



FAYETTEVILLE CITY COUNCIL  
AGENDA  
NOVEMBER 20, 2012  
5:30 P.M.  
City Hall Council Chamber

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**1.0 CALL TO ORDER**

**2.0 INVOCATION**

**3.0 PLEDGE OF ALLEGIANCE**

**4.0 APPROVAL OF AGENDA**

**5.0 OTHER ITEMS OF BUSINESS**

- 5.1 Motion to Suspend City Code Section 2-3(d) regarding Reconsideration of the Resolution Introducing the Bond Order Authorizing \$45,000,000 Parks and Recreation Bonds, Setting the Public Hearing and other Related Matters.
- 5.2 Resolution Introducing Bond Order Authorizing \$45,000,000 Parks and Recreation Bonds, Setting the Public Hearing thereon and Other Related Matters

**6.0 ADJOURNMENT**

**CLOSING REMARKS**

**POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS**

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

**POLICY REGARDING PUBLIC HEARING AGENDA ITEMS**

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

**POLICY REGARDING CITY COUNCIL MEETING PROCEDURES  
SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM**

Individuals who have not made a written request to speak on a non-public

hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

***Notice Under the Americans with Disabilities Act (ADA):*** *The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at [rmcelrath@ci.fay.nc.us](mailto:rmcelrath@ci.fay.nc.us), 910-433-1696, or the Office of the City Clerk at [cityclerk@ci.fay.nc.us](mailto: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 City Council Members  
**FROM:** Ted Voorhees, City Manager  
**DATE:** November 20, 2012  
**RE:** **Motion to Suspend City Code Section 2-3(d) regarding Reconsideration of the Resolution Introducing the Bond Order Authorizing \$45,000,000 Parks and Recreation Bonds, Setting the Public Hearing and other Related Matters.**

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**THE QUESTION:**

**RELATIONSHIP TO STRATEGIC PLAN:**

**BACKGROUND:**

**ISSUES:**

**BUDGET IMPACT:**

**OPTIONS:**

**RECOMMENDED ACTION:**

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** November 20, 2012  
**RE:** **Resolution Introducing Bond Order Authorizing \$45,000,000 Parks and Recreation Bonds, Setting the Public Hearing thereon and Other Related Matters**

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**THE QUESTION:**

Does City Council wish to set a public hearing to consider proceeding with a bond referendum for Parks and Recreation facilities by approving the introduction of the bond order resolution?

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 4: Growing City, Livable Neighborhoods - A Great Place to Live  
Policy Actions for FY2013: Park Bond Referendum

**BACKGROUND:**

On July 9, 2012, City Council directed staff to commence procedures necessary to authorize the issuance of up to \$45,000,000 of General Obligation Parks and Recreation Bonds to finance various parks and recreation improvements within the City.

On October 8, 2012, City Council adopted a resolution making certain findings regarding the proposed bonds and directing staff to file an application with the Local Government Commission for approval of the bonds in an amount not to exceed \$45,000,000.

The next step in the process is to consider the attached resolution introducing the bond order and proceedings that authorize various actions including the issuance of Parks and Recreation Bonds in a principal amount not to exceed \$45,000,000, and the levy of taxes sufficient to pay principal and interest on the bonds.

Approving the resolution will direct the City Clerk to present the City's sworn statement of debt, to publish the bond order in the Fayetteville Observer, and to schedule the public hearing for the December 3, 2012 Council meeting.

During the next few months, Council will be asked to conduct a public hearing, adopt the bond order, adopt a resolution calling for the bond referendum, and declare the results of the referendum.

**ISSUES:**

None.

**BUDGET IMPACT:**

It is estimated that an increase of 2.25 cents on the City's general tax rate will be required to fund the debt service on the proposed bonds.

**OPTIONS:**

1. Pass the attached resolution introducing the bond order and setting the public hearing.
2. Do not pass the attached resolution and provide further instruction to staff.

**RECOMMENDED ACTION:**

Staff recommends that Council move to pass the resolution introducing the bond order authorizing

\$45,000,000 Parks and Recreation Bonds, designating the Chief Financial Officer to make and file the sworn statement of debt with the City Clerk; directing the City Clerk to present that statement, and schedule the public hearing on the bond order for December 3, 2012 at 6 pm in the Council Chambers; and direct the City Clerk to publish the bond order in the Fayetteville Observer not later than six days before the public hearing.

**ATTACHMENTS:**

Resolution - Introductory - Parks and Recreation

The City Council of the City of Fayetteville, North Carolina held a special meeting in the Council Chambers at City Hall located at 433 Hay Street in Fayetteville, North Carolina, the regular place of meeting, at 5:30 p.m. on November 20, 2012.

Present: Mayor Anthony G. Chavonne, presiding, and Council Members

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Absent: Council Members

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Also Present: \_\_\_\_\_

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\* \* \* \* \*

\_\_\_\_\_ introduced the following order authorizing bonds which was read and copies of which had been distributed to each Council Member:

**ORDER AUTHORIZING \$45,000,000 PARKS AND RECREATION BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the City of Fayetteville, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Parks and Recreation Bonds in an aggregate principal amount not exceeding \$45,000,000 for the purpose of providing funds, together with any other available funds, for acquiring, constructing and improving parks and recreational facilities inside and outside the corporate limits of said City, including, without limitation, the acquisition of any related land, rights of way and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

Thereupon, the order entitled "ORDER AUTHORIZING \$45,000,000 PARKS AND RECREATION BONDS" was passed upon introduction by the following vote:

Ayes: \_\_\_\_\_

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Noes: \_\_\_\_\_

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The City Council thereupon designated the Chief Financial Officer to make and file with the City Clerk the sworn statement of debt of said City which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced and before the public hearing thereon.

Thereupon, the City Clerk presented the sworn statement of debt previously delivered to the City Clerk by the Chief Financial Officer as so required.

On motion duly made, seconded and carried, the City Council fixed 6:00 p.m., December 3, 2012, in the Council Chambers at the City Hall located at 433 Hay Street in Fayetteville, North Carolina, as the hour, day and place for the public hearing upon the foregoing order and directed the City Clerk to publish said order, as required by The Local Government Bond Act, as amended, once in The Fayetteville Observer not later than the sixth day before said date.

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I, Pamela Megill, City Clerk of the City of Fayetteville, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a special meeting held on November 20, 2012, as it relates in any way to the introduction and passage upon introduction of a bond order authorizing bonds of said City and the calling of a public hearing upon such order and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that notice of such special meeting was given to each Council Member in accordance with law and that at least 48 hours before the time of said meeting, written notice of said meeting stating its purpose (a) was posted on the principal bulletin board of the City Council and (b) was mailed or delivered to each newspaper, wire service, radio station and television station which has filed a written request for such notice with me and to each other person who has filed a written request for such notice with me pursuant to G.S. 143-318.12.

WITNESS my hand and official seal of said City this 20<sup>th</sup> day of November, 2012.

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City Clerk

[SEAL]