

DARSWEIL L. ROGERS, COMMISSIONER
WADE R. FOWLER, JR., COMMISSIONER
EVELYN O. SHAW, COMMISSIONER
D. RALPH HUFF, III, COMMISSIONER
ELAINA L. BALL, CEO/GENERAL MANAGER



FAYETTEVILLE PUBLIC WORKS COMMISSION
955 OLD WILMINGTON RD
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PUBLIC WORKS COMMISSION
MEETING OF WEDNESDAY, FEBRUARY 10, 2021
8:30 A.M.

AGENDA

I. REGULAR BUSINESS

- A. Call to order
- B. Approval of Agenda

II. CONSENT ITEMS

(See Tab 1)

- A. Approve Minutes of meeting of January 27, 2021
- B. Approve Resolution # PWC2021.05 – Resolution to Authorize the Condemnation of Easements and the Delegation of Real Estate Acquisition Authority to the General Manager

Staff is Requesting Approval to Condemn Easement Parcels in Phase V Annexation, Project Areas 24A and Area 24BC. Staff recommends condemnation of seven (7) easement parcels necessary to proceed with construction, installation, operation, and maintenance of main sanitary sewer lines in the Phase V Annexation Project Areas 24A (Hoke Loop Road) and Project Area 24BC (Cliffdale Road), all located in Fayetteville. The sewer mains consist of primarily 8” pipeline, with associated manholes and service laterals to serve individual properties.

- C. Approve Resolution # PWC2021.06 – Resolution to Authorize the Condemnation of Easements and the Delegation of Real Estate Acquisition Authority to the General Manager.

Staff is requesting approval to condemn sixteen (16) Easement Parcels necessary to proceed with the installation, operation, and maintenance of Big Rockfish Creek Sanitary Sewer Outfall in the area of West Fayetteville.

END OF CONSENT

- III. 3 MONTH (OCTOBER THRU DECEMBER 2020) FINANCIAL RECAP – (Goal #1)
Presented by: Rhonda Haskins, Chief Financial Officer

- IV. GENERAL MANAGER REPORT *(See Tab 2)*
A. Open Commission Requests

- V. COMMISSIONER/LIAISON COMMENTS

- VI. REPORTS AND INFORMATION *(See Tab 3)*

- A. Personnel Report – January 2021
- B. Position Vacancies
- C. Approved N.C. Department of Transportation Encroachment Agreement(s):
 - Encr. # 19077 – Replace and upgrade roadway lighting facilities @ NC Hwy 24/87 (Rowan St).
 - Encr. # 19160 – install 6” fire line @ S. Eastern Blvd (All Climate Control Storage)
 - Encr. # 19167 – install 1” water lateral @ SR1141 (Cumberland Road) and SR2995 (Hopedale Street) for Triple J Mechanics

- VII. CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES 143-318.11(A)(4) TO DISCUSS ECONOMIC DEVELOPMENT MATTERS

- VIII. CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES 143.318(A)(1) TO DISCUSS CONFIDENTIAL INFORMATION IN ACCORDANCE WITH N.C.G.S. § 132-1.2(1).

- IX. ADJOURN

D R A F T

PUBLIC WORKS COMMISSION
MEETING OF WEDNESDAY JANUARY 27, 2021
8:30 AM

Present: Wade R. Fowler, Jr., Chairman
D. Ralph Huff, III, Vice Chairman (VIA VIDEO CONFERENCE)
Darsweil L. Rogers, Secretary
Evelyn Shaw, Treasurer

Others Present: Elaina L. Ball, CEO/General Manager
Michael Boose, Cumberland County Commissioner, Liaison

Absent: Telly Whitfield, Assistant City Manager
Christopher Davis, City Council Liaison
Melissa Adams, Hope Mills Town Manager/Liaison
Media

REGULAR BUSINESS

Chairman Wade Fowler called the meeting of Wednesday, January 27, 2021, to order.

APPROVAL OF AGENDA

Upon motion by Commissioner Rogers, seconded by Commissioner Shaw, the agenda was unanimously approved.

CONSENT ITEMS

Upon motion by Commissioner Rogers, seconded by Commissioner Shaw, Consent Items were unanimously approved.

- A. Approve Minutes of meeting of January 13, 2021
- B. Approve bid recommendation to award bid for purchase of one (1) Forestry Track Cutter to Gregory Poole Equipment, Hope Mills, NC, the lowest, responsive, responsible bidder in the total amount of \$113,059.00 and forward to City Council for approval.

The Forestry Track Cutter is a budgeted item (budgeted amount of \$115,000.00).

Bids were received on January 13, 2021 as follows:

<u>Bidders</u>	<u>Total Cost</u>
Gregory Poole Equipment, Hope Mills, NC	\$113,059.00
James River Equipment, Hope Mills, NC	\$157,691.20

COMMENTS: Notice of the bid was advertised through our normal channels on December 9, 2020, with a bid opening date of January 13, 2021. Bids were solicited from eleven (11) vendors with two (2) bids received during the bid opening. **SDBE/Local Participation:** Gregory Poole Equipment, Hope Mills, NC, is a local business and is not classified as a SDBE Minority or Woman-Owned business.

- C. Approve bid recommendation to award bid for eighteen (18) 27KV Class 1200 AMP Vacuum Circuit Breakers Magnetically Operated to National Transformer Sales (NTS), Raleigh, NC, the lowest, responsive, responsible bidder in the total amount of \$570,420.00 and forward to City Council for approval.

The eighteen (18) 27KV Class 1200 AMP Vacuum Circuit Breakers Magnetically Operated are budgeted items (budgeted amount of \$570,420.00 in the EL-22 Miscellaneous Replacements, Black and Decker Rebuild, and PO Hoffer Rebuild funds).

Bids were received on December 29, 2020, as follows:

<u>Bidders</u>	<u>Total Cost</u>
**PowerTech, LLC, Waxhaw, NC	\$561,186.00
National Transformer Sales (NTS), Raleigh, NC	\$570,420.00

** Bidder did not meet the bid specifications.

COMMENTS: In accordance with N.C.G.S. 143-129 purchase of apparatus, supplies, materials, or equipment, no minimum number of bids are required. Notice of the bid was advertised through our normal channels on November 25, 2020, with a bid opening date of December 29, 2020. No addendums were issued for this bid. Two (2) bids were received during the bid process. The bids were evaluated by Electric Support Services, Substations to ensure compliance with PWC Specifications. The bid received from PowerTech, LLC, Waxhaw, NC, did not adhere to the plans and specifications of the bid documents. Bidder took exceptions to the required Arc-Flash Resistance Enclosure. This Arc-Flash Resistant Enclosure is a safety related requirement within the bid specifications to prevent potential hazards to employees and reduce concerns for employee safety should there be a possible eruption within the breakers. **SDBE/Local Participation:** National Transformer Sales (NTS), Raleigh, NC, is not a local firm or classified as a SDBE, minority or woman-owned business. NTS intends to perform 100% of the work.

- D. Approve the bid recommendation to award the Annual Construction Services Contract for Transmission Services to Carolina Power & Signalization, Inc., Fayetteville, NC, the lowest responsive, responsible bidder, in the total amount of \$9,253,687.82, and forward to City Council for approval.

This contract will provide transmission construction for repairs, maintenance, and other electric transmission services. The contract may be renewed annually for up to five (5) additional years upon the mutual agreement of both parties.

Funding for this project will be from Electric Construction, Transmission for construction repairs, maintenance, and other electric transmission services. The costs incurred under this contract will depend upon the type and quantities of individual work units that are completed during any given year.

Bids were received on December 29, 2020, as follows:

<u>Bidders</u>	<u>Total Cost</u>
Carolina Power & Signalization, Inc., Fayetteville, NC	\$ 9,253,687.82
River City Construction, Inc., Washington, NC	\$11,333,458.75

Pike Electric LLC, Mount Airy, NC	\$12,806,714.92
Lee Electrical Construction, Inc., Aberdeen, NC	\$13,602,803.00

Note: The evaluated costs shown are based upon unit prices submitted by the bidders against estimated quantities of work. Actual costs for work performed will vary in any particular year and may be higher or lower than the evaluated costs.

COMMENTS: The contract will be effective from the commencement of contract award until the end of the current fiscal year, June 30, 2021, and may be renewed annually for up to five (5) additional years upon mutual agreement from both parties. Notice of the bid was advertised through our normal channels on November 11, 2020, with an original bid opening date of December 9, 2020. Addendum No. 1 was issued on December 8, 2020, to respond to questions received by prospective bidders, address Contract Document Revisions, and extend the bid opening date to December 29, 2020. **SDBE/Local Participation:** Carolina Power & Signalization is a local firm. They anticipate no SDBE spend for this contract.

E. Approve PWC Resolution – PWC2021.03 – to Accept a State Loan Offer Under the North Carolina Water Revolving Loan and Grant Act of 1987

In January 2021, the North Carolina Department of Environmental Quality (DEQ) offered PWC a \$16,162,109.00 State Loan for the Big Rockfish Sanitary Sewer Outfall Project to the terms of 20 years, 1.89% interest and 2% closing fee and a \$6,255,105.00 State Loan for the Big Rockfish Sanitary Sewer Outfall – Lift Station Elimination Project to the terms of 20 years, 0.00% interest and 2% closing fee (Project(s)). To accept both loan offers, PWC and the City of Fayetteville (City) must adopt a resolution accepting both loans in the form provided by DEQ.

F. Approve bid recommendation to award contract for the Big Rockfish Creek Outfall – Contract 1 to Sanford Contractors, Lemon Springs, NC, the lowest responsive, responsible bidder in the total amount of \$7,895,205.15, and forward to City Council for approval.

Commission is also requested to approve PWC Resolution – PWC2021.04 in connection with the tentative award of the bid contract and authorize staff to submit a similar resolution to the City of Fayetteville for execution.

This outfall extends under the future NCDOT I-295 interstate highway and includes demolition of the existing #100 Steeple Chase Lift Station and demolition of #114 Lake Upchurch Lift Station and connection to the main outfall.

The Big Rockfish Creek Outfall – Contract 1 is funded in the total amount of \$7,895,205.15 (budgeted in WS-76 Big Rockfish Creek Outfall – Contract 1, and WS77 Big Rockfish Sanitary Sewer Outfall – Lift Station Eliminations). All project costs that are deemed eligible will be reimbursed from loan proceeds administered by the North Carolina Division of Water Infrastructure via the Clean Water State Revolving Fund (CWSRF) program (SRF Project No. CS370434-15/16).

Bids were received on January 6, 2021, as follows:

<u>Bidders</u>	<u>Total Cost</u>
Sanford Contractors, Lemon Springs, NC	\$7,895,205.15
T. A. Loving Company, Goldsboro, NC	\$8,775,500.00

COMMENTS: Notice of bid was advertised through our normal channels on November 14, 2020, with a scheduled bid opening date of December 15, 2020. Addendum No. 1 was issued on November 24, 2020, to provide minutes of the Pre-Bid Meeting and to address Contract Document Revisions. Addendum No. 2 was issued on December 8, 2020, to address Contract Document Revisions. Addendum No. 3 was issued on December 10, 2020 to respond to questions received from prospective

bidders, to address Contract Document Revisions, and to extend the originally scheduled bid opening to December 17, 2020. Addendum No. 4 was issued on December 11, 2020, to provide clarity to responses to questions in Addendum No. 3. Addendum No. 5 was issued on December 15, 2020, to provide clarity to responses from questions in previously issued addendums. Addendum No. 6 was issued on December 21, 2021 to re-advertise the project with a new bid opening date of January 6, 2021, as the scheduled bid opening of December 17, 2020, failed to produce three (3) bids. SDBE/Local Participation; Sanford Contractors, Lemon Springs, NC, is not classified as SDBE, minority or Woman-Owned business. Their bid as 0% DBE participation, but meets the DBE good faith efforts. The bidder identified potential local spend of \$597,000.00 in the following categories: Concrete (S&W Concrete, Fayetteville, NC); Lodging (Homewood Suites, Fayetteville, NC), and Materials/Supplies (Ferguson Waterworks, Hope Mills, NC).

G. Approve the following Capital Project Fund Amendments, which will be effective upon adoption:

PWCORD2021-02 – Amends the NCDOT CPF to close out completed projects

PWCORD2021-03 – Amends the Annexation Phase V, Areas 20-21 CPF to close out the fund. All projects completed

PWCORD2021-04 – Amends the Annexation Phase V Reserve to true-up the transfer to the Annexation Phase V, Areas 20-21 CPF

PWCORD2021-05 – Amends the Annexation Phase V, Areas 32-34 – CPF. Remaining Series 2018 proceeds have been reallocated from the Annexation Phase V, Areas 20-21 CPF

PWCORD2021-06 – Amends the Series 2016 Water and Wastewater CPF to close out the fund. All proceeds have been spent

PWCORD2021-07 – Amends the Series 2018 – Water and Wastewater CPF to show interest income as a separate revenue rather than capitalizing the cost.

END OF CONSENT

GENERAL MANAGER REPORT

Elaina Ball, PWC CEO/General Manager stated since our last meeting, we have started new initiatives. They are:

❖ Supply Chain Improvement Team

This team was kicked off last Friday. This is an employee led initiative. This team will focus on:

- Cycle Time
- Spend Management
- Supplier Diversity and Local Supplier Engagement

As the team works through opportunities for improvement and implements them, Ms. Ball will update the Commission on their progress.

❖ Policy and Procedures Initiative

Ms. Ball stated we have a lot in our 616 page Policy or Procedures Manual that are a mixture of important items, including our capital structure and our financing philosophy, to tactical minutia and other things we should not control. In addition, virtually everything comes to the CEO for approval. Ms. Ball stated it is important to delegate authority as well as responsibility. It teaches our leaders how to make decisions as well as how to judge business risks.

❖ Performance Management Initiative

This initiative will be headed by Bobby Russell. It will dovetail into the HCM (Human Capital Management) Solution. Performance reviews are done every day. We do not have annual performance

reviews. We have a mix of attributes and goals. We need to retool that system and we will do so in connection with the technology.

The recommendation for the HCM system is in process. The team evaluated approximately seven demos. Mr. Russell stated the HCM will be a total replacement of the current system, dealing with employee transition, as well as onboarding, salary and benefit administration. Mr. Russell stated anything centered on the human capital aspect, this system should be able to monitor and streamline the process.

Ms. Ball stated Jon Rynne's team is working on a Request for Qualifications for a Consulting Firm to help us evaluate longer term power generation options for our generating station. Mick Noland's team is working on the budget as well working diligently to get projects scoped and bid for our anticipated bond issuance this year.

Ms. Ball stated we recently held our meeting with the City of Fayetteville. Among other topics, we are gearing up to begin Metronet's deployment. The City will hold monthly coordination meetings with all the parties, and we will be active participants.

Regarding Metronet, we received the final batch of executed service agreements yesterday. Legal and Finance are completing QA and audit. Ms. Ball plans to execute them today and will send to Metronet their signed Pole Attachment Agreement. The City Manager has requested a copy and Ms. Ball will send one with the approval of Metronet.

We have requested to join the City's Supplier Availability and Disparity Study. This is a regional study they will do to identify both potential suppliers based on NAICS codes, as well as where there is supply and suppliers are not being awarded. Ms. Ball stated it is good for PWC to join this study. Once she knows the cost to PWC she will inform the Commission.

Chairman Fowler and Ms. Ball met with the Mayor and some in the development community on infill development challenges. She stated we have follow-up meeting with the City regarding creation of some opportunity zones. Ms. Ball suggested the Commission have a policy level discussion in the future regarding how we approach development.

Ms. Ball met with the Colonel Pence, the Fort Bragg Garrison Commander. She stated we have a possible partnering for service men and women returning to civilian life. More information will follow.

Payment arrangements are coming to their six month end. We are studying the data and will begin to conclude the payment arrangements in the near future and return to our normal billing and collection activities. Once we have analyzed all the data and developed a policy, Communications will develop a comprehensive communications plan for customers during this time. Will update the Commission once we have recommendations. We have also been working diligently and continue to look for ways to have assistance for our customers, collaborating with the City and other stakeholders on customer bill assistance.

We have several in-flight technology projects, and how we track time, attendance and conduct payroll has come to light. We do a great job, though we are likely to move many of these functions to a third party. We have over 600 hours a year in IT; team members in Finance who spend a large amount of time on this. We will have a one pager that will show the cost and benefits. No employment will be impacted.

RECOGNITIONS

Fayetteville Tech (FTCC) Electrical Line Worker Class is now at 368 hours since it began in 2018. He has had seven classes serving over 68 students. Fifty-one have gotten a job. We began a new class on January 25 with 12 students. Ms. Ball stated when she met with Dr. Keen, he was excited about the program and is looking forward to expanding it to Water.

Regarding Metronet – Ms. Ball wanted to not only recognize Jon Rynne and Jamie West, but also David Deschamps; Marc Tunstall, Keith Reid, Rick Anderson, and the others who worked countless hours in contract negotiations and assisted in formalizing a lot of the process work.

Commissioner Shaw stated the State allocated \$30M for companies like Metronet to provide services to those digital deserts. A lot of them are rural and some of them are close to cities but service has not been extended to that area. She asked if it would be appropriate to encourage the City to encourage Metronet to apply for some of those funds so they can address some of those digital deserts in our area as they deploy.

STRATEGIC PLANNING

Presented by: Elaina L. Ball, PWC CEO/General Manager

Ms. Ball stated we will review the progress to date; discuss the work to be completed; review and affirm the Vision, Mission and Values; discuss strategic priorities and finalize them; and then discuss next steps.

Ms. Ball stated over the past year, PWC and the consultant have:

1. Established the organization's Vision statement
2. Updated the organization's Mission statement
3. Worked collaboratively with employees to select the organization's key Values
4. Segmented customers
5. Obtained Community Advisory Group input
6. Conducted business unit SWOT analyses

The above information is available to the Commissioners if they desire it.

Over the next quarter, the Staff and Commissioners need to:

1. Affirm the work to date
2. Select Strategic Priorities
3. Identify Goals (Key Performance Indicators) for the Strategic Priorities
 - ✓ The management team will draft them for review and input by the Commission
4. Identify Initiatives to accomplish the Goals
5. Implement, monitor progress periodically (suggest quarterly)

The Commission and Staff discussed the following Vision, Mission and Values Statements.

- Vision - To continually be recognized by our community and the nation as the best municipal utility in the country.
- Mission - PWC, Fayetteville's Hometown Utility, provides industry leading essential services to our communities with a team of dedicated, innovative employees, focused on our customers.
 - ✓ The Officers will discuss streamlining the Mission statement.
- Values
 - Customer Focus Dedicated Workforce Caring Excellence
 - Sustainable (*Sustainability*) Fiscal Responsibility Safety Transparent
 - ✓ Staff will discuss the Values and return to Commission with suggested changes.

Current Draft Strategic Priorities

- Fiscal responsibility
 - ✓ (Change to Financial Health)
- Top quality organization/workforce
 - ✓ Suggested using Gallop's Q12 Tool
- Top quality customer experience
 - ✓ Ms. Ball stated she wants for PWC to be in top quartile; top decile)
 - ✓ Met with J.D. Power regarding measuring customer experience
- Communicate benefits of PWC to community
 - ✓ Ms. Ball suggested to move this priority to another place.
- Economic/Community Development
 - ✓ Ms. Ball suggested to separate Economic Development from Community Engagement
- Operational Excellence (Suggested adding this Strategic Priority)

Commissioner Shaw expressed concern that we are possibly not writing the strategic priorities for the average citizen to understand. Discussion ensued regarding efforts in customer service and helping them to manage their energy cost through our programs. Ms. Ball stated the internal document needs to be robust to hold us all into account. Additional discussion ensued.

Next Steps

- Will work on the Mission and the Values, Forward Looking Innovation, Team Work and Inclusion.
- Strategic Priority finalization
- Establish Goals (Key Performance Indicators) for each Strategic Priority
- Baseline KPIs and establish stretch goals (benchmark where possible)
- Identify Strategic Initiatives to achieve goals
- Resource Strategic Initiatives (budgeting process)
- Written Strategic Plan development
- Communicate to organization and stakeholders
- Implement and monitor progress quarterly
- Review and adjust as needed

COMMISSIONER/LIAISON COMMENTS

Chairman Fowler welcomed our newly appointed Cumberland County Commissioner Michael Boose. Commissioner Rogers invited the County to join the City and PWC on the Disparity Study. Commissioner Boose asked for the information to be sent over to him. Ms. Ball will ensure he has the information.

Commissioner Rogers requested for Ms. Justice Hinson to give an update on the BBR. She stated the first Virtual BBR was held on yesterday (January 26). It is a 30 minute program. The Town of Hope Mills kicked it off. It is very similar to the regular BBR. Over 50 registrants, and 35-40 were on the call. She stated it worked very well. Commissioner Rogers thanked the staff for continuing to work hard on this project. He appreciates the efforts of Carolyn Justice Hinson and Alexandra Hasapis in particular.

REPORTS AND INFORMATION

- A. Monthly Cash Flow Report - December 2020
- B. Recap of Uncollectible Accounts – December 2020
- C. Investment Report – December 2020
- D. Purchase Orders – December 2020
- E. Position Vacancies
- F. Financial Statement Recaps – December 2020
 - Electric
 - Water/Wastewater
- G. Actions by City Council during the meeting of January 11, 2021 related to PWC:
 - Approved Bid Recommendation – Hydrogen Sulfide Control Program

CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES 143.318(A)(1) TO DISCUSS CONFIDENTIAL INFORMATION IN ACCORDANCE WITH N.C.G.S. § 132-1.2(1).

Commissioner Rogers motioned to go into closed session pursuant to North Carolina General Statutes 143.318(A)(1) to Discuss Confidential Information in Accordance with N.C.G.S. § 132-1.2(1). Motion was seconded by Commissioner Shaw and unanimously approved at 9:33 am.

There being no more discussion, upon motion by Commissioner Rogers, seconded by Commissioner Shaw, the Commission returned to open session at 10:15 a.m.

ADJOURNMENT

There being no further business, upon motion by Commissioner Rogers, seconded by Commissioner Shaw, and unanimously approved, the meeting was adjourned at 10:16 a.m.

DARSWEIL L. ROGERS, COMMISSIONER
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February 3, 2021

MEMO TO: Elaina Ball, CEO/General Manager

FROM: Jim Autry, Right-of-Way Supervisor

SUBJECT: Request Approval to Condemn Easement Parcels -
Phase V Annexation, Project Areas 24A and Area 24BC

Staff recommends condemnation of seven (7) easement parcels necessary to proceed with construction, installation, operation, and maintenance of main sanitary sewer lines in the Phase V Annexation Project Areas 24A (Hoke Loop Road) and Project Area 24BC (Cliffdale Road), all located in Fayetteville, Cumberland County, NC. The sewer mains consist of primarily 8" pipeline, with associated manholes and services laterals to serve individual properties.

One of the seven easement parcels is located in Project Area 24A which is currently in construction. All 50 easements parcels have been acquired and or settled; however, in the course of surveying the easements, a "gap" between established property lines on Hodhat Drive based on deed descriptions on record was discovered. This gap does not have a PIN number and is not being taxed. Legal counsel has advised that the interest of any known or unknown heirs of the original landowner of the larger parent tract be condemned to assure PWC secures free and clear rights within the proposed easement where the pipeline will be installed.

Project Area 24BC is anticipated to go to construction May 1, 2021. There are 53 easement parcels of which all but 6 have been acquired, settled, or agreements reached. These remaining six are where the owners could not be reached, were unresponsive, and or efforts to negotiate were unsuccessful.

The recommendation, as approved by the Fayetteville Public Works Commission, shall be placed as an Administrative Agenda Item on the City Council Agenda in accordance with prior agreed upon procedure.

PWC will continue to make every effort to negotiate settlement on these claims as condemnation is always a last resort; however, this action is necessary to initiate the legal process to gain possession of the easement parcels in the time frame needed to meet the Project Construction Schedule.

**RESOLUTION TO AUTHORIZE THE CONDEMNATION
OF EASEMENTS AND THE DELEGATION OF REAL ESTATE
ACQUISITION AUTHORITY TO THE GENERAL MANAGER**

WHEREAS, Fayetteville Public Works Commission (PWC), as a public authority under North Carolina law, is entitled to exercise eminent domain rights as a local public condemnor to acquire real property interests that will be titled in the name of The City of Fayetteville and used to extend, enlarge, or improve the public enterprise comprised of PWC's utility operations;

WHEREAS, PWC has determined at this time that its utility operations should be extended, enlarged, and improved by the acquisition of utility easements on and crossing the properties specified hereinbelow in the name of The City of Fayetteville, by and through PWC, and that such acquisitions are necessary and in the public interest for the benefit and use of the public, specifically by and through the establishment, extension, enlargement, or improvement (to meet the need for expanded or upgraded service) of an adequate and sound system of transmission and distribution of electricity, water supply and distribution, and sanitary sewer lines and systems;

WHEREAS, PWC has the authority under Section 6A.8 of Chapter VIA of the Charter of The City of Fayetteville to delegate certain duties and responsibilities when necessary or convenient for its operations, including but not limited to the execution of contracts, settlement statements, instruments, and other legal documents necessary for the acquisition of interests in real property, which shall be titled in the name of the City of Fayetteville, by and through PWC; and

WHEREAS, PWC has deemed that the delegation of certain duties and responsibilities specified hereinbelow are consistent with PWC's authority and fiduciary responsibilities.

**THEREFORE, LET IT BE RESOLVED BY THE COMMISSIONERS OF
FAYETTEVILLE PUBLIC WORKS COMMISSION THAT:**

1. Fayetteville Public Works Commission, acting by and through its General Manager, is hereby authorized to acquire by condemnation, for the purposes stated above in the name of The City of Fayetteville, the property rights and interests described as follows:

a. **Phase V Annexation, Project Area 24A**; Permanent and Temporary utility easements ranging approximately 10-feet to 20-feet in width across that parcel of land located on Hodhat Drive referred to as the "Gap-A" Parcel (unassigned PIN) and being the interest of any Known or Unknown Heirs located off Hoke Loop Road being bounded on the North, South, East, and West by Parcel PINS 9477-73-1577, 9477-63-9585, 9477-63-8507, 9477-63-6398, 9477-63-5590, 9477-63-5409, 9477-63-4638, & 9477-63-9828.

b. **Phase V Annexation, Project Area 24BC**; Permanent and Temporary utility easements ranging approximately 10-feet to 20-feet in width across the following designated Parcels: Tax PIN(s): 9477-92-6671, 9477-92-6064, 9477-92-7043, 9487-00-0628, 9487-00-3265, 9487-01-5705

All being in Cumberland County, for the purpose of improving PWC's existing and proposed water and or sanitary sewer lines and systems necessary to extend and provide these services where practical and feasible to the Phase V Annexed Project Areas and to ensure an adequate and sound system of water and sanitary sewer lines.

2. The General Manager is authorized to direct the attorney(s) representing Fayetteville Public Works Commission to institute the necessary legal proceedings under Chapter 40A of the North Carolina General Statutes to acquire the easements described hereinabove

3. Pursuant to Section 6A.8 of Chapter VIA of the Charter of The City of Fayetteville, PWC delegates authority to the CEO and General Manager to award and execute contracts, settlement statements, instruments, and other legal documents necessary for the acquisition of interests in real property, which shall be titled in the name of the City of Fayetteville, by and through PWC. This delegation is subject to the requirements and limitations contained within PWC's approved policies.

ADOPTED this 10th day of February 2021

FAYETTEVILLE PUBLIC WORKS COMMISSION

Wade R. Fowler, Jr., Chairman

ATTEST:

Darsweil L. Rogers, Secretary

DARSWEIL L. ROGERS, COMMISSIONER
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February 3, 2021

MEMO TO: Elaina Ball, CEO/General Manager

FROM: Jim Autry, Right-of-Way Supervisor

SUBJECT: Request Approval to Condemn Easement Parcels -
Big Rockfish Creek Sanitary Sewer Outfall

Staff recommends condemnation of an additional sixteen (16) easement parcels necessary to proceed with the installation, operation, and maintenance of Big Rockfish Creek Sanitary Sewer Outfall in the area of West Fayetteville. The outfall commences at Golfview Drive just south of Hope Mills and follows creeks, lakes, and low-lying areas westward to the Hoke County Line thence turns North to King Road. The Outfall consists of a combination of 18-inch and 24-inch of gravity sanitary sewer outfall and 12-inch and 8-inch gravity sanitary sewer main designed to eliminate six (6) existing sanitary sewer lift stations currently serving multiple subdivisions in the area. The Outfall will provide the infrastructure needed to make sanitary sewer available and expand capacity for future growth and development, much of which is being fueled by the new I-295 Fayetteville Outer Loop. The six (6) existing lift stations to be eliminated currently require costly ongoing maintenance. the proposed Big Rockfish Creek Outfall will also serve to eliminate the need for a regional lift station and provide necessary tie-in points for installation of gravity sanitary sewer collection systems proposed for future Phase V Annexation Projects.

Several of these easement parcels are located in Contract Areas 1 & 2 scheduled for construction to begin March/April 2021 that were not on the approved resolution adopted by Commission January 13th. The others are located in Contract Areas 3 & 4 with a construction start date in early 2022. Negotiations are ongoing and we anticipate a settlement on some of these claims prior to the start date; however, to assure possession of the easements in the time frame necessary to avoid delay of the construction these parcels are included on the list as well as the ones we know an impasse in negotiations has been reached and or owners have secured legal counsel to represent them.

The recommendation, as approved by the Fayetteville Public Works Commission, shall be placed as a Consent item on City Council Agenda in accordance with Section 6A.9 of the Charter to request that the City of Fayetteville adopt a resolution authorizing the Fayetteville Public Works Commission to transfer the right of way to DOT in accordance with G.S. 160A-274.

**RESOLUTION TO AUTHORIZE THE CONDEMNATION
OF EASEMENTS AND THE DELEGATION OF REAL ESTATE
ACQUISITION AUTHORITY TO THE GENERAL MANAGER**

WHEREAS, Fayetteville Public Works Commission (PWC), as a public authority under North Carolina law, is entitled to exercise eminent domain rights as a local public condemnor to acquire real property interests that will be titled in the name of The City of Fayetteville and used to extend, enlarge, or improve the public enterprise comprised of PWC's utility operations;

WHEREAS, PWC has determined at this time that its utility operations should be extended, enlarged, and improved by the acquisition of sixteen (16) easements specified hereinbelow in the name of The City of Fayetteville, by and through PWC, and such acquisition is necessary and in the public interest for the benefit and use of the public, specifically by and through the establishment, extension, enlargement, or improvement (to meet the need for expanded or upgraded service) of an adequate and sound system of transmission and distribution of electricity, water supply and distribution, and sanitary sewer lines and systems;

WHEREAS, PWC has the authority under Section 6A.8 of Chapter VIA of the Charter of The City of Fayetteville to delegate certain duties and responsibilities when necessary or convenient for its operations, including but not limited to the execution of contracts, settlement statements, instruments, and other legal documents necessary for the acquisition of interests in real property, which shall be titled in the name of the City of Fayetteville, by and through PWC; and

WHEREAS, PWC has deemed that the delegation of certain duties and responsibilities specified hereinbelow are consistent with PWC's authority and fiduciary responsibilities.

**THEREFORE, LET IT BE RESOLVED BY THE COMMISSIONERS OF
FAYETTEVILLE PUBLIC WORKS COMMISSION THAT:**

1. Fayetteville Public Works Commission, acting by and through its General Manager, is hereby authorized to acquire by condemnation, for the purposes stated above in the name of The City of Fayetteville, the property rights and interests described as follows:

a. Permanent and Temporary utility easements ranging approximately 20-feet to 30-feet in width across the following designated Parcel PINs: 9494-80-7554, 9484-92-7453, 9484-90-3689, 9484-85-0564, 9484-67-1903, 9484-68-1006, 9494-93-3358, 9494-04-3428, 9494-46-1383, 9494-35-0271, 9494-35-8712, 9484-93-3623, 9484-83-4294, 9484-73-6270, 9494-91-3122, 9494-62-3545, all being in Cumberland County, for the purpose of improving PWC's existing and proposed sanitary sewer lines and systems necessary to accommodate the extension of The Big Rockfish Creek Outfall that will also serve to eliminate six existing sanitary sewer lift stations that currently serve subdivisions in the area for the purpose of ensuring an adequate and sound system of sanitary sewer lines.

2. The General Manager is authorized to direct the attorney(s) representing Fayetteville Public Works Commission to institute the necessary legal proceedings under Chapter 40A of the North Carolina General Statutes to acquire the easements described hereinabove

3. Pursuant to Section 6A.8 of Chapter VIA of the Charter of The City of Fayetteville, PWC delegates authority to the CEO and General Manager to award and execute contracts, settlement statements, instruments, and other legal documents necessary for the acquisition of interests in real property, which shall be titled in the name of the City of Fayetteville, by and through PWC. This delegation is subject to the requirements and limitations contained within PWC's approved policies.

ADOPTED this 10th day of February 2021

FAYETTEVILLE PUBLIC WORKS COMMISSION

Wade R. Fowler, Jr., Chairman

ATTEST:

Darsweil L. Rogers, Secretary

Open Commission Requests

As of 2-10-21

<u>Commission Meeting Date</u>	<u>Presentation/Discussion Item</u>	<u>Presenter (Staff)</u>
To be Determined	Action Items as a result of the 2019 budget discussions: Provide cost analysis of the Wellness Program - Completed Ridership of the Faster Bus versus cost Requested by: Commissioner Rogers 5-8-19	R. Haskins R. Haskins
To be Determined	Report Key Ratios Across all Reporting Agencies Requested by: Commissioner Rogers 10/9/19	R. Haskins
To be Completed with Strategic Planning	Clarify Key Performance Indicators – Requested by: 10/9/19	R. Haskins
To Be Determined	Provide Update on Strategic Planning Throughout the Commission Requested by: D. Rogers 5-13-20	D. Trego B. Russell
To Be Determined	Provide a presentation on the process to be followed in the event of a Contamination Event (corrected 11-9-20) Requested by: D. Rogers 10-14-20	M. Noland
To Be Determined	Provide explanation on the options customers have when online without speaking to a customer representative. (11-11-20)	D. Trego R. Haskins

PREVIOUSLY CLOSED COMMISSION REQUESTS HAVE BEEN ARCHIVED

January 2021 Personnel Report

<i>DIVISION</i>	<i>AUTHORIZED POSITIONS</i>	<i>ACTUAL EMPLOYEES</i>	<i>Part -time Employees</i>	<i>CONTRACT POSITIONS</i>	<i>VACANT POSITIONS</i>	<i>Temp Staff</i>
MANAGEMENT						
Executive	8	5			3	
Customer Programs Admin	1	1				
Human Resources Admin	1	1				
Communications/Comm Rel	1	1				
Corporate Services Admin	1	1				
Information Tech Admin	1	1				
Financial Administration	1	1				
Water Administration	1	1				
Electric Administration	1	1				
Total	16	13	0	0	3	
COMM/COMM REL						
Communications/Comm Relations	4	4				
Total	4	4	0	0	0	
HUMAN RESOURCES						
Human Resources	7	7				
Medical	1	1				1
Safety	1	1				
Total	9	9	0	0	0	1
CUSTOMER PROGRAMS						
Programs Call Center	11	11				2
Development & Marketing	5	4			1	
Water Meter Shop	2	2				
Electric Meter Shop	2	2				
Utility Field Services	17	15			2	
Meter Data Management	7	7				
Total	44	41	0	0	3	2
CORPORATE SERVICES						
Project Management	19	19				
Warehouse	13	13				
Fleet Maintenance	31	30			1	
Facilities Maintenance	7	7				
Total	70	69			1	
INFORMATION TECHNOLOGY						
IT Admin	5	5				
IT Infrastructure & Support	12	12				
IT Applications	8	8				
IT DevOps	8	8				1
Total	33	33	0	0	0	1

January 1-31, 2021

Page 2

<i>DIVISION</i>	<i>AUTHORIZED POSITIONS</i>	<i>ACTUAL EMPLOYEES</i>	<i>Part -time Employees</i>	<i>CONTRACT POSITIONS</i>	<i>VACANT POSITIONS</i>	<i>Staff by Temp Agency or Part-time</i>
<i>FINANCIAL</i>						
Accounting	17	14			3	
Payroll	2	2				
Accounts Receivable	3	2			1	
Customer Accts Call Center	33	*35				
Customer Service Center	15	14			1	
Cust Billing & Collection	14	14				2
Risk Management	4	4				
Environmental Compl	1	1				
Property & ROW Mgmt	5	5				2
Internal Auditing	1	1				
Budget	2	2				
Rates & Planning	2	2				
Financial Planning Admin	5	5				
Purchasing	7	6			1	
Total	111	105	0	0	6	4
<i>WATER RESOURCES</i>						
W/R Engineering	37	34			3	1
W/R Construction	107	101			6	
P.O. Hoffer Plant	10	10				
Glenville Lake Plant	7	7				2
W/WW Facilities Maint.	25	24			1	
Cross Creek Plant	11	11				
Rockfish Plant	8	8				
Residuals Management	2	2				
Environmental Services	1	1				
Laboratory	6	6				
W/R Environ. Sys. Prot.	4	4				
Watersheds	2	2				
Total	220	210	0	0	10	3
<i>DIVISION</i>	<i>AUTHORIZED POSITIONS</i>	<i>ACTUAL EMPLOYEES</i>	<i>Part -time Employees</i>	<i>CONTRACT POSITIONS</i>	<i>VACANT POSITIONS</i>	<i>Staff by Temp Agency</i>
<i>ELECTRIC</i>						
Electrical Engineering	23	21			2	
Fiber	2	2				
Electric Construction	86	80			6	
Substation	14	13			1	1
Apparatus Repair Shop	5	5				
CT Metering Crews	4	4				
Compliance	3	3				
Power Supply SEPA	0	0				
Power Supply Progress Energy	0	0				
Generation	26	*29				
Total	163	154		0	9	1
<i>TOTAL</i>	670	638	0	0	32	12

*2 temporary overstaff in Customer Service

*3 temporary overstaff in Generation

DARSWEIL L. ROGERS, COMMISSIONER
WADE R. FOWLER, JR., COMMISSIONER
EVELYN O. SHAW, COMMISSIONER
D. RALPH HUFF, III, COMMISSIONER
ELAINA L. BALL, CEO/GENERAL MANAGER



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

January 27, 2021

MEMO TO: ALL PWC EMPLOYEES

FROM: Rhonda Fokes
rhonda.fokes@faypwc.com

SUBJECT: Job Vacancy

POSITION: Customer Service Representative (Two positions)

DEPARTMENT: 0420 – Customer Accounts Call Center

HOURS: Monday – Friday 11:00am – 8:00pm

GRADE LEVEL:

Qualifications & Duties: Any regular employee may apply to the Human Resources Department by logging into EBS/I-Recruitment/Employee Candidate to apply for this position by 5pm February 10, 2021.

SUPERVISORS, PLEASE POST ON BULLETIN BOARD

BUILDING COMMUNITY CONNECTIONS SINCE 1905

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

DARSWEIL L. ROGERS, COMMISSIONER
WADE R. FOWLER, JR., COMMISSIONER
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WWW.FAYPWC.COM

January 27, 2021

MEMO TO: ALL PWC EMPLOYEES

FROM: Kim Long
Kim.Long@FAYPWC.COM

SUBJECT: Job Vacancy

POSITION: GIS TECHNICIAN

DEPARTMENT: 0810- Electrical Engineering

HOURS: MONDAY-FRIDAY 8:00AM-5:00PM
Overtime and on-call as required

GRADE LEVEL: 407- \$25.30-\$31.62/HOUR

QUALIFICATIONS & DUTIES: Any "regular" employee may apply to the Human Resources Department. Please log into EBS, I-Recruitment, Employee Candidate to apply for this position by 5pm, February 9, 2021.

SUPERVISORS, PLEASE POST ON BULLETIN BOARD

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TELEPHONE (910) 483-1401
WWW.FAYPWC.COM

January 27, 2021

MEMO TO: ALL PWC EMPLOYEES

FROM: Kim Long
Kim.Long@FAYPWC.COM

SUBJECT: Job Vacancy

POSITION: SENIOR ELECTRIC SUBSTATION TECHNICIAN

DEPARTMENT: 0821- Substations

HOURS: MONDAY-FRIDAY 7:00AM-3:30PM
Overtime and on-call as required

GRADE LEVEL: 408- \$28.50-\$35.63/HOUR

QUALIFICATIONS & DUTIES: Any "regular" employee may apply to the Human Resources Department. Please log into EBS, I-Recruitment, Employee Candidate to apply for this position by 5pm, February 9, 2021.

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DAVID W. TREGO, CEO/GENERAL MANAGER



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TELEPHONE (910) 483-1401
WWW.FAYPWC.COM

February 1, 2021

MEMO TO: ALL PWC EMPLOYEES

FROM: Adrian Clarke
Adrian.Clarke@faypwc.com

SUBJECT: Job Vacancy

POSITION: INVENTORY STOREKEEPER

DEPARTMENT: Fleet Maintenance

HOURS: MONDAY-FRIDAY 8AM TO 5PM

GRADE LEVEL: 404 - \$18.06 TO \$22.58 / HOURLY

QUALIFICATIONS & DUTIES: Any "regular" employee may apply to the Human Resources Department. Please log into EBS, I-Recruitment, Employee Candidate to apply for this position no later than 5pm, February 15th, 2021.

SUPERVISORS, PLEASE POST ON BULLETIN BOARD