINGLE FAMILY RESIDENTIAL)

Existing Wetlands To be
Used as Open Space
and Tree Save Buffer

POND EASEMENT
Existing Stormwater
Facilities
ZONED SF-10

Proposed
Stormwater
Expansion

(12.95 ACRES)
(8.15 ACRES WETLANDS)

Existing Wetlands To be
Used as Open Space
and Tree Save Buffer

ZONED SF-10

30' SAN. SEWER ESM'T.

WETLANDS (TYP.)

N 85°23'20" W 520.27'

N 85°23'20" W 756.88'

ARMSTRONG
D.B. 5379, PG. 281
(PARCEL SIX)
(WETLANDS)

6-1-7-6

RIDDLE
D.B. 4594, PG. 0480
(WETLANDS)

16

6

7

8

15

15

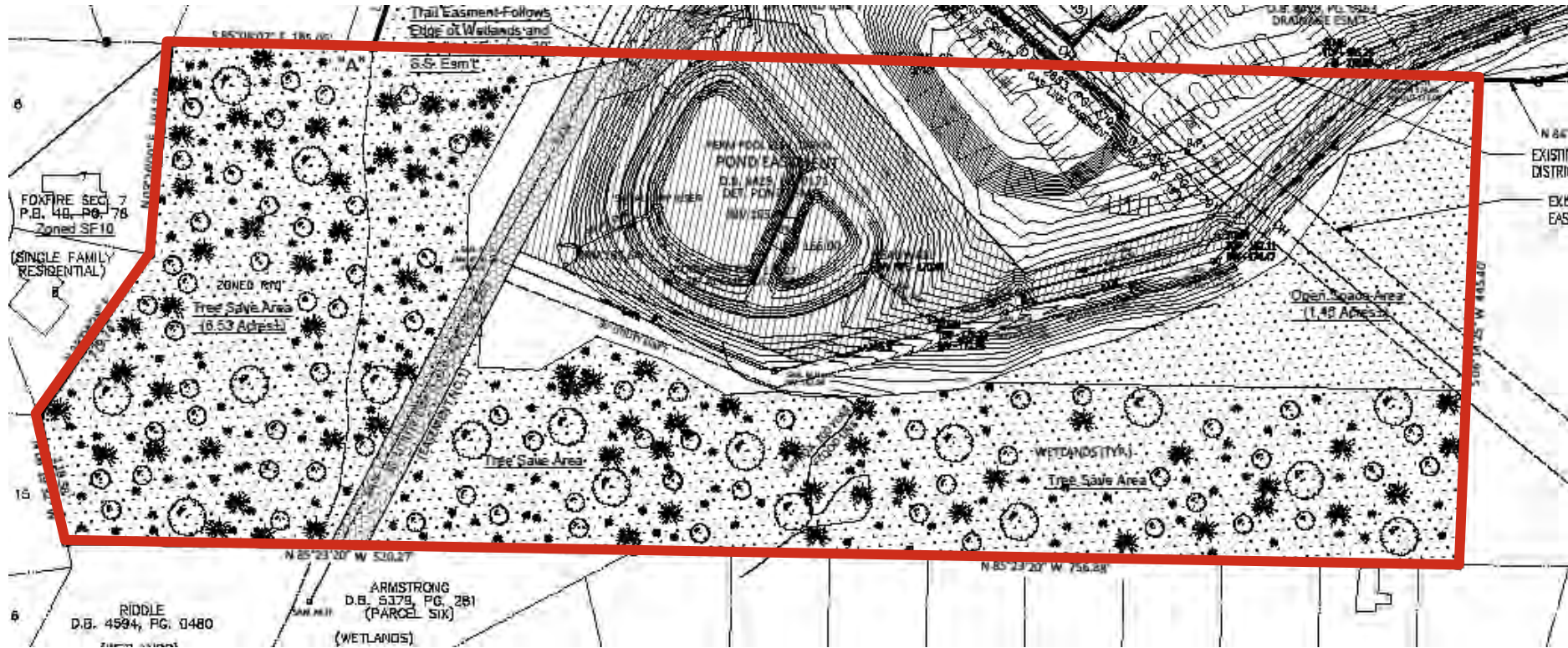
16

N 09°26'00" E
194.39'

N 38°04'28" E
179.74'

N 08°19'02" W
118.58'

S 06°14'25" W 445.40'





6-1-7-8



EMBASSY
SUITES



The Zoning Commission and staff recommend Approval of the rezoning to CC based on:

1. The Land Use Plan calls for Heavy Commercial, Residential & Conservation on this property.
2. The property to the north which borders Lake Valley Drive is already zoned CC.
3. The open space and tree save areas will provide an adequate buffer between this property and the surrounding residential.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Theodore L. Voorhees, City Manager
DATE: June 24, 2013
RE: **Fiscal Year 2013-2014 Budget Ordinance and Fee Schedule, Fiscal Year 2014-2018 Capital Improvement and Information Technology Plans, Capital Project Ordinances 2014-1 through 2014-10, and Capital Project Ordinance Amendments 2014-1 through 2014-16**

THE QUESTION:

Council is asked to consider adoption of the Fiscal Year 2013-2014 Budget Ordinance which incorporates changes to the recommended budget as discussed at the June 19, 2013 budget workshop and detailed below. In addition to setting the general ad valorem tax rate at 45.6 cents, the Central Business Tax District rate at 10 cents and the Lake Valley Drive Municipal Service District ad valorem tax rate at 34.5 cents, the ordinance also levies the stormwater fee (\$3 per month) and the residential solid waste fee (\$38 per year) and adopts the fee schedule presented.

Council is also asked to approve the Fiscal Year 2014-2018 Capital Improvement and Information Technology Plans and related capital project ordinances and capital project ordinance amendments to establish project budgets as planned.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principles: Financially Sound; Full Range of Quality Municipal Services; and Services Delivered in a Cost Effective Manner

BACKGROUND:

The proposed budget ordinance incorporates the following changes to expenditures included in the recommended budget for the General Fund: removes \$1 million each from one-time street resurfacing funding and the community investment initiative; eliminates the \$499,600 transfer to the Public Works Commission from electric franchise tax proceeds; reduces budgets for payments to PWC for purchasing and fleet maintenance services by \$492,854; adds \$717,791 for a variety of new initiatives; reduces funding for employee pay increases by \$127,311 to fund 2% as opposed to 2.5% merit increases; reduces transfers to the Transit Fund by \$9,047 due to the merit increase reduction; and increases the budget for the transfer to the Solid Waste fund by \$450,671.

The ordinance also reflects the following changes to the revenues and other financing sources for the General Fund: adds \$85,000 in contributions from the Public Works Commission to share in the costs of operating the new government access channel; and reduces the planned fund balance appropriation by \$2,045,350.

The proposed budget ordinance also reflects the following changes from the recommended budgets for other City funds: adjusts the Environmental Services Fund expenditure and revenue budgets to reduce projected costs for fleet maintenance by \$141,200 and for employee compensation by \$7,234, reduce revenues from solid waste fees by \$599,105 and increase the transfer from the General Fund by \$450,671; adjusts the Stormwater Fund expenditure and revenue budgets to reduce revenues from the stormwater fee by \$1,742,438, appropriate \$1,654,197 from fund balance and reduce projected expenditures by \$88,241; and adjusts the Transit Fund expenditure and revenue budgets to reduce employee compensation funding by \$9,047, add \$377,730 to fund new initiatives, increase the General Fund transfer by \$136,035, and add \$35,809 in projected fare revenue and \$196,839 in projected federal grant revenues related to the new initiatives. The financial plan for the Risk Management Fund reflects a \$7,142 reduction in expenditures and revenues and other financing sources related to a reduction in projected fleet maintenance costs and employee compensation.

In addition, the proposed budget ordinance also reflects the following changes from the recommended budget for Public Works Commission funds: increases expenditure budgets for the Electric and Water and Wastewater Funds by \$85,000 to share in the cost of the government access channel and by \$85,500 due to the impact of reduced indirect cost allocations to the Fleet Maintenance Internal Service Fund; reduces the interfund transfer from the City's General Fund to the Water and Wastewater Fund by \$499,600 as discussed above; and appropriates \$670,100 from the Rate Stabilization Fund to offset the expenditure increases and the transfer reduction. The financial plan for the Fleet Maintenance Internal Service Fund reflects a \$131,500 reduction in expenditures and revenues and other financing sources related to the indirect cost allocation reduction.

The fee schedule presented for adoption is as presented in the recommended budget document with the exception of the monthly stormwater fee and annual residential solid waste fees, which will remain at \$3 per month and \$38 per year respectively.

The capital improvement and information technology plans reflect the proposed plans presented at the February strategic planning retreat, with modifications to the following projects: Downtown Brick Sidewalk Repair; Grove Street Facility Yard Paving; Building Maintenance Projects; Stormwater Drainage Improvements; Video Conferencing Equipment; Work Order/Permitting/HRD/Asset Management Systems; and Electronic Plan Review System Module. The capital project ordinances and capital project ordinance amendments presented for adoption are consistent with these plans.

ISSUES:

None.

BUDGET IMPACT:

As presented above and in attachments.

OPTIONS:

- Adopt the proposed budget ordinance, fee schedule, capital improvement and information technology plans, capital project ordinances, and capital project ordinance amendments as presented.
- Amend the proposed budget ordinance, fee schedule, capital improvement and information technology plans, capital project ordinances, and capital project ordinance amendments and adopt as amended.

RECOMMENDED ACTION:

Adopt the proposed Fiscal Year 2013-2014 Budget Ordinance and Fee Schedule, Fiscal Year 2014-2018 Capital Improvement and Information Technology Plans, Capital Project Ordinances 2014-1 through 2014-10 and Capital Project Ordinance Amendments 2014-1 through 2014-16.

ATTACHMENTS:

Fiscal Year 2013-2014 Budget Ordinance

Fiscal Year 2013-2014 Fee Schedule

Fiscal Year 2014-2018 Capital Improvement Plan by Fiscal Year

Fiscal Year 2014-2018 Capital Improvement Plan by Source of Funds

Fiscal Year 2014-2018 Information Technology Plan by Fiscal Year

Fiscal Year 2014-2018 Information Technology Plan by Source of Funds

Capital Project Ordinances 2014-1 to 2014-10

Capital Project Ordinance Amendments 2014-1 to 2014-16

2013-14 Budget Ordinance (2014-1)

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

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2013, and ending June 30, 2014, to meet the appropriations listed in Section 2.

Schedule A: General Fund

Ad Valorem Taxes	\$	63,650,229
Other Taxes		2,415,000
Intergovernmental Revenues		57,137,581
Functional Revenues		6,963,010
Other Revenues		2,156,527
Investment Earnings		305,500
Interfund Transfers		12,385,913
Loan Proceeds		2,150,637
Fund Balance Appropriation		3,450,328
Total Estimated General Fund Revenues		150,614,725

Schedule B: Parking Fund

Functional Revenues		313,973
Other Revenues		37,137
Investment Earnings		300
Fund Balance Appropriation		79,195
Total Estimated Parking Fund Revenues		430,605

Schedule C: Central Business Tax District Fund

Ad Valorem Taxes		132,156
Fund Balance Appropriation		1,373
Total Estimated Central Business Tax District Fund Revenues		133,529

Schedule D: Lake Valley Drive Municipal Service District Fund

Ad Valorem Taxes		79,767
Total Estimated Lake Valley Drive Municipal Service District Fund Revenues		79,767

Schedule E: Stormwater Management Fund

Stormwater Fees		5,283,908
Other Revenues		120,500
Investment Earnings		28,858
Fund Balance Appropriation		1,654,197
Total Estimated Stormwater Management Fund Revenues		7,087,463

Schedule F: Emergency Telephone System Fund

Intergovernmental Revenues		805,520
Investment Earnings		1,600
Fund Balance Appropriation		64,574
Total Estimated Emergency Telephone System Fund Revenues		871,694

2013-14 Budget Ordinance (2014-1)

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

Schedule G: Transit Fund

Other Taxes	\$	775,400
Fees - Bus Fares		1,142,248
Other Fees & Revenues		142,880
Intergovernmental Revenues		2,382,679
Interfund Transfers		2,842,604
Total Estimated Transit Fund Revenues		7,285,811

Schedule H: Airport Fund

Airport Fund Revenues		4,641,957
Intergovernmental Revenues		113,150
Investment Earnings		27,402
Total Estimated Airport Fund Revenues		4,782,509

Schedule I: Environmental Services Fund

Solid Waste Fees		2,310,800
Intergovernmental Revenues		439,463
Other Revenues		285,420
Investment Earnings		8,000
Interfund Transfers		7,009,221
Net Assets Appropriation		360,000
Total Estimated Environmental Services Fund Revenues		10,412,904

Schedule J: Law Enforcement Officers' Special Separation Allowance Fund

Interfund Charges		766,133
Investment Earnings		14,500
Total Estimated Law Enforcement Officers' Special Separation Allowance Fund Revenues		780,633

Schedule K: City of Fayetteville Finance Corporation

Lease Revenues		806,750
Total Estimated City of Fayetteville Finance Corporation Revenues		806,750

Schedule L: Public Works Commission

Electric Fund		
Operating and Other Revenues		219,636,400
Customer Contributions		3,400,000
Interfund Transfers		20,900
Budgetary Appropriations		19,230,900
Total Estimated Electric Fund Revenues		242,288,200
Water and Wastewater Fund		
Operating and Other Revenues		78,529,800
Customer Contributions		3,785,000
Interfund Transfers		385,200
Budgetary Appropriations		21,134,500
Total Estimated Water and Wastewater Fund Revenues		103,834,500
Total Estimated Public Works Commission Revenues		346,122,700
Grand Total	\$	529,409,090

2013-14 Budget Ordinance (2014-1)

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

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, 2013, and ending June 30, 2014, according to the following schedules:

Schedule A: General Fund

Community Investment	\$	17,008,398
Operations		87,664,910
Support Services and Administration		14,067,434
Other Appropriations		31,873,983
Total Estimated General Fund Expenditures		150,614,725

Schedule B: Parking Fund

Total Estimated Parking Fund Expenditures		430,605
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Schedule C: Central Business Tax District Fund

Total Estimated Central Business Tax District Fund Expenditures		133,529
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Schedule D: Lake Valley Drive Municipal Service District Fund

Total Estimated Lake Valley Drive MSD Fund Expenditures		79,767
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Schedule E: Stormwater Management Fund

Total Estimated Stormwater Management Fund Expenditures		7,087,463
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Schedule F: Emergency Telephone System Fund

Total Estimated Emergency Telephone System Fund Expenditures		871,694
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Schedule G: Transit Fund

Total Estimated Transit Fund Expenditures		7,285,811
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Schedule H: Airport Fund

Total Estimated Airport Fund Expenditures		4,782,509
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Schedule I: Environmental Services Fund

Total Estimated Environmental Services Fund Expenditures	\$	10,412,904
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Schedule J: Law Enforcement Officers' Special Separation Allowance Fund

Total Estimated Law Enforcement Officers' Special Separation Allowance Fund Expenditures		780,633
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Schedule K: City of Fayetteville Finance Corporation

Total Estimated City of Fayetteville Finance Corporation Expenditures		806,750
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2013-14 Budget Ordinance (2014-1)

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

Schedule L: Public Works Commission

Electric Fund	
Operating Expenditures	191,088,650
Capital	36,432,100
Interfund Transfers	
General Fund	12,303,700
Budgetary Appropriations	2,463,750
Total Estimated Electric Fund Expenditures	242,288,200
Water and Wastewater Fund	
Operating Expenditures	69,723,450
Capital	30,442,700
Budgetary Appropriations	3,668,350
Total Estimated Water and Wastewater Fund Expenditures	103,834,500
Total Estimated Public Works Commission Expenditures	346,122,700
Grand Total	\$ 529,409,090

2013-14 Budget Ordinance (2014-1)

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, THAT PURSUANT TO SECTION 13.1 OF CHAPTER 159, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE FOLLOWING FINANCIAL PLAN IS HEREBY ADOPTED:

Section 3. It is estimated that the following revenues and other financing sources will be available through the Budget Ordinance Appropriation and other revenues during the fiscal year beginning July 1, 2013, and ending June 30, 2014, to meet the appropriation listed in Section 4.

Schedule A: Internal Service Fund - Risk Management

Total Estimated Redistribution to Risk Management Fund and Other Revenues and Financing Sources	\$ 17,713,440
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Section 4. The following amounts are hereby appropriated for the operation of the Risk Management Fund and its activities for the fiscal year beginning July 1, 2013, and ending June 30, 2014, according to the following schedule.

Schedule A: Internal Service Fund - Risk Management

Total Estimated Risk Management Fund Expenditures	\$ 17,713,440
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2013-14 Budget Ordinance (2014-1)

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, THAT PURSUANT TO SECTION 13.1 OF CHAPTER 159, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE FOLLOWING FINANCIAL PLAN IS HEREBY ADOPTED:

Section 5. It is estimated that the following revenues and other financing sources will be available through the Budget Ordinance Appropriation and other revenues during the fiscal year beginning July 1, 2013, and ending June 30, 2014, to meet the appropriation listed in Section 6.

Schedule A: Internal Service Fund - Public Works Commission Fleet Maintenance

Total Estimated Redistribution to Public Works Commission Fleet Maintenance Fund and Other Revenues and Financing Sources	\$ 7,759,500
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Section 6. The following amounts are hereby appropriated for the operation of the Public Works Commission Fleet Maintenance Fund and its activities for the fiscal year beginning July 1, 2013, and ending June 30, 2014, according to the following schedule.

Schedule A: Internal Service Fund - Public Works Commission Fleet Maintenance

Total Estimated Public Works Commission Fleet Maintenance Fund Expenditures	\$ 7,759,500
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2013-14 Budget Ordinance (2014-1)

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

Section 7. There is hereby levied the following rates of tax on each one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2013, for the purpose of raising the revenue from current year property tax as set forth in foregoing estimates of revenue and in order to finance the foregoing appropriations:

General Rate (for the general expenses incident to the proper government of the City):

45.6 Cents

Such a rate of tax is based upon an estimated total valuation of property for the purpose of taxation of \$13,639,807,391, and estimated collection rates of 99.25% for real and personal property and 81.22% for motor vehicles.

Central Business Tax District Rate

10.0 Cents

Such a rate of tax is based upon an estimated total valuation of property for the purpose of taxation of \$133,839,114, and estimated collection rates 97.43% for real and personal property and 93.55% for motor vehicles.

Lake Valley Drive Municipal Service District Rate

34.5 Cents

Such a rate of tax is based upon an estimated total valuation of property for the purpose of taxation of \$23,120,823, and an estimated collection rate of 100.00% for real and personal property.

Section 8. The following fee is hereby levied in accordance with the Stormwater Management Ordinance, Chapter 23 of the Fayetteville City Code to fund the City's comprehensive stormwater management program:

\$3 per month per Equivalent Service Unit

Section 9. The following fee is hereby levied to fund solid waste services:

\$38 per year per Single-Family Household or Residential Unit in a Multi-Family Property of Seven Units or Less

Section 10. The fee schedule attached hereto is adopted effective July 1, 2013.

Section 11. Funds encumbered, funds reserved for donations, and funds assigned for a specific purpose in the City's financial audit report as of June 30, 2013, are hereby reappropriated, subject to availability of departmental funds, to this budget.

2013-14 Budget Ordinance (2014-1)

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

Section 12. Funds included in the General Fund departmental budgets for the vehicle replacement program are authorized to be redistributed among the benefiting departments and functions.

Section 13. Compensation of each council member and the mayor is to increase by 2.0% in January, 2014.

Section 14. Compensation is authorized at \$600 per month for the chairperson of the Public Works Commission, and at \$500 per month for each other Public Works Commission member.

ADOPTED THIS 24th DAY OF JUNE, 2013

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

ATTEST:

Pamela J. Megill, City Clerk

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
All Functions		
<i>Assessment Interest</i>		
Special assessments established by City Council resolution	8% per annum	2006
All other assessments, including lot cleanings and demolitions	First month 2%, all subsequent months 3/4 %	1993 or prior
<i>Default Civil Penalty for Code Violation</i>		
Applies to any violation for which a penalty is not elsewhere specified.	\$100 per violation per day	2007
<i>Convenience Fee for Internet Payments</i>		
	\$3.50 per payment	2012
<i>Public Record Copies</i>		
Reproduction on CD or DVD	\$1.00 per CD or DVD	2010
Paper Copies (up to 8.5 by 14 inches)		
Single-sided black and white	\$0.05 per page	2010
Single-sided color	\$0.19 per page	2010
Double-sided black and white	\$0.09 per page	2010
Double-sided color	\$0.37 per page	2010
Airport		
<i>Landing Fee (Signatory Airline)</i>		
	\$1.23 per 1,000 pounds	2004
<i>Landing Fee (Non-signatory Airline)</i>		
	\$1.39 per 1,000 pounds	2004
<i>Jet Bridge Use Fee (Signatory Airline)</i>		
	\$5.00	2012
<i>Jet Bridge Use Fee (Non-signatory Airline)</i>		
	\$25.00	2005
<i>Commercial Ramp Use Fees</i>		
<i>Air Stair Use</i>	\$25.00	2012
<i>Remain Overnight Fee (Non-signatory airlines only)</i>	\$150.00	2005
<i>Terminal Fee (Non-signatory airline only)</i>	\$75.00	2005
<i>Terminal Leases and Fees</i>		
Airline Counter Space (exclusive)	\$33.79 per sq. ft. per year	1986
Airline Bag Makeup Space (exclusive)	\$ 3.79 per sq. ft. per year	1986
Airline Administrative Space (exclusive)	\$12.90 per sq. ft. per year	1986
Operation and Maintenance Charge	\$10.00 per sq. ft. of exclusive airline space	1995
Airline Space (nonexclusive)	\$10.00 per sq. ft. per year	1986
<i>Fuel Flowage Fee</i>		
	\$0.05 per gallon of non-airline fuel	1997
<i>Airline Uplift Charge</i>		
	\$0.18 per gallon, \$18.00 minimum or \$18.00 no-fuel fee	1997
<i>Fuel Pricing</i>		
	Will not exceed 106% of retail price at comparable airports with based tenants afforded a \$0.20 discount	1997
<i>Property Leases</i>		
Tie-Down Fee	\$45.00 per month	2003

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Old T-Hangar Rental	\$180.00 per month	2003
New T-Hangar Rental	\$210.00 per month	2003
Ground Lease	\$0.20 per sq. ft. per year	2003
Corporate Office Space	\$5.00 per sq. ft. per year plus utilities	2004
Corporate Hangar Space	\$2.00 per sq. ft. per year plus utilities	2004
FBO Office Space	\$4.50 per sq. ft. per year plus utilities	2003
FBO Hangar Space	\$1.75 per sq. ft. per year plus utilities	2004
<i>Rental Cars</i>		
Rental Car Agency Fee	\$20.00 per parking space per month plus 10% of gross revenues	2011
Rental Car Booth Space	\$253.52 per month	2009
<i>Terminal Leases and Fees</i>		
Short Term Parking (1-30 minutes)	\$1.00	2002
Short Term Parking (each additional 30 minutes)	\$1.00	2002
Short Term Parking (maximum 24 hours)	\$10.00	2008
Long Term Parking (0-1 hour)	\$1.00	2002
Long Term Parking (each additional hour)	\$1.00	2002
Long Term Parking (maximum 24 hours)	\$8.00	2008
<i>Public Safety Airline Charge</i>	Cost charged to airlines based on prorata share of emplanements less security reimbursement from TSA	1991
<i>Advertising Space</i>	\$883.33 plus commissions	1998
<i>Exhibition Flight Permit</i>	\$5.00 per flight, or \$25.00 per six-month period	N/A
<i>Security Fees Per Application</i>		
Fingerprint Processing (airport badges only)	\$50.00	2002
Security Threat Assessment	\$5.00	2008
Corporate Communications		
<i>City Song and Music Video DVDs</i>	\$10.00 each	2007
Development Services		
<u>Privilege License, Plan Review, Permit and Inspections Fees:</u>		
<i>Privilege Licenses</i>		
Brick/Cement Block Manufacturer	\$35.00	2002 or prior
Demolition Contractor	\$37.50	2002 or prior
Electrical Contractor	\$50.00	Set by State
Fire Sprinkler Contractor	\$50.00	2002 or prior
General Contractor	\$10.00	Set by State
Insulation Contractor	\$50.00	2002 or prior
Maintenance of Heat/AC	\$35.00	2011
Mechanical Contractor	\$50.00	Set by State
Moving Contractor	\$35.00	2011
Plumbing Contractor	\$50.00	Set by State

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Refrigeration Contractor	\$35.00	2011
Roofing Contractor	\$35.00	2011
Sand and Gravel Dealer	\$35.00	2011
Sanding/Refinishing of Floors	\$35.00	2011
Sheet Metal Contractor	\$35.00	2011
Sign Contractor	\$35.00	2002 or prior
Taxicab	\$35.00	2011
Tile Setter/Dealer	\$35.00	2011
<i>Building Plan Review</i>		
Up to 5,000 sq ft	\$140.00	2010
5,001 to 10,000 sq ft	\$280.00	2010
10,001 to 15,000 sq ft	\$420.00	2010
15,001 to 25,000 sq ft	\$560.00	2010
25,001 to 40,000 sq ft	\$840.00	2010
Greater than 40,000 sq ft	\$980.00	2010
Re-Review Fee (applies after first re-review)	1/2 of original fee	2010
For Projects up to 5,000 sq ft only		
Electrical Plan Review Only	\$70.00	2011
Mechanical Plan Review Only	\$70.00	2011
Plumbing Plan Review Only	\$70.00	2011
Other Project Plan Reviews:		
Cell Tower	\$70.00	2011
Small & Minor Project	\$70.00	2011
Pole Sign	\$25.00	2011
Retaining wall (engineered)	\$70.00	2011
<i>Building Permits</i>		
Residential or Commercial New Construction or Additions	\$0.30 per sq. ft.	2012
Major Renovations or Upfits of Existing Structures		
Extensive reconstruction involving 50% or more of existing square footage on one or more floors	60% of building permit fee	2012
Minor Renovations or Upfits of Existing Structures		
Small and medium reconstruction involving less than 50% of existing square footage on one or more floors	40% of building permit fee	2012
Interior or Exterior Construction or Renovation Projects without Square Footage Basis (e.g. roofing, doors, fences, pools, cell towers, billboards, etc.)		
Construction Cost : \$0.00-1,000.00	\$21.75	2012
Construction Cost : \$1,001-2,500	\$43.50	2012
Construction Cost : \$2,501-5,000	\$54.25	2012
Construction Cost : \$5,001-10,000	\$65.25	2012
Construction Cost : \$10,001-15,000	\$81.50	2012
Construction Cost : \$15,001-20,000	\$97.75	2012
Construction Cost : \$20,001-25,000	\$130.25	2012
Construction Cost : \$25,001-30,000	\$130.25	2012
Construction Cost : \$30,001-35,000	\$146.50	2012
Construction Cost : \$35,001-40,000	\$163.00	2012
Construction Cost : \$40,001-45,000	\$179.25	2012
Construction Cost : \$45,001-50,000	\$195.50	2012
Construction Cost : \$50,001-60,000	\$210.00	2012
Construction Cost : \$60,001-70,000	\$224.50	2012
Construction Cost : \$70,001-80,000	\$239.00	2012

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Construction Cost : \$80,001-90,000	\$253.50	2012
Construction Cost : 90,001 - 100,000	\$268.00	2012
Construction Cost: 100,001 - 400,000	\$341 for the first \$100,000 plus \$2.79 for each additional \$1,000 or fraction thereof	2012
Construction Cost: 400,001 - 900,000	\$1,283 for the first \$400,000 plus \$2.79 for each additional \$1,000 or fraction thereof	2012
Construction Cost: 900,001 and above	\$2,767 for the first \$900,000 plus \$2.79 for each additional \$1,000 or fraction thereof	2012
 <i>Electrical Permits</i>		
Residential or Commercial New Construction or Additions	\$0.08 per sq. ft.	2012
Major Renovations or Upfits of Existing Structures		
Extensive reconstruction involving 50% or more of existing square footage on one or more floors	60% of fee for new construction of additions	2012
Minor Renovations or Upfits of Existing Structures		
Small and medium reconstruction involving less than 50% of existing square footage on one or more floors	40% of fee for new construction of additions	2012
Permit associated with Alteration, Replacement, Modification, etc.		
Residential thru 200A	\$21.00	2008
Residential over 200A	\$26.25	2008
Commercial thru 800A	\$52.50	2008
Commercial over 800A	\$78.75	2008
Separately Derived Systems	\$31.50	2008
Mobile Home Services or Feeders	\$26.25	2008
New or Replacement Pedestal	\$26.25	2008
Outlet Installation	\$0.42 per outlet	2008
Temporary Pole	\$26.25	2008
Furnace, Condensing Units, Air Handlers, Baseboard, Unit Heater, etc.	\$12.60	2008
Appliances	\$8.40	2008
Motor (1HP-5HP)	\$8.40	2008
Motor (5HP-25HP)	\$10.50	2008
Motor (25HP-50HP)	\$12.60	2008
Motor (50 or more HP)	\$21.00	2008
Commercial Motor Control Units thru 800A	\$42.00	2008
Commercial Motor Control Units over 800A	\$63.00	2008
Electric Sign Connection	\$26.25	2008
Electric Sign (circuit only)	\$6.30	2008
Fire Alarm System (low voltage)	\$31.50	2008
Other Low Voltage Systems	\$31.50	2008
Gasoline/LP Dispenser	\$12.60	2008
Inspection for Power Reconnection (When disconnected in excess of 6 months)	\$21.00	2008
Outside Commercial Pole Lights	\$4.20 each	2008
Swimming Pool Bonding and Grounding	\$21.00	2008
Swimming Pool Equipment (motors, heaters, covers)	\$8.40	2008
Minimum Fee	\$21.00	2008

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Mechanical Permits</i>		
Residential or Commercial New Construction or Additions	\$0.08 per sq. ft.	2012
Major Renovations or Upfits of Existing Structures Extensive reconstruction involving 50% or more of existing square footage on one or more floors	60% of fee for new construction of additions	2012
Minor Renovations or Upfits of Existing Structures Small and medium reconstruction involving less than 50% of existing square footage on one or more floors	40% of fee for new construction of additions	2012
Permit associated with Alteration, Replacement, Modification, etc. Residential Heat or AC	\$47.25 for the first unit, \$26.25 for each additional unit plus total BTU listing multiplied by .0001	2008
Commercial Heat or AC	\$52.50 for the first unit, \$36.75 for each additional unit plus total BTU listing multiplied by .0002	2008
Commercial Hood/Canopy over Cooking Equipment	\$52.50	2008
Floor Furnaces, Unit Heaters, etc.	\$26.25	2008
Commercial Refrigeration	\$52.50 for the first unit, \$36.75 for each additional unit plus total BTU listing multiplied by .0002	2008
Gas Piping	\$21.00	2008
Each Additional Unit	\$5.25	2008
Each LP Tank and Piping	\$21.00	2008
Duct Extensions and Alterations	\$21.00	2008
Commercial Exhaust and Duct System	\$5.25	2008
Minimum Fee	\$21.00	2008
<i>Plumbing Permits</i>		
Residential or Commercial New Construction or Additions	\$0.06 per sq. ft.	2012
Major Renovations or Upfits of Existing Structures Extensive reconstruction involving 50% or more of existing square footage on one or more floors	60% of fee for new construction of additions	2012
Minor Renovations or Upfits of Existing Structures Small and medium reconstruction involving less than 50% of existing square footage on one or more floors	40% of fee for new construction of additions	2012
Permit associated with Alteration, Replacement, Modification, etc. Trapped Fixtures, Water Heaters, etc.	\$6.30	2008
Sewer Connection	\$21.00 each building sewer or sewer tap	2008
Water Piping	\$21.00 each water service line, irrigation, and fire sprinkler main	2008
Minimum Fee	\$21.00	2008
<i>Miscellaneous Inspections and Fees</i>		
Demolition Permit	Same fee structure as Building Permits	2008

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Asbestos Removal	Same fee structure as Building Permits	2008
Sign Placement	Same fee structure as Building Permits with minimum fee of \$50.00	2013
Insulation Permit Residential & Commercial	\$0.03 per sq ft	2011
Flood Plain and Zoning Inspections	\$26.25	2008
Mobile Home Placements	\$52.50	2008
Processing Fee for Permit Fee Refunds	\$21.00	2008
Extra Inspections for Each Applicable Permit	\$100 or original permit fee, whichever is lower, for the first extra inspection, \$200 for subsequent extra inspections	2012
Contractor Change on Permitted Project	\$25.00	2012
Certificate of Compliance / Occupancy Inspection for Existing Building	\$100.00	2011
Work Without a Required Permit	4 times all applicable permit fees	2011
<i>Homeowner Recovery Fee</i>	\$10.00	2003
<i>Watershed Protection Inspection Fee and Permit</i>		
Inspection Fee for Required Improvement	\$20.00 per inspection	1996
Low Density Development Permit	\$20.00 per project	1996
High Density Development Permits CD, AR, SF15, SF10, SF6, MR5, MH	\$130 (less than 5 acres), \$260 (5 to 50 acres), \$300 (50 to 100 acres), \$400 (more than 100 acres)	2012
O&I, NC, LC, CC, MU, BP, DT, LI, HI, PD	\$260 (less than 5 acres), \$260 (5 to 50 acres), \$300 (50 to 100 acres), \$400 (more than 100 acres)	2012
<u>Code Enforcement Fees:</u>		
<i>Administrative Fee (Abatement Actions)</i>	\$100.00	2008
<i>Citations</i>		
Abandoned Vehicle Violation	\$250.00 per day	2002 or prior
Advertising Violation	\$500.00 per day	2002 or prior
Animal and Fowl Violation	\$100, \$200, or \$300 per day	2002 or prior
Landscape Standard Violation	\$50.00 per day	2002 or prior
Salvage and Junkyard pursuant to Section 30-4-C5e(6)	\$500.00 per day	2011
Solid Waste Violation (Trash or overgrown lot)	\$100.00 per day	1995
Substandard Housing Violation	\$50.00 per day	2002 or prior
Taxicab Violation	\$250.00 per day	2002 or prior
Trailer/Mobile Home Violation	\$50.00 per day	2002 or prior

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Water Supply Violation	\$500.00 per day	2002 or prior
Zoning Violation	\$100.00 per day	2002 or prior
<i>Daycare Inspections</i>	\$105.00	2008
<i>Graffiti Removal Fee</i>	\$100.00	2012
<i>Lot Cleaning</i>	Based on contract	2002
<i>Rental Action Management Program (RAMP)</i>		
Registration Fee	\$1,000	2012
Civil Penalty for Failure to Comply with RAMP Provisions	\$50 per day for the first 30 days, \$100 per day for the next 30 days, and \$500 per day for each subsequent day	2012
<i>Taxicab Permits</i>		
Taxi Driver Permit Application Fee	\$10.00	
Taxi Driver Permit (new, renewal or expired)	\$15.00	2002
Lost Drivers Permit	\$15.00	2002
Change of Company	\$15.00	2002
Change of Address	\$5.00	2002
Change of Vehicle	\$5.00	2002
Franchise Application	\$25.00	2002
Annual Franchise Fee	\$15.00 per vehicle	2002
Quarterly Inspection	\$50.00 per vehicle	2002
Sign Fee (advertising other than taxicab business)	\$10.00 per sign	2002
<i>Yard Sale Permits</i>	\$10.00	2006
<u>Planning & Zoning Permits and Fees:</u>		
<i>Administrative Adjustment Fee</i>	\$26.25	2011
<i>Appeal Fee</i>	\$500.00	2011
<i>Board of Adjustment Hearing Fee</i>	\$500.00	2007
<i>Clear Cutting Permit</i>		
Without Site or Subdivision Plan Review	\$26.25 for first three acres plus \$10 for each additional acre or part thereof	2011
With Site or Subdivision Plan Review	No additional fee	2011
<i>Development Agreement (UDO)</i>	\$2,500.00	2011
<i>Payment in Lieu of Park Land</i>		
Formerly Open Space Fee. Land value factor calculated in accordance with UDO section 30-9.D.	\$11,426 per acre	2013
<i>Payment in lieu of Sidewalk Construction</i>	\$29.54 per linear foot for 4' wide sidewalk*	2013
Price per foot to be adjusted each Jan 1st based on Construction Cost Index. (2013 adjustment 2.32%)	\$34.27 per linear foot for 5' wide sidewalk	2013
	\$38.98 per linear foot for 6' wide sidewalk*	2013

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Payment in Lieu of Tree Save Area</i>		
Land value factor calculated in accordance with UDO section 30-9.D.	\$11,426 per acre	2013
<i>Rezoning Fees</i>		
Conditional Zoning	\$700.00 plus site plan review fee	2008
Planned Development	\$700.00 plus site plan review fee	2010
<i>Signage Plan Review</i>		
	\$500.00	2012
<i>Site Plan Review</i>		
Non-Residential	\$500.00 plus \$20.00 per 1,000 sq ft of building	2010
Residential	\$500.00 plus \$20.00 per unit or lot	2010
Revisions or rereviews beyond first review	1/2 of original fee	2010
<i>Special Event Signs Compliance Deposit</i>		
Returned if all signs are properly placed and removed within two days of close of event	\$10 per approved sign	2011
<i>Special Use Permit</i>		
Residential, Professional, Commercial and Industrial	\$700.00 plus site plan review fee	2010
Cell Tower	\$2,500.00	2011
<i>Specimen Tree Inspection</i>		
	\$50 per acre	2012
<i>Subdivision Fee</i>		
Subdivision Reviews	\$400.00 plus \$20.00 per lot	2010
Revisions or rereviews beyond first review	1/2 of original fee	2010
Final Plats	\$50.00	2007
Expedited Review of subdivision or site plans	\$1,500 per hour	2011
<i>Subdivision Waiver</i>		
	\$700.00	2011
<i>Tax Grantback Application Fee</i>		
	\$250.00	2010
<i>Temporary Use Permit</i>		
	\$25.00	2012
<i>Vested Rights Certificate</i>		
No additional fee if requested with site plan or subdivision approval	\$100.00	2011
<i>Zoning Code Text Amendment</i>		
	\$500.00	2012
<i>Zoning Permits</i>		
Pushcarts (Downtown Core Only)	\$26.25 per year	2011
Outdoor Dining and Merchandising (Downtown Core Only)	\$26.25 per year	2011
Sidewalk Entertainment (Downtown Core Only)	\$26.25 per year	2011
Delivery Services (Downtown Core Only)	\$26.25 per year	2011
<i>Zoning and Subdivision Ordinance Book Fee</i>		
	Cost of reproduction	2010
<i>Zoning Verification Letter</i>		
	\$26.25	2011
Engineering & Infrastructure		
<i>Map Sales</i>		
Aerial Photographs Prints (8 1/2" x 11")	\$10.00	2010

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Prints (8 1/2" x 14")	\$12.00	2010
Prints (11" x 17")	\$15.00	2010
Prints (18" x 24")	\$20.00	2010
Prints (24" x 36")	\$30.00	2010
Prints (36" x 48")	\$50.00	2010
District Map	\$15.00	2010
Large City Map with street index booklet	\$35.00	2008
Medium City Map	\$25.00	2010
Precinct Map	\$15.00	2010
Topographic Map	\$15.00	2008
<i>Copy Sales</i>		
Prints (11" x 17")	\$2.00	2010
Prints (8½" x 11")	\$1.00	2010
Prints (8½" x 14")	\$2.00	2010
Prints (18" x 24")	\$5.00	2010
Prints (24" x 36")	\$6.00	2010
Prints (36" x 48")	\$7.00	2010
<i>Development Plan Reviews/Infrastructure Permits</i>		
Commercial Developments, one acre or less	\$200.00	2010
Commercial Developments, between one and ten acres	\$350.00	2010
Commercial Developments, in excess of ten acres	\$650.00	2010
Residential Subdivisions, 50 lots or less	\$350.00	2010
Residential Subdivisions, 51 to 100 lots	\$500.00	2010
Residential Subdivisions, in excess of 100 lots	\$650.00	2010
Resubmittal Fee, commercial or residential, per submittal	\$150.00	2010
<i>Driveway Permits</i>		
Driveway Permit (Commercial) ≤ 75,000 sq. ft.	\$200.00 plus \$50.00 per hour for traffic impact analysis and traffic signal modifications as applicable	2010
Driveway Permit (Commercial) > 75,000 sq. ft.	\$400.00 plus \$50.00 per hour for traffic impact analysis and traffic signal modifications as applicable	2010
Driveway Permit (Residential)	\$50.00	2004
<i>Infrastructure Inspection Fees</i>		
Roadway Inspection Fee	\$0.50 per linear ft.	2010
Storm Drainage Pipe Inspection	\$0.30 per linear ft.	2010
<i>Drainage Excavation Permit</i>	\$100.00	2008
<i>Utility Excavation Permit</i>	\$100.00	2013
<i>Resurfacing Permit</i>	\$30.00	
<i>Sidewalk Permit</i>	\$30.00	
<i>House Moving Fee</i>	\$1,500 Bond, \$25 administrative fee, \$25 per hour police escort fee and \$37 per hour signal technician fee	1987
<i>Degradation Fee</i>	\$12 per sq. yd. of encroachment	2013
<i>Right of Way Registration Fee</i>	\$200.00	2002 or prior

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Street Closing Fee</i>	\$1,500.00	2011
<i>Street Right of Way Withdrawal</i>	\$500.00	2011
<i>Street Paving Assessments</i>		
To improve a soil street to a strip paved street	\$10.00 per front foot	2007
To install concrete curb and gutter on a strip paved street	\$15.00 per front foot	2007
To pave and install concrete curb and gutter on a soil street	\$25.00 per front foot	2007
<i>Petitioned Sidewalk Assessment</i>	\$10.00 per front foot	
<i>Temporary Right of Way Encroachment Fee</i>		
30 day permit for items (construction dumpsters, etc) placed on sidewalks	\$50.00 per 30 days	2008
Temporary Truck Route Permit	\$75.00	2011
Environmental Services		
<i>Residential Solid Waste Fee</i>		
Single-family homes and residential units in multi-family properties of 7 units or less	\$38.00 per year	2009
<i>Administrative Fee</i> (Abatement Actions)	\$100.00	2008
<i>Backdoor Pickup Fee</i>		
Handicap Backdoor Pickup	Free	2002 or prior
<i>Bulky Item or Limb Debris Pickup</i>		
Full truckload pickups (approx. 20 cubic yards)	\$357.00 per truckload	2007
Less than full truck load pickups	No Charge	2012
<i>Household Construction Debris Pickup</i>		
Generated by Contractor	Not offered	
Resulting from homeowner renovations	\$50.00	2011
<i>Loose Leaf Pickup</i>		
Collection during scheduled neighborhood loose leaf collection	No Charge	
Collection outside of scheduled neighborhood loose leaf collection		
Collection of 25 cubic yards or less	\$75.00	2012
Collection of more than 25 cubic yards	\$250.00	2012
<i>Set-Out Pickup</i>		
For curbside pick up of mixed refuse or furniture, usually resulting from vacating a residence	\$100.00	2011
<i>Rollout Carts</i>		
Cart Purchase	Variable based upon actual City purchase price	2007
Optional Recycling Cart Exchange- Small for Large	\$20.00	2013
Delivery Fee	\$11.50	2013
<i>Solid Waste Fines</i>		
Failure to remove container from curb	First violation, written warning; second and subsequent violations, \$100.00	

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Finance		
<i>Privilege Licenses</i>		
Standard Rate	\$50 plus \$0.10 per \$1,000 of gross receipts over \$500,000 and equal to or less than \$1,000,000, and \$0.20 per \$1,000 of gross receipts over \$1,000,000 and equal to or less than \$5,000,000, and \$0.30 per \$1,000 of gross receipts over \$5,000,000	2000
Nonstandard Rates:		
Amusement (Rides, courses, etc.)	\$25.00	Set by State
Amusement (Circuses, etc.)	\$25.00 per day	Set by State
Amusement (Movie Theatres)	\$200.00 per screen	Set by State
Amusement (Outdoor Movie Theatres)	\$100.00 per screen	Set by State
Automobile Dealers	\$25.00	Set by State
Automobile Accessories (Wholesale)	\$37.50	Set by State
Bankrupt or Fire Sales	\$100 for the week, \$10 each succeeding day	prior to 2000
Barber/Beauty Shops	\$2.50 each operator	Set by State
Beer Dealers (Wholesale)	\$37.50	Set by State
Wine Dealers (Wholesale)	\$37.50	Set by State
Beer and Wine Dealers (Wholesale)	\$62.50	Set by State
Beer Dealers (Retail, on premises)	\$15.00	Set by State
Beer Dealers (Retail, off premises)	\$5.00	Set by State
Wine Dealers (Retail, on premises)	\$15.00	Set by State
Wine Dealers (Retail, off premises)	\$10.00	Set by State
Bicycle Sales, Supplies or Accessories	\$25.00	Set by State
Billiard and Pool Tables	\$25.00 per location	Set by State
Boarding House	\$25.00 minimum, \$1 per room	prior to 2000
Bowling Alley	\$10.00 each alley	Set by State
Branch or Chain Stores	\$50.00	Set by State
Campgrounds and Trailer Parks	\$12.50	Set by State
Catering Trucks (Includes pushcarts not in downtown core)	\$50.00 per truck	2000
Collecting Agencies	\$50.00	Set by State
Dancing Schools (Less than 3 instructors)	\$10.00	2000
Dancing Schools (More than 3 instructors)	\$50.00	2000
Delivery Services via Scooter, Bicycle, Skate or Skateboard (Downtown Core Only)	\$25.00	2007
Dry Cleaners	\$50.00	Set by State
Electric Power Companies	\$2,000.00	2000
Electronic Video Games	\$5.00 per machine	Set by State
Elevators and Automatic Sprinkler Systems	\$100.00	Set by State
Employment Agencies	\$100.00	Set by State
Escort or Dating Service	\$100.00	Prior to 2000
Firearms Dealers (Guns)	\$50.00	Set by State
Firearms Dealers (Bowie Knives, daggers, etc.)	\$200.00	Set by State
Fortune Tellers, Palmists, etc.	\$1,000.00	Prior to 2000
Frozen Meat Trucks	\$25.00	Set by State
Funeral Homes	\$50.00	Set by State
Gas Manufacturer and Distributors	\$1,000.00	2000
Gasoline, Oil, etc (Wholesale for Domestic Use)	\$50.00	Set by State
Hotels, Motels, etc.	\$25.00 minimum, \$1.00 per room	Set by State
Ice Cream (Manufacturing or Wholesale)	\$12.50 minimum per freezer	Set by State

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Ice Cream (Retail or Distributor)	\$2.50	Set by State
Laundries	\$50.00	Set by State
Laundries (Persons soliciting business to be performed outside of city)	\$12.50	Set by State
Linen Supply Companies	\$50.00	Set by State
Loan Agencies or Brokers	\$100.00	Set by State
Manufacturers (Bagging, burlap, etc.)	\$25.00	Prior to 2000
Manufacturers (Candy)	\$25.00	Prior to 2000
Manufacturers (Medicine)	\$50.00	Prior to 2000
Manufacturers (Mattresses with 5 or less employees)	\$25.00	Prior to 2000
Manufacturers (Mattresses with 5 or more employees)	\$50.00	Prior to 2000
Manufacturers (Welding Machines)	\$25.00	Prior to 2000
Manufacturers (Window Shades)	\$25.00	Prior to 2000
Manufacturers (Miscellaneous, 5 or less employees)	\$25.00	Prior to 2000
Manufacturers (Miscellaneous, 5 or more employees)	\$50.00	Prior to 2000
Miscellaneous	\$150.00 (1-5 employees), \$300.00 (6-10 employees), \$450.00 (11-15 employees), \$600.00 (16-20 employees), \$750.00 (21-25 employees), \$900.00 (26-30 employees), \$1050.00 (31-35 employees), \$1200.00 (36 or more employees)	2000
Mobile Home Sales	\$25.00	Set by State
Motor Vehicle License Tax (See additional motor vehicle license tax with Transit fees)	\$5.00	Set by State
Motor Vehicle License Penalty for Failure to Pay Tax	\$15.00	
Motorcycle Dealers	\$12.50	Set by State
Music Machines	\$5.00 per machine	Set by State
Packing Houses	\$100.00	Set by State
Pawnbrokers	\$275.00	Set by State
Outdoor Seasonal Sales	\$100.00 per 30 consecutive day period	2008
Peddlers (Farm products)	\$25.00	Set by State
Peddlers on Foot	\$10.00	Set by State
Peddler with Vehicle	\$25.00	Set by State
Piano and Organ Sale, Repair, Maintenance	\$5.00	Set by State
Precious Metal Dealer	\$25.00, plus \$10.00 regulatory fee	prior to 2000
Pushcarts - Downtown Core (See Catering Trucks for Pushcarts outside of downtown core)	\$150.00	2005
Radio and TV Retail, Repair, Accessories	\$5.00	Set by State
Regulatory Fee (Precious Metal Dealer)	\$10.00	prior to 2000
Restaurants (Seating for fewer than 5)	\$25.00	Set by State
Restaurants (Seating for 5 or more)	\$42.50	Set by State
Security Dealers/Brokers	\$50.00	Set by State
Service Station	\$12.50	Set by State
Special Events License	\$10.00 per vendor	prior to 2001
Specialty Market Operator	\$200.00	Set by State
Specialty Market Vendor	\$10.00 per 30 consecutive day period	2008
Sundries	\$4.00	Set by State
Tattooing	\$1,000.00	prior to 2000
Telegraph Companies	\$50.00	Set by State
Tobacco Warehouses	\$50.00	Set by State
Topless/Adult Live Entertainment	\$100.00	prior to 2000

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Trailer Dealer	\$25.00	Set by State
Undertaker/Coffin Retailer	\$50.00	Set by State
Visual Shows	\$25.00 per machine	1984
Video Stores	\$25.00	Set by State
Duplicate Copy (Lost or Stolen License)	\$5.00	N/A
Replacement License due to Change of Location	\$5.00	N/A
<i>Solicitor Permit</i>		
Application Fee	\$25.00	2004
Three-Month Renewal	\$5.00	2004
<i>Regulatory License</i>		
Adult Bookstore, Adult Motion Picture Theater, Adult Motel or Hotel	\$250.00 initial application, \$100.00 annual renewal	N/A
Fire & Emergency Management		
<i>False Alarms</i>		
	No charge for the 1st and 2nd false alarm, \$500.00 for each subsequent false alarm per calendar year	2010
<i>Fines</i>		
Exit Violation	\$500.00 for the first offense, \$1,000 for each subsequent offense in the period of a year	1995
Code Violation	\$100.00 for the first offense, \$250.00 for the second offense, \$500.00 for each subsequent offense in the period of a year	1995
Over-occupancy Violation	\$100.00 per person over the posted number allowed	2010
Occupying a building without a Certificate of Occupancy	\$500.00 per offense	2010
Installation of life safety equipment or underground tank piping without proper plan review and/or testing	\$500.00 per offense	2010
<i>Fire Inspection Fees</i>		
<u>Annual Inspections:</u>		
Assembly (A-1, A-2, A-3, A-4, A-5)	Up to 2,500 sq. ft. \$75	2008
	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008
Factory/Industrial:	Up to 2,500 sq. ft. \$75	2008
	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Educational:		
Day Cares (Not in residential home)	Up to 2,500 sq. ft. \$75	2008
Public and Private Schools (Inspected every 6 months)	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008
Hazardous:		
	Up to 2,500 sq. ft. \$75	2008
	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008
Institutional:		
Nursing Home, Hospital, Mental Health Facility, Jail or Detox Center	Up to 2,500 sq. ft. \$75	2008
	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008
High-Rise		
	Up to 2,500 sq. ft. \$75	2008
	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008
Residential:		
Group home	\$75 per visit	2008
Day Care (in a residence)	\$75 per visit	2008
Apartments, Hotels, Dorms	1-10 units \$75	2008
	11-20 units \$100	2008
	21-40 units \$125	2008
	41-100 units \$150	2008
	101-200 units \$200	2008
	201-300 units \$250	2008
	301-400 units \$300	2008
	401-500 units \$350	2008
Over 500 units \$400	2008	
<u>3-Year Inspection Fee:</u>		
Business, Mercantile, Storage, Church/Synagogue, Miscellaneous (Group U)	Up to 2,500 sq. ft. \$75	2008
	2,501 - 10,000 sq. ft. \$100	2008
	10,001 - 50,000 sq. ft. \$150	2008
	50,001 - 100,000 sq. ft. \$200	2008
	100,001 - 150,000 sq. ft. \$250	2008
	150,001 - 200,000 sq. ft. \$300	2008
	Over 200,000 sq. ft. \$350	2008

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<u>Permits:</u>		
Permits and Final Inspections		
Fire Sprinkler System, up to 14 sprinkler heads	\$75 plus tap connection fee	2012
Each additional sprinkler head	\$1.05	2012
Tap Connection	\$21	2012
Flammable or Combustible Liquid Tank (Installation or Removal)	\$125	2012
Hood Suppression System	\$125	2012
Paint Booth	\$125	2012
Private Fire Hydrants/Valves	\$125	2012
Fire Alarms	\$125	2012
Standpipes	\$125	2012
Fireworks/Explosives Permit	\$250.00 per event	2004
Tent Permit	\$75 per visit	2008
<u>Additional Inspections:</u>		
Reinspection Fee	\$50 per visit	2004
A.L.E.	\$75 per visit	2008
Amusement Buildings	\$75 per visit	2008
Carnival and Fair	\$75 per visit	2008
Circus Tent	\$250.00	2004
Courtesy/Requested Inspections	\$75 per visit	2008
Covered Mall Building Displays	\$75 per visit	2008
Additional Equipment Testing (alarm, sprinkler, hood suppression and flammable or combustible liquid systems and paint booths)	\$75.00 per visit plus \$50.00 per additional hour for weekend or after hours request	2012
Exhibits/Trade Show	\$75 per visit	2008
Foster Home	\$75 per visit	2008
LP or gas equip. in assemble	\$75 per visit	2008
Training Facility Fees		
ARFF - One-Day Training	\$250.00 per person	2010
ARFF - Three-Day Training	\$425.00 per person	2010
ARFF - Five-Day Training	\$550.00 per person	2011
Refueling Course	\$65.00 per person	1993
Industry	\$175.00 per burn	2010
Drill Tower Usage	\$ 200.00 per day	2011
with live burn	\$ 200.00 per burn	2011
Classroom use	\$ 50.00 per 4 hours	2011
Confined Space Training Area	\$ 100.00 per day	2011
Service Test Pit Area	\$ 100.00 per unit	2011
Engine	\$ 200.00 per day	2011
Miscellaneous Equipment use	\$50.00 per day	2011
Hazardous Material Protection Fee		
Haz-Mat Unit Response	\$555.00 per hour	2010
Haz-Mat Battalion Commander Response	\$60.00 per hour	2010
Engine Company Response	\$205.00 per hour	2010
Truck Company Response	\$205.00 per hour	2010
Rescue Company	\$175.00 per hour	2010
Fire Suppression Battalion Commander Response	\$60.00 per hour	2010
Material, Equipment, and Long Distance	Replacement Cost	1992
Recalled Personnel	Time and half of the hourly salary of recalled personnel	1992
Air Monitoring	\$170.00	2010

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Environmental Research Immediate Area - 1 year	\$20.00	2010
Environmental Research Immediate Area - 5 year	\$115.00	2010
Environmental Research Half Mile Radius - 1 year	\$60.00	2010
Environmental Research Half Mile Radius - 5 year	\$190.00	2010
Environmental Research One Mile Radius - 1 year	\$80.00	2010
Environmental Research One Mile Radius - 5 year	\$230.00	2010
Parking		
<i>Parking Fines</i>		
Amtrak Lot Violation	\$10.00	2007
Backed to Curb Violation	\$10.00	2007
City Hall Lot Violation	\$10.00	2007
Curb to Sidewalk Violation	\$25.00	1986 or prior
Fire Hydrant Violation	\$25.00	1986 or prior
Fire Lane Violation	\$100.00	1986 or prior
Handicapped Violation	\$250.00	2000
Judgment Fees	\$50.00	2002 or prior
Late Payment Penalty	\$25.00	1999
Left to Curb Violation	\$25.00	1986 or prior
Loading Zone Violation	\$25.00	1986 or prior
No Parking Zone Violation	\$25.00	1986 or prior
Overtime Violation (Lots)	\$15.00	2013
Overtime Violation (Street)	\$15.00	2013
Prohibited Parking Violation	\$25.00	1986 or prior
Repeat Overtime Violation	\$10.00	2013
Traffic Obstruction Violation	\$25.00	1986 or prior
Within Lines Violation	\$15.00	2013
Electric Vehicle Only Violation	\$50.00	2013
<i>Immobilization Fee</i>		
Fee per wheel lock removal, in addition to outstanding parking tickets and penalties	\$50.00	2009
<i>Leased Parking Spaces</i>		
Franklin Common Parking Lot	\$50.00 per month	2007
All Other Lots	\$50.00 per month	2011
Late Payment Penalty	\$10 penalty for lease payments received after the 5th of the month	2013
<i>Hourly Paid Parking</i>		
Franklin Common Parking Lot	\$1.00 per hour, or \$5.00 per day	2013
All Other Lots (where applicable)	\$0.50 per hour, or \$4.00 per day	2009
On Street (where applicable)	\$0.75 per hour	2009
<i>Contractor Parking Permit</i>	\$10.00 per day, or \$30.00 per week	2013
<i>Annual Contractor Parking Permit</i>	\$1,000.00 per year	2010
<i>Residential Parking Permit</i>	\$100.00 per year	2010

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Parks, Recreation & Maintenance		
<i>Special Event Permits</i>		
Special Event Permits for Mazarick Building, Cross Creek Park Fountain, Mazarick Park Shelters, Core Downtown Area, Festival Park	Up to 500 attendees: \$75 with \$100 deposit; 501-2,500 attendees: \$150 with \$200 deposit; 2,501-5,000 attendees: \$300 with \$500 deposit; 5,001-10,000 attendees: \$500 with \$750 deposit; Over 10,000 attendees: \$750 with \$1,000 deposit	2013
Expedited Special Event Permit		
Request submitted less than 30 days in advance of event but permit application review possible at a scheduled Special Events Committee meeting	\$250 in addition to permit fee and deposit	2013
Request submitted less than 30 days in advance of event and special meeting of Special Events Committee required to review permit application.	\$500 in addition to permit fee and deposit	2013
<i>Recreation Center Rentals</i>		
Program Room Rental (nonprofit organizations)	\$200 deposit & \$65.00 for 1 to 4 hours, plus \$25.00 each additional hour up to 8 hours maximum	2007
Multipurpose Room Rental (nonprofit organizations)	\$200 deposit & \$130.00 for 1 to 4 hours, plus \$25.00 each additional hour up to 8 hour maximum	2007
Gym Rental (nonprofit organizations)	\$200 deposit & \$200.00 up to 4 hours, \$50.00 each additional hour; if event requires floor covering \$300 up to 4 hours, \$50 each additional hour	1999
Kitchen Rental (non-profit organizations)	\$200 deposit & \$50.00 up to 4 hrs plus \$25.00 each additional hr up to 8 hrs maximum	1999 or prior
After-Hour Fee (non-profit organizations)	\$25.00 additional per hour for rentals after center closings	2007
Sunday or Legal Holiday use (nonprofit organizations)	\$100.00 for 1 to 4 hours maximum plus deposit and rental fee	2007
Program Room Rental (for profit organizations)	\$200 deposit & \$130 per hour for 1 to 4 hours, plus \$50 each additional hour up to 8 hours maximum	2007
Multipurpose Room Rental (for profit organizations)	\$200 deposit & \$260.00 for 1 to 4 hours, plus \$50.00 each additional hour up to 8 hour maximum	2007

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Gym Rental (for profit organizations)	\$200 deposit & \$400.00 up to 4 hours, \$100.00 each additional hour. If event requires floor covering \$600 up to 4 hours, \$100 each additional hour	2007
Kitchen Rental (for profit organizations)	\$200 deposit & \$100.00 up to 4 hrs plus \$50.00 each additional hr up to 8 hrs maximum	2007
After-Hour Fee (for profit organizations)	\$50.00 additional per hour for rentals after center closings	2010
Sunday or Legal Holiday use (for profit organizations)	\$200.00 for 1 to 4 hours maximum plus deposit and rental fee	2007
Custodial Setup/Breakdown/Clean-Up	\$25.00 per hour	1999
Expedited Rental Fee	\$100 per rental for any facility rental contract executed within 48 hours of the event	2011
<i>Park Rental Fees</i>		
Ball Field Rental	\$250.00 deposit plus \$175.00 per day or \$250.00 deposit plus \$35.00 up to four hours, \$50.00 over four hours	1999
Basketball Court (Outdoor)	\$100 deposit plus \$35.00 (up to four hours); \$50.00 (over four hours)	2010
Cross Creek Park Rental	\$100.00 (1-4 hours), \$25.00 each additional hour	1999
Festival Park		
Category 1 - Dogwood Festival, International Folk Festival, 2 uses per year (1 per six months) by Cumberland County Schools, 4 uses per year (1 per 3 months) by Art Agencies as coordinated through Arts Council Executive Director	Free	2007
Category 2 - Non-profit event sponsored by a 501(c) organization	\$250 deposit plus \$500 per calendar day	2007
Category 3 - Community event open to the public when no admission is charged, sponsored by any entity other than a non-profit	\$375 deposit plus \$750 per calendar day	2007
Category 4 - Commercial ticketed events - concerts, paid admission shows	\$500 deposit plus \$1,000 per calendar day plus 15% of gross ticket sales, unless event is being sponsored as a part of Category 1 event	2007
Category 5 - Park rental open to the public (eg. Family reunions, weddings, company picnics, etc.)	\$125 deposit plus \$250 per calendar day	2007
Sunday or Legal Holiday use	\$150 plus deposit and rental fee	2007

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
Lamon Street Park Complex	\$500.00 per day plus \$250.00 deposit	2007
Martin Luther King Park	\$40.00 (1-4 hours), \$70.00 over four hours	1999
Mazarick Building	\$65.00 (1-4 hours), 25.00 each additional hour plus \$200.00 deposit	2011
North Carolina Veterans Park Visitors' Center and Outdoor Garden	\$725.00 (1-4 hours), \$100.00 each additional hour plus \$700.00 deposit	2011
North Carolina Veterans Park Amphitheater		
Category 1 - Non-profit event sponsored by a 501(c) organization	\$250 deposit plus \$500 per calendar day	2011
Category 2 - Community event open to the public when no admission is charged, sponsored by any entity other than a non-profit	\$375 deposit plus \$750 per calendar day	2011
Category 3 - Commercial ticketed events - concerts, paid admission shows	\$500 deposit plus \$1,000 per calendar day plus 15% of gross ticket sales	2011
Category 4 - Park rental open to the public (eg. Family reunions, weddings, company picnics, etc.)	\$125 deposit plus \$250 per calendar day	2011
Sunday or Legal Holiday use	\$150 plus deposit and rental fee	2011
Reid Ross Track	\$500.00 per day plus \$250 deposit	2007
Shelter - Small	\$40.00 (1-4 hours), \$70.00 over four hours	2008
Shelter - Large	\$60.00 (1-4 hours), \$110.00 over four hours	2008
Tokay Park Complex	\$500.00 per day plus \$250.00 deposit	2010
Boating	\$2.00 per hour, \$5.00 per half day, \$10.00 per day	1998
Camping Fees (organized groups)	\$1.00 per person per night, \$25.00 minimum	1995 or prior
Family Campsite	\$10.00 per night	1995 or prior
Mobile Stage - Large (nonprofit organizations)	\$500.00 per calendar day, plus \$500.00 deposit	2008
Mobile Stage - Small (nonprofit organizations)	\$400.00 per calendar day, plus \$500.00 deposit	2008
Mobile Bleachers (nonprofit organizations)	\$400.00 per calendar day, plus \$500.00 deposit	2007
Mobile Stage - Large (for profit organizations)	\$1,000.00 per calendar day, plus \$500.00 deposit	2008
Mobile Stage - Small (for profit organizations)	\$800.00 per calendar day, plus \$500.00 deposit	2008
Mobile Bleachers (for profit organizations)	\$800.00 per calendar day, plus \$500.00 deposit	2007
<i>Mini-Bus Rental for Partnering Agencies</i>	100% recovery of direct costs	

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Athletic Programs</i>		
Adult Open Play Athletics	\$2.00	2004
Adult Softball Team Fee (Fall League - 1 night per week)	100% Cost Recovery	
Adult Softball Team Fee (Fall League - 2 nights per week)	100% Cost Recovery	
Adult Softball Team Fee (Spring league - 1 night per week)	100% Cost Recovery	
Adult Softball Team Fee (Spring league - 2 nights per week)	100% Cost Recovery	
Adult Basketball Team Fee (1 night per week)	100% Cost Recovery	
Adult Basketball Team Fee (2 nights per week)	100% Cost Recovery	
Golf Lessons	Variable	
Youth Athletics not otherwise listed	\$20.00	1999
Youth Cheerleading	\$20.00	2009
Youth Football	\$25.00	1999
Late Registration for Youth Sports Programs	\$5.00	2001
<i>Swimming Pool Fees</i>		
Swimming Lessons	\$30.00	2009
Pool Entry Fee	\$2.00 for adults, \$1.00 for children	1995 or prior
Pool Rental	\$200.00 deposit, \$175.00 rental fee for first two hours, \$50.00 for each additional hour; plus current rate of pay for lifeguards	2011
<i>Tennis Fees</i>		
Tennis Lessons	Variable	1995 or prior
Courts	\$150 refundable deposit; rental fee of \$35 (up to four hours); \$50 (over four hours); \$175 additional charge for use of lights	2010
<i>Senior Programs / Leisure Activities</i>		
Leisure Activities	Variable	1995 or prior
<i>After-School Program</i>		
Program Fee	\$70.00 per month	2008
Early/Late Fee	\$5.00 per 5 minute period	2008
<i>Summer Camp/Playground</i>		
Summer Day Camp	\$50.00 per week	2009
Summer Playground	\$20.00 per week	2009
Late Pickup Fee	\$5.00 per 5 minute period	2009
<i>Athletic Protest Fee</i>	\$25.00	2002
<i>Community Garden</i>	\$25.00 refundable deposit	2009
<i>Concessions</i>	Variable	2002 or prior
<i>Cemetery:</i>		
<i>Burial Plots</i>		
Pre-Need Cemetery Fee	\$400.00	2004
At-Need Cemetery Fee (Adult)	\$475.00	2004
At-Need Cemetery Fee (Infant)	\$350.00	2004
At-Need Cemetery Fee (Pauper)	\$250.00	2002 or prior

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Monument Administration/Interment Fees</i>		
Monument Administration/Interment Fees	\$25.00	2002 or prior
After Hours Cemetery Fee	\$75.00	2002 or prior
Police		
<i>Code Violations</i>		
Noise Violation - Barking Dog	\$200 for the 1st violation, \$250 for subsequent violations within 12 months	2009
Noise Violation - Residential	\$200.00	2008
Noise Violation - Radios, Loudspeakers, etc.	\$200.00	2008
Street Numbering Violation	\$50.00	1990
<i>Police False Alarm Fee</i>		
1st false alarm per fiscal year	No Charge	2010
2nd false alarm per fiscal year	No Charge	2010
3rd false alarm per fiscal year	\$25.00	2010
4th false alarm per fiscal year	\$50.00	2010
5th false alarm per fiscal year	\$50.00	2010
6th false alarm per fiscal year	\$100.00	2010
7th false alarm per fiscal year	\$100.00	2010
In excess of 7th false alarm per fiscal year	\$200.00 each	2010
Continuous alarm	\$10.00 for each 60-minute interval beginning 60 minutes after notification, not to exceed \$100.00 in a 24-hour period	2010
<i>IDB Photo Reports</i>		
	\$0.35 for 4"x 6", \$5.00 for 8"x 10", \$5.00 for Contact Sheet	2008
<i>Photographic CD</i>		
	\$35.00 per CD	2008
<i>Wrecker Fees</i>		
Annual Wrecker Inspection Fee	\$100 per truck	2008
Wrecker Rotation Fee	\$15.00 per tow	2008
<i>Officer Fees</i>		
	Variable	2002
<i>Range Fee</i>		
	\$200.00 per day	2010
Stormwater		
<i>Stormwater Fee (Quality & Improvements)</i>		
Single Family	\$3.00 per month per ERU	2009
Non-Single Family	\$3.00 per month per 2,266 square feet of impervious surface	2009
<i>Best Management Practice Inspection Fee</i>		
	\$150.00	2011
<i>Stormwater Control Ordinance Variance Filing Fee</i>		
	\$500.00	2011

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Stormwater Control Ordinance Civil Penalties</i>		
<i>Failure to Obtain Permit</i>		
First Offense within 2 years:		
Off-site impacts documented	\$3,000 per day	2011
No off-site impacts documented	\$1,000 per day	2011
Second Offense within 2 years:		
Off-site impacts documented	\$5,000 per day	2011
No off-site impacts documented	\$3,000 per day	2011
Third or Subsequent Offense within 2 years:		
Each violation	\$5,000 per day	2011
<i>Illicit Connection and Improper Disposal Civil Penalties</i>		
Category I Violation	\$1,000.00 per day, plus investigation, restoration and administrative costs	2009
Category II Violation	\$500.00 per day, plus investigation, restoration and administrative costs	2009
Category III Violation	\$100.00 per day, plus investigation, restoration and administrative costs	2009
<i>Other Violations of Stormwater Control Ordinance</i>	Up to \$5,000/day	2011
Transit		
<i>Motor Vehicle License Tax for Transit</i>	\$5.00 per year	2008
<i>Bus</i>		
Adult Bus Fare	\$1.25	2013
Discount Bus Fare (Elderly and Disabled)	\$0.50	2013
Adult 1-Ride Pass	\$1.25	2013
Discount 1-Ride Pass (Elderly and Disabled)	\$0.50	2013
One Day Pass	\$3.00	2013
Discount One Day Pass(Elderly and Disabled)	\$1.50	2013
Rolling 8 Day Pass	\$17.00	2013
Discount Rolling 8 Day Pass (Elderly and Disabled)	\$8.00	2013
Rolling 30 Day Pass	\$40.00	2013
Discount Rolling 30 Day Pass (Elderly and Disabled)	\$17.00	2013
Student Rolling 30 Day Pass	\$30.00	2013
ADA Demand Response Fare	\$2.00	2013
ADA 20 Ride Pass	\$35.00	2013
ADA 10 Ride pass	\$17.50	2013
Bulk Pass Sale Discounts		
100 to 249 Passes	10% discount	2013
250 to 499 Passes	15% discount	2013
500 to 999 Passes	20% discount	2013
1,000 or Greater Passes	25% discount	2013
Third-Party Fare Agreements		
50 to 99 Passes (\$900 monthly revenue guarantee)	25% discount	2013
100 to 249 Passes (\$1,400 monthly revenue guarantee)	30% discount	2013
250 to 499 Passes (\$2,600 monthly revenue guarantee)	35% discount	2013
500 or Greater Passes (\$3,600 monthly revenue guarantee)	40% discount	2013

City of Fayetteville Fiscal Year 2013/2014 Fee Schedule

Description	Current Fee	Established or Last Changed
<i>Advertising Space</i>		
Interior Banner		
1 to 4 vehicles	\$30 per vehicle per month	2013
5 to 9 vehicles	\$25 per vehicle per month	2013
10 or more vehicles	\$20 per vehicle per month	2013
Discount for non-profit customers	25%	2013
Public Service Announcements	\$20 per vehicle per month	2013

City of Fayetteville
Capital Improvement Program
Fiscal Years 2014 - 2018

Project Expenditures By Fiscal Year

Project	Inception Through 30-Jun-13	FY2014	FY2015	FY2016	FY2017	FY2018	Total Project Expenditures
Community Development							
Hope VI - City Contributions	6,056,310	469,690	-	-	-	-	6,526,000
Military Business Park	1,251,150	-	-	-	-	-	1,251,150
Murchison Road Redevelopment	266,000	246,000	246,000	246,000	246,000	-	1,250,000
Total - Community Development	7,573,460	715,690	246,000	246,000	246,000	-	9,027,150
Development Services							
Wayfinding Signage	450,000	-	-	-	-	-	450,000
Total - Development Services	450,000	-	-	-	-	-	450,000
Engineering & Infrastructure							
City-wide Sidewalk Improvements	1,139,144	465,000	250,000	1,249,205	303,390	423,074	3,829,813
Downtown Brick Sidewalk Repair	300,000	-	-	-	-	-	300,000
Downtown Streetscape	1,074,219	560,316	350,000	-	-	-	1,984,535
Fort Bragg Railway Connector	1,806,210	3,341,021	2,657,500	1,655,269	-	-	9,460,000
Intersection Improvements	-	-	-	350,000	3,025,000	-	3,375,000
Langdon Street Widening	100,000	-	-	700,000	-	-	800,000
Legend Avenue Relocation	125,000	400,000	75,000	1,100,000	-	-	1,700,000
Louise Street Bridge Replacement	-	-	250,000	500,000	-	-	750,000
Parking Lot Resurfacing	284,890	55,000	57,000	54,461	104,363	404,427	960,141
Public Street Development (incl. Soil Streets)	412,130	90,000	250,000	250,000	250,000	250,000	1,502,130
Ray Avenue Extension	-	20,000	300,000	-	-	-	320,000
Thoroughfare Street Lighting	-	125,000	125,000	125,000	125,000	-	500,000
Street Resurfacing	7,570,038	3,605,000	3,713,150	3,824,545	3,939,281	4,057,459	26,709,473
Transportation Improvement Projects (NCDOT Municipal Agreements)	821,300	245,545	-	531,338	-	-	1,598,183
Total - Engineering & Infrastructure	13,632,931	8,906,882	8,027,650	10,339,818	7,747,034	5,134,960	53,789,275
Environmental Services							
Energy Efficiency Retrofits (EECBG Grant)	1,382,900	-	-	-	-	-	1,382,900
Grove Street Facility Yard Paving	412,000	-	-	-	-	-	412,000
Total - Environmental Services	1,794,900	-	-	-	-	-	1,794,900
Fire & Emergency Management							
Fire Station 12 (Relocation)	-	250,000	2,469,693	-	-	-	2,719,693
Fire Station 19	2,612,173	-	-	-	-	-	2,612,173
SCBA Replacements	-	-	-	1,285,060	-	-	1,285,060
Fire Station 16	-	-	-	250,000	2,469,693	-	2,719,693
Total - Fire	2,612,173	250,000	2,469,693	1,535,060	2,469,693	-	9,336,619
Maintenance							
Building Maintenance - HVAC/Boiler Replacements	357,390	209,000	-	132,000	-	-	698,390
Building Maintenance - Other	120,165	174,800	-	-	-	-	294,965
Building Maintenance - Roof Replacements	493,516	480,000	268,500	124,000	-	-	1,366,016

**City of Fayetteville
Capital Improvement Program
Fiscal Years 2014 - 2018**

Project Expenditures By Fiscal Year

Project	Inception Through 30-Jun-13	FY2014	FY2015	FY2016	FY2017	FY2018	Total Project Expenditures
Facility Space and Needs Analysis and Renovations	885,850	1,250,000	1,250,000	1,250,000	-	-	4,635,850
Festival Plaza Renovations	100,000	-	-	-	-	-	100,000
Playground Repairs/Refurbishing	630,535	189,000	-	-	-	-	819,535
Total - Maintenance	2,587,456	2,302,800	1,518,500	1,506,000	-	-	7,914,756
Parks & Recreation							
Cape Fear River Trail - Phase 2	154,973	2,490,027	-	-	-	-	2,645,000
Freedom Memorial Park	478,771	30,000	-	-	-	-	508,771
Linear Park	1,911,155	186,341	186,341	186,341	186,341	180,504	2,837,023
Martin Luther King Jr. Park	-	-	-	-	500,000	-	500,000
Martin Luther King Jr. Park Entry Feature	100,000	-	-	-	-	-	100,000
Western Area Neighborhood Park	856,756	-	-	-	-	-	856,756
Total - Parks & Recreation	3,501,655	2,706,368	186,341	186,341	686,341	180,504	7,447,550
Special Projects							
Amtrak Station - Phase 3	-	700,000	-	-	-	-	700,000
NC State Veterans Park	14,969,000	-	1,478,000	-	-	-	16,447,000
Phase V Annexation Sewer Contributions	9,155,474	3,786,035	3,661,709	3,147,991	2,451,723	2,344,900	24,547,832
Texfi Site	728,619	475,000	450,000	-	-	-	1,653,619
Total - Special Projects	24,853,093	4,961,035	5,589,709	3,147,991	2,451,723	2,344,900	43,348,451
Stormwater							
Stormwater Drainage Improvements	20,862,983	2,252,873	2,199,842	1,213,013	953,550	864,991	28,347,252
Total - Stormwater	20,862,983	2,252,873	2,199,842	1,213,013	953,550	864,991	28,347,252
Transit							
Multi-Modal Transportation Center - Phase I	3,448,751	10,900,000	-	-	-	-	14,348,751
Multi-Modal Transportation Center - Phase II	-	-	4,000,000	-	-	-	4,000,000
Operations & Maintenance Facility Renovations - Phase 3	817,982	-	-	-	-	-	817,982
Shelters and Benches	595,910	100,000	50,000	40,000	-	-	785,910
Sidewalk and ADA Accessibility Improvements	463,171	102,931	120,000	80,000	-	-	766,102
Total - Transit	5,325,814	11,102,931	4,170,000	120,000	-	-	20,718,745
Airport							
Paid Parking Lot Rehabilitation	1,542,969	-	-	-	-	-	1,542,969
Taxiway A, C, D, F Rehabilitation	7,160,279	-	-	-	-	-	7,160,279
Fence Replacement from FBO to Terminal	175,000	-	-	-	-	-	175,000
General Aviation Auto Parking	165,000	282,426	-	-	-	-	447,426
Storm Drain Pipe (North of Paid Parking Lot)	115,000	-	-	-	-	-	115,000
Air Carrier Apron Reconstruction - Phase I	4,811,195	-	-	-	-	-	4,811,195
Runway 4 Runway Safety Area and Taxiway A Extension	3,775,993	968,180	-	-	-	-	4,744,173
Terminal Renovation Phase V	-	275,000	1,500,000	20,000,000	-	-	21,775,000

City of Fayetteville
Capital Improvement Program
Fiscal Years 2014 - 2018

Project Expenditures By Fiscal Year

Project	Inception Through 30-Jun-13	FY2014	FY2015	FY2016	FY2017	FY2018	Total Project Expenditures
Runway 4/22 Paved Shoulders	168,200	3,188,100	-	-	-	-	3,356,300
Air Carrier Apron Reconstruction - Phase II	30,000	3,195,980	-	-	-	-	3,225,980
Runway 10/28 Pavement Rehabilitation	1,465,184	1,165,183	-	-	-	-	2,630,367
Perimeter Fencing Replacement	-	-	100,000	1,400,000	-	-	1,500,000
Perimeter Road Paving	-	-	140,000	1,700,000	-	-	1,840,000
Land Purchase in Runway 4 Protection Zone	-	-	-	-	1,250,000	-	1,250,000
Pavement Management update	-	-	200,000	-	-	-	200,000
Design Taxiway F pavement and lighting rehab	-	-	-	-	-	2,100,000	2,100,000
Runway 22 Taxiway A extension of 250' to the end of RW pavement	-	-	-	-	-	4,300,000	4,300,000
Repainting Runway & Taxiway Systems	-	-	-	-	-	500,000	500,000
ILS Approach to RW 22	-	-	-	-	500,000	4,500,000	5,000,000
TX J&K Pavement/lighting rehabilitation	-	250,000	3,000,000	-	-	-	3,250,000
Total - Airport	19,408,820	9,324,869	4,940,000	23,100,000	1,750,000	11,400,000	69,923,689
Grand Total - Capital Improvement Plan	102,603,285	42,523,448	29,347,735	41,394,223	16,304,341	19,925,355	252,098,387

City of Fayetteville
Capital Improvement Program
Fiscal Years 2014 - 2018

Project	Project Funding By Source of Funds					Other Funding Source Comments
	Project Funding To Date	General Fund Taxes / Revenues	Debt Financing Proceeds	Non General Fund Funding	Total Project Funding	
Community Development						
Hope VI - City Contributions	6,526,000	-	-	-	6,526,000	
Military Business Park	1,251,150	-	-	-	1,251,150	
Murchison Road Redevelopment	266,000	720,000	-	264,000	1,250,000	CDBG funding (\$66k per year, FY13 to FY17)
Total - Community Development	8,043,150	720,000	-	264,000	9,027,150	
Development Services						
Wayfinding Signage	450,000	-	-	-	450,000	
Total - Development Services	450,000	-	-	-	450,000	
Engineering & Infrastructure						
City-wide Sidewalk Improvements	1,139,144	1,057,000	1,633,669	-	3,829,813	
Downtown Brick Sidewalk Repair	300,000	-	-	-	300,000	
Downtown Streetscape	1,313,898	-	670,637	-	1,984,535	
Fort Bragg Railway Connector	1,892,000	-	-	7,568,000	9,460,000	SAFETEA Grant \$7,568,000
Intersection Improvements	-	350,000	3,025,000	-	3,375,000	
Langdon Street Widening	100,000	-	700,000	-	800,000	
Legend Avenue Relocation	125,000	475,000	1,100,000	-	1,700,000	
Louise Street Bridge Replacement	-	150,000	-	600,000	750,000	Anticipated 80% Federal Bridge Replacement Funding
Parking Lot Resurfacing	284,890	295,000	380,251	-	960,141	
Public Street Development (incl. Soil Streets)	412,130	340,000	750,000	-	1,502,130	
Ray Avenue Extension	-	320,000	-	-	320,000	
Thoroughfare Street Lighting	-	500,000	-	-	500,000	
Street Resurfacing	7,570,038	19,139,435	-	-	26,709,473	
Transportation Improvement Projects (NCDOT Municipal Agreements)	1,580,275	17,908	-	-	1,598,183	
Total - Engineering & Infrastructure	14,717,375	22,644,343	8,259,557	8,168,000	53,789,275	
Environmental Services						
Energy Efficiency Retrofits (EECBG Grant)	1,382,900	-	-	-	1,382,900	
Grove Street Facility Yard Paving	412,000	-	-	-	412,000	
Total - Environmental Services	1,794,900	-	-	-	1,794,900	
Fire & Emergency Management						
Fire Station 12 (Relocation)	125,000	125,000	2,469,693	-	2,719,693	
Fire Station 19	2,612,173	-	-	-	2,612,173	
SCBA Replacements	-	1,285,060	-	-	1,285,060	
Fire Station 16	-	250,000	2,469,693	-	2,719,693	
Total - Fire	2,737,173	1,660,060	4,939,386	-	9,336,619	
Maintenance						
Building Maintenance - HVAC/Boiler Replacements	357,390	341,000	-	-	698,390	
Building Maintenance - Other	120,165	174,800	-	-	294,965	
Building Maintenance - Roof Replacements	572,667	793,349	-	-	1,366,016	
Facility Space and Needs Analysis and Renovations	885,850	-	3,750,000	-	4,635,850	
Festival Plaza Renovations	100,000	-	-	-	100,000	
Playground Repairs/Refurbishing	630,535	189,000	-	-	819,535	
Total - Maintenance	2,666,607	1,498,149	3,750,000	-	7,914,756	

City of Fayetteville
Capital Improvement Program
Fiscal Years 2014 - 2018

Project Funding By Source of Funds						
Project	Project Funding To Date	General Fund Taxes / Revenues	Debt Financing Proceeds	Non General Fund Funding	Total Project Funding	Other Funding Source Comments
Parks & Recreation						
Cape Fear River Trail - Phase 2	2,645,000	-	-	-	2,645,000	
Freedom Memorial Park	482,175	-	-	26,596	508,771	Anticipated Private Park Donations
Linear Park	2,012,767	-	-	824,256	2,837,023	Anticipated Private Park Donations
Martin Luther King Jr. Park	-	-	-	500,000	500,000	Anticipated Private Park Donations
Martin Luther King Jr. Park Entry Feature	100,000	-	-	-	100,000	
Western Area Neighborhood Park	856,756	-	-	-	856,756	
Total - Parks & Recreation	6,096,698	-	-	1,350,852	7,447,550	
Special Projects						
Amtrak Station - Phase 3	-	140,000	-	560,000	700,000	Anticipated 80% NC DOT Rail Grant
NC State Veterans Park	16,447,000	-	-	-	16,447,000	
Phase V Annexation Sewer Contributions	9,155,474	15,392,358	-	-	24,547,832	PWC/City Transfer Agreement
Texfi Site	728,619	125,000	-	800,000	1,653,619	Anticipated 80% Brownfields Grant, with PWC funding for local match
Total - Special Projects	26,331,093	15,657,358	-	1,360,000	43,348,451	
Stormwater						
Stormwater Drainage Improvements	20,862,983	-	-	7,484,269	28,347,252	Future funding from stormwater revenues
Total - Stormwater	20,862,983	-	-	7,484,269	28,347,252	
Transit						
Multi-Modal Transportation Center - Phase I	13,503,201	169,110	-	676,440	14,348,751	Anticipated Federal Grants
Multi-Modal Transportation Center - Phase II	-	800,000	-	3,200,000	4,000,000	Anticipated Federal Grants
Operations & Maintenance Facility Renovations - Phase 3	817,982	-	-	-	817,982	
Shelters and Benches	695,910	18,000	-	72,000	785,910	Anticipated Federal Grants
Sidewalk and ADA Accessibility Improvements	566,102	40,000	-	160,000	766,102	Anticipated Federal Grants
Total - Transit	15,583,195	1,027,110	-	4,108,440	20,718,745	
Airport						
Paid Parking Lot Rehabilitation	1,542,969	-	-	-	1,542,969	
Taxiway A, C, D, F Rehabilitation	7,160,279	-	-	-	7,160,279	
Fence Replacement from FBO to Terminal	175,000	-	-	-	175,000	
General Aviation Auto Parking	165,000	-	-	282,426	447,426	Airport Funds
Storm Drain Pipe (North of Paid Parking Lot)	115,000	-	-	-	115,000	
Air Carrier Apron Reconstruction - Phase I	4,811,195	-	-	-	4,811,195	
Runway 4 Runway Safety Area and Taxiway A Extension	4,744,173	-	-	-	4,744,173	
Terminal Renovation Phase V	-	-	-	21,775,000	21,775,000	Airport, Federal & State Funds
Runway 4/22 Paved Shoulders	168,200	-	-	3,188,100	3,356,300	Airport, Federal & State Funds
Air Carrier Apron Reconstruction - Phase II	30,000	-	-	3,195,980	3,225,980	Airport, Federal & State Funds
Runway 10/28 Pavement Rehabilitation	-	-	-	2,630,367	2,630,367	Airport & State Funds
Perimeter Fencing Replacement	-	-	-	1,500,000	1,500,000	Airport, Federal & State Funds
Perimeter Road Paving	-	-	-	1,840,000	1,840,000	Airport, Federal & State Funds
Land Purchase in Runway 4 Protection Zone	-	-	-	1,250,000	1,250,000	Airport, Federal & State Funds
Pavement Management update	-	-	-	200,000	200,000	Airport, Federal & State Funds

City of Fayetteville
 Capital Improvement Program
 Fiscal Years 2014 - 2018

Project Funding By Source of Funds						
Project	Project Funding To Date	General Fund Taxes / Revenues	Debt Financing Proceeds	Non General Fund Funding	Total Project Funding	Other Funding Source Comments
Design Taxiway F pavement and lighting rehab	-	-	-	2,100,000	2,100,000	Airport, Federal & State Funds
Runway 22 Taxiway A extension of 250' to the end of RW pavement	-	-	-	4,300,000	4,300,000	Airport, Federal & State Funds
Repainting Runway & Taxiway Systems	-	-	-	500,000	500,000	Airport, Federal & State Funds
ILS Approach to RW 22	-	-	-	5,000,000	5,000,000	Airport, Federal & State Funds
TX J&K Pavement/lighting rehabilitation	-	-	-	3,250,000	3,250,000	Airport, Federal & State Funds
Total - Airport	18,911,816	-	-	51,011,873	69,923,689	
Grand Total - Capital Improvement Plan	118,194,990	43,207,020	16,948,943	73,747,434	252,098,387	

City of Fayetteville
Information Technology Plan
Fiscal Years 2014 - 2018

Project	Project Expenditures by Fiscal Year						Total Project Expenditures
	Inception Through FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	
Information Technology Security/Infrastructure							
Desktop Virtualization / Computer Replacement	1,325,011	579,198	303,100	303,100	209,700	469,100	3,189,209
Information Technology Disaster Recovery Initiative	375,318	402,000	-	-	-	-	777,318
Malware Software	13,300	-	-	-	-	-	13,300
Internet Phone (City Wide VOIP)	-	142,000	-	-	-	-	142,000
MS E-Mail Exchange (Active Directory Upgrade)	15,000	125,800	-	-	-	-	140,800
Virtual Server Expansion Equipment	60,034	-	-	-	132,000	-	192,034
City Wireless Network Expansion Project	103,800	53,200	-	-	-	-	157,000
Public Safety Radio System Upgrade (800 MHz)	-	6,531,445	-	-	-	-	6,531,445
Public Safety Security Compliance	-	70,000	-	-	-	-	70,000
E911 Recording Systems	-	168,733	-	-	-	-	168,733
E911 (Viper ACD Phone Upgrade)	-	-	453,200	-	-	-	453,200
Fire Notification System (Zetron)	-	-	124,111	-	-	-	124,111
Narcotics Phone Investigation (Intercept)	18,431	-	-	-	-	-	18,431
Server Room Uninterruptible Power Supply Replacement (UPS)	58,650	-	-	-	-	-	58,650
Total - Information Technology Security/Infrastructure	1,969,544	8,072,376	880,411	303,100	341,700	469,100	12,036,231
Business Information/Data Analysis							
Hire Fayetteville First - Vendor Registration	-	-	-	-	-	-	-
Enterprise eDocument Retrieval (Laserfiche Rio Upgrade/Laserfiche Forms)	131,245	31,977	-	-	-	-	163,222
Enterprise GIS Environment	62,067	85,383	25,000	-	-	-	172,450
Total - Business Intelligence/Data Analysis	193,312	117,360	25,000	-	-	-	335,672
Integrated City Management System - Application/Services							
Video Conferencing Equipment and Training	-	-	222,059	-	-	-	222,059
Time and Attendance Software	-	580,000	670,000	-	-	-	1,250,000
Work Order/Permitting/HRD/Asset Mgmt Systems	150,000	533,800	233,000	183,000	158,000	158,000	1,415,800
JD Edwards A9.3 Software Upgrade	34,000	-	-	-	-	-	34,000
Electronic Plan Review System Module	20,525	-	-	-	-	-	20,525
Traffic Signal System Software	37,800	-	-	-	-	-	37,800

City of Fayetteville
Information Technology Plan
Fiscal Years 2014 - 2018

Project	Project Expenditures by Fiscal Year						Total Project Expenditures
	Inception Through FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	
On-Route Software Upgrade	-	290,000	-	-	-	-	290,000
On-Board Communications System	-	70,000	-	-	-	-	70,000
Rec Trac Software Upgrade	21,073	61,153	-	-	-	-	82,226
Transit Automatic Vehicle Locator System	532,588	-	-	-	-	-	532,588
Total - Integrated City Management - Application/Services	795,986	1,534,953	1,125,059	183,000	158,000	158,000	3,954,998
Mobility/Government without Walls (Citizen Engagement)							
Agenda Management (Granicus)	20,675	-	-	-	-	-	20,675
Transit Call Center and Website for Military and Veterans	-	54,460	-	-	-	-	54,460
Total - Mobility/Government without Walls	20,675	54,460	-	-	-	-	75,135
Grand Total - Information Technology Plan	2,979,517	9,779,149	2,030,470	486,100	499,700	627,100	16,402,036

City of Fayetteville
Information Technology Plan
Fiscal Years 2014 - 2018

Project	Project Funding By Source of Funds						Other Funding Source Comments
	Project Funding To Date	General Fund Taxes / Revenues	Debt Financing Proceeds	Non General Fund Funding	Total Project Funding		
Information Technology Security/ Infrastructure							
Desktop Virtualization / Computer Replacement	1,460,562	1,557,159	-	171,488	3,189,209	Other City Funds and E-911 Fund	
Information Technology Disaster Recovery Initiative	375,318	402,000	-	-	777,318		
Malware Software	13,300	-			13,300		
Internet Phone (City Wide VOIP)	-	142,000			142,000		
MS E-Mail Exchange (Active Directory Upgrade)	15,000	125,800	-	-	140,800		
Virtual Server Expansion Equipment	60,034	-	132,000	-	192,034		
City Wireless Network Expansion Project	103,800	49,900	-	3,300	157,000	Recreation District	
Public Safety Radio System Upgrade (800 MHz)	-	-	5,893,300	638,145	6,531,445	Anticipated PWC Participation	
Public Safety Security Compliance		70,000			70,000		
E911 Recording Systems	-	-	-	168,733	168,733	E-911 Funds	
E911(Viper ACD Phone Upgrade)	-	-	-	453,200	453,200	E-911 Funds	
Fire Notification System (Zetron)	-	-	124,111	-	124,111		
Narcotics Phone Investigation (Intercept)	18,431	-	-	-	18,431		
Server Room Uninterruptible Power Supply Replacement (UPS)	58,650	-	-	-	58,650		
Total - Information Technology Security/Infrastructure	2,105,095	2,346,859	6,149,411	1,434,866	12,036,231		
Business Information/Data Analysis							
Hire Fayetteville First - Vendor Registration	-	-	-	-	-		
Enterprise eDocument Retrieval (Laserfiche Rio Upgrade/Laserfiche Forms)	131,245	31,977	-	-	163,222		
Enterprise GIS Environment	62,067	110,383	-	-	172,450		
Total - Business Intelligence/Data Analysis	193,312	142,360	-	-	335,672		
Integrated City Management System - Application/Services							
Video Conferencing Equipment and Training	-	-	222,059		222,059		
Time and Attendance Software	-	-	1,250,000	-	1,250,000		
Work Order/Permitting/HRD/Asset Mgmt Systems	150,000	1,265,800	-	-	1,415,800		
JD Edwards A9.3 Software Upgrade	34,000	-	-	-	34,000		
Electronic Plan Review System Module	20,525		-	-	20,525		
Traffic Signal System Software	37,800	-	-	-	37,800		

City of Fayetteville
Information Technology Plan
Fiscal Years 2014 - 2018

Project Funding By Source of Funds						
Project	Project Funding To Date	General Fund Taxes / Revenues	Debt Financing Proceeds	Non General Fund Funding	Total Project Funding	Other Funding Source Comments
On-Route Software Upgrade	-	290,000	-	-	290,000	
On-Board Communications System	-	70,000	-	-	70,000	
Rec Trac Software Upgrade	21,073	45,253	-	15,900	82,226	Recreation District
Transit Automatic Vehicle Locator System	532,588	-	-	-	532,588	
Total - Integrated City Management - Application/Services	795,986	1,671,053	1,472,059	15,900	3,954,998	
Mobility/Government without Walls (Citizen Engagement)						
Agenda Management (Granicus)	20,675	-	-	-	20,675	
Transit Call Center and Website for Military and Veterans	54,460	-	-	-	54,460	
Total - Mobility/Government without Walls	75,135	-	-	-	75,135	
Grand Total - Information Technology Plan	3,169,528	4,160,272	7,621,470	1,450,766	16,402,036	

CITY OF FAYETTEVILLE

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinances are hereby adopted effective July 1, 2013:

**CAPITAL PROJECT ORDINANCE
ORD 2014-1**

Section 1. The authorized project is for the implementation of a city-wide internet telephone system (VOIP).

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:

General Fund Transfer \$ 142,000

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

Project Expenditures \$ 142,000

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

**CAPITAL PROJECT ORDINANCE
ORD 2014-2**

Section 1. The authorized project is for the implementation of a time and attendance system and related expenditures, including but not limited to software, hardware and integration with other systems.

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:

General Fund Transfer \$ 580,000

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

Project Expenditures \$ 580,000

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

**CAPITAL PROJECT ORDINANCE
ORD 2014-3**

Section 1. The authorized project is for the implementation of enhanced security systems for public safety, including but not limited to software, hardware and integration with other systems.

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:

General Fund Transfer	<u>\$ 70,000</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 70,000</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-4**

Section 1. The authorized project is to upgrade the city-wide e-mail system, including but not limited to software, hardware and integration with other systems.

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:

General Fund Transfer	<u>\$ 125,800</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 125,800</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-5**

Section 1. The authorized project is for the extension of Ray Avenue, and related improvements.

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:

General Fund Transfer	<u>\$ 20,000</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 20,000</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-6**

Section 1. The authorized project is the FY2014 street resurfacing project, including miscellaneous street improvements.

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:

General Fund Transfer	<u>\$ 3,605,000</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 3,605,000</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-7**

Section 1. The authorized project is for thoroughfare street lighting improvements, and related expenditures.

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

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

General Fund Transfer	<u>\$ 125,000</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 125,000</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-8**

Section 1. The authorized project is for the implementation of enhanced routing, data collection, customer service and work order management systems for environmental services, including, but not limited to, equipment, software and integration with other systems.

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:

Environmental Services Fund Transfer	<u>\$ 360,000</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 360,000</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-9**

Section 1. The authorized project is for the funding of FY2014 storm water drainage improvements and other capital expenditures to include, but not limited to, land acquisition for an infiltration basin at Brigadoon Lane, Buckhead/Kingsford drainage improvements, and Kornbow Outfall 2 in the Bonnie Doone area.

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:

Interfund Transfer from the Stormwater Fund	<u>\$ 2,486,618</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 2,486,618</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

**CAPITAL PROJECT ORDINANCE
ORD 2014-10**

Section 1. The authorized project is to upgrade the Parks & Recreation registration and reservation systems, including implementation of online registration and payment, and pass management, and includes but is not limited to software, hardware and integration with other systems.

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:

General Fund Transfer	<u>\$ 61,153</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 61,153</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

Adopted this 10th day of June, 2013.

CITY OF FAYETTEVILLE

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinances are hereby amended effective July 1, 2013:

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-1 (CPO 2009-6)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-6, adopted June 9, 2008, as amended, for the funding of the relocation of Fire Station 12.

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:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	\$ 125,000	\$ 125,000	\$ 250,000
	<u>\$ 125,000</u>	<u>\$ 125,000</u>	<u>\$ 250,000</u>

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

Project Expenditures	<u>\$ 125,000</u>	<u>\$ 125,000</u>	<u>\$ 250,000</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-2 (CPO 2009-3)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-3, adopted June 9, 2008, as amended, for the funding of miscellaneous building maintenance and renovation projects.

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:

	<u>Listed As *</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	\$ 2,097,160	\$ 2,034,649	\$ 4,131,809
Public Safety Fund Transfer	49,775	-	49,775
	<u>\$ 2,146,935</u>	<u>\$ 2,034,649</u>	<u>\$ 4,181,584</u>

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

Project Expenditures	<u>\$ 2,146,935</u>	<u>\$ 2,034,649</u>	<u>\$ 4,181,584</u>
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* Includes appropriation on CPOA 2013-34 also presented for Council consideration on June 10, 2013.

Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-3 (CPO 2009-7)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-7, adopted June 9, 2008, as amended, for the funding of playground equipment and improvements.

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:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	<u>\$ 630,535</u>	<u>\$ 189,000</u>	<u>\$ 819,535</u>

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

Project Expenditures	<u>\$ 630,535</u>	<u>\$ 189,000</u>	<u>\$ 819,535</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-4 (CPO 2010-2)**

Section 1. The project change authorized is to Capital Project Ordinance 2010-2, adopted June 22, 2009, as amended, for the funding of computer replacements.

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:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	<u>\$ 1,434,262</u>	<u>\$ 359,559</u>	<u>\$ 1,793,821</u>

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

Project Expenditures	<u>\$ 1,434,262</u>	<u>\$ 359,559</u>	<u>\$ 1,793,821</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-5 (CPO 2013-7)**

Section 1. The project change authorized is to Capital Project Ordinance 2013-7, adopted June 11, 2012, as amended, for the funding of an enterprise-wide G.I.S system and related expenditures, including but not limited to integration with other software systems.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 62,067	\$ 85,383	\$ 147,450

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

Project Expenditures	\$ 62,067	\$ 85,383	\$ 147,450
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-6 (CPO 2012-8)**

Section 1. The project change authorized is to Capital Project Ordinance 2012-8, adopted December 12, 2011, as amended, for the funding of the North General Aviation Parking improvements.

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

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

	Listed As	Amendment	Revised
Airport Operating Fund Transfer	\$ 165,000	\$ 282,426	\$ 447,426

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

Project Expenditures	\$ 165,000	\$ 282,426	\$ 447,426
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-7 (CPO 2013-8)**

Section 1. The project change authorized is to Capital Project Ordinance 2013-8, adopted June 11, 2012, as amended, for hardware, software and other related expenditures for a disaster recovery system for computer systems and data.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 375,318	\$ 402,000	\$ 777,318

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

Project Expenditures	\$ 375,318	\$ 402,000	\$ 777,318
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-8 (CPO 2013-9)**

Section 1. The project change authorized is to Capital Project Ordinance 2013-9, adopted June 11, 2012, as amended, to upgrade to an enterprise-wide electronic document, audio, and video file storage and management system (Laserfiche Rio).

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 131,245	\$ 31,977	\$ 163,222

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

Project Expenditures	\$ 131,245	\$ 31,977	\$ 163,222
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-9 (CPO 2013-12)**

Section 1. The project change authorized is to Capital Project Ordinance 2013-12, adopted June 11, 2012, as amended, to expand wireless network capabilities in City facilities.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 97,800	\$ 53,200	\$ 151,000

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

Project Expenditures	\$ 97,800	\$ 53,200	\$ 151,000
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-10 (CPO 2013-3)**

Section 1. The project change authorized is to Capital Project Ordinance 2013-3, adopted June 11, 2012, for the funding of the Murchison Road redevelopment project, including property acquisition.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 200,000	\$ 180,000	\$ 380,000

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

Project Expenditures	\$ 200,000	\$ 180,000	\$ 380,000
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-11 (CPO 2009-2)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-2, adopted June 9, 2008, as amended, for the funding of miscellaneous parking lot maintenance projects.

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:

	<u>Listed As *</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	<u>\$ 284,890</u>	<u>\$ 55,000</u>	<u>\$ 339,890</u>

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

Project Expenditures	<u>\$ 284,890</u>	<u>\$ 55,000</u>	<u>\$ 339,890</u>
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* Includes appropriation on CPOA 2013-36 also presented for Council consideration on June 10, 2013.

Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-12 (CPO 2013-6)**

Section 1. The project change authorized is to Capital Project Ordinance 2013-6, adopted June 11, 2012, as amended, for the realignment and widening of Legend Avenue, including sidewalk intersection and traffic signal improvements.

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:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	<u>\$ 125,000</u>	<u>\$ 400,000</u>	<u>\$ 525,000</u>

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

Project Expenditures	<u>\$ 125,000</u>	<u>\$ 400,000</u>	<u>\$ 525,000</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-13 (CPO 2001-8)**

Section 1. The project change authorized is to Capital Project Ordinance 2001-8, adopted May 7, 2001, as amended, for sidewalks and related improvements.

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:

	<u>Listed As *</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	\$ 556,255	\$ 465,000	\$ 1,021,255
Developer's Fees	122,217	-	122,217
Federal Highway Administration (Pass-through State Safe Routes to Schools Funds)	100,000	-	100,000
Transfers from PWC	1,161	-	1,161
Miscellaneous Income	10,204	-	10,204
	<u>\$ 789,837</u>	<u>\$ 465,000</u>	<u>\$ 1,254,837</u>

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

Project Expenditures	<u>\$ 789,837</u>	<u>\$ 465,000</u>	<u>\$ 1,254,837</u>
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* Includes appropriation on CPOA 2013-35 also presented for Council consideration on June 10, 2013.

Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-14 (CPO 2009-13)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-13, adopted August 11, 2008, as amended, for the public street development, including but not limited to the paving of various soil streets and related ancillary costs.

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

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

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
General Fund Transfer	\$ 412,130	\$ 90,000	\$ 502,130

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

Project Expenditures	<u>\$ 412,130</u>	<u>\$ 90,000</u>	<u>\$ 502,130</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-15 (CPO 2008-2)**

Section 1. The project change authorized is to Capital Project Ordinance 2008-2, adopted July 23, 2007, as amended, for the funding of various downtown streetscape projects.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 459,624	\$ 320,637	\$ 780,261

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

Project Expenditures	\$ 459,624	\$ 320,637	\$ 780,261
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-16 (CPO 2009-4)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-4, adopted June 9, 2008, as amended, for the funding of the Texfi property acquisition and development.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 467,221	\$ 75,000	\$ 542,221
Cumberland County	250,243	-	250,243
PWC Transfer	11,155	-	11,155
	\$ 728,619	\$ 75,000	\$ 803,619

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

Project Expenditures	\$ 728,619	\$ 75,000	\$ 803,619
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 10th day of June, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Gloria Wrench, Purchasing Manager and Rusty Thompson, Engineering and Infrastructure Director
DATE: June 24, 2013
RE: **Award Contract for Resurface Various Streets 2014 - Phase I**

THE QUESTION:

Is it in the interest of Council to approve the award of a contract for the City's 2014 resurfacing work? Phase I of this work includes the resurfacing of thirteen (13) streets (approximately 2.43 miles), milling and resurfacing of eight (8) streets (approximately 3.59 miles) and applying joint seal to thirty-five (35) streets (approximately 11.33 miles).

RELATIONSHIP TO STRATEGIC PLAN:

Goal 3 - Growing City, Livable Neighborhoods - A Great Place to Live

BACKGROUND:

The project was first advertised for bids to be opened on May 23, 2013; however, only two (2) bids were received. Therefore, in accordance with North Carolina General Statutes, which require three (3) bids be received in order to open on the first advertisement, the project was readvertised and bids were opened on May 31, 2013 as follows:

Highland Paving Company, LLC, Fayetteville, NC	\$1,568,190.20
Barnhill Contracting Company, Fayetteville, NC	\$1,633,221.35

Highland Paving Company, LLC will utilize SDBE subcontractors for 11.4% of the work on this project.

ISSUES:

None

BUDGET IMPACT:

\$3,605,000 has been included in the FY2013-2014 budget for resurfacing work.

OPTIONS:

- (1) Award contract as recommended by staff.
- (2) Not award contract and provide further direction to staff.

RECOMMENDED ACTION:

Award contract for Resurface Various Streets 2014 - Phase I to the lowest responsive, responsible bidder, Highland Paving Company, LLC, Fayetteville, NC, in the amount of \$1,568,190.20.

ATTACHMENTS:

Resurface Various Streets 2014 - Street List
Resurface Various Streets 2014 - Joint Seal List

RESURFACE VARIOUS STREETS, 2014 -PHASE 1

STREETS FOR MILLING AND RESURFACING

NO.	STREET	FROM	TO	LENGTH	WIDTH	RATING
1	W. ROWAN ST.	BRAGG BLVD.	OAKRIDGE AVE.	3557	32	47 AVG.
2	PERSON ST.	N. KENNEDY ST.	EASTERN BLVD.	2285	60	9 AVG.
3	WOODSIDE AVE.	W. ROWAN ST.	HAY ST.	1832	32	47 AVG.
4	CAMPBELL AVE.	GILLESPIE ST.	OLD WILMINGTON RD.	2483	24	48 AVG.
5	SHERMAN DR.	RAMSEY ST.	DEAD END	2210	32	48 AVG.
6	TAYLOR AVE.	BUCKINGHAM AVE.	BROOKWOOD AVE.	1034	32	40
7	BUCKINGHAM AVE.	RAMSEY ST.	DEAD END	935	32	26
8	OLD WILMINGTON RD.	RUSSELL ST.	EASTERN BLVD.	4623	32	47 AVG.

STREETS FOR RESURFACING

NO.	STREET	FROM	TO	LENGTH	WIDTH	RATING
104	IVERLEIGH CR.	SHAWCROFT RD.	IVERLEIGH CR.	2714	25	24 AVG.
105	ST. THOMAS RD.	W. SUMMERCHASE DR.	CATTESMORE DR.	1625	25	29 AVG.
106	HARTSHORNE CT.	LINKWOOD DR.	CUL-DE-SAC	119	75	34 AVG.
107	W. SUMMERCHASE DR.	RAMSEY ST.	CATTESMORE DR.	1645	31	35 AVG.
115	PRINCE CHARLES DR.	HAMPTON RD.	ARBOR RD.	1310	25	39 AVG.
118	NUTLEY DR.	DUNCAN ST.	TRYON RD.	1209	32	40 AVG.
128	TALLSTONE DR.	RAMSEY ST.	CUL-DE-SAC	1025	26	45 AVG.
138	WALKING LANE	BLOOMFIELD DR.	CUL-DE-SAC	770	25	48 AVG.
143	CROYDON AVE.	ANDOVER RD.	DEAD END	575	32	50 AVG.
144	IJAMS ST.	LANGDON ST.	BARBOUR CT.	824	32	50 AVG.
145	KELLOGG ST.	GILMORE ST.	DEAD END	554	32	50 AVG.
146	KENMURE PL.	LOCKRIDGE RD.	CUL-DE-SAC	330	25	50 AVG.
147	MARTINLEER CT.	IVERLEIGH CR.	CUL-DE-SAC	153	25	50 AVG.

RESURFACE VARIOUS STREETS, 2014 - PHASE 1

STREETS FOR JOINT SEAL

NO.	STREET	FROM	TO	LENGTH	WIDTH	RATING
101	MILES CT.	N. CHURCHILL DR.	MCNEILL CR.	457	22	64
102	MCNEILL CR.	MCNEILL CR.	MCNEILL CR.	1940	32	62 AVG.
103	MCPHERSON AVE.	FORT BRAGG RD.	BRAGG BLVD.	1077	32	67 AVG.
108	APPLETON CT.	JUBILEE DR.	CUL-DE-SAC	202	21	35 AVG.
109	BEDFORD RD.	DANRIDGE DR.	CUL-DE-SAC	1827	26	35 AVG.
110	WINGATE RD.	HOPE MILLS RD.	CITY LIMITS	3397	25	36 AVG.
111	DANDRIDGE DR.	N. REILLY RD.	FILLYAW RD.	7762	26	37 AVG.
112	DOCIA CR.	ONIE CT.	ONIE CT.	2030	21	37 AVG.
113	JUBILEE DR.	LELAND DR.	DEAD END	677	24	37 AVG.
114	BLANKSHIRE RD.	FOXBERRY DR.	RYEFIELD DR.	1775	26	38 AVG.
115	PRINCE CHARLES DR.	HAMPTON RD.	ARBOR RD.	1310	25	39 AVG.
116	FUTURE ST.	QUAILRIDGE DR.	DEAD END	167	23	39 AVG.
117	FIELDCREST DR.	FERREL DR.	DEAD END	1830	21	40 AVG.
119	GAELIC DR.	CELTIC DR.	DEAD END	984	26	41 AVG.
120	MIDDLETON CT.	LAKWOOD DR.	CUL-DE-SAC	583	26	42 AVG.
121	MCGILL DR.	MCPHEE DR.	EXECUTIVE PL.	702	32	42 AVG.
122	INGLESIDE DR.	MORGANTON RD. EXT.	E. NETHERLAND DR.	2774	24	42 AVG.
123	ELECTRA RD.	PONY RUN DR.	CUL-DE-SAC	417	23	42 AVG.
124	WILLBOROUGH AVE.	REAFORD RD.	CUL-DE-SAC	1400	32	42 AVG.
125	CRABTREE CT.	PONY RUN DR.	CUL-DE-SAC	330	23	43 AVG.
127	TANGERINE DR.	ASHTON RD.	CUL-DE-SAC	1536	27	44 AVG.
129	ADDINGHAM CT.	VAUGN RD.	CUL-DE-SAC	610	26	45 AVG.
130	DAHARAN DR.	MAZARRON DR.	CUL-DE-SAC	1899	26	45 AVG.
131	RAYCONDA RD.	REAFORD RD.	DEAD END	3118	25	45 AVG.
132	RURITAN DR.	MORGANTON RD.	CAMPGROUND ROAD	2147	24	45 AVG.
133	CLIFFBOURNE DR.	N. REILLY RD.	INGLESIDE DR.	1685	24	46 AVG.
134	BUIE CR.	CAMPGROUND RD.	WINTERGREEN DR.	504	25	47 AVG.
135	FLINTWOOD RD.	SOUTH BEND DR.	BEAVER RUN DR.	2996	26	47 AVG.
136	CARLOWAY DR.	RUTHERGLEN DR.	CARLOWAY DR.	1419	23	47 AVG.
137	ONIE CT.	MERRIT ST.	CUL-DE-SAC	179	21	48 AVG.
139	LOXLEY DR.	CLIFFDALE RD.	DEAD END	2717	26	49 AVG.
140	CHAMBLEE DR.	LINCOLNSHIRE PL.	DEAD END	1042	26	49 AVG.
141	FERNCREEK DR.	HUNTSFIELD DR.	WEAVERHALL DR.	3388	37	50 AVG.
142	BREWSTER DR.	INGLESIDE DR.	BREWER ST.	3995	25	50 AVG.
148	REDSTONE DR.	DILLON DR.	END OF MAINTANCE	932	25	50 AVG.
Total length				59808		
Total Mileage				11.33		