City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final

City Council Regular Meeting

Monday, January 26, 2026 | **6:30 PM** | **Council Chamber**

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 ANNOUNCEMENTS AND RECOGNITIONS

5.0 CITY MANAGER REPORT

6.0 APPROVAL OF AGENDA

7.0A CONSENT AGENDA

7.0A1 26-0044 Approve Meeting Minutes:
January 5, 2026 - Work Session
January 12, 2026 - Discussion of Agenda Items
January 12, 2026 - Regular

Recommendation: Approve the draft minutes.

7.0A2 26-0061 Approve City Council Policies Review Committee Recommendations to City Council Policies 120.09, 160.10, and 165.3

Recommendation: Approve Council Policy Committee recommended revisions City Council Policies 120.09, 165.3 and 160.10 update the 2026 City Council Meeting Dates Calendar - Meeting Information.

7.0A3 26-0019 Approve Ordinances for Uninhabitable Structures: Demolition Recommendations

484 Tacoma Court – District 4
511 S Eastern Boulevard – District 2
905 Anarine Road – District 2
3634 Thorndike Drive – District 3

Recommendation: Staff strongly recommends that Council adopt the ordinances authorizing demolition of these structures. We will continue to engage with the property owners up to the scheduled demolition date, offering opportunities for voluntary compliance, self-demolition, or grant-supported abatement through the Community Development Department.
Should a property come into compliance voluntarily, staff will present a demolition rescission ordinance to Council to formally remove the order from the property deed.
Prompt approval of the demolition ordinances is essential, as it enhances our leverage with property owners and is the only available mechanism to stay or suspend demolition proceedings once an order has been adopted.

7.0A4 26-0031 Approval of Professional Service Contract Execution Recommendation for $1,827,735 for the design of the Arran Lake West Dam Overtopping Protection Project

Recommendation: Authorize the execution of an engineering service contract for professional services in the amount of $1,827,735 for the design of the Arran Lakes West Dam (ALWD) Overtopping Protection Project to the consulting firm Hazen & Sawyer.

7.0A5 25-5030 Approve FAST's 2026 Public Transportation Agency Safety Plan (PTASP) Update

Recommendation: Staff recommends that Council move to approve FAST's 2026 Public Transportation Agency Safety Plan (PTASP) as presented.

7.0A6 26-0053 Authorization to Apply for Fiscal Year 2025 Choice Neighborhood Implementation Grant and Appropriate Additional Funding for the Application

Recommendation: Authorize Staff to apply for the Fiscal Year 2025 Choice Neighborhood Implementation Grant for the Murchison Road area and adopt Budget Ordinance Amendment 2026-5 and Special Revenue Project Ordinance Amendment 2024-11

7.0A7 26-0054 PWC - Approve Sole Source Recommendation - Spare Parts for Existing on-Load Tap Changers (OLTC)

Recommendation: The Fayetteville Public Works Commission recommends that City Council approve the sole source recommendation to purchase spare parts for existing on-load tap changers (OLTC) from Reinhausen Manufacturing, Inc, the sole provider in North Carolina, in the amount of $178,691.04, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A8 26-0055 PWC - Approve Bid Recommendation - Gas Turbine 6 IR Load Gearbox Parts and Repair

Recommendation: The Fayetteville Public Works Commission recommends that City Council approve the award for the purchase of Gas Turbine 6 IR Load Gearbox Parts and Repair to Philadelphia Gear Corporation, Huetown, AL, the lowest responsive and responsible bidder, and in the best interest of PWC, in the total amount of $529,997.00, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A9 26-0059 PWC - Approve Resolution for Permanent Pipeline Easement, Temporary Construction Easements and a License Rights to Piedmont Natural Gas Company, Inc.

Recommendation: The Fayetteville Public Works Commission requests the Fayetteville City Council to approve the requested Permanent Pipeline Easement, Temporary Construction Easements and a License Rights to Piedmont Natural Gas Company, Inc., and to adopt the attached resolution.

7.0B ITEMS PULLED FROM CONSENT

8.0 PUBLIC HEARINGS (Public & Legislative Hearings)

8.01 26-0009 P25-30: A request to rezone 2211 Rosehill Road (0438470005000), consisting of 21.27 acres and owned by Cross Creek Refuse LLC, from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5). (Tabled from August 25 and October 27, 2025)

Recommendation: * The Professional Planning Staff recommends that the City Council approve the straight rezoning from SF-6 to MR-5. The request is consistent with the Future Land Use Plan's Medium Density Residential designation with Park/Open Space along Big Cross Creek, and MR-5 provides the appropriate toolkit to implement that policy by allowing small-lot detached, duplex/townhome, and low-rise multifamily while preserving environmentally constrained areas through open-space and buffer requirements. The range of MR-5 uses, and associated development standards is suitable for this corridor given the surrounding mix of single-family neighborhoods, civic uses, and nearby multifamily, and compatibility will be addressed through the UDO's citywide requirements for setbacks, height, landscaping/buffering, lighting, access, and stormwater. Transportation access, utility connections, and public-safety considerations will be reviewed and conditioned at the subdivision and site-plan stages. No evidence indicates factors that would substantially harm public health, safety, morals, or general welfare.
Note: As a reminder, this application was denied by the Zoning Commission and has been appealed to the City Council for further consideration.

8.02 26-0002 Adopting Council Policy 160.09.2 - The Policy for Residents to Request “No Parking” in Multi-Use Lanes

Recommendation: 1) Adopt Council Policy 160.09.2 - The Process for Residents to Request "No Parking" in Multi-Use Lanes.

9.0 OTHER ITEMS OF BUSINESS

9.01 26-0036 Receive Presentation on the Cost of Gun Violence Study

Recommendation: Receive the presentation.

9.02 26-0003 Receive Fire Station #4 Construction Defect Assessment Report from ABS

Recommendation: Staff recommends that Council receive the ABS report and presentation, ask questions of the consultant, and provide direction to staff regarding next steps based on the findings and recommendations presented.

10.0 ADJOURNMENT

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Citizens wishing to provide testimony in response to a notice of public hearing or to participate in the public forum can obtain instructions to submit a statement by emailing cityclerk@fayettevillenc.gov or by calling 910-433-1989 for assistance. Individuals desiring to testify on a quasi-judicial public hearing must contact the City Clerk by 5:00 p.m. the day of the meeting to sign up to testify; instructions will be provided on how to appear before Council to provide testimony.

CLOSING REMARKS

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

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing thirteen (13) 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
January 26, 2026 - 6:30 p.m.
Cable Channel 7 and streamed "LIVE" at FayTV.net

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 Human Relations at yamilenazar@fayettevillenc.gov, 910-433-1696, or the Office of the City Clerk at cityclerk@fayettevillenc.gov, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.


FAYETTEVILLE
NORTH CAROLINA
Five Council Strategic Priorities
Ongoing commitment to a comprehensive approach to community safety
Continue the City's commitment to revitalization efforts and housing needs
Increase Parks and Recreation opportunities for youth engagement and interaction
Enhance economic growth throughout the City
Evaluate and expand transportation and other connectivity for residents

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0044

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A1

TO: **Mayor and Members of City Council**

THRU: **Jodi Phelps, Assistant City Manager**

FROM: **Jennifer Ayre, MMC, City Clerk**

DATE: **January 26, 2026**

RE:
Approve Meeting Minutes:
January 5, 2026 - Work Session
January 12, 2026 - Discussion of Agenda Items
January 12, 2026 - Regular

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
Goal IV: The City of Fayetteville will continue to have a collaborative citizen and business engagement base

Executive Summary:
The Fayetteville City Council conducted meetings on the referenced dates during which they considered items of business as presented in the drafts.

Background:
The draft minutes are from the meeting held on the above-mentioned dates.

Issues/Analysis:
None.

Budget Impact:
None.

Options:
1. Approve the draft minutes.
2. Amend the draft minutes then approve draft minutes as amended.
3. Do not approve the draft minutes and provide direction to staff.

Recommended Action:
Approve the draft minutes.

Attachments:
Three sets of draft minutes

DRAFT

FAYETTEVILLE CITY COUNCIL
WORK SESSION SPECIAL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JANUARY 5, 2026
2:00 P.M.

Present: Mayor Mitch Colvin (arrived at 2:26 p.m.);

Council Members Stephon Ferguson (District 1); Malik Davis (District 2); Antonio Jones (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Shaun McMillan (District 8); Deno Hondros (District 9)

Others Present:
Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Strickland, Assistant City Manager
Adam Lindsay, Assistant City Manager
Jodi Phelps, Assistant City Manager
Kevin Dove, Fire Chief
Roberto Bryan, Police Chief
Willie Henry, Chief Information Officer
Tiffany Murray, Chief Financial Officer
Gerald Newton, Development Services Director
Sheila Thomas-Ambat, Public Services Director
Michael Gibson, Parks, Recreation, & Maintenance Director
Loren Bymer, Marketing & Communications Director
John Jones, Office of Community Safety Director
Christopher Cauley, Economic & Community Development Director
Albert Baker, Economic & Community Development Assistant Director
Jacquline Abbott, Community Development Manager
Kimberly Toon, Purchasing Manager
Austin Amandolia, HR&A Consultant
Jimmy Plater, Redeploying American Veterans (RAV), President and CEO
Deborah Harris, Continuum of Care Chair
Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation President and CEO
Mr. Dan LaMontagne, Senior Project Manager with Freese and Nichols
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Pro Tem Thompson called the meeting to order at 2:00 p.m.

2.0 INVOCATION

The invocation was offered by Council Member Haire.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Mayor and City Council.

4.0 CITY MANAGER REPORT

No report provided.

5.0 APPROVAL OF AGENDA

MOTION: **Council Member Haire moved to approve the agenda.**
SECOND: **Council Member Jones**
VOTE: **UNANIMOUS (9-0)**

6.0 OTHER ITEMS OF BUSINESS

6.01 Blount and Gillespie Redevelopment Efforts Update

Mr. Christopher Cauley, Economic & Community Development Director, presented this item with the aid of a PowerPoint presentation. Mr. Cauley stated the City has owned the property at the corner of Blount Street and Gillespie Street, but just recently acquired all the property. Staff partnered with HR&A to identify market potential, feasibility, and ways to support the downtown vision. Since 2008, the City has acquired a total of 41 parcels, leveraging $6 million of Hope VI funding. The City later partnered with Red Rock Global for a study that focused on catalytic development potential in the areas of Upper Murchison, Lower Murchison, Massey Hill, and the Center City Action Park.

Mr. Austin Amandolia, Senior Analyst for HR&A, stated the City has finished Phase 1 of the development process, where a development and design vision is created to determine what is feasible on the site, but physically and financially. The City is now ready to advance to solicitation for a development partner. Fayetteville's market conditions favor the development of multi-family residential and retail, while office and hotel use may be less feasible in the current context. Office growth was also reviewed, identifying that job growth is slower, limiting speculative office space. However, targeted tenanting strategy could support office space for professional office spaces. The downtown areas have demonstrated the ability to drive new visitation by leveraging catalytic investments; Fayetteville needs to continue identifying strategic opportunities to enhance the hotel demand, and downtown could benefit from unique opportunity events. A community meeting was held in June 2025 that generated insight from over 45 participants. There was strong support for mixed-use development and active public spaces with a desire for outdoor dining, plazas, and cultural entertainment. Nearly 40 percent preferred natural play and lounge areas, 61 percent favored relatively dense mixed-use buildings, 37 percent of visitors were drawn downtown only by special events, and there is a desire for more everyday reasons to visit. Mr. Amandolia presented three preliminary site concepts created by MKSK Designs that align with the community's desire for mixed-use and green space with the identified market opportunities. With each of the concepts, the E.E. Smith House is not removed and is part of the concepts to help expand their programming opportunities. Concept 1 is the least dense and Concept 3 is the densest. Public investment is likely necessary to deliver the public amenities in the project.

Next steps are to advance a two-stage solicitation process through a request for qualifications (RFQ) and request for proposals (RFP), that will identify a qualified development partner who can deliver the project, proactively rezone the site to ensure the project can accommodate a dense mixed-use development, and explore the viability of providing a tax increment grant (TIG) in order to support the public aspects of the project. Discussion ensued.

Mr. Cauley stated the City has been putting policies in place to help incentivize developers but has not looked at it from a redevelopment priority corridor, but it is the next logical step. Mr. Cauley further stated creating the residential portion as mixed income approach can be challenging as the different funding sources for affordable housing and market rate housing typically do not work together. Instead of being a mixed income opportunity, it could be created in balanced approach where the different types are throughout the same neighborhood. Discussion ensued.

Consensus of Council was to receive the report and direct staff to complete necessary to have it ready for developers.

6.02 Receive Presentation from Redeploying American Veterans on a Proposed Veteran Tiny Home Community

Mr. Albert Baker, Economic & Community Development Assistant Director, introduced Mr. Jimmy Plater of Redeploying American Veterans (RAV), President and CEO. The Homelessness and Mental Health Committee heard the presentation during their September 4, 2025, meeting and Council requested to hear the presentation at today's Work Session. RAV's is a non-profit organization whose purpose is to determine a solution to end veteran homelessness by 2030.

Mr. Plater presented this item with the aid of a PowerPoint presentation and stated RAV was created 18 months ago after learning about veterans becoming homeless upon exiting the military without a support system. As of 2024, approximately 32,882 veterans are homeless in the United States and approximately 18-20 percent (%) of veterans experiencing homelessness are in North Carolina. Some of the challenges veterans face are accessibility to affordable housing, insufficient support networks, lack of stable jobs that pay a livable wage, gaps in service providers, and mental and physical health. Mr. Plater stated theirs is a comprehensive solution with wraparound services through tiny homes, job training and an individualized support plan following a six-step process. Mr. Plater stated RAV could place ten tiny homes on a half-acre or twenty-two tiny homes on a full acre.

By providing tiny homes, it could reduce the burden on emergency services and police, reduce unemployment, and position the City as a Veteran City. There are two proposed locations RAV is looking at which includes Johnson Street off of Shaw Road and Westcliff Road off of Bingham Road. Mr. Plater stated he has partnered with a Fortune 50 company that will cover all expenses except for the purchase of the land. Discussion ensued regarding the wrap around services.

Dr. Gerald Newton, Development Services Director, provided information on zoning requirements for tiny homes and stated approximately 15-18 units per acre can be accommodated. Under the building code, temporary structures such as pallet shelters, have different standards than permanent structures. The State is currently updating the building code that will provide standards for tiny homes. Dr. Newton stated there is a series of questions that must be answered to determine the needed zoning, which is based by use, not occupant.

Discussion ensued.

Consensus of Council was to receive the report and ask staff to work with RAV to discuss zoning and available land, then bring back to Council for further discussion and send to the City-County Liaison Committee.

6.03 Receive Presentation from the Fayetteville-Cumberland County Continuum of Care on the annual Point in Time Count

Ms. Jacquline Abbott, Community Development Manager, introduced Dr. Deborah Harris, Chair of the Fayetteville-Cumberland County Continuum of Care. The Homelessness and Mental Health Committee heard the presentation during their September 4, 2025, meeting and Council requested to hear the presentation at today's Work Session.

Dr. Harris presented this item with the aid of a PowerPoint presentation and stated the presentation would help provide an enhanced understanding of how we remain informed about the unhoused community and acknowledge the challenges and opportunities. The Point in Time (PIT) Count information takes 4-6 months to be approved for distribution. The 2025 PIT count was originally scheduled for January 23, 2025, but due to inclement weather the date changed and some people were not counted. Despite this, there is still confidence in the data. 383 people were counted during the annual 2025 PIT count, 272 being unsheltered, 47 in emergency shelters, and 64 in transitional housing. Using a four-year comparison, the transitional housing doubled from 40 in 2022 to 64 in 2025. The PIT Count only focuses on 24-hours, but the Homeless Management Intake System (HMIS) is used year-round for reference. The coordinated intake system does not provide housing services and the number of referrals are not the number of people served. Referrals are for each need and there can be multiple referrals for one person.

The three most common needs throughout the year are emergency shelter, utility assistance, and rental assistance. Dr. Harris provided housing needs data from 2022-2024 including transitional, permanent supportive, permanent, rapid rehousing, shelter stays, and white flag stays. Discussion ensued regarding housing needs through CoC Nova Funds and Grant Funds. The CoC needs continued assistance, funding, and collaboration.

Dr. Harris stated 2026 PIT Count is scheduled for January 26, 2026, and volunteers are needed. Residents can go to the website to sign up.

Discussion ensued.

Consensus of Council was to receive the report.

6.04 Receive Presentation Regarding Completed Study - Black Voices Museum

Mr. Robert Van Geons, FCEDC President and CEO, stated in 2024 the group floated the radical yet heartfelt idea for the Black Voices Museum. Fayetteville and Cumberland County supported the idea and helped fund the work exploring how this historic southern city can become a national leader in how communities can discuss and address historic inequities in race, justice, and economic opportunity. With a two-fold goal of documenting, preserving, and celebrating black history while inspiring the next generation of leaders through arts, action, and advocacy. This presentation is the culmination of 18 months of work.

Dr. Dauv Evans, Community Outreach Consultant with Black Voices Museum, presented this item with the aid of a PowerPoint presentation and stated the focus of the project was what stories are important, what does it mean to empower black voices, and what are the possibilities

for the museum. Outreach included interviews, vision workshops, pop-up events, community surveys, and the project website. Fayetteville, NC has historical cultural and geographical significance, making it an ideal location for the Black Voices Museum. Key takeaways and themes of the museum included the power of storytelling, honoring local voices, creating a community-centered approach, becoming a catalyst for revitalization, integrating with Fayetteville's cultural ecosystem, being a dynamic and inclusive space, creating programs of empowerment and advocacy, and focusing on youth a as priority.

Mr. Roger Smith, Principal and Design Director with Gensler, stated a vision was created to preserve Fayetteville's rich black history and culture. The four pillars of the vision include, arts and culture, an empowerment hub that fosters economic opportunity, centers for social equity, and a haven for healing and spaces for reflection and healing. As a precedent, multiple other museums were looked at across the country. All of the museums were essential in creating a plan and potential for the project. The project would be centered in downtown Fayetteville between Person Street and Otis Jones Parkway. The words from the poem "Lift Every Voice and Sing" would create the entryway and include multiple program spaces and exhibitions. The hope is to create a new institution that creates a place for history and healing. Mr. Reggie Truckson, Senior Associate and Architect with Gensler, stated the project is currently completing the institutional planning phase but still has a long way to go to begin facility and operational planning and finally opening and operations. The visitor experience is most important, and it needs to be immersive and transformational. The building needs to fit on the current site and the building presented would be about 83,000 square feet and cost between $175 million and $215 million with startup costs of $10.2 million with construction starting in the first quarter of 2029. The projected attendance is 174,000 annually and will include funding from admission fees, business rentals, and community events creating an estimated $2.2 million in annual income. Operating costs would be about $3.6 million creating an annual need for support of $4 million, which is on par nationally.

Mr. Van Geons stated there are already conversations underway with private foundations, and the next step if the project moves forward, is to request additional support to achieve fundraising goals. The presentation is the package that would be needed to get commitments and raise funds. Council Member Malik Davis questioned how the project can maintain its integrity by not allowing investors to change things but also keeping the investors happy. The organization filed, and was granted, a 501(c)3 nonprofit status to create the founding board, which will focus on maintaining integrity throughout the project. The concepts, scope, and scale of the history needs to be identified next and create an institute of public policy to address ongoing issues of injustice.

Discussion ensued.

Consensus of Council was to accept the report.

6.05 Parks & Recreation Bond Project Update and Public Safety Bond Project Update

Mr. Dan LaMontagne, Senior Project Manager with Freese and Nichols, serving with the City's Construction Management Division, presented this item with the aid of a PowerPoint presentation and stated Freese and Nichols was contracted to review the capital construction program and recommend changes and best practices. The Parks and Recreation Bond and Public Safety Bond Projects as well as some of the Capital Improvement Projects will be presented.

There are a total of 20 projects with 7 in design phase, 1 in bid phase, 2 in construction phase, and 7 in procurement phase. Two projects are on hold, Hay Street Parking Deck, and Fire Station 4 and the Airport Master Plan is currently considered a study. The 911 Public Safety Answering Point (PSAP) currently has site location options under review and coordination with the County is ongoing. The schedule is contingent upon site selection and consolidation decisions. Fire Station 16 has 60 percent (%) of the design plans completed and Barr & Barr was selected as Construction Manager At Risk (CMAR), while coordination with Cumming Group as the Owner's Advisor (OA) is ongoing. The Guaranteed Maximum Price (GMP) is anticipated in March 2026. Fire Station 9 land purchase completed and currently in negotiations with the design architect, Davis Kane, on the scope and fee. The CMAR request for qualifications (RFQ) will close in January. Coordination with McDonough Bolyard Peck (MBP) as the OA is ongoing. The schedule is dependent on the architect contract. Cape Fear River Park has 95% of plans delivered and permitting is expected to be completed in January, with project completion in the summer. Martin Luther King Jr. Park has 95% of the design completed, permitting is in progress and the MLK Committee coordination is ongoing. The schedule is contingent on the submission by the MLK Committee design consultant. Veterans Park II has 100% design plans that are due this month, with permitting in progress, and will go to bid in February. Blue Street Senior Center Upfit has an architect that has prepared a preliminary design, with the final design to be completed this month, and it will go out to bid in March. McArthur Road Sports Complex bid was posted in

December and construction bids are due in February with construction completion anticipated in March/April 2027. The Market House repurposing light work has been completed, kiosks are being ordered, and the road work invitation to bid is going out later this month, with an anticipated construction completion date in December 2026. The Courts at Glenville Lake building construction is near completion, the exhibition court final grading is underway, and paving will begin this month. Completion is expected by the end of January. A list of projects in the procurement phase was presented.

Discussion ensued.

Consensus of Council was to accept the report.

Mayor Colvin recessed the meeting at 5:33 p.m. and reconvened the meeting at 5:47 p.m.

6.06 Downtown Municipal Service District Boundary and Inclusion of Park View Townhomes

Mr. Christopher Cauley, Economic and Community Development Director, presented this item with the aid of a PowerPoint presentation and stated at the September 2, 2025, Work Session staff was directed to review the inclusion of Park View Townhomes to the Municipal Service District (MSD). The MSD was established in 1978, expanded in 1983, and is renewed every five years. The current rate is $0.1489 per $100.00 of assessed value. Park View Townhomes was developed at 301 Bragg Blvd and was a former Days Inn property, which the City sold to the developer of Park View Townhomes at market value. Park View Townhomes has 47 townhomes valued at approximately $12.98 million. There are other individual parcels within the MSD that are exclusively residential.

Park View Townhomes lies within the MSD. The MSD was initially designed to promote downtown revitalization through business development, events, and placemaking efforts. Downtown has evolved into a mixed-use environment. Park View directly benefits to the proximity of downtown. If Council removes Park View from the MSD it would lose $19,300.00 in annual revenue. To maintain the current level of service the MSD tax rate would need to be increased, use the general fund to help subsidize, or discuss a diminished level of service by Cool Springs Downtown District.

To remove the property from the MSD per the North Carolina General Statutes 160A-538.1, a property owner must submit a written request to remove the owners tract or parcel of land and state the reasons why it is not in need of the services, facilities, or functions of the MSD. Upon receipt, the City Council would hold a public hearing. If Council finds the tract or parcel is not in need of the services, facilities, or functions of the MSD to a greater extent than the remainder of the City, the Council, by ordinance, may redefine the MSD to remove the tract or parcel. Changes to the MSD only take affect at the beginning of the fiscal year, July 1.

Discussion ensued regarding what types of benefits being in the MSD provides. Mr. Cauley stated MSD benefits include adjacency to special events, downtown walkability, and a premium to the property values. Park View Townhomes covers the cost of fixing its streets and trash removal. Dr. Douglas Hewett, City Manager, stated that Council could, by choice, remove an area from the MSD, but questioned how the City would continue to pay for downtown projects. The MSD is slightly more than $300,000.00 annually. The goal is to grow the development that is here already out further, and that requires funding.

Council Member Hondros stated Council needs to be cognizant that if the decision is made to remove Park View, other properties within the MSD are interested in doing the same thing.

Ms. Lachelle Pulliam, City Attorney, stated that the emails requesting to remove Park View from the MSD meet the burden of written notice, which triggers the City to be required to hold the public hearing. The Council will then make the determination of the removal. And subsequent to that, the ordinance must be heard at two meetings before it can go into effect at the beginning of the fiscal year.

Discussion ensued.

Consensus of Council was to move this to a Public Hearing on February 9, 2026, Regular Meeting.

6.07 Consider Changes to City Council Policy 155.6 - Real Property – Lease

Ms. Lachelle Pulliam, City Attorney, stated at a previous meeting, the policy was recommended to City Council from the Policies Review Committee and Council Member McMillan had additional recommended changes and the motion was made to bring this to a work session for discussion. The City Attorney's Office worked with him to incorporate the changes into the policy for Council's consideration. Ms. Pulliam stated there are a number of changes and many line up with the General Statute and the Code of Ethics. There is a proposed prohibition against City Council members and City staff from renting from the City. There are currently two employees who rent two of the residential properties near the airport and this would affect them. Currently, leases that are 12 months or less, General Statute does not require any special notices, and it was proposed to publish them for 30 calendar days before execution; for lease renewals opening them up to the general public each time be it residential or commercial instead of giving the current renter preferential consideration.

Dr. Douglas Hewett, City Manager stated the City would be precluded, without Council approval, from leasing space that is owned by an employee or elected official. Mayor Colvin recommended creating disclosure requirements for renting both to and from the City. Dr. Hewett provided a list of all leases from the City.

Council Member McMillan recommended removing "except that no City Council Member or Employee may lease from the City" from Section III.B.3.

Discussion ensued.

Consensus of Council was to send City Council Policy 155.6-Real Property – Lease to the Policy Committee for February.

6.08 Consider Proposed Amendments to Parades, Motorcades, Special Events and Demonstrations Ordinance

Ms. Lachelle Pulliam, City Attorney stated this item is a proposal for three separate provisions of the picketing ordinance which also addresses parades and assembly. When talking about regulating speech it is regulating personal freedoms, however, they are not absolute, and governments have the right to implement rules to protect public safety. The changes are related to time, place, and manner of speech.

Ms. Erin Swinney, Police Attorney, stated these are a few amendments to the parades, motorcades, special events, and demonstrations ordinance. Section 24-282 Subsection 5 change would create a radius of 10 feet from the perimeter of any outdoor dining, and no person may be allowed to approach someone within 8 feet without the person's consent, which includes oral protest, counseling, passing flyers, or displaying a sign. This amendment is based on the case law of *Hill v. Colorado* that determined no one has a right to press good ideas on an unwilling recipient.

Mayor Colvin stated the focus is to give people permission to continue to picket, while still allowing people to not be interrupted or required to engage.

Discussion ensued.

Consensus of Council was to table this item for 30-60 days as a special meeting. Council Member Hondros was opposed to the consensus motion.

7.0 ADJOURNMENT

There being no further business, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

JENNIFER L. AYRE	MITCH COLVIN
City Clerk	Mayor
010526	

FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD CONFERENCE ROOM, CITY HALL
DECEMBER 8, 2025
5:30 P.M.

Present: Mayor Mitch Colvin;

Council Members Stephon Ferguson (District 1); Malik Davis (District 2); Antonio Jones (District 3); D.J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Shaun McMillan (District 8); Deno Hondros (District 9)

Others Present:
Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Strickland, Assistant City Manager
Adam Lindsay, Assistant City Manager
Jodi Phelps, Assistant City Manager
Jeffery Yates, Assistant City Manager
Roberto Bryan, Jr., Police Chief
Kevin Dove, Fire Chief
Sheila Thomas-Ambat, Public Services Director
John Jones, Office of Community Safety Director
Loren Bymer, Marketing & Communications Manager
Chris Cauley, Economic and Community Development Director
Tiffany Murray, Chief Financial Officer
Lisa Reid, Public Safety Communications Manager
Dan LaMontagne, Senior Project Manager with Freese and Nichols
Kecia Parker, Real Estate Manager
Jennifer Ayre, City Clerk

Mayor Colvin called the meeting to order at 5:30 p.m.

Mayor Colvin asked the Council to review the regular agenda for the January 12, 2026, meeting.

Discussion ensued regarding the announcements and recognitions.

Council Member Hondros asked what was done in November for Item 8.0A9 - Adopt Revised Resolution to Appointment Deputy Finance Officers for the Purpose of Signing Purchase Orders, Checks, Contracts and Agreements. Ms. Tiffany Murray, Chief Financial Officer (CFO) stated in November Council adopted a resolution to update titles and designate them as signatories in the CFO's absence. In that resolution, the ability to sign checks was inadvertently left off and this resolution corrects that. Dr. Douglas Hewett, City Manager, stated that this designation is to preaudit contracts, sign checks, and sign purchase orders; they do not sign off on surety bonds.

Discussion ensued.

Council Member Hondros requested information Item 8.0A3 – Consider Proposed Clerical Amendments to Appeal Ordinances. Ms. Lachelle Pulliam, City Attorney stated this item is to make clerical amendments to ensure consistency between the City's Ordinances and forms and citations.

Council Member Hondros asked if the streets in Item 8.0A5 – Addition of Certain Street to the City of Fayetteville System are new construction. Ms. Sheila Thomas-Ambat, Public Service Director stated it is part of the annual addition of streets to the City and they are new construction.

Council Member Hondros asked for clarification on Item 8.0A6 – Authorize Aubrey Hills Apartments Affordable Housing Loan Subordination. Mr. Christopher Cauley, Economic & Community Development Director, stated the developer is going out to get more funding, due to this, they have requested the City move to the third position, behind the primary loan. Discussion ensued regarding the history of the project. Council Member Greene asked if the City does not approve this, what would happen. Mr. Cauley stated if we say no, beyond a foreclosure process, there are not a lot of options for the project to be completed. Council Member Greene stated she will pull the item.

Council Member Hondros requested information on Item 8.0A8 – Adopt Resolution

Providing for the Sale and Issuance of $40,000,000 General Obligation public Improvement Bonds Series 2026 Non-Taxable for Public Infrastructure ($25 Million) and Public Safety ($15 Million). Dr. Hewett stated staff brought to Council a series of reimbursement resolutions and have been using internal funds with the idea that when the debt is sold, it will be sold at a premium to repay ourselves and make more money than what we are going to market with. Taking out the funds early gives the City cash to stabilize the debt over a longer period of time.

Discussion ensued.

Mayor Pro Tem Thompson asked why it took so long to use the General Obligation (GO) Bond. Dr. Hewett stated some projects must be designed first and to wait until a large enough group of projects is ready in order to go to market. Mr. Jeffery Yates, Assistant City Manager, stated when determining when to issue debt, you look at a cash flow planning. This is done by knowing the cost of the projects to be funded with the debt and market considerations. The Local Government Commission (LGC) does not like municipalities to get ahead of a project to ensure a second tranche for the same project is not required. Council Member Hondros stated he will pull the item.

Council Member Jones asked how zoning items on consent are noticed to residents. Mr. Criag Harmon, Senior Planner, stated notices are sent out to property owners in 1,000-foot radius of the property, signage is placed on the property, and an ad in the newspaper. Council Member Jones requests the visibility of the signage be reviewed. Council Member Haire requested the signage discussion be brought to the Policies Review Committee.

CLOSED SESSION

MOTION: Council Member Davis moved to enter into closed session for 143.18.11(a)(3) and (5) for attorney-client privilege, Devonwood, and land acquisition
SECOND: Council MemberJones
VOTE: UNANIMOUS (10-0)

The regular meeting recessed at 6:09 p.m.

MOTION: Council Member Hondros moved to come out of closed session
SECOND: Council Member Davis
VOTE: UNANIMOUS (9-0)

The meeting reconvened at 7:01 p.m.

There being no further business, the meeting adjourned at 7:01 p.m.

Respectfully submitted,

_____ _____

JENNIFER L. AYRE
City Clerk
011226

MITCH COLVIN
Mayor

DRAFT

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JANUARY 12, 2026
6:30 P.M.

Present: Mayor Mitch Colvin;

Council Members Stephon Ferguson (District 1); Malik Davis (District 2); Antonio Jones (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Council Member Derrick Thompson (District 6); Brenda McNair (District 7); Shaun McMillan (District 8); Deno Hondros (District 9)

Others Present:
Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Strickland, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Roberto Bryan, Police Chief
Kevin Dove, Fire Chief
Tiffany Murray, Chief Finance Officer
Loren Bymer, Marketing and Communications Director
John Jones, Office of Community Safety Director
Sheila Thomas-Ambat, Public Services Director
Brian McGill, Assistant Public Services Director
Christopher Cauley, Economic and Community Development Director
Chris Lowery, Strategic & Performance Analytics Manager
Andrew Brayboy, Senior Corporate Performance Analyst
Kimberly Toon, Purchasing Manager
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 7:11 p.m.

2.0 INVOCATION

The invocation was offered by Rabbi Scott Klein, U.S. Army Chaplain.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Mayor and City Council.

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Mayor Colvin congratulated Mr. Alex Baker, Economic and Community Development Assistant Director for in being sworn in as a District Representative on the Lumbee Tribal Council on Thursday, January 8, 2026.

Council Member Antonio Jones presented a Certificate of Excellence to Ms. Kaitlyn Shepard for being the recipient of the USA Today Amazing Teacher Spotlight Award.

Council Member McMillan stated the Community Awareness Alliance is hosting the Martin Luther King Jr. Community Day on Saturday, January 17, 2026, from 12:00 p.m.-2:00 p.m. at Fire Station 14 at 632 Langdon St.

Council Member McMillan Join the 2026 NC Black Alliance environmental justice and health care, on Friday Jan 23rd-24th at the Embassy Suites in Fayetteville.

Council Member Jones announced the Unity Wellness and Resource Expo taking place on January 17-18, 2026, from 10:00 a.m. – 4:00 p.m. at 4616 Murchison Road.

5.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager, announced that Empowering Community Micro-Grant applications are open for community safety micro-grants focused on crime prevention. The application deadline is January 31, 2026, with pre-application virtual workshops available

on January 12th &14th at 6:30 p.m. Special consideration will be given to those programs that focus on safe space activations.

The Office of Community Safety in partnership with the National Institute for Criminal Justice Reform, is holding Community Feedback Sessions on January 20th & 21st, 2026, to present OCS's draft strategic plan and gather input.

The Economic and Community Development Department's Notice of Funding Availability for federal community development block grants and emergency solutions grants. The City seeks partner organizations to expand public services, support economic opportunities and expand Fayetteville's response to homelessness. Applications close on January 16, 2026, at 5:00 p.m.

City Council will hold a public hearing on the proposed policy on no-parking zones in multi-use lanes. Those wishing to speak must register before 5:00 p.m. the day of the meeting.

City Offices will be closed on Monday, January 19, 2026, in observance of MLK Day. Solid Waste services usually collected on Monday will be collected on Wednesday, January 21st.

"Doug in the District" will be held on Tuesday Jan 20, 2026, at Coffee Scene at 3818 Morganton Road from 8:00 a.m.-10:00 a.m. to allow residents to speak to senior staff about concerns in the City.

6.0 APPROVAL OF THE AGENDA

MOTION: Council Member Hondros moved to approve the agenda.
SECOND: Council Member Davis
VOTE: UNANIMOUS (10-0) JONES NOT AT SEAT, AFFIRMATIVE

7.0 PUBLIC FORUM

Mr. Jeremy Dossier, 2921 Winton, Fayetteville, NC, introduced Axios Security and expressed concerns regarding school safety strategies and AXIOS Security.

Mr. Christopher Davis, 3009 Carula Lane, Fayetteville, NC, introduced Axios Security, a business that focuses on safety strategies and protocols and how churches can get free assessments.

Mr. Randall Roussin, 4314 Edgedale Dr., Fayetteville, NC, expressed concerns regarding a tree hanging over his yard from a rental property.

Mr. Chilenko Hurst, 1385 Wayside Dr., Parkton, NC, expressed concerns regarding multiple local and global concerns

Mr. Benjamin Hultquist, 801 Rim Rd., Fayetteville, NC, expressed concerns regarding the need for bike lanes.

Ms. Bobbie Burgess, 2108 Constitution Ave., Fayetteville, NC, expressed concerns on proposed protest ordinances.

Ms. Melissa Williams, 1210 Morgan St., Fayetteville, NC, expressed concerns regarding public safety and infrastructure.

8.0A CONSENT AGENDA

MOTION: Council Member Thompson moved to approve the consent agenda with the exception of Items 8.0A6 and 8.0A8
SECOND: Council Member Hondros
VOTE: UNANIMOUS (10-0)

8.0A1 Approval of Meeting Minutes:
December 8, 2025 – Discussion of Agenda Items
December 8, 2025 – Regular

8.0A2 Approve Rescheduling of the Strategic Planning Retreat

City Council approved the date change of the Strategic Planning Retreat from January 20-21, 2026, to February 3-4, 2026.

8.0A3 Consider Proposed Clerical Amendments to Appeal Ordinances

City Council approved ordinance amendments to ensure consistency with the City's ordinances, forms, and citations.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 1-9, APPEAL OF CIVIL PENALTIES, OF CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 22-17, NOTICE TO ABATE UNLAWFUL CONDITIONS; ABATEMENT BY CITY, OF ARTICLE 1 OF CHAPTER 22, SOLID WATE, OF THE CODE OF ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 26-133, VIOLATIONS BY VEHICLES OPERATING AS TAXICABS WITHOUT A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, OF ARTICLE IX DENIAL, REVOCATIONS, SUSPENSION, APPEAL OF CHAPTER 26, TAXICABS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 26-134, APPEAL TO THE BOARD OF APPEALS, OF ARTICLE IX DENIAL, REVOCATION, SUSPENSION, APPEAL OF CHAPTER 26, TAXICABS, OF THE CODE OF ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 26-135, ACTION PENDING APPEAL; LAPSE OF TIME; WAIVER, OF ARTICLE IX DENIAL, REVOCATIONS, SUSPENSION, APPEAL OF CHAPTER 26, TAXICABS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-005

8.0A4 Approve P25-55: A request to rezone 4.21 acres at 3829 Distribution Drive, 3701 Distribution Drive, and an adjacent parcel (PINs 0429429042000, 04295109300000, and 0429211745000), owned by Healy Wholesale Co Inc., to Light Industrial (LI).

City Council approved the rezoning for 4.21 acres at 3829 Distribution Drive, 3701 Distribution Drive and an adjacent parcel from Community Commercial (CC) to Light Industrial (LI) to accommodate continued, and expanded, wholesale/distribution operations. The Future Land Use Map designates the area as an Employment Center, which supports light industrial and employment-oriented redevelopment, and the requested LI district would align the zoning, existing, and planned industrial uses, improve site function and appearance, and is not expected to create isolated zoning or significant adverse impacts on surrounding properties. On December 9, 2025, the Zoning Commission held a duly advertised public hearing and voted 5-0 to recommend approval of the requested rezoning, with adoption of a written consistency and reasonableness statement

8.0A5 Addition of Certain Street to the City of Fayetteville System

City Council approved the addition of three recently constructed streets for subdivisions into the City of Fayetteville system of streets. These streets and drainage systems within the street rights-of-way have been inspected by staff and are now acceptable for addition to the City of Fayetteville system of streets. The .43-mile addition will bring the City's street system total to 755.45 miles.

8.0A6 PULLED FOR A SEPARATE VOTE

8.0A7 Adoption of Special Revenue Fund Project Ordinance 2026-12 to Appropriate the ICMA Economic Mobility and Opportunity Special Assistants Program Grant Award

City Council adopted Special Revenue Fund Project Ordinance 2026-12 to appropriate $354,000 for the Economic Mobility and Opportunity Special Assistants (EMO SA) Program grant. The City will receive $250,000 in salary support over 30 months, as well as $104,000 in supplemental program and engagement resources. The grant would support the creation of a senior-level Special Projects Manager who will lead, coordinate, and accelerate cross-departmental and cross-sector strategies that advance economic mobility for Fayetteville residents.

8.0A8 PULLED FOR A SEPARATE VOTE

8.0A9 Adopt Revised Resolution to Appointment Deputy Finance Officers for the Purpose of Signing Purchase Orders, Checks, Contracts and Agreements

City Council adopted a resolution to appoint designated staff as deputy finance officers for the purpose of signing the pre-audit certificate on purchase orders, contracts, and agreements; authorizing them to sign checks; and allowing them to act as designees in the Chief Financial Officer's absence.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE DESIGNATING THE ASSISTANT CFO-PURCHASING AND ASSISTANT CFO-FINANCIAL REPORTING AS DEPUTY FIANNCE OFFICERS. RESOLUTION NO. R2026-001

8.0A10 PWC Recommendation – Approve Construction Award for the Re-advertised Water main Replacement & Rehabilitation

City Council approved the construction award recommendation for the Re-advertised Water Main Replacement and Rehabilitation to Insituform Technologies LLC, Southington, CT, the lowest responsive and responsible bidder, and in the best interest of PWC, for the total amount of $8,979,370.00, and authorize the CEO/General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

8.0B ITEMS PULLED FROM CONSENT

8.0B6 Authorize Aubrey Hills Apartments Affordable Housing Loan Subordination

Council Member Greene stated this is a project that falls under the Economic and Community Development Department for the Aubrey Hills Apartments Affordable Housing Loan. The project came to Council in 2024 for 32 units, with 11 dedicated to low-income affordable housing. The City was in the 2nd lien position in the amount of $2,145,000.00 from the HOME Program. The project has surpassed 50 percent (%) completion, and the developer has drawn down $858,000.00 with $1,287,000.00 remaining. The developer has returned with a request for the City to move from the 2nd to 3rd lien position.

Mr. Chirstopher Cauley, Economic and Community Development Director, stated the preliminary application to the State Housing Finance Agency was 54 units, and once it came to the City for application, it was scaled down to 32 units. All of the units are affordable, but 11 units are affordable in the HOME Program that the City will monitor, and the State monitors the project. Like many construction projects, escalation factors have kicked in and the project does not have any room to maneuver. The final recourse was to go out and borrow more and they are requesting to agree to borrow the $350,000.00 and put the debt ahead of the City's $2.1 million in order to complete the project. If we do not move forward, the project could move into foreclosure because of the loan in front of the City. This would move us from 2nd lien to 3rd lien position.

Discussion ensued.

MOTION: **Council Member Greene moved to authorize Aubrey Hills Apartments Affordable Housing Loan Subordination and filing of loan documents**
SECOND: **Council Member Haire**
VOTE: **UNANIMOUS (10-0)**

8.0B8 Adopt Resolution Providing for the Sale and Issuance of $40,000,000 General Obligation Public Improvement Bonds Series 2026 Non-Taxable for Public Infrastructure ($25 Million) and Public Safety ($15 Million)

Council Member Hondros stated this is an update from the 2023 voter-approved General Obligation (GO) bond of $97 million with $25 million for infrastructure, $12 million for housing, and $60 million for public safety.

Mr. Jeffery Yates, Assistant City Manager, stated this is the issuance first tranche of the 2022 GO debt. Tonight's request is for the $25 million for infrastructure and the $15 million for public safety. The reason we are at this point, as we work with the departments, we work to plan and issue the debt in line with their spenddown. When we go to market to borrow the money, we want to ensure project completion and that we borrow enough money to do it. When the tax rate increase was brought to Council to cover the bond issue, we planned to issue several years in and use the proceeds to reduce the tax rate overtime. Staff are working with a financial advisor, bond rating agency, and the Local Government Commission (LGC) to go to the market to issue the debt. It will not be retail available, but any resident that wants to buy City of Fayetteville debt can do so through their broker on the secondary market. This is part of best practices with the LGC. The LGC oversees and all bond issuing in North Carolina. The LGC has approved this bond issuance and are moving it forward to the market.

RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF $40,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2026. RESOLUTION NO. R2026-002

MOTION: Council Member Hondros moved to adopt the resolution providing for the Sale and Issuance of $40,000,000 General Obligation Public Improvement Bonds Series 2026 Non-Taxable for Public Infrastructure ($25 Million) and Public Safety ($15 Million)
SECOND: Council Member Davis
VOTE: UNANIMOUS (10-0)

9.0 REPORTS FROM BOARDS AND COMMISSIONS

9.01 Accept the Audit Committee Annual Report to City Council

Ms. Rose Rasmussen, Internal Audit Director, presented this item with the aid of a PowerPoint presentation and stated the Audit Committee focuses on Goal Five. During Fiscal Year 2025 the Committee consisted of five voting members: Council Member Haire as the Chair, Mayor Pro Tem Thompson as incoming Vice Chair, Council Member Hondros, Dr. Mfon Akpan, Ms. Michelle Sykes. Dr. Akpan served the full allowable terms of 4 years, with the last two years as Vice Chair. The Audit Committee is established by a Committee Charter as an advisory committee whose primary purpose is to assist the City Council in fulfilling its oversight responsibilities for the overall stewardship of the City's financial affairs. The Committee met four times in FY2025. Five audits were completed in FY25 and received quarterly updates from management on implementation of recommendations made in previous audit reports. Six new audits and one follow-up audit are scheduled for FY2026.

Ms. Rasmussen stated the audit plans are risk-based, which is done through various means, but could take into consideration information that residents have. Those could be passed along through Mayor and Council or to the Internal Audit Department directly. The audits that end up on the plan are ones that the department deems the most risk at that time. Internal Audit helps the City improve its processes and ensure controls are in place to prevent fraud, waste, and abuse. The recommendations are more process improvements.

Discussion ensued.

MOTION: Council Member Haire moved to accept the Audit Committee Annual Report
SECOND: Council Member Hondros
VOTE: UNANIMOUS (10-0)

10.0 STAFF REPORTS

10.01 Receive the FY26 2nd Quarter Strategic Performance Report

Mr. Chris Lowery, Strategic & Performance Analytics Manager and Mr. Andrew Brayboy, Senior Corporate Performance Analyst, presented this item with the aid of a PowerPoint presentation, which reflects the mid-year progress showing where momentum is building, timing

matters, and how Council priorities continue to translate into outcomes. Mr. Lowery stated the data provided in the quarterly report are what is considered lagging metrics, which reflect the results of past actions, not what is happening in real time.

Mr. Brayboy provided an overview of the FY26 strategic priorities: Priority One (1) - Ongoing commitment to a comprehensive approach to community safety; Priority Two (2) - Enhance economic growth throughout the City; Priority Three (3) - Continue the City's commitment to revitalization efforts and housing needs; Priority Four (4) - Evaluate and expand transportation and other connectivity for residents; and Priority Five (5) - Increase Parks and Recreation opportunities for youth engagement and interaction. The new priority for FY26 is Transportation and Connectivity; the other four remain focus areas from FY25.

Priority 1 continues to deliver measurable results in prevention, response, and community collaboration through the Fayetteville Cares Day Resource Center, Office of Community Safety (OCS) interactions, and swift emergency response times. The initiatives help reduce barriers to resources, connect and build community trust, and align directly with Council's goal of prevention through connection.

Priority 2 reflected continued economic development activity with a strong focus on positioning and readiness in a market environment that remains uncertain. The City invested $1.13 million in economic and community development grants and loans showing steady capital movement into the economy and solid mid-year progress. Small Business stability also continues through CDBG Funding and workforce support. Commercial and residential permitting naturally go through ebbs and flows, but Development Services continue to quickly review permit applications. Overall, quarter two reflects steady investment alongside broader capital activity.

Priority 3 reflects continued progress in neighborhood stabilization, targeted assistance, and pipeline readiness. Five homeowners received emergency repairs and while it is lower, it is based on applications. Nine individuals participated in the Homebuyer Hero program, putting the City well above pace for mid-year. Overall quarter two shows priority three progressing in the right direction stabilizing neighborhoods, clearing barriers, and positioning housing activity to accelerate in the second half of the year.

Priority 4 is the newest strategic area of focus and aims to enhance how residents and visitors move throughout Fayetteville. Transit has completed the initial steps for the Title V Fare and Service Equity Study and implemented three of the recommendations from the study. Ten transportation plans were also incorporated into the new Master Connectivity GIS Overlay Map that helps inform project management, planning, future development, and connectivity decisions. Promoting of transportation options continues through Marketing & Communication.

Priority 5's youth engagement remains a cornerstone of our community strategy and data continues to trend upward. Orange Street School, Police Activities League (PALs), Fayetteville-Cumberland Youth Council (FCYC), and Junior Officials continues to engage and interact with youth. All of the youth programs foster leadership, confidence, and engaged with positive community outlets.

Mr. Lowery stated staff remain focused on implementation and performance monitoring across all the strategic priorities to guide and adjust as necessary.

Discussion ensued.

Mr. Brayboy stated the Strategic Planning and Analytics office focus on internal processes and analysis.

Discussion ensued regarding the community survey. The survey is done every other year in the fall and then the results are received before the strategic planning retreat.

MOTION: **Council Member Haire moved to accept the FY26 2nd Quarter Strategic Performance Report**
SECOND: **Council Member Davis**
VOTE: **UNANIMOUS (10-0)**

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:14 p.m.

Respectfully submitted,

_____	_____
JENNIFER L. AYRE	MITCH COLVIN
City Clerk	Mayor
011226	

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0061

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A2

TO: **Mayor and Members of City Council**

THRU: **Jodi Phelps, Assistant City Manager**

FROM: **Jennifer Ayre, MMC, City Clerk**

DATE: **January 26, 2026**

RE:
Approve City Council Policies Review Committee Recommendations to City Council Policies 120.09, 160.10, and 165.3

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
Goal III: A city invested in Today and Tomorrow

Executive Summary:
The City Council Policies Review Committee met on Thursday, January 15, 2026. During the meeting the Committee unanimously approved revisions to one Council policy.

The Committee Members are: Mayor Pro Tem Derrick Thompson (Chair), Council Member D.J. Haire, and Council Member Stephon Ferguson

Background:
Staff presented City Council Policy 120.09-Public Forum and a new policy 160.10 - School Zones that would replace 165.3. Policy 120.09 was created on January 9, 2006, with revisions in 2006, 2008, 2014, 2023, and 2024. Policy 165.3 was created on February 17, 1986 and never revised. The New recommended policy 160.10 would move the School Zone policy from zoning to streets, traffic and parking.

Issues/Analysis:
City Council Policy 120.-9 - Public Forum
If approved, the Public Forum and Announcements and Recognitions will move from being held during the second Monday during the regular Council Meeting to the first Monday of every month after the Work Sessions. It would create a predetermined end to the Work Session to have the Public Forum and Announcements and Recognitions to begin at 5:15 p.m. The Announcements and Recognitions will be first and then the public forum.

The Public Forum time will be increased from 30 minutes to one hour. Consistent with current standards, no dialogue shall occur, but at the conclusion of the forum, the Mayor, City Manager, or City Attorney may provide rebuttal to any statements.

Speakers will not be required to provide their address at the podium, however, providing address, phone number, and subject matter will still be required to sign up. City Residents will be placed before all non-residents on the sign up sheet.

Additionally, the revisions will only allow sign ups beginning the day after the last public forum and no later than 11:59 p.m. the day before the meeting. If individuals are unable to attend in person written comments can be mailed or emailed to the City Clerk and those comments will be summarized by the Clerk during the meeting.

The 2026 City Council Meeting Dates Calendar will also need to be updated to reflect the date and time changes for the Public Forum and Announcements and Recognitions.

City Council Policy 165.3 - School Zones
This is recommended to be rescinded and replaced with 160.10 - School Zones

Recommended Policy 160.10 - School Zones
Policy 160.10 establishes the City of Fayetteville's authority and procedures for reducing speed limits in school zones, as granted by North Carolina General Statute § 20-141.1. The policy ensures consistency and uniformity in how school speed zones are created, evaluated, and maintained, in accordance with the North Carolina Department of Transportation's "Standard Practice for Establishing a School Speed" (S-14, revised January 15, 2026).

The policy outlines responsibilities among NCDOT, Cumberland County Schools, and the City of Fayetteville for establishing, approving, funding, and maintaining school zones and related equipment. While NCDOT approves school zones for public schools and Cumberland County Schools maintains associated flashers, the City is responsible for school zones not maintained by those entities. The policy also defines cost responsibilities, maintenance obligations, reuse or ownership of equipment, and affirms the City's right to revise or remove school speed zones and related infrastructure based on changing conditions or roadway improvements.

Budget Impact:
N/A

Options:
1. Approve Council Policy Committee recommended revisions City Council Policies 120.09, 165.3 and 160.10 and update the 2026 City Council Meeting Dates Calendar - Meeting Information.
2. Do not approve Council Policy Committee recommended revisions to City Council Policies 120.09, 165.3 and 160.10

Recommended Action:
Approve Council Policy Committee recommended revisions City Council Policies 120.09, 165.3 and 160.10 update the 2026 City Council Meeting Dates Calendar - Meeting Information.

Attachments:
City Council Policy 120.09
Proposed Revised City Council Policy 120.09
City Council Policy 165.3
Proposed Revised City Council Policy 165.3
Proposed City Council Policy 160.10
Updated 2026 City Council Meeting Dates Calendar

SUBJECT – CITY COUNCIL Public Forum	Number 120.9	Revised 3-13-06 5-12-08 1-27-14 05-08-23 01-08-24	Effective Date 1-9-06	Page 1 of 2

In compliance with N.C.G.S. § 160A-81.1, the City Council establishes the following policy for a public comment period which shall be known as the Public Forum.

1. The Public Forum shall be held on the second Monday of every month during a regularly scheduled meeting of the Council and shall be the first item of business after Approval of the Agenda. The Public Forum shall last no longer than 30 minutes. Any remaining speakers on the Public Forum list that did not get an opportunity to address the City Council will have the option to have their name placed at the beginning of the next scheduled public forum list of speakers.

2. Each speaker shall have up to 3 minutes to address Council on issues related to the City of Fayetteville. No time will be yielded to any speaker by another speaker.

3. Speakers will address Council in the order in which their name appears on the sign-up sheet. Speakers shall address Council from the podium and shall not otherwise physically approach Council. Any written comments and/or supporting documents shall be left with the City Clerk.

4. Speakers will be courteous in their language and presentation and shall refrain from personal attacks. The Mayor or other designated presiding officer reserves the right at all times to maintain order and decorum during the Public Forum.

5. Speakers shall not discuss the following matters during the public forum: personnel, litigation, property acquisition, attorney-client privilege, confidential and matters that are the subject of public hearings. Speakers desiring to speak on any of the aforementioned will be directed on the proper procedure for discussing those matters. Speakers will not discuss matters regarding the candidacy of any person seeking public office, including the candidacy of the person addressing the Board.

6. No dialogue shall occur between the speaker and Council. At the conclusion of the Public Forum, the City Manager or City Attorney may provide rebuttal to any statements made during the Public Forum.

7. Anyone desiring to speak may sign up in advance no later than 5:00 p.m. on the day of the meeting by in person with the City Clerk in the City Manager's Office Suite, City Hall, 433 Hay Street, Fayetteville, NC; by email at PamelaMegill@fayettevillenc.gov; or call (910) 433-1992 and provide their name and address. Speakers with handouts for the City Council are to be submitted to the Office of the City Clerk prior to 5 p.m. on the day of the meeting.

SUBJECT – CITY COUNCIL Public Forum	Number 120.9	Revised 3-13-06 5-12-08 1-27-14 05-08-23 01-08-24 xx-xx-26	Effective Date 1-9-06	Page 1 of 2

In compliance with N.C.G.S. § 160A-81.1, the City Council establishes the following policy for a public comment period which shall be known as the Public Forum.

1. The Public Forum shall be held on the first Monday of every month beginning at 5:15 p.m. after the announcements and recognitions. The Public Forum shall last no longer than one hour. Any remaining speakers on the Public Forum list that did not get an opportunity to address the City Council will have the option to have their name placed at the beginning of the next scheduled public forum list of speakers.

2. City Residents shall be placed before all non-residents on the sign-up sheet.

3. Each speaker shall have up to three (3) minutes to address Council on issues related to the City of Fayetteville. Speakers will provide their name at the podium, but providing their address is not required. No time will be yielded to any speaker by another speaker.

4. Speakers will address Council in the order in which their names appear on the sign-up sheet. Speakers shall address Council from the podium and shall not otherwise physically approach Council. Any written comments and/or supporting documents shall be left with the City Clerk.

5. Speakers will be courteous in their language and presentation and shall refrain from personal attacks. The Mayor or other designated presiding officer reserves the right at all times to maintain order and decorum during the Public Forum.

6. Speakers shall not discuss the following matters during the public forum: personnel, litigation, property acquisition, attorney-client privileged information, confidential information and matters that are the subject of public hearings. Speakers desiring to speak on any of the aforementioned will be directed on the proper procedure for

discussing those matters. Speakers will not discuss matters regarding the candidacy of any person seeking public office, including the candidacy of the person addressing the Council.

7. No dialogue shall occur between the speaker and Council. At the conclusion of the Public Forum, the Mayor, City Manager or City Attorney may provide rebuttal to any statements made during the Public Forum.

8. Anyone desiring to speak or provide written comments may sign up in advance beginning the day after the last public forum and no later than 11:59 p.m. on the day before the meeting, in person with the City Clerk in the City Manager's Office Suite, City Hall, 433 Hay Street, Fayetteville, NC; by email at PublicComments@fayettevillenc.gov; by phone (910) 433-1992; or by using the website form. Speakers with handouts for the City Council may be submitted to the Office of the City Clerk no later than 11:59 p.m. the day before the meeting or handed to the Clerk prior to comments.

9. Individuals unable to attend in person, may mail written comments to the City Clerk using the address above or email them to PublicComments@fayettevillenc.gov. Written comments will be summarized by the City Clerk during the meeting.

SUBJECT – ZONING School Zones	Number 165.3	Revised Rescinded xx-xx-26	Reviewed Date 11-18-25	Effective Date 2-17-86	Page 1 of 1

SUBJECT – STREETS, TRAFFIC, AND PARKING School Zones	Number 160.10	Revised	Reviewed Date	Effective Date xx-xx-26	Page 1 of 1

The authority to lower speed limits adjacent to or near schools is given to local authorities within their respective jurisdictions by North Carolina General Statute § 20-141.1 *Speed limits in school zones*.

This policy is to provide guidance and uniformity on how and when speed limit reductions are established for a school speed zone. When a new project is established, or when the existing speed zone is in need of reevaluation, or when existing signs are in need of replacement, repair or maintenance, conformance with this practice is required.

The City of Fayetteville shall follow the steps identified by the North Carolina Department of Transportation "STANDARD PRACTICE for ESTABLISHING A SCHOOL SPEED ON A STATE SYSTEM STREET OR A HIGHWAY IN NORTH CAROLINA".

For ease of reference, the above mentioned "STANDARD PRACTICE," known as "S-14" on the revised date of 01/15/2026, is included with this policy. All references to State systems, personnel, or entities shall be understood to refer to equivalent City of Fayetteville systems, personnel, or entities for this policy.

Within the City of Fayetteville, per North Carolina Administrative Code 19A NCAC 02B.0232 *SCHOOL FLASHERS (STATE MUNICIPAL SYSTEM)*, the North Carolina Department of Transportation is responsible for approving and establishing school zones and school flashers for Public Schools. In practice, Cumberland County Schools is responsible for the maintenance of all school flashers associated with the school zones established for the schools operated by the County. The City of Fayetteville is responsible for the establishment and maintenance of school zones and their associated equipment as part of this policy for school zones not maintained by the North Carolina Department of Transportation or Cumberland County Schools.

Associated school zone equipment is understood to include, but not be limited to, thermoplastic pavement markings for the word "SCHOOL", sign assemblies for school speed zones, sign assemblies for pedestrian crossings in school speed zones, and school flasher assemblies.

If the need for school zone flasher(s) is established by the City of Fayetteville, the City of Fayetteville Public Services Department – Traffic Services Division will

prepare an estimate of the material and equipment cost for installation. The school agency will make payment to the City of Fayetteville for the cost of the materials and equipment prior to installation of the school zone flasher(s). In addition, the school board shall make application for electrical service for the school zone flasher(s) and shall be responsible for payment of the associated utility bills.

The City will agree to maintain the school zone signs, pavement markings, and school zone flasher(s) so long as the need for this school zone continues. Should this school zone become unnecessary; the signs, pavement markings, and school zone flasher(s) will be removed. The school zone flasher(s) shall be reused at another mutually agreeable site between the school agency and City (at no cost to the school board). Should no mutually agreeable site be available, the school zone flasher(s) shall become the property of the City of Fayetteville.

The City reserves the right to revise or remove school speed zone ordinances and revise or remove signs, pavement markings, and flasher(s) based on current conditions and if necessary, when roadway improvements or changes in the roadway cross section or configuration necessitates a new investigation.

S-14

North Carolina Department of Transportation
Division of Highways
Transportation Mobility and Safety Division

STANDARD PRACTICE for ESTABLISHING A SCHOOL SPEED ZONE ON A STATE SYSTEM STREET OR HIGHWAY IN NORTH CAROLINA

A. TOPIC OWNER

Traffic Safety Unit

B. PURPOSE

This practice provides guidance and uniformity on how and when speed limit reductions are established for a school speed zone. This practice is not intended for use in removal of existing signs; however, when a new project is established for the North Carolina highway system, or when the existing speed zone is in need of reevaluation, or when existing signs are in need of replacement, repair or maintenance, conformance with this practice is required.

C. OVERVIEW

These guidelines below provide the criteria to be used to reduce the regulatory speed limit on state-maintained streets and highways in order to establish a school speed zone for public, private, and parochial schools for K-12th grades. It is standard practice to allow and/or install regulatory signs for a school speed zone only if the requesting facility meets all the criteria and guidelines herein. If approved, signs shall be designed, located and erected according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD), the North Carolina Supplement to the MUTCD, the North Carolina Roadway Standard Drawings and the standards and criteria herein.

D. GUIDELINES

1. The Department of Transportation may, upon the basis of a traffic engineering and safety investigation, reduce the regulatory speed limit on state-maintained streets and highways in order to establish a school speed zone for public, private, and parochial schools for K-12th grades.

2. Highways designated as part of the Interstate System or other fully controlled access highways do not qualify for speed limit reductions under this Standard Practice and therefore shall not have posted school speed zones. School speed zones should not normally be considered on partially controlled access highways except where there is a special need based on a traffic engineering and safety investigation. An example would be when the school is located so close to the major roadway (off of a SR or city street) that the flow of traffic on the major roadway is impeded during the peak school times.

3. No school speed zones will be considered until a formal signed letter from the individual school principal or other official of the school system is received by the Department of Transportation. The official signed letter should be addressed to the appropriate Division Engineer and should include the following documentation:

   A. Number of students (K-12)
   B. Approximate number of student pedestrians and bicyclists
   C. Approximate number of student drivers and/or car riders
   D. Number of buses and ridership
   E. Number of staff members (teachers, administration, and support staff)
   F. Beginning and dismissal times at the school
   G. Beginning and dismissal times of before and after school programs
   H. A list of extracurricular events and their typical schedule
   I. Whether or not the school routinely uses a crossing guard on state system roadways
   J. A description of the school's student loading plan

4. The requesting school shall have a minimum enrollment of at least 200 students (K-12) and include some student pedestrians or student bicyclists using adjacent state system roadways before a school speed zone will be considered.

   GUIDANCE: Regardless of the number of student pedestrians or bicyclists, if any of the following conditions are present, a reduced school speed zone may be considered:

   A. Recurrent excessive queuing onto the subject route during the school's beginning and/or dismissal times that has been determined as non-correctable through on-campus traffic patterns and/or student loading operations.
   B. Poor intersection visibility and/or decision sight distance at school entrance(s).
   C. Crash rate for the subject route is higher than the statewide critical crash rate for similar type routes.
   D. The presence of unsignalized and unguarded pedestrian crosswalks adjacent to the school.

   GUIDANCE: Preschools, Child Development Centers and other daycare type facilities are not eligible for school speed zones and school pavement markings are not allowed in advance of these type facilities.

5. The school speed limit so established should not be ordinanced more than 10 mph below the posted or statutory non-school speed limit unless the traffic engineering and safety investigation determines there are unsafe conditions adjacent to the school greater than those normally present in school areas. Per G.S. §20-141.1, the school speed limit shall not be less than 20 mph.

   GUIDANCE: At least two of the following conditions should be present on the subject route before setting a school speed limit more than 10 mph below the posted non-school speed limit:

   A. Recurrent excessive queuing onto the subject route during the school's beginning and/or dismissal times that has been determined as non-correctable through on-campus traffic patterns and/or student loading operations.
   B. Poor intersection visibility and/or decision sight distance at school entrance(s).
   C. Crash rate for the subject route is higher than the statewide critical crash rate for similar type routes.
   D. Non-school speed limit is set at 55 mph or higher.
   E. The presence of unsignalized and unguarded pedestrian crosswalks adjacent to the school.

6. The reduced speed zone should begin either at a point 200 ft from the crosswalk adjacent to the school, or at a point 100 ft minimum – 500 ft maximum from the school property line, based on whichever is encountered first as traffic approaches the school. See layouts and guidance in RSD 910.20 and the current MUTCD.

   GUIDANCE: The engineer should consider the location of school entrances/exits and existing vehicle queuing on the subject route when setting the limits of the school speed zone.

7. Restrictive school speed limits should **NOT** normally be established along highways without bordering (adjacent/abutting) school property or along highways that have bordering school property but have no school access points and minimal or no pedestrian activity. That is unless a traffic engineering and safety investigation shows there are unsafe conditions on the subject route that could be significantly reduced by the implementation of a lower school speed limit.

   GUIDANCE: The engineer should verify that at least one of the following conditions is present before establishing a school speed zone along a highway without bordering school property or along highways that have bordering school property but have no school access points and minimal pedestrian activity:

   A. Recurrent significant queuing caused by school traffic is present on the subject route during the arrival and/or dismissal times of the school that has been determined as non-correctable through on-campus traffic patterns and/or student loading operations.
   B. There is a significant crash history on the subject route during the arrival and/or dismissal times at the school.
   C. There is a large percentage of school traffic using a stop sign controlled intersection leading to the school that has safety and/or capacity concerns.

8. The times for the school speed limit should be determined by the investigating engineer and should only be in effect during the hour surrounding the time of each beginning and ending school schedule or bell. Typically, the school speed zone should only be in effect during the hour "30 minutes before to 30 minutes after school begins and ends" unless the investigating engineer determines a different time period is appropriate. If the school requests a different time period, documentation showing clear justification for changing or extending the time from the "30 minutes before to 30 minutes after school begins and ends" should be provided.

   GUIDANCE: The engineer should verify that at least one of the following conditions is present before extending the "30 minutes before to 30 minutes after school begins and ends" guideline:

   A. The school has a significant number of students participating in before and/or after school programs.
   B. The school has a significant number of extracurricular events that generates a large volume of traffic on the subject route.
   C. The school generates a significant amount of pedestrian or vehicular traffic outside of the "30 minutes before to 30 minutes after" time frame.

   The Department will only install and maintain school flashers if a "traffic and engineering investigation conducted by the Department of Transportation shows that there are hazardous conditions present adjacent to a school greater than those normally present in school areas, and that these conditions can be alleviated by the use of school flashers" in accordance with NCAC 19A:02B.0232. See TEPPL Topic S-11 for guidance on school zone flashers.

9. The presence (or construction) of roadway improvements (ex. turn lanes) or other traffic control devices (i.e. traffic signals) may mitigate the need for a school speed zone.

10. The school or school system should be encouraged to implement on site/off site or operational improvements recommended by the NCDOT engineering investigation prior to establishing a school speed zone.

ADDITIONAL GUIDANCE: If the requesting school does not meet the specified enrollment criteria for a school speed zone but is a smaller, well established school (in operation two or more calendar years) with an enrollment of at least 100 students, the school may request School Advance Warning signs (S1-1). The Department's investigating engineer will make the determination if school advance warning signs (with or without advisory speed plaques mounted under the signs) are warranted based on the MUTCD and engineering judgment.

Sign designs shall conform to Department standards for sign and letter size, design layout and sheeting type and color.

NCDOT reserves the right to request documentation from the school or school system at any time to confirm that the facility continues to meet requirements. NCDOT reserves the right to revise or remove school speed zone ordinances and revise or remove signs based on current conditions and if necessary when roadway improvements or changes in the roadway cross section or configuration necessitates a new investigation.

2026 City Council Meeting Dates

JANUARY

Thurs., Jan 1	**New Year's Day—City Offices Closed**
Mon., Jan. 5	Council Work Session, 2 p.m., Council Chamber
Mon., Jan. 12	Regular Council Meeting, 6:30 p.m., Council Chamber
Mon., Jan 19	**MLK Jr. Day - City Offices Closed**
Tues.-Wed Jan. 20-21	Strategic Planning Retreat, Gilmore Recreation Center
Wed., Jan. 21	Agenda Briefing, 5 p.m., Teams
Mon., Jan. 26	Regular Council Meeting, 6:30 p.m., Council Chamber

FEBRUARY

Mon., Feb. 2	Council Work Session, 2 p.m., Council Chamber
Mon., Feb.9	Regular Council Meeting, 6:30 p.m., Council Chamber
Wed., Feb. 18	Agenda Briefing, 5 p.m., Teams
Mon., Feb. 23	Regular Council Meeting, 6:30 p.m., Council Chamber

MARCH

Mon., March 2	Council Work Session, 2 p.m., Council Chamber
Mon., March 9	Regular Council Meeting, 6:30 p.m., Council Chamber
Mon. - Wed. March 16-18	NLC Congressional Cities Conference, Washington, D.C.
Wed., March 18	Agenda Briefing, 5 p.m., Teams
Mon., March 23	Regular Council Meeting, 6:30 p.m., Council Chamber

APRIL

Fri., April 3	**Good Friday - City Offices Closed**
Mon, April 6	Council Work Session, 2 p.m., Council Chamber
Mon., April 13	Regular Council Meeting, 6:30 p.m., Council Chamber
Wed., April 22	Agenda Briefing, 5 p.m., Teams
Mon., April 27	Regular Council Meeting, 6:30 p.m., Council Chamber

MAY

Mon., May 4	Council Work Session, 2 p.m., Council Chamber
Tues.-Thur., May 5-7	NCLM City Vision — Raleigh
Mon., May 11	Regular Council Meeting, 6:30 p.m., Council Chamber
Thurs., May 14	Council Budget Work Session, 10 a.m., Council Chamber
Wed., May 20	Agenda Briefing, 5 p.m., Teams
Thurs., May 21	Council Budget Work Session, 10 a.m., Council Chamber
Mon., May 25	**Memorial Day - City Offices Closed**
Tues., May 26	Regular Council Meeting (Budget Public Hearing), 6:30 p.m., Council Chamber
Thurs., May 28	Council Budget Work Session, 10 a.m., Lafayette Room

FAYETTEVILLE NC
AMERICA'S CAN DO CITY

JUNE

Mon., June 1	Council Work Session, 2 p.m., Council Chamber
Mon., June 8	Regular Council Meeting, 6:30 p.m., Council Chamber, Adopt FY 26-27 Budget
Wed., June 17	Agenda Briefing, 5 p.m., Teams
Fri., June 19	**Juneteenth - City Offices Closed**
Mon., June 22	Regular Council Meeting, 6:30 p.m., Council Chamber

JULY

No City Council Meetings Established

Fri., July 3	**Independence Day - City Offices Closed**

AUGUST

Mon., Aug.3	Council Work Session, 2 p.m., Council Chamber
Mon., Aug. 10	Regular Council Meeting, 6:30 p.m., Council Chamber
Wed., Aug. 19	Agenda Briefing, 5 p.m., Teams
Mon., Aug. 24	Regular Council Meeting, 6:30 p.m., Council Chamber

SEPTEMBER

Mon., Sept. 7	**Labor Day - City Offices Closed**
Tues., Sept.8	Council Work Session, 2 p.m., Council Chamber
Mon., Sept. 14	Regular Council Meeting, 6:30 p.m., Council Chamber
Wed., Sept. 23	Agenda Briefing, 5 p.m., Teams
Mon., Sept. 28	Regular Council Meeting, 6:30 p.m., Council Chamber

OCTOBER

Mon., Oct. 5	Council Work Session, 2 p.m., Council Chamber
Mon., Oct. 12	Regular Council Meeting, 6:30 p.m., Council Chamber
Wed., Oct. 21	Agenda Briefing, 5 p.m., Teams
Mon., Oct. 26	Regular Council Meeting, 6:30 p.m., Council Chamber

NOVEMBER

Mon., Nov. 2	Council Work Session, 2 p.m., Council Chamber
Mon., Nov. 9	Regular Council Meeting, 6:30 p.m., Council Chamber
Wed., Nov. 11	**Veteran's Day - City Offices Closed**
Wed., Nov. 18	Agenda Briefing, 5 p.m., Teams
Wed.—Sat. Nov. 18-21	NLC Conference, Nashville, TN
Mon., Nov. 23	Regular Council Meeting, 6:30 p.m., Council Chamber
Thurs. - Fri., Nov. 26-27	**Thanksgiving - City Offices Closed**

DECEMBER

Mon., Dec. 7	Council Work Session, 2 p.m., Council Chamber
Mon., Dec. 14	Regular Council Meeting, 6:30 p.m., Council Chamber
Thurs. - Fri. Dec. 24—25	**Christmas - City Offices Closed**

City Council Work Session/Meeting Information

- Work Sessions are held at 2 p.m. in the Council Chamber, City Hall, generally on the first Monday of each month.
- Regular meetings are held at 6:30 p.m. in the Council Chamber, City Hall, and the Council's Discussion of Agenda Items is held at 5:30 p.m. preceding the regular meetings in the St. Avold Conference Room, third floor, City Hall. Regular meetings are broadcast live on FAYTV and are re-broadcasted on Wednesdays following the meetings at 10 p.m. Archived meetings are also available on the City's YouTube channel at www.FayTV.net
- The Public Forum shall be held after the Work Sessions each month, which is usually the first Monday beginning at 5:15 p.m.
- Agenda briefings are held at 5 p.m. via Teams, generally on the third Wednesday of each month. Login information is located on the City's website calendar of events tab.

January

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NLC Conferences | Regular Meeting | Agenda Briefing
NCLM Conference | Work Session | Budget Work Session
Strategic Planning Retreat | Holidays

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0019

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A3

TO: **Mayor and Members of City Council**

THRU: **Kelly Strickland, Assistant City Manager**
Dr. Gerald Newton, AICP, Development Services Director
David Steinmetz, Development Services Assistant Director

FROM: **Dereke D. Planter Jr., Code Enforcement Supervisor**

DATE: **January 26, 2026**

RE:
Uninhabitable Structures: Demolition Recommendations

484 Tacoma Court - District 4
511 S Eastern Boulevard - District 2
905 Anarine Road - District 2
3634 Thorndike Drive - District 3

COUNCIL DISTRICT(S):
2,3,4

Relationship To Strategic Plan:
Goal 1: Safe & Secure Community
Goal 4: Desirable Place to Live, Work & Recreate

Executive Summary:
Staff seeks Council approval of demolition ordinances for one commercial structure and three residential structures that have been determined to be dangerous.

Background:
As part of the City's continued efforts to address blight and protect neighborhood safety, several long-standing nuisance properties have recently been successfully demolished one commercial and two residential structures 850 Van Dyke Place, 2443 Hope Mills Road, and the highly visible structure at 206 Campbell Avenue.
The removal of these deteriorated and unsafe buildings represents a significant step toward eliminating public nuisances that negatively impact surrounding neighborhoods. Most notably, the demolition at 206 Campbell Ave. addresses a prominently located structure that had been a source of concern for residents and passersby alike.
These actions demonstrate the City's commitment to improving neighborhood conditions, reducing blight, and restoring confidence in the quality and safety of our community spaces.

484 TACOMA CT **PIN: 0408-68-9291**
This vacant residential structure was condemned as dangerous on August 18, 2025, due to neglect. The City Inspector cited repair needed: walls, roofing material, flashing,

trim and fascia, roof rafters and sheathing.
A hearing notice was published in *The Fayetteville Observer* on August 24, 2025. The hearing was held on September 8, 2025, and the property owner was not present.
Following the hearing, an order was issued on September 10, 2025, directing the owner to either repair or demolish the structure within 60 days. The notice included information on programs available through the City's Economic & Community Development Department to help cover repair or demolition expenses.
As of today, there is no record of enrollment in the Blight Removal Program, and the property has not been brought out of its condemned status.
There have been two emergency calls related to the property in the past 24 months.
The property had two code violations, $569.44 in City assessments, and $2,756.86 in taxes due.
It holds a demolition score of 65 points on the matrix.

511 S EASTERN BLVD **PIN: 0446-09-2995**

This vacant commercial structure was condemned as dangerous on April 7, 2025, due to neglect/fire. The City Inspector cited repair needed: walls, doors, door frames, window frames and glazing, electrical wiring, devices, fixtures, boxes, conduit and panels, heating and air conditioning duct work, units and wiring, roofing materials, and stairs.
A hearing notice was published in *The Fayetteville Observer* on May 25, 2025. The hearing was held on June 5, 2025, and the property owner was present.
Following the hearing, an order was issued on June 9, 2025, directing the owner to either repair or demolish the structure within 180 days. The notice included information on programs available through the City's Economic & Community Development Department to help cover repair or demolition expenses.
As of today, there is no record of enrollment in the Blight Removal Program, and the property has not been brought out of its condemned status.
There have been **113** emergency calls related to the property in the past 24 months.
The property had 12 code violations, no City assessments, and $13,069.48 in taxes due.
It holds a demolition score of 77 points on the matrix.

905 ANARINE RD **PIN: 0428-61-2382**

This vacant residential structure was condemned as dangerous on June 23, 2025, due to neglect. The City Inspector cited repair needed: steps, stair railings, ceiling and ceiling joists, doors and door frames, electrical fixtures, wiring, devices and panels, hot & cold-water distribution plumbing, water heating appliance, windowpanes, frames and sashes, roofing material, flashing, and trim, roof rafters/trusses and sheathing.
A hearing notice was published in *The Fayetteville Observer* on August 24, 2025. The hearing was held on September 5, 2025, and the property owner was not present.
Following the hearing, an order was issued on September 8, 2025, directing the owner to either repair or demolish the structure within 60 days. The notice included information on programs available through the City's Economic & Community Development Department to help cover repair or demolition expenses.
As of today, there is no record of enrollment in the Blight Removal Program, and the property has not been brought out of its condemned status.
There have been no emergency calls reported related to the property in the past 24

months. The property had four code violations, $258.26 in City assessments, and no outstanding taxes.
It holds a demolition score of 66.5 points on the matrix.

3634 THORNDIKE DR PIN: 0429-95-5812
This residential structure was condemned as dangerous on March 5, 2025, due to fire. The City Inspector cited repair needed: roofing material, flashing, trim and fascia, roof rafters and sheathing.
A hearing notice was published in *The Fayetteville Observer* on August 24, 2025. The hearing was held on September 5, 2025, and the property owner was not present. Following the hearing, an order was issued on September 8, 2025, directing the owner to either repair or demolish the structure within 60 days. The notice included information on programs available through the City's Economic & Community Development Department to help cover repair or demolition expenses.
As of today, there is no record of enrollment in the Blight Removal Program, and the property has not been brought out of its condemned status.
There have been seven emergency calls related to the property in the past 24 months. The property had two code violations, no City assessments, and $2,518.79 in taxes due.
It holds a demolition score of 65 points on the matrix.

Issues/Analysis:
These substandard properties contribute significantly to neighborhood blight and public nuisance, directly undermining the City's Strategic Operating Plan-specifically Goal 1, which prioritizes community safety and neighborhood quality.

Budget Impact:
The demolition costs for these structures will be established through a competitive bidding process conducted after the adoption of the demolition ordinance. Please note that additional, yet-to-be-determined expenses for asbestos testing and abatement may also be required.

Options:
Adopt the ordinance and demolish the structures.
Abstain from any action and allow the structures to remain.
Defer any actions for a later date.

Recommended Action:
Staff strongly recommends that Council adopt the ordinances authorizing demolition of these structures. We will continue to engage with the property owners up to the scheduled demolition date, offering opportunities for voluntary compliance, self-demolition, or grant-supported abatement through the Community Development Department.
Should a property come into compliance voluntarily, staff will present a demolition rescission ordinance to Council to formally remove the order from the property deed.
Prompt approval of the demolition ordinances is essential, as it enhances our leverage with property owners and is the only available mechanism to stay or suspend demolition proceedings once an order has been adopted.

Attachments:
206 Campbell Ave PowerPoint Presentation, Aerial Maps, Violation Photos, Proposed Ordinances, Scoring Matrix and PowerPoint Presentation

206 CAMPBELL AVE Demolition

December 17, 2025



FAYETTEVILLE N

206 CAMPBELL AVE
Council District 2





Before: Dec 11, 2025

206 CAMPBELL AVE
Council District 2





Before: Dec 11, 2025

206 CAMPBELL AVE
Council District 2





Before: Dec 11, 2025

206 CAMPBELL AVE
Council District 2





Before: Dec 11, 2025

206 CAMPBELL AVE
Council District 2





During: Dec 11, 2025

206 CAMPBELL AVE
Council District 2





During: Dec 11, 2025

206 CAMPBELL AVE
Council District 2





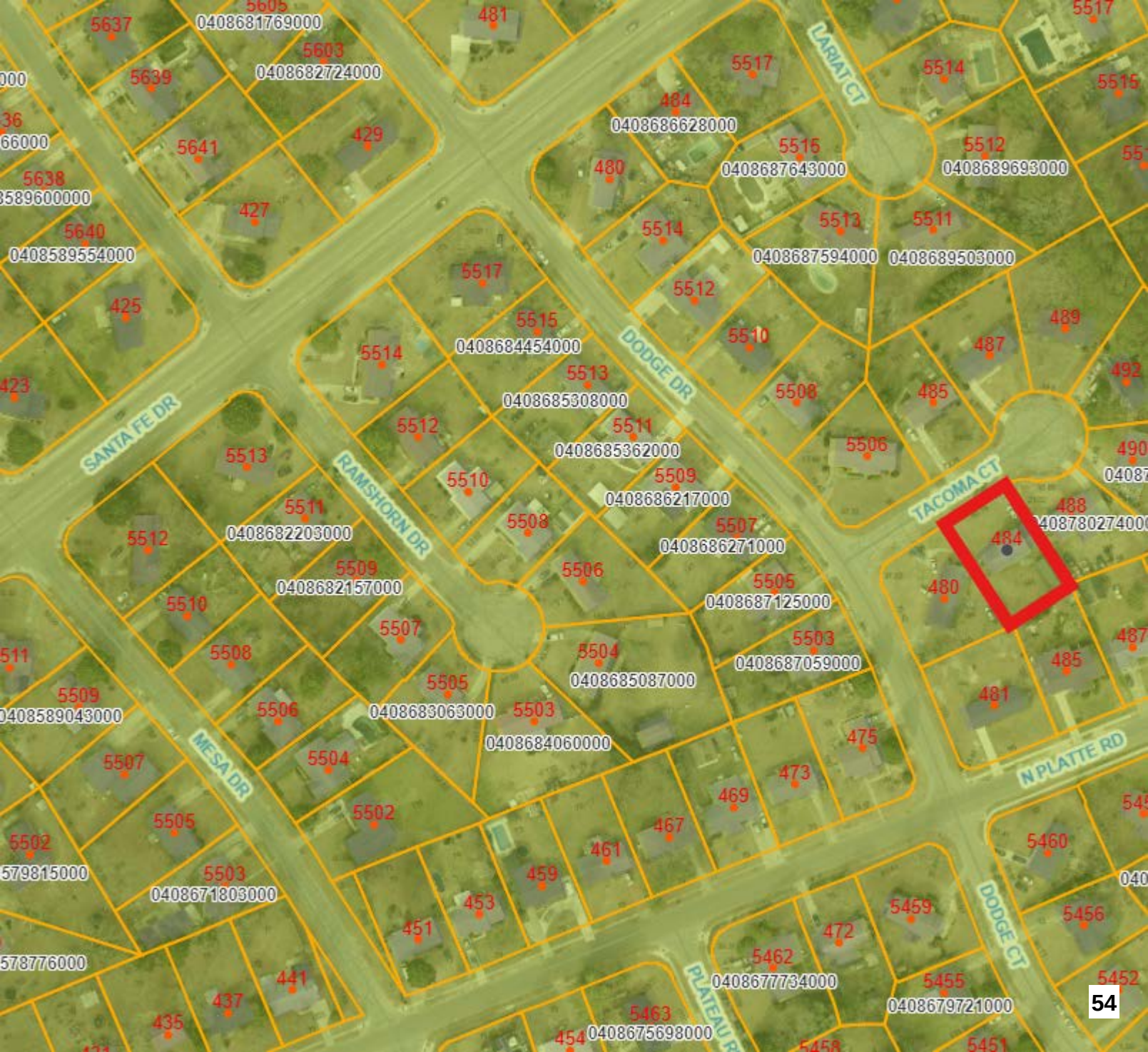
After: Dec 17, 2025



FAYETTEVILLE NC

AMERICA'S CAN DO CITY

FayettevilleNC.gov


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LARIAT CT
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5515
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DODGE DR
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489
487
5514
5513
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5508
485
492
423
SANTA FE DR
5512
5511
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490
5513
RAMSHORN DR
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TACOMA CT
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5511
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N PLATTE RD
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472
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5462
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5455
0408679721000
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5452
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0408675698000
454
54

484 Tacoma Court





(Any building or dwelling whose roof or ceiling, or parts thereof, have collapsed or begun to collapse; Roof covering shall not be loose, nor have holes or leaks.)

484 Tacoma Court





(All exterior surfaces, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment.)

484 Tacoma Court





(All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition; Supports shall not be rotting, sagging or deteriorating)

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City of Fayetteville, NC

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

(1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC, concerning certain real property described as follows:

484 Tacoma Court
PIN 0408-68-9291-

LEGAL: BEING all of Lot 145 in a Subdivision known as PONDEROSA, SECTION EIGHT, PART ONE according to a plat of the same duly recorded in Plat Book 32, Page 46 Cumberland County, North Carolina, Registry.

The owner(s) of and parties in interest in said property are:

Miriam Greene McClosky
1236 Kamaile St., Apt. F
Honolulu, HI 96814

Phillip Green
484 Tacoma Court
Fayetteville, NC 28301

(2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC having been followed, the Hearing Official duly issued and served an order requiring the owners of said property to complete certain repairs or demolish the structure on or before November 9, 2025.

(3) And said owners without lawful cause, failed or refused to comply with said order; and the Code Enforcement Official is authorized by said Code, and the North Carolina General Statutes § 160D-1203(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

(4) The City Council has been provided with information regarding the entire record of said Hearing Official, and finds, that all findings of fact and all orders of said Hearing Official are true and authorized.

(5) That pursuant to the North Carolina General Statutes § 160D-1203(7), the cost of the demolition shall be a lien against the real property upon which the cost was incurred.

Whereupon it is ordained that:

SECTION 1

The Code Enforcement Official is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Hearing Official as set forth fully above, except as modified in the following particulars:

This property is to be demolished, and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by the North Carolina General Statutes § 160D-1203(7), shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of January 2026.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

_____
Jennifer L. Ayre, City Clerk

484 Tacoma Court

City Council Initiated Demolition Score Matrix

TIER	FACTOR	SUBFACTOR	AVAILABLE POINTS	MAXIMUM POINTS UP TO	MULTIPLYING FACTOR	ASSIGNED POINTS	TOTAL
1	Structural Damage	Burned Out or Major Fire Damage and Uninhabitable **Or**	150	150	30%	100	30
		Minor Fire Damage but Habitable	75				
		Obvious Visual Structural Damage **Or**	100				
		No Obvious Visual Structural Damage	50				
2	Time on Demolition List	Over one year (365 days and over)	80	80	30%	50	15
		Under one year (up to 364 days)	50				
3	Ordinance	Demolition Ordinance Signed by City Council	20	20	30%	0	0
4	Financial Cost	Cost of Demolition is Over 10% of the Annual Demolition Budget	40	80	20%	80	16
		Cost of Demolition is Under 10% of the Annual Demolition Budget	80				
5	Crime	Frequent Police Calls **Or**	20	20	15%	0	0
		Code Enforcement Compliants - over 5	10				
6	Location	Located Within the 100 year Floodplain or Other Environmental Sensitive Area	60	60	10%	40	4
		School/Park/Public Facility located Within 1/2 mile	40				
		Within a Neighborhood Revitalization Area	40				
TOTAL POINTS							65

Definitions

The spreadsheet shows the maximum points allowed for each factor. If there are multiple subfactors, then only **one** subfactor can be scored. The scorer is allowed to give less than the maximum points for any factor, if necessary.

1	Structural Damage - In this section, the scorer uses the fire department structural evaluation to score the property. If the property is gutted by fire and uninhabitable, then the maximum points can be assigned. A minor fire, but habitable structure receives less points and should be used when the owners of the propertyhave not made sustantial improvements to the property.
	Visual Structural Damage - Obvious structrual damage refers to the missing element from a sturcture such as a collapsed roof system, missing support beams, damaged foundations, or damaged/missing exterior wall elements. Points can also be awarded in this section for exterior fire damage. No obvious visual structural damage refers to damage to a structure that is interior to the structure or within the walls.

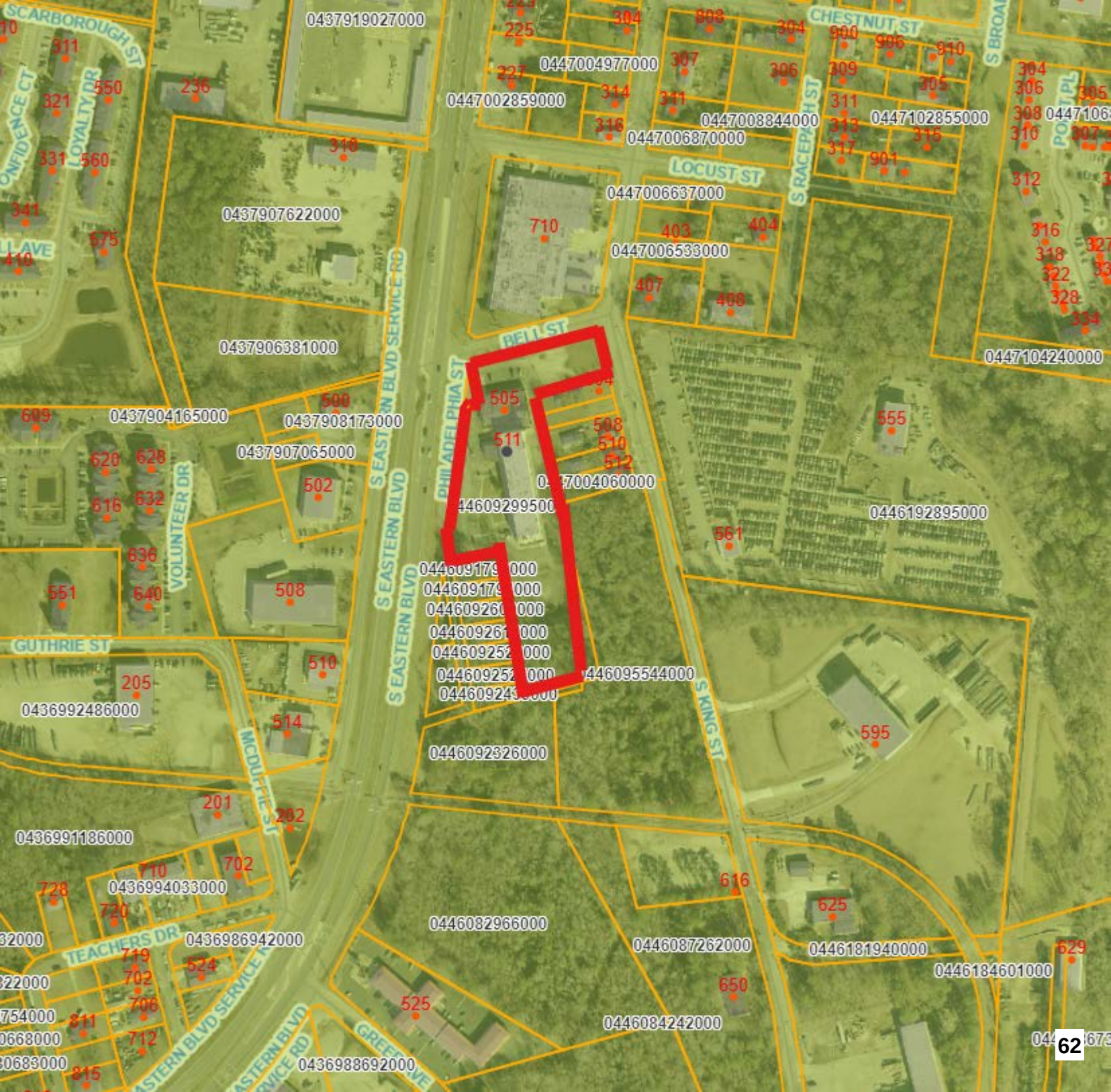
2	Time on the Demolition List signifies how many days the property has been identified as a nuisance/blighted property. The 365 days time fram starts the day that the hearing order is signed.

3	Demolition Ordinance - This spreadsheet will be used on projects with demolition ordianances and future demolitions. This factor will be removed and the points reallocated once all prior demolitions have been completed.

4	Financial Cost allows the department to manage its resources. Higher points are awarded to projects that utilize under 10% of the departments current annual demolition budget. Projects that require over 10 % of the budget, receive less points due to the fact that those projects diminish the departments ability to mitigate additional projects.

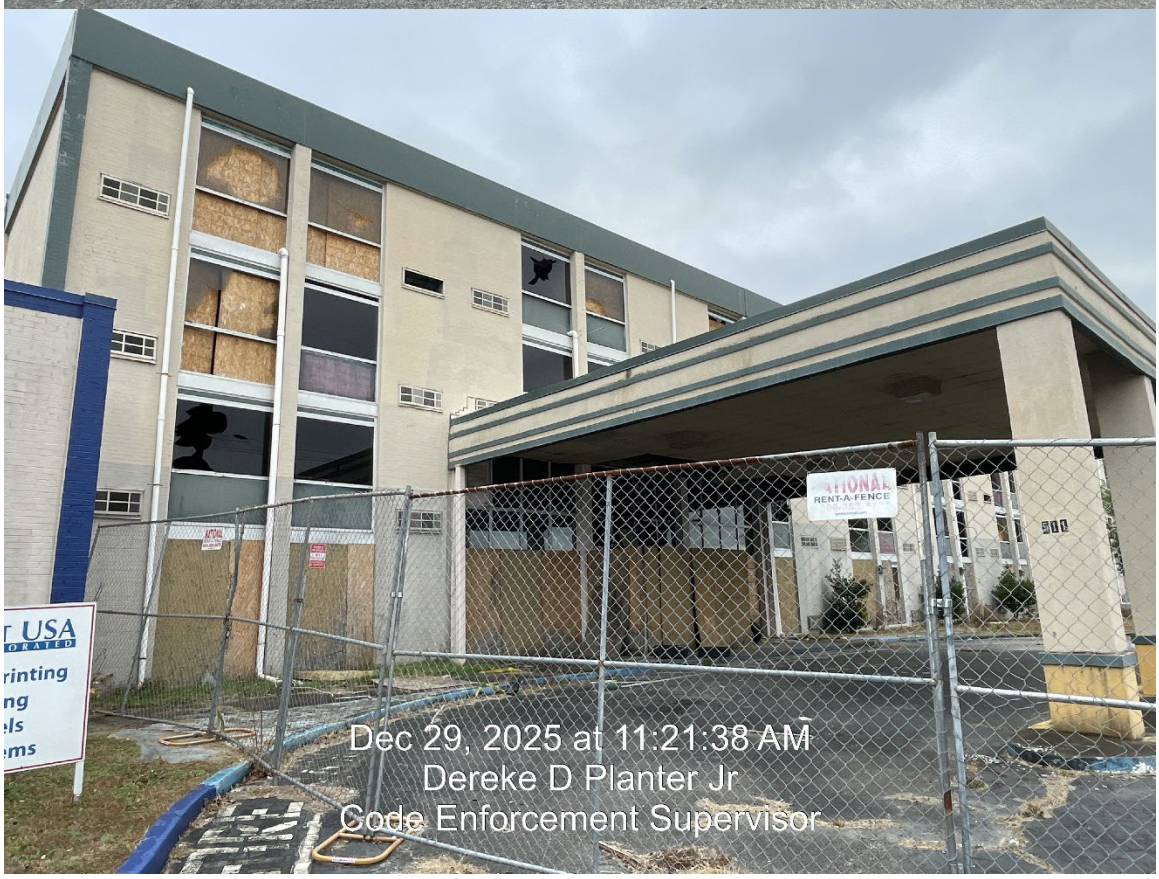
5	Crime - The frequency of police calls shall get full points if the number of calls is over five in a three month time period. The subject property can receive full Code Enforcement points if the project receives over five Code Enforcement complaints in a 24 month period.

6	Location -


0437919027000
0447004977000
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0447104240000
S EASTERN BLVD
S EASTERN BLVD SERVICE RD
PHILADELPHIA ST
BELL ST
LOCUST ST
CHESTNUT ST
S KING ST
S RACEPATH ST
GUTHRIE ST
TEACHERS DR
VOLUNTEER DR
LOYALTY DR
SCARBOROUGH ST
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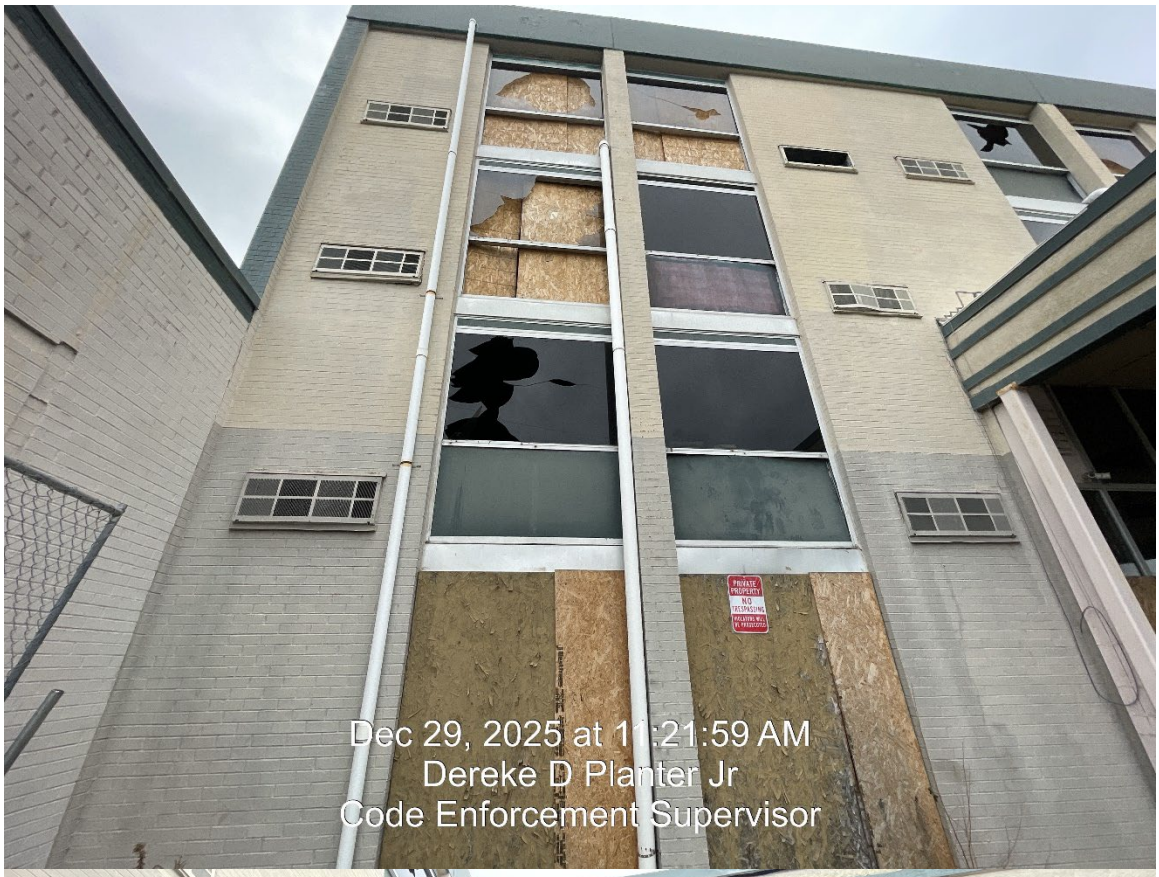
511 S Eastern Boulevard





(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms. All exterior surfaces, shall be maintained in good condition.)

511 S Eastern Boulevard





(Interior finish shall be free of holes and excessive cracks which permit air to penetrate rooms)

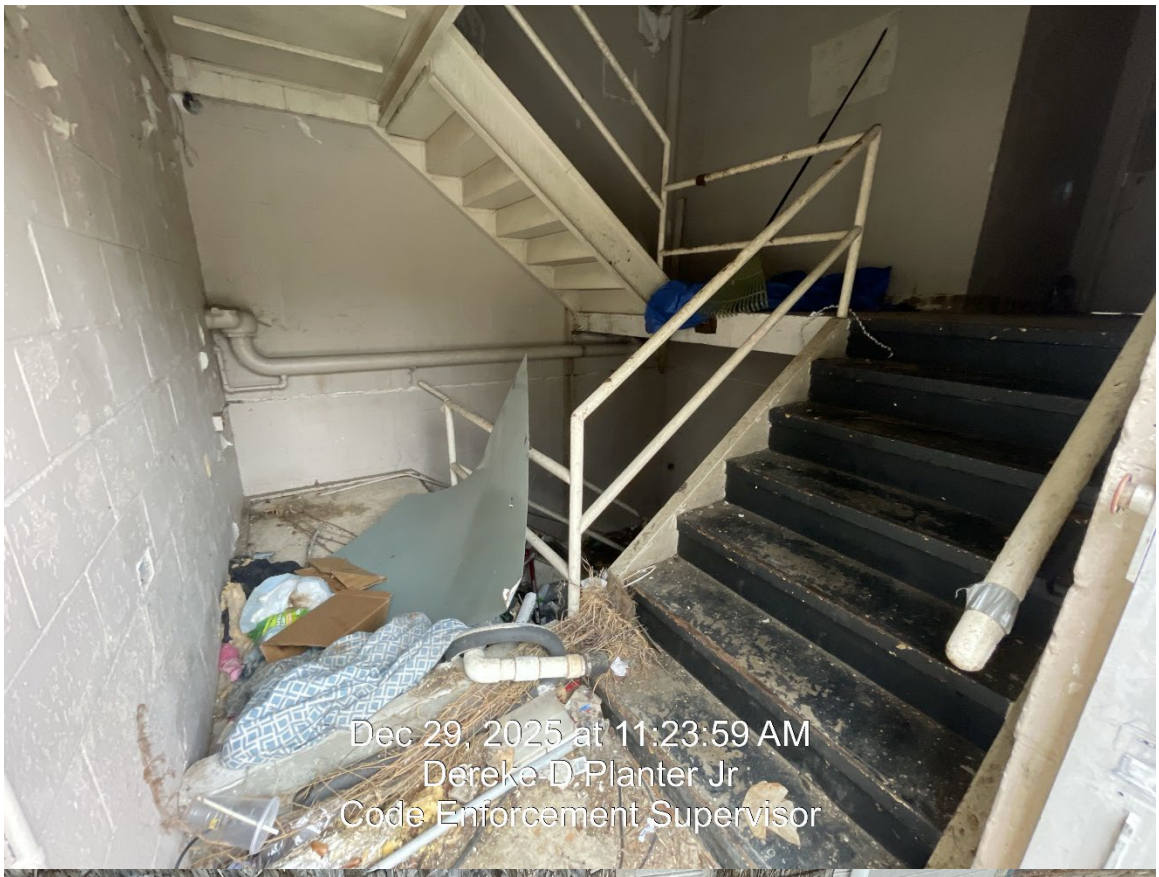
511 S Eastern Boulevard





(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms; Windows shall be reasonably weathertight with no broken glass.)

511 S Eastern Boulevard





(Yards and courts shall be kept clean and free of physical hazards, rubbish, trash and garbage; Any building or dwelling with broken windows in close proximity or adjacent to public sidewalks or streets making unauthorized entry readily accessible to pedestrians.)

511 S Eastern Boulevard





(Any building or dwelling upon which there is a violation of the state building code that constitutes a life threatening situation.)

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City of Fayetteville, NC

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

(1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC, concerning certain real property described as follows:

511 S. Eastern Boulevard
PIN 0446-09-2995-

LEGAL: BEGINNING at an existing iron stake in the eastern margin of Philadelphia Street (23.8' right-of-way), said existing iron stake being the southeast corner of Lot 11 as shown on a plat recorded in Plat Book 7, Page 93, of the Cumberland County Registry, NC, said existing iron stake also being the point of beginning of that 3.94 acre tract of land described and recorded in Deed Book 4244, Page 864, of the aforesaid Cumberland County Registry, NC and running thence with the aforesaid eastern margin of Philadelphia Street, North 04 degrees 48 minutes 13 seconds West, 103.93 feet to an existing iron stake; Thence continuing with the aforesaid eastern margin of Philadelphia Street, North 04 degrees 48 minutes 13 seconds West, 4.34 feet to a point; Thence with the eastern margin of Eastern Boulevard (200' right-of-way) the following courses and distances: North 12 degrees 39 minutes 20 seconds East, 100.06 feet to an existing iron stake; North 11 degrees 30 minutes 43 seconds East, 100.02 feet to an existing iron pipe; North 12 degrees 14 minutes 35 seconds East, 52.52 feet to a point, said point being the southwest corner of a 0.08 acre tract of land described and recorded in Book 2332, Page 29, of the aforesaid Cumberland County Registry, NC; Thence with the southern line of the aforesaid 0.08 acre tract, North 85 degrees 11 minutes 00 seconds East, 45.60 feet to a point, said point being the southeast corner of the aforesaid 0.08 acre tract; Thence with the eastern line of the aforesaid 0.08 acre tract, North 04 degrees 49 minutes 00 seconds West, 108.00 feet to an existing RR Spike in the pavement; Thence with a western line of the aforesaid 3.94 acre tract of Deed Book 4244, Page 864, North 05 degrees 38 minutes 17 seconds West, 6.33 feet to a chiseled "X" in the curb in the southern margin of Bell Street (55' right-of-way); Thence with the aforesaid southern margin of Bell Street, North 79 degrees 33 minutes 13 seconds East, 136.15 feet to a point; Thence continuing with the aforesaid southern margin of Bell Street, North 80

degrees 08 minutes 13 seconds East, 157.09 feet to an existing iron stake; Thence leaving the aforesaid southern margin of Bell Street, South 54 degrees 14 minutes 17 seconds East, 28.03 feet to an existing iron stake in the western margin of South King Street (55' right-of-way), said existing iron stake being South 28 degrees 53 minutes 22 seconds West, 61.99 feet from a new mag-nail in the intersection of Bell Street and South King Street, which is North 08 degrees 18 minutes 48 seconds West, 1245.74 feet from an existing cotton spindle at the intersection of South King Street and the railroad tracks; Thence with the aforesaid western margin of South King Street, South 08 degrees 43 minutes 51 seconds East, 87.84 feet to an existing iron stake; Thence South 80 degrees 04 minutes 14 seconds West, 181.58 feet to an existing iron pipe; Thence South 06 degrees 12 minutes 59 seconds East, 210.83 feet to an existing iron pipe; Thence South 06 degrees 36 minutes 11 seconds East, 55.95 feet to an existing iron pipe; Thence South 06 degrees 15 minutes 20 seconds East, 102.40 feet to an existing iron pipe; Thence South 08 degrees 41 minutes 37 seconds East, 177.62 feet to an existing iron pipe; Thence South 09 degrees 07 minutes 41 seconds East, 147.50 feet to an existing iron pipe, said existing iron pipe being the southeast corner of the aforesaid 3.94 acre tract; Thence with a southern line of the aforesaid 3.94 acre tract, South 79 degrees 25 minutes 50 seconds West, 171.69 feet to an existing axel, said existing axle being South 09 degrees 28 minutes 05 seconds west, 284.55 feet to an existing flat iron stake in a ditch on the south side of the Aberdeen and Rockfish railroad tracks; Thence with a western line of the aforesaid 3.94 acre tract, North 04 degrees 49 minutes West 340.95 feet to an existing iron stake; Thence with a southern line of the aforesaid 3.94 acre tract, South 85 degrees 17 minutes 23 seconds West, 119.51 feet to the point and place of beginning, containing 171,702 square feet or 3.94 acres more or less and being a description of the aforesaid acre tract of Deed Book 4244, Page 864. The above description was prepared by Mark R. Seffels, P.L.S. No. L3533 of Gooden & Associates, Inc. of Hope Mills, N.C.

Less and except all that parcel deeded out and described in Deed Book 769, Page 429, of the Cumberland County Registry..

The owner(s) of and parties in interest in said property are:

Samrat Properties, LLC
600 Columbus Avenue, #514
Plano, TX 75024

AMG NC, LP
511 Eastern Boulevard
Fayetteville, NC 28301

(2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC having been followed, the Hearing Official duly issued and served an order requiring the owners of said property to complete certain repairs or demolish the structure on or before December 6, 2025.

(3) And said owners without lawful cause, failed or refused to comply with said order; and the Code Enforcement Official is authorized by said Code, and the North Carolina General Statutes § 160D-1203(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

(4) The City Council has been provided with information regarding the entire record of said Hearing Official, and finds, that all findings of fact and all orders of said Hearing Official are true and authorized.

(5) That pursuant to the North Carolina General Statutes § 160D-1203(7), the cost of the demolition shall be a lien against the real property upon which the cost was incurred.

Whereupon it is ordained that:

SECTION 1

The Code Enforcement Official is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Hearing Official as set forth fully above, except as modified in the following particulars:

This property is to be demolished, and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by the North Carolina General Statutes § 160D-1203(7), shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of January 2026.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

_____
Jennifer L. Ayre, City Clerk

511 S Eastern Blvd

City Council Initiated Demolition Score Matrix

TIER	FACTOR	SUBFACTOR	AVAILABLE POINTS	MAXIMUM POINTS UP TO	MULTIPLYING FACTOR	ASSIGNED POINTS	TOTAL
1	Structural Damage	Burned Out or Major Fire Damage and Uninhabitable **Or**	150	150	30%	150	45
		Minor Fire Damage but Habitable	75				
		Obvious Visual Structural Damage **Or**	100				
		No Obvious Visual Structural Damage	50				
2	Time on Demolition List	Over one year (365 days and over)	80	80	30%	50	15
		Under one year (up to 364 days)	50				
3	Ordinance	Demolition Ordinance Signed by City Council	20	20	30%	0	0
4	Financial Cost	Cost of Demolition is Over 10% of the Annual Demolition Budget	40	80	20%	40	8
		Cost of Demolition is Under 10% of the Annual Demolition Budget	80				
5	Crime	Frequent Police Calls **Or**	20	20	15%	20	3
		Code Enforcement Compliants - over 5	10				
6	Location	Located Within the 100 year Floodplain or Other Environmental Sensitive Area	60	60	10%	60	6
		School/Park/Public Facility located Within 1/2 mile	40				
		Within a Neighborhood Revitalization Area	40				
TOTAL POINTS							77

Definitions

The spreadsheet shows the maximum points allowed for each factor. If there are multiple subfactors, then only **one** subfactor can be scored. The scorer is allowed to give less than the maximum points for any factor, if necessary.

1	Structural Damage - In this section, the scorer uses the fire department structural evaluation to score the property. If the property is gutted by fire and uninhabitable, then the maximum points can be assigned. A minor fire, but habitable structure receives less points and should be used when the owners of the propertyhave not made sustantial improvements to the property.
	Visual Structural Damage - Obvious structrual damage refers to the missing element from a sturcture such as a collapsed roof system, missing support beams, damaged foundations, or damaged/missing exterior wall elements. Points can also be awarded in this section for exterior fire damage. No obvious visual structural damage refers to damage to a structure that is interior to the structure or within the walls.

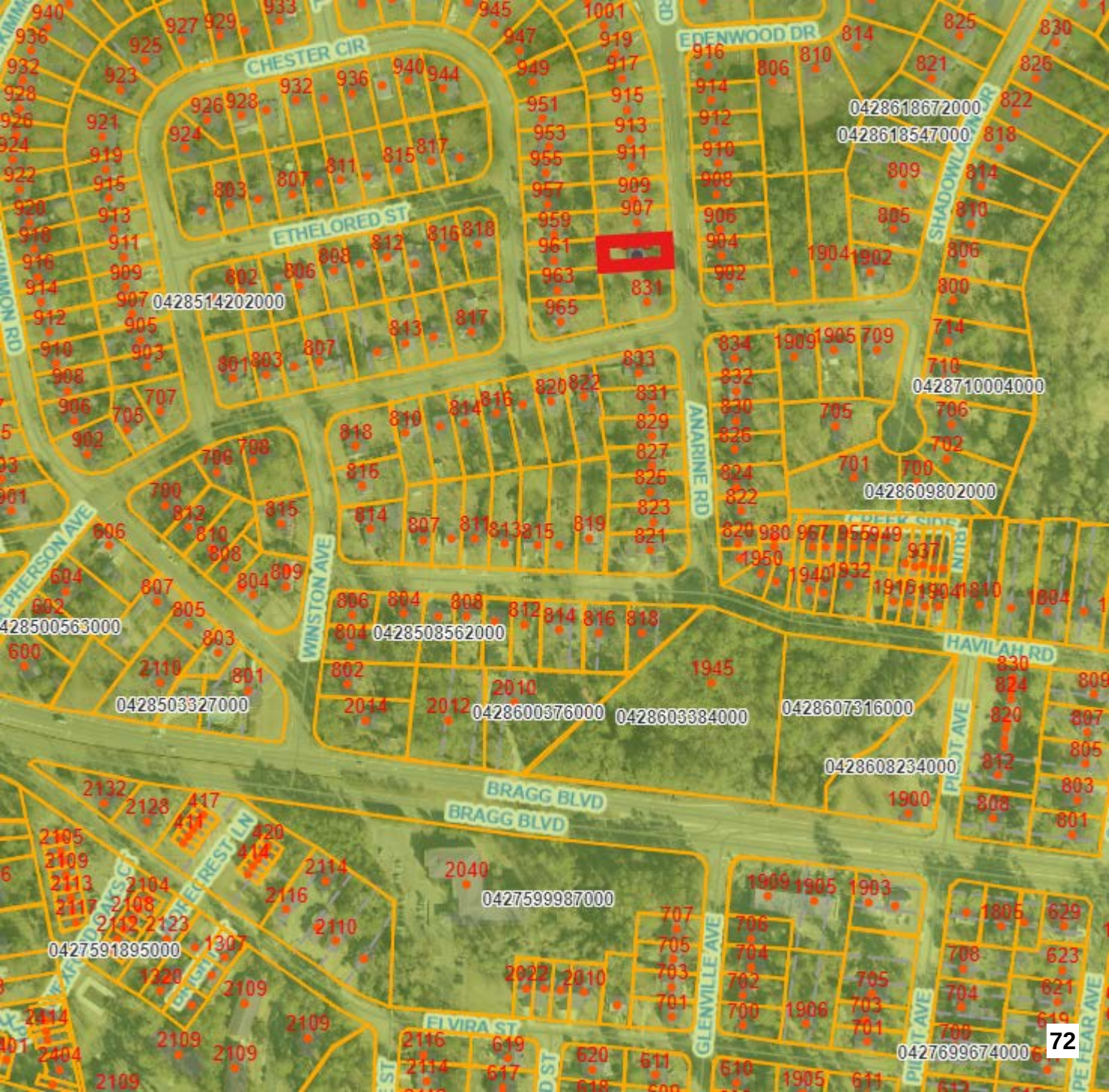
2	Time on the Demolition List signifies how many days the property has been identified as a nuisance/blighted property. The 365 days time fram starts the day that the hearing order is signed.

3	Demolition Ordinance - This spreadsheet will be used on projects with demolition ordianances and future demolitions. This factor will be removed and the points reallocated once all prior demolitions have been completed.

4	Financial Cost allows the department to manage its resources. Higher points are awarded to projects that utilize under 10% of the departments current annual demolition budget. Projects that require over 10 % of the budget, receive less points due to the fact that those projects diminish the departments ability to mitigate additional projects.

5	Crime - The frequency of police calls shall get full points if the number of calls is over five in a three month time period. The subject property can receive full Code Enforcement points if the project receives over five Code Enforcement complaints in a 24 month period.

6	Location -


CHESTER CIR
ETHELORED ST
EDENWOOD DR
SHADOWLAWN DR
ANARINE RD
WINSTON AVE
HAVILAH RD
BRAGG BLVD
BRAGG BLVD
GLENVILLE AVE
ELVIRA ST
PIT AVE
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0428603384000
0428607316000
0428608234000
0427599987000
0427591895000
0427699674000

905 Anarine Road





(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms. Roof covering shall not be loose, nor have holes or leaks.)

905 Anarine Road





(All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition; Adequate posts and railings, not rotted, broken;)

905 Anarine Road





(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms; roofing material, flashing and trim/fascia and walls. Windows shall be reasonably weathertight with no broken glass.)

905 Anarine Road



(Roofing material, flashing and trim/fascia and walls. Windows shall be reasonably weathertight with no broken glass.)

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City of Fayetteville, NC

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

(1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC, concerning certain real property described as follows:

905 Anarine Road
PIN 0428-61-2382-

LEGAL: BEING the easternmost 149 feet of Lot No. 35, In Block D, of that certain map of the subdivision known as Cumberland Heights, which map is recorded in Plat Book 11, Page 55, Cumberland County Registry, said portion of Lot No. 35 being more particularly described as follows:

BEGINNING at an iron stake in the western line of Anarine Road, which said iron stake is located North 01 degree 24 minutes West 80 feet from the northern terminus of a 30-foot radius situated at the intersection of the western line of Anarine Road and the northern line of McPherson Avenue and runs thence South 88 degrees 36 minutes West 149 feet to an iron stake; thence North 1 degree 24 minutes West 60 feet to an iron stake; thence North 88 degrees 36 minutes East 149 feet to an iron stake in the aforesaid western line of Anarine Road; thence with said western line of Anarine Road South 1 degree 24 minutes East 60 feet to the BEGINNING.

The owner(s) of and parties in interest in said property are:

Timothy Walker
5330 Rodwell Road Apt A
Fayetteville, NC 28311-1340

(2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC having been followed, the Hearing Official duly issued and served an order requiring the owners of said property to complete certain repairs or demolish the structure on or before September 7, 2025.

(3) And said owners without lawful cause, failed or refused to comply with said order; and the Code Enforcement Official is authorized by said Code, and the North Carolina General Statutes § 160D-1203(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

(4) The City Council has been provided with information regarding the entire record of said Hearing Official, and finds, that all findings of fact and all orders of said Hearing Official are true and authorized.

(5) That pursuant to the North Carolina General Statutes § 160D-1203(7), the cost of the demolition shall be a lien against the real property upon which the cost was incurred.

Whereupon it is ordained that:

SECTION 1

The Code Enforcement Official is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Hearing Official as set forth fully above, except as modified in the following particulars:

This property is to be demolished, and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by the North Carolina General Statutes § 160D-1203(7), shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of January 2026.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

_____
Jennifer L. Ayre, City Clerk

905 Anarine Road

City Council Initiated Demolition Score Matrix

TIER	FACTOR	SUBFACTOR	AVAILABLE POINTS	MAXIMUM POINTS UP TO	MULTIPLYING FACTOR	ASSIGNED POINTS	TOTAL
1	Structural Damage	Burned Out or Major Fire Damage and Uninhabitable **Or**	150	150	30%	100	30
		Minor Fire Damage but Habitable	75				
		Obvious Visual Structural Damage **Or**	100				
		No Obvious Visual Structural Damage	50				
2	Time on Demolition List	Over one year (365 days and over)	80	80	30%	50	15
		Under one year (up to 364 days)	50				
3	Ordinance	Demolition Ordinance Signed by City Council	20	20	30%	0	0
4	Financial Cost	Cost of Demolition is Over 10% of the Annual Demolition Budget	40	80	20%	80	16
		Cost of Demolition is Under 10% of the Annual Demolition Budget	80				
5	Crime	Frequent Police Calls **Or**	20	20	15%	10	1.5
		Code Enforcement Compliants - over 5	10				
6	Location	Located Within the 100 year Floodplain or Other Environmental Sensitive Area	60	60	10%	40	4
		School/Park/Public Facility located Within 1/2 mile	40				
		Within a Neighborhood Revitalization Area	40				
TOTAL POINTS							66.5

Definitions

The spreadsheet shows the maximum points allowed for each factor. If there are multiple subfactors, then only **one** subfactor can be scored. The scorer is allowed to give less than the maximum points for any factor, if necessary.

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	Visual Structural Damage - Obvious structrual damage refers to the missing element from a sturcture such as a collapsed roof system, missing support beams, damaged foundations, or damaged/missing exterior wall elements. Points can also be awarded in this section for exterior fire damage. No obvious visual structural damage refers to damage to a structure that is interior to the structure or within the walls.

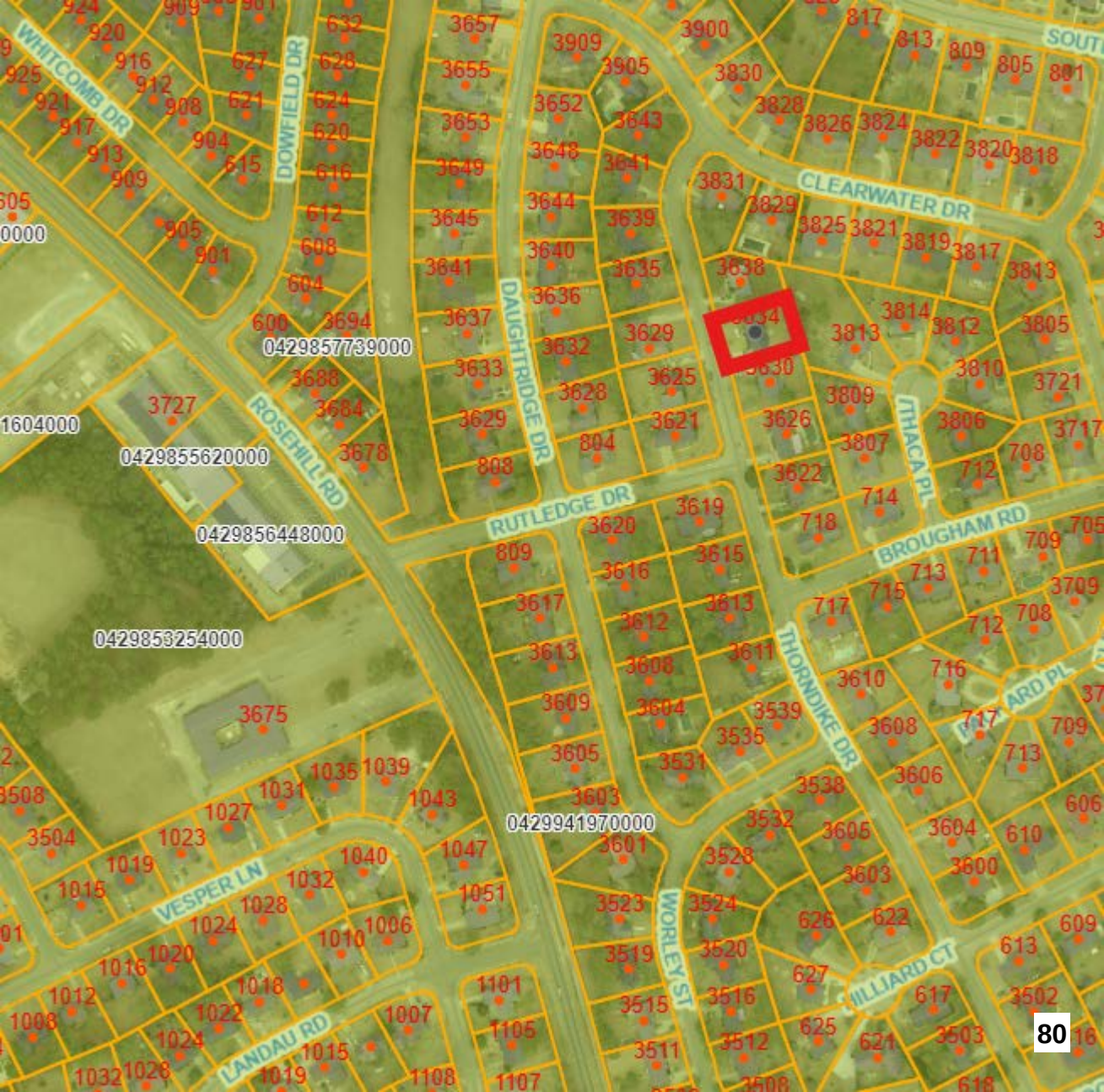
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5	Crime - The frequency of police calls shall get full points if the number of calls is over five in a three month time period. The subject property can receive full Code Enforcement points if the project receives over five Code Enforcement complaints in a 24 month period.

6	Location -


WHITCOMB DR
DOWFIELD DR
DAUGHTRIDGE DR
CLEARWATER DR
ROSEHILL RD
RUTLEDGE DR
ITHACA PL
BROUGHAM RD
THORNDIKE DR
WORLEY ST
VESPER LN
LANDAU RD
0429857739000
0429855620000
0429856448000
0429853254000
0429941970000

3634 Thorndike Drive

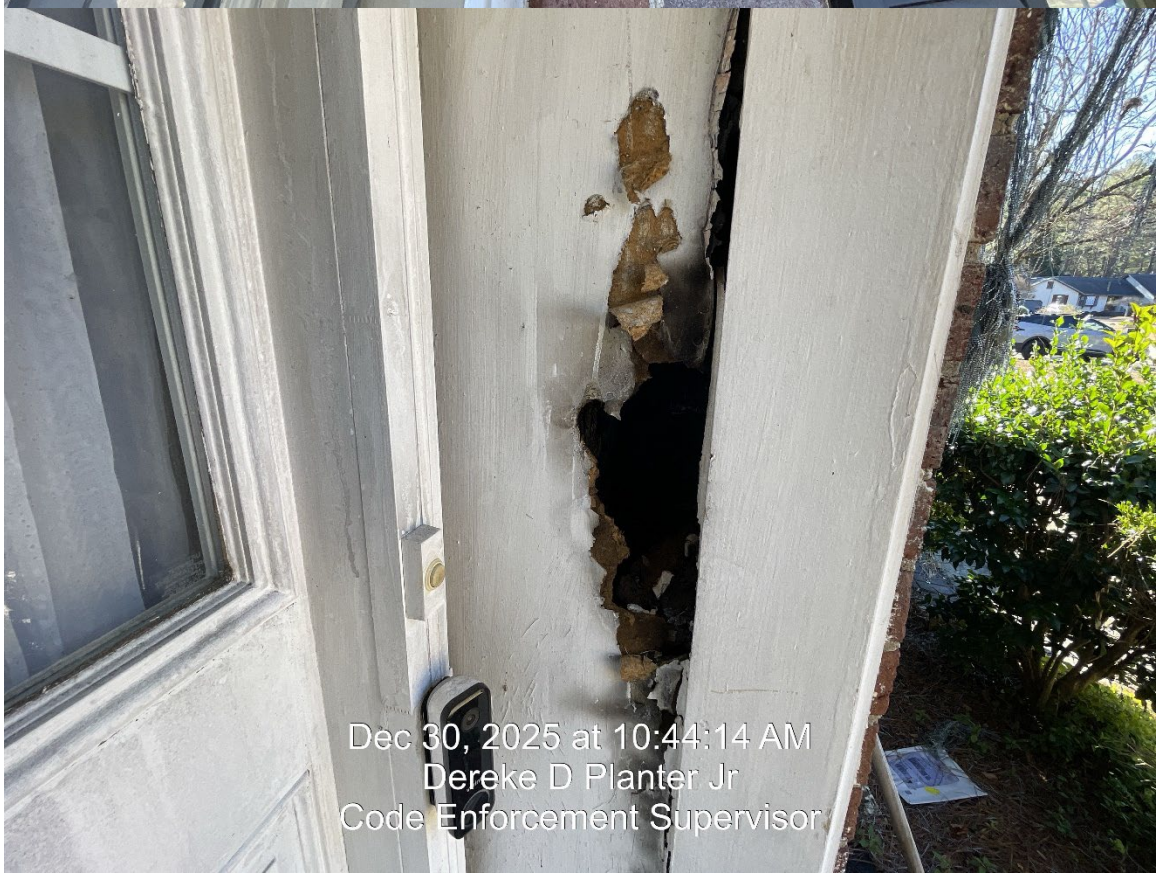




(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms. Roof covering shall not be loose, nor have holes or leaks.)

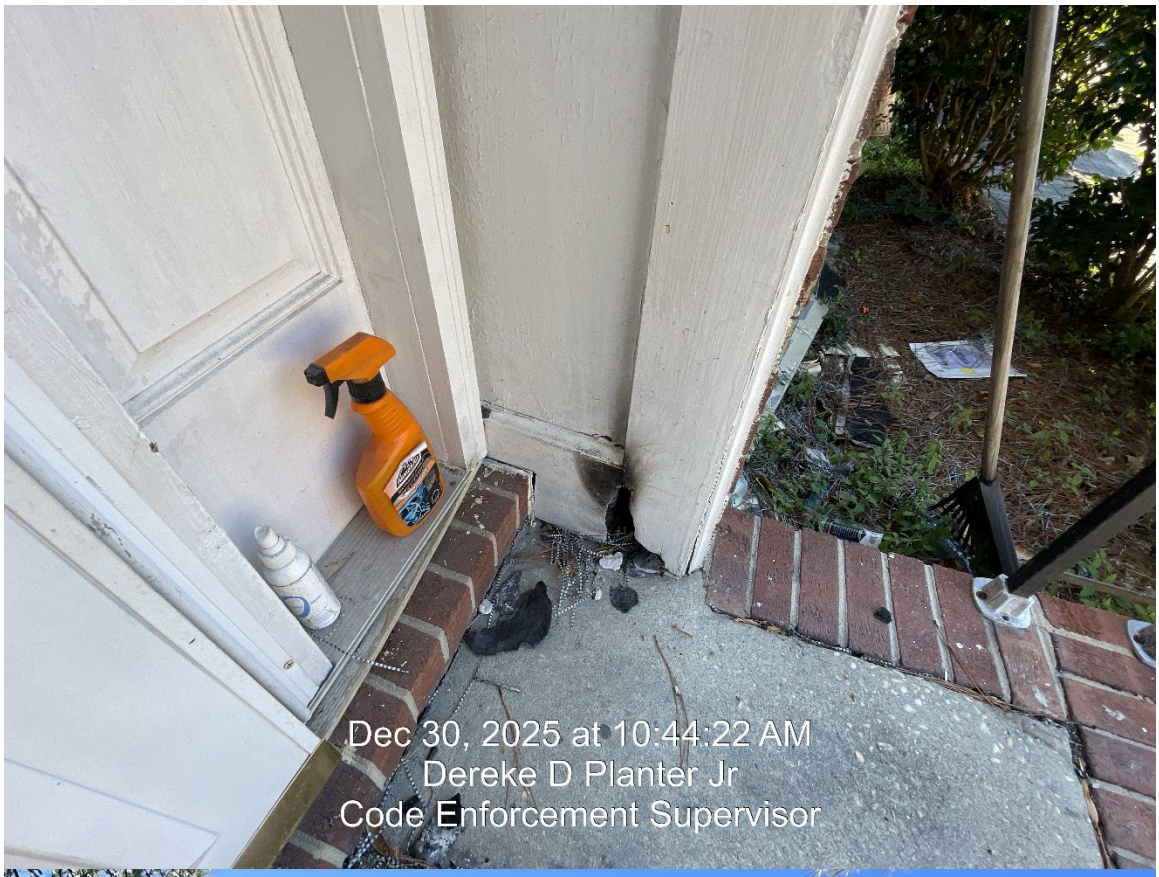
3634 Thorndike Drive





(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms.)

3634 Thorndike Drive





(All exterior finish shall be weathertight without excessive holes, cracks or rotted boards which permit air or water to penetrate rooms; roofing material, flashing and trim/fascia and walls.)

3634 Thorndike Drive





(No rafters shall be rotted, broken, sagging excessively or having improperly supported ends; Internal roof support system casulty of fire)

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City of Fayetteville, NC

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

(1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC, concerning certain real property described as follows:

3634 Thorndike Drive
PIN 0429-95-5812-

LEGAL: BEING all of Lot 65 in a Subdivision known as HILLENDALE,
SECTION 3, according to a plat of the same duly recorded in Plat Book 46, Page 22,
Cumberland County, North Carolina, Registry.

The owner(s) of and parties in interest in said property are:

Kathy R. Jenkins
103 Robinhood Drive
Jacksonville, NC 28546

Trent A. Jenkins, Life Estate
103 Robinhood Drive
Jacksonville, NC 28546

(2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC having been followed, the Hearing Official duly issued and served an order requiring the owners of said property to complete certain repairs or demolish the structure on or before November 7, 2025.

(3) And said owners without lawful cause, failed or refused to comply with said order; and the Code Enforcement Official is authorized by said Code, and the North Carolina General Statutes § 160D-1203(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

(4) The City Council has been provided with information regarding the entire record of said Hearing Official, and finds, that all findings of fact and all orders of said Hearing Official are true and authorized.

(5) That pursuant to the North Carolina General Statutes § 160D-1203(7), the cost of the demolition shall be a lien against the real property upon which the cost was incurred.

Whereupon it is ordained that:

SECTION 1

The Code Enforcement Official is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Hearing Official as set forth fully above, except as modified in the following particulars:

This property is to be demolished, and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by the North Carolina General Statutes § 160D-1203(7), shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of January 2026.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

_____
Jennifer L. Ayre, City Clerk

3634 Thorndike Drive

City Council Initiated Demolition Score Matrix

TIER	FACTOR	SUBFACTOR	AVAILABLE POINTS	MAXIMUM POINTS UP TO	MULTIPLYING FACTOR	ASSIGNED POINTS	TOTAL
1	Structural Damage	Burned Out or Major Fire Damage and Uninhabitable **Or**	150	150	30%	100	30
		Minor Fire Damage but Habitable	75				
		Obvious Visual Structural Damage **Or**	100				
		No Obvious Visual Structural Damage	50				
2	Time on Demolition List	Over one year (365 days and over)	80	80	30%	50	15
		Under one year (up to 364 days)	50				
3	Ordinance	Demolition Ordinance Signed by City Council	20	20	30%	0	0
4	Financial Cost	Cost of Demolition is Over 10% of the Annual Demolition Budget	40	80	20%	80	16
		Cost of Demolition is Under 10% of the Annual Demolition Budget	80				
5	Crime	Frequent Police Calls **Or**	20	20	15%	0	0
		Code Enforcement Compliants - over 5	10				
6	Location	Located Within the 100 year Floodplain or Other Environmental Sensitive Area	60	60	10%	40	4
		School/Park/Public Facility located Within 1/2 mile	40				
		Within a Neighborhood Revitalization Area	40				
TOTAL POINTS							65

Definitions

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6	Location -

Uninhabitable Structures Demolition Recommendation

January 26, 2026



FAYETTEVILLE N 88

Uninhabitable Structures Demolition Recommendation

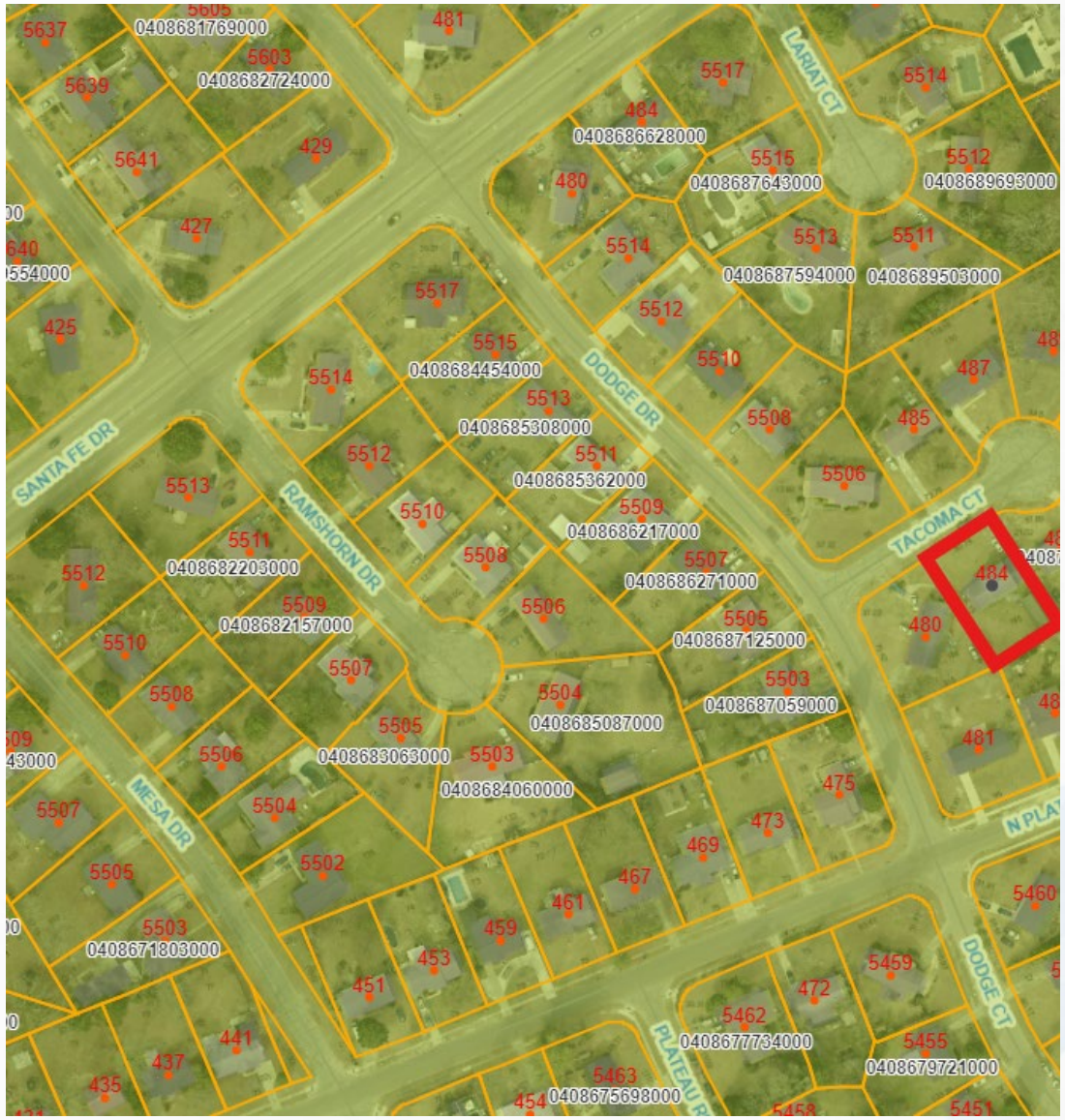
- Staff seeks Council approval of demolition ordinances for one commercial structure and three residential structures that have been determined to be dangerous.

484 Tacoma Court – District 4



484 Tacoma Court – District 4

- Dangerous residential building
- Demolition matrix score 65
- No utilities service – July 2014
- 2 calls for 911 Service available – last 24 months
- 2 code violations – last 24 months
- $569.44 in city assessments
- $2,756.86 in taxes due
- Not enrolled in the Blight removal Program
- In Low to moderate income area



484 Tacoma Court – District 4





484 Tacoma Court – District 4





484 Tacoma Court – District 4





484 Tacoma Court – District 4

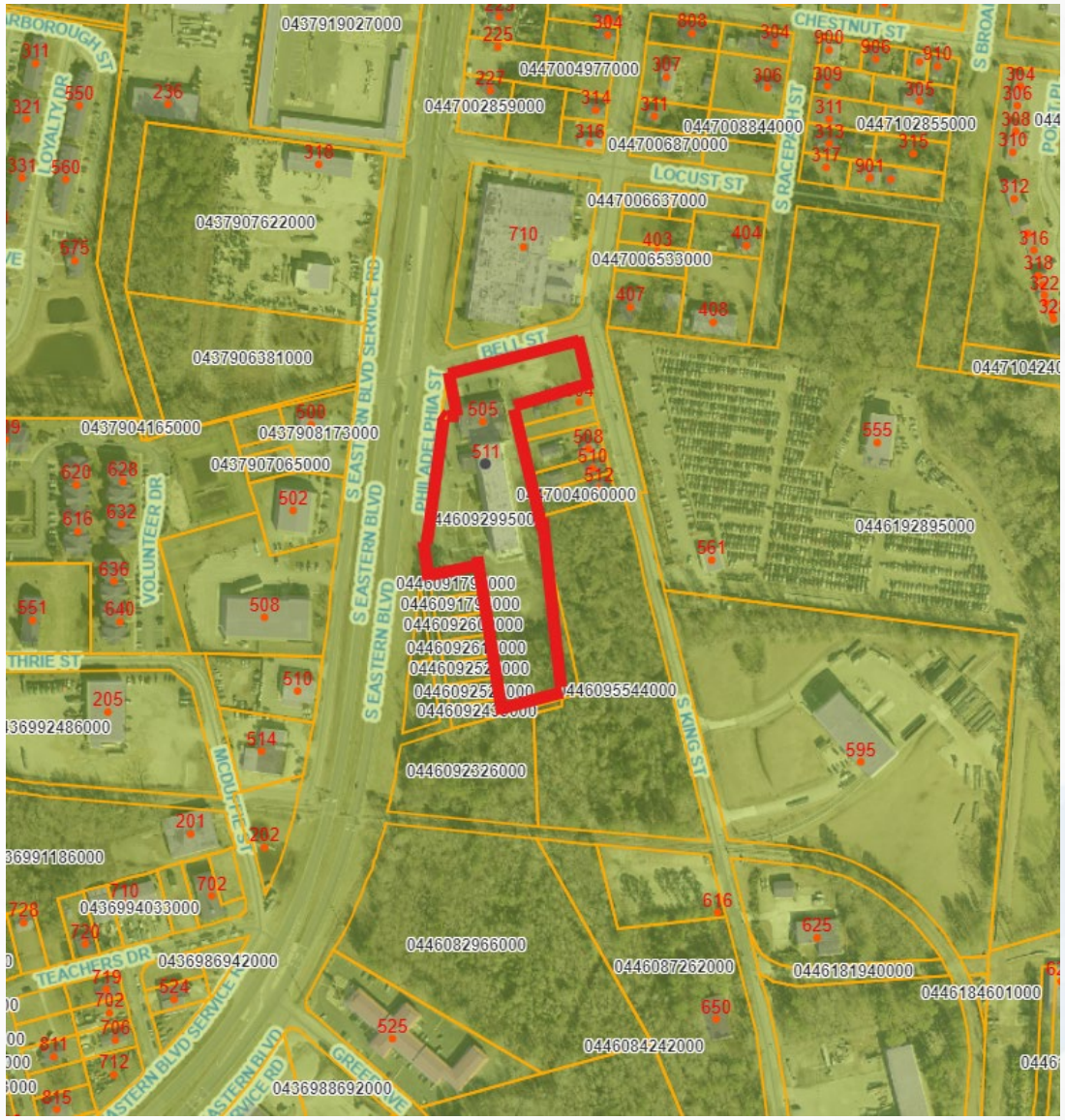


511 S Eastern Boulevard – District 2



511 S Eastern Boulevard – District 2

- Dangerous commercial building
- Demolition matrix score 77
- No utilities service – March 2023
- 113 calls for 911 Service available – last 24 months
- 12 code violations – last 24 months
- No city assessments
- $13,069.48 in taxes Due
- Not enrolled in the Blight removal Program
- In QCT and Low to moderate income area



511 S Eastern Boulevard – District 2





511 S Eastern Boulevard – District 2





511 S Eastern Boulevard – District 2





511 S Eastern Boulevard – District 2





905 Anarine Road – District 2



905 Anarine Road – District 2

- Dangerous residential building
- Demolition matrix score 66.5
- No utilities service - May 2017
- No calls for 911 Service available – last 24 months
- 4 code violations – last 24 months
- $258.26 in city assessments
- No outstanding taxes
- Not enrolled in the Blight removal Program
- Not in QCT or Low to moderate income area



905 Anarine Road – District 2





905 Anarine Road – District 2





905 Anarine Road – District 2



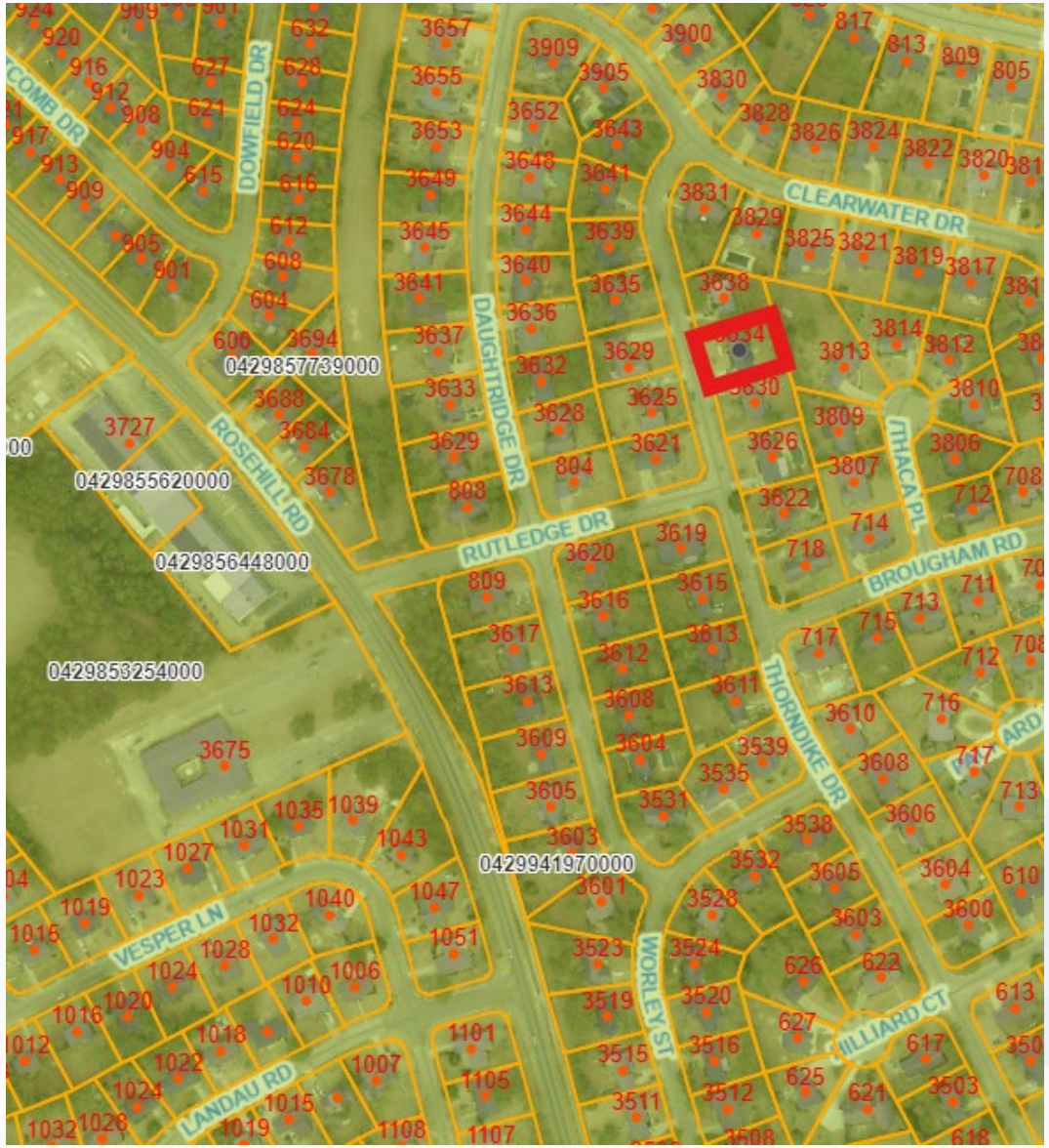


3634 Thorndike Drive – District 3



3634 Thorndike Drive – District 3

- Dangerous residential building
- Demolition matrix score 65
- Active utilities service
- 7 calls reported for 911 Service – last 24 months
- 2 code violations – last 24 months
- No city assessments
- $2,518.79 in taxes due
- Not enrolled in the Blight removal Program
- Not in QCT or Low to moderate income area



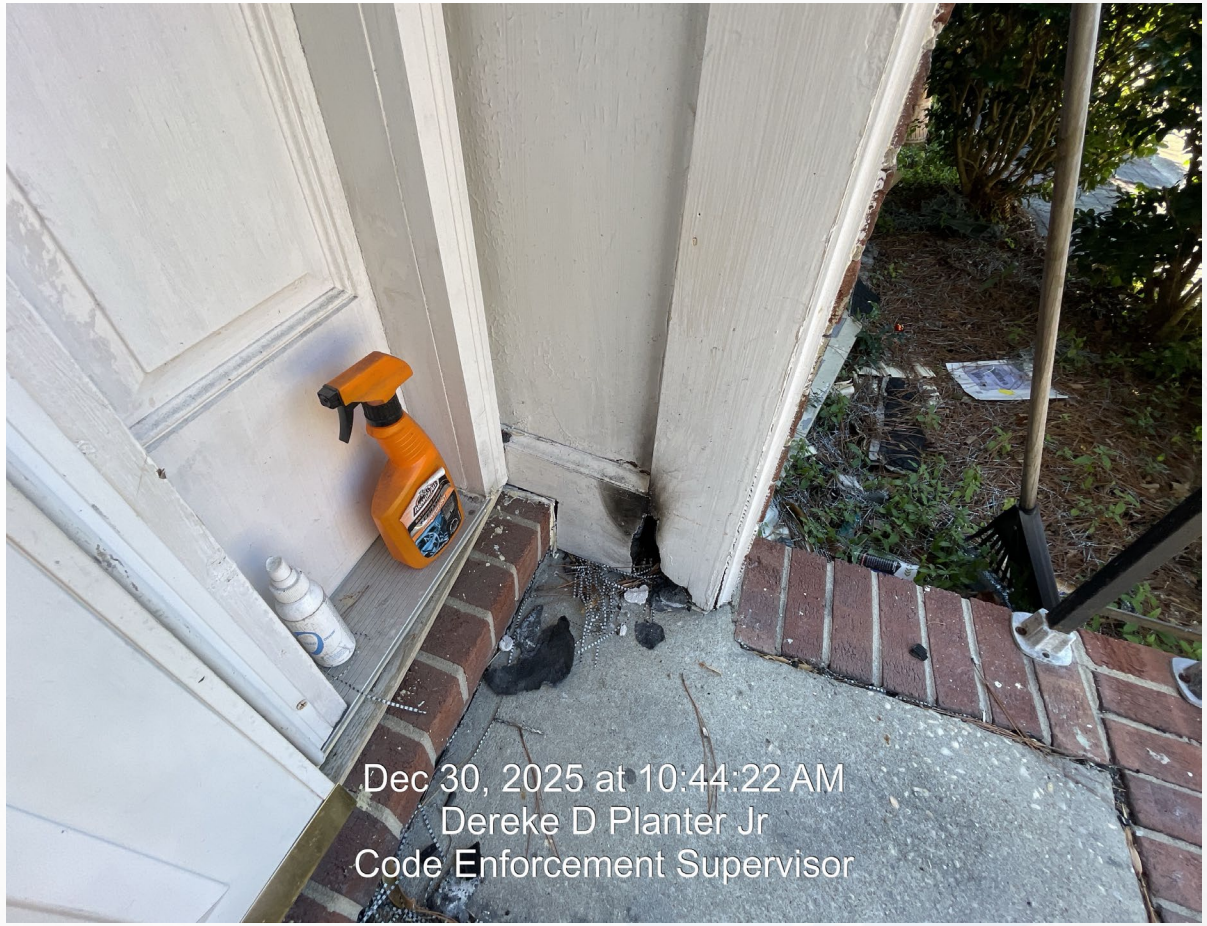
3634 Thorndike Drive – District 3





3634 Thorndike Drive – District 3





3634 Thorndike Drive – District 3







FAYETTEVILLE NC

AMERICA'S CAN DO CITY

FayettevilleNC.gov

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0031

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A4

TO: **Mayor and Members of City Council**

THRU: **Kelly Strickland, Assistant City Manager**

FROM: **Sheila Thomas-Ambat, Public Services Director**

DATE: **January 26, 2026**

RE:
Approval of Professional Service Contract Execution Recommendation for $1,827,735 for the design of the Arran Lake West Dam Overtopping Protection Project

COUNCIL DISTRICT(S):
6

Relationship To Strategic Plan:
Goal 1: Safe and Secure Community
Goal 3: High Quality Built Environment
Goal 4: Desirable Place to Live, Work and Recreate

Executive Summary:
Council is asked to authorize the execution of an engineering services contract in the amount of $1,827,735 for the design of the Arran Lakes West Dam (ALWD) Overtopping Protection Project.

This qualification-based selection of Hazen and Sawyer will utilize the City's On-Call Professional Engineering Services for Stormwater Systems Design and Construction Administration.

Background:
In December 2021, Council directed staff to begin the design of two projects identified in the Beaver Creek 3 Watershed Study: the Rhemish Drive Drainage Improvements and the Rockford Drive Drainage Improvements.
Both projects are currently under design. As part of the design process, staff use hydraulic modeling to predict changes in stormwater surface elevations downstream of the project sites under various storm conditions. Staff evaluates downstream impacts to the extent the models indicate any measurable increase in water surface elevations attributable to the proposed infrastructure.
Results from this analysis may require modifications to the proposed project designs, including potential property acquisition or condemnation. One such trigger occurs when modeling shows a reduction in downstream "level of service," meaning increased stormwater volume or velocity negatively impacts the performance of existing downstream stormwater infrastructure.
Both the Rockford Drive and Rhemish Drive projects discharge into Beaver Creek Tributary B (BCTB). Downstream of BCTB is the Arran Lakes West Dam

(CUMBE-067), a privately owned, “high hazard” dam with a City-maintained roadway overtopping the dam.
While modeling indicates that the proposed drainage improvements do not reduce the existing level of service of the dam, the depth and frequency of roadway overtopping may change slightly. As a result, staff conducted both an impact evaluation and a detention evaluation, considering localized and regional detention alternatives.
The comparative analysis of localized versus regional detention concluded that overtopping protection of the Arran Lakes West Dam represents the most direct, effective, and economical solution to address potential flow changes. Overtopping protection directly safeguards the facility and is largely independent of future changes to secondary drainage systems.
At the August 5, 2024 Council Work Session, Council directed staff to proceed with project development and design of the Arran Lakes West Dam Overtopping Protection Project.

Issues/Analysis:
In October 2024, Hazen began providing preliminary engineering services in support of Council’s direction to advance project development. The Preliminary Engineering Report was completed in late 2025.

The scope of this services contract is to provide detailed design for the Arran Lakes West Dam rehabilitation work.

Budget Impact:
There is no impact to the General Fund. Budget for the design services of this project was included in Council’s adopted FY26 budget utilizing Stormwater Enterprise Funds.

Options:

1. Authorize execution of an engineering service contract for professional services in the amount of $1,827,735 for the design of the Arran Lakes West Dam (ALWD) Overtopping Protection Project to the consulting firm Hazen & Sawyer.

2. Do not authorize the execution of an engineering service contract for professional services in the amount of $1,827,735 for the design of the Arran Lakes West Dam (ALWD) Overtopping Protection Project to the consulting firm Hazen & Sawyer and provide further direction to staff.

Recommended Action:
Authorize the execution of an engineering service contract for professional services in the amount of $1,827,735 for the design of the Arran Lakes West Dam (ALWD) Overtopping Protection Project to the consulting firm Hazen & Sawyer.

Attachments:
ALWD Rehab WA

CITY OF FAYETTEVILLE
WORK AUTHORIZATION
FOR
PROFESSIONAL SERVICES
BY
HAZEN AND SAWYER

In accordance with the Professional Services Agreement (Agreement) dated April 1, 2025, between the CITY OF FAYETTEVILLE (hereinafter called OWNER) and HAZEN AND SAWYER (hereinafter called CONSULTANT), OWNER hereby authorizes CONSULTANT to proceed and CONSULTANT agrees to perform in accordance with the terms of the Agreement and this Work Authorization, the following services for the following Project:

I. PROJECT

This Work Authorization is for professional services related to the Arran Lakes West Dam Rehabilitation project. The goals of the project are to improve resiliency of the dam against potential increases in stream discharges due to upstream development, improvement projects, and future rainfall.

The project is funded through the OWNER'S Capital Improvement Project (CIP) Program and is administered by the Engineering Division of the Public Services Department. The services to be provided and associated not-to-exceed fee are provided in Exhibit A, which is hereby attached and incorporated herein by reference.

II. AGREEMENT & SCOPE OF SERVICE

The terms of the Agreement, attached as Exhibit B, are hereby incorporated by reference as if written herein and the parties confirm that its terms are a part of this Work Authorization.

The Scope of Services to be provided by CONSULTANT, in connection with this Authorization is summarized as follows:

- Project management
- Assistance with City Engineering staff and Community meetings
- Surveying

- Subsurface utility engineering quality levels A and B
- Geotechnical exploration and analyses
- Design of dam embankment removal and replacement
- Design of spillway replacement
- Hydrotechnical evaluations; civil, structural, and geotechnical engineering design
- Coordination with utility owners
- PWC utility relocation design and permitting
- Preparation of permitting documents, applications, and payment of fees
- Development of contract documents
- Issuance of bidding documents
- Additional services, as directed and approved by OWNER

Deliverables include:

- 35%, 70%, 90%, 100% Design, and bidding drawings and cost estimates
- Permitting documents, applications, and fee payments
- Technical specifications / project special provisions.

The CONSULTANT shall request written confirmation and or execute an additional Work Authorization describing any scope change before performing any work beyond the scope specified in this Work Authorization. The confirmation shall identify any change in compensation and/or delay in completion which the scope changes entails and must be approved by the City Manager or his designee.

III. RESPONSIBILITIES

The responsibilities of the OWNER and CONSULTANT, in addition to those provided in the Agreement which are specific to this Project, are as described in Exhibit A.

IV. COMPENSATION

OWNER shall compensate CONSULTANT for providing the services set forth herein in accordance with the terms of the Agreement.

In the absence of a lump sum fee agreement, it is understood and agreed that:

1. CONSULTANT will perform under this Agreement on a best effort, not-to-exceed ceiling price basis and will notify OWNER when the ceiling price will be exceeded.

2. The not to exceed compensation (including travel) for this Work Authorization is $1,827,735.00. This is not a guaranteed maximum amount but CONSULTANT shall not continue performing work in excess of this amount without further specific

authorization. OWNER will be billed only for actual time worked and identified expenses.

Payment shall be made in accordance with the terms of the above referenced Agreement.

V. SCHEDULE

All work under this Work Authorization shall begin within 10 days of Notice to Proceed (NTP) and is anticipated to be completed by 33 months following NTP.

VI. MISCELLANEOUS

1. The terms in this Work Authorization shall have the same meaning as provided in the Agreement.

2. **E-Verify.** CONSULTANT acknowledges that "E-Verify" is the federal E-Verify program operated by the U.S. Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. CONSULTANT further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with N.C. Gen. Stat. § 64-26(a). CONSULTANT pledges, attests and warrants through execution of this contract that CONSULTANT complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any subcontractors currently employed by or subsequently hired by CONSULTANT shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Work Authorization.

3. **Force Majeure.** Neither party shall be deemed to be in default of its obligations hereunder if and *so long as* it is prevented from performing such obligations by an act of war, hostile foreign actions, adverse governmental actions, nuclear explosion, earthquake, hurricane, tornado, or other catastrophic natural event or act of God.

4. **Morality Clause.** If, in the sole opinion of the OWNER, at any time CONSULTANT or any of its owner(s) or employee(s) or agent(s) (collectively referenced as an "Actor") engages in any one or more of the actions below, the OWNER may immediately upon written notice to CONSULTANT, terminate this Agreement, in addition to any other rights and remedies that the OWNER may have hereunder or at law or in equity:

a. bring disrepute, contempt, scandal, or public ridicule to the Actor;

b. subject the Actor to prosecution;

c. offend the community or public morals/decency;

d. denigrate individuals or groups in the community served by the OWNER;

e. is scandalous or inconsistent with community standards or good citizenship;

f. adversely affect the OWNER'S finances, public standing, image, or reputation;

g. is embarrassing or offensive to the OWNER or may reflect unfavorably on the OWNER; and,

h. is derogatory or offensive to one or more employee(s) or customer(s) of the OWNER.

5. **Venue and Forum Selection.** The Parties expressly agree that if litigation is brought in connection with this contract and (1) the litigation proceeds in the Courts of the State of North Carolina, the parties agree that the appropriate venue shall be in Cumberland County (Fourteenth Judicial District of North Carolina); or (2) the litigation proceeds in a federal court, the parties agree that the appropriate venue shall be the United States District Court for the Eastern District of North Carolina

6. **Termination for Cause.** In the event of substantial failure by CONSULTANT to perform in accordance with the terms of this Agreement, the OWNER shall have the right to terminate CONSULTANT upon ten calendar (10) days written notice in which event CONSULTANT shall have neither the obligation nor the right to perform further services under this Agreement nor shall the OWNER be obligated to make any further payment for work that has not been performed. CONSULTANT shall provide to the OWNER all reports, surveys or other related documents upon the OWNER'S request.

7. **Termination for Convenience.** Upon thirty (30) calendar days' written notice to CONSULTANT, the OWNER may, without cause and without prejudice to any other right or remedy legally available to the OWNER, terminate this Agreement. Upon such notice, CONSULTANT shall have neither the obligation nor the right to perform services under this Agreement nor shall the OWNER be obligated to make any further payment for work that has not been performed in accordance with the terms stated herein. In such case of termination, CONSULTANT shall be paid for the completed and accepted work executed in accordance with this Agreement prior to the written notice of termination. Additionally, upon mutual agreement, CONSULTANT may be paid for any completed and accepted work which takes place in order to achieve a specifically identified item in the scope of services or a milestone of the Agreement, between the written notice of termination and the effective date of termination. Unless otherwise stated or agreed upon, the effective date of termination shall automatically occur 30 days after the written notice is sent by the OWNER.

8. **Protest.** Protest related to this procurement must be addressed to the Purchasing Manager for City of Fayetteville, 433 Hay St, Fayetteville, NC 28301 and shall be received, in

writing, within 2 calendar days of bid award. Responses will be in writing by email and first-class mail not later than (7) calendar days following receipt of said protest by the Purchasing Manager.

9. **Indemnification.** To the extent permitted by law, CONSULTANT agrees to indemnify, and hold harmless the OWNER and its elected officials, employees, agents, successors, and assigns, from any and all liability and claims for any injury or damage to the extent caused by any negligent and tortious act, omission or negligence of CONSULTANT, its agents, servants, employees, contractors, licensees, or invitees. Indemnification of the OWNER by CONSULTANT does not constitute a waiver of the OWNER'S governmental immunity in any respects under North Carolina law.

10. **CITY'S TERMS SUPERSEDE.** To the extent that there are terms in any of the attachments that conflict with the terms of this Agreement, the terms of this Agreement are superseding.

11. **Survival of Terms.** All warranties, covenants, and representations contained within this Agreement and all applicable work authorizations, if any, shall continue in full force and effect for three (3) years after the execution and delivery of the final product, act, or service taken in furtherance of this contract. Survivability shall not be impacted, or otherwise shall not be rendered null or void, by the termination or natural expiration of this contract or other applicable work undertaken in furtherance of this contract.

12. **Divestment of Companies Boycotting Israel or that Invest in Iran Certification.** CONSULTANT certifies that: (i) it is not identified on the Final Divestment List or any other list of prohibited investments created by the NC State Treasurer pursuant to N.C.G.S. 147-86.58; (ii) it has not been designated by the NC State Treasurer pursuant to N.C.G.S. 147-86.81 as a company engaged in the boycott of Israel ((i) and (ii) to be collectively referred to as "FD Lists"); and (iii) it will not take any action causing it to appear on the Treasurer's FD Lists created by the NC State Treasurer during the term of this Agreement. By signing this Agreement, CONSULTANT further agrees, as an independent obligation, separate and apart from this Agreement, to reimburse the OWNER for any and all damages, costs and attorneys' fees incurred by the OWNER in connection with any claim that this Agreement or any part thereof is void due to CONSULTANT appearing on the Treasurer's FD Lists at any time before or during the term of this Agreement.

CONSULTANT ACCEPTANCE:

HAZEN AND SAWYER

BY: Matthew P. Jones

PRINT: Matthew P. Jones, PhD, PE

TITLE: Vice President

DATE: 12-15-25

AUTHORIZATION BY:

CITY OF FAYETTEVILLE

BY: _____

TITLE: _____

DATE: _____

ATTEST:

BY: _____
JENNIFER L AYRE, MPA, MMC
City Clerk

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

_____
TIFFANY R. MURRAY
Chief Financial Officer

Hazen

EXHIBIT A
Arran Lakes Dam Rehabilitation Design
Scope of Services

General Overview

The City of Fayetteville (City) previously engaged Hazen and Sawyer (Hazen) to perform a preliminary engineering study for rehabilitation of Arran Lakes West Dam (ALWD), a *small, Class C (High Hazard)* facility. That study, summarized via the *Arran Lakes West Dam Preliminary Engineering Report*, investigated numerous improvements, including:

- Hydraulic design of a replacement spillway system
- Evaluation of potential energy dissipator systems
- Water main relocation alternatives
- Gravity sanitary sewer main relocation alternatives
- Geotechnical design of embankment replacement and improvements
- Recommended property acquisitions
- Anticipated permitting
- Construction cost estimates

The following scope of services outlines necessary data collection, engineering analyses, and construction documentation preparation to support detailed design and bidding of improvements to the facility. Pertinent deliverables, assumptions, and exclusions are provided at the end of this document. In summary, proposed improvements include:

- Excavation and replacement of the dam embankment, including seepage controls and stability improvements
- Replacement of the principal spillway system with a labyrinth weir spillway and covered concrete chute or prefabricated bridge
- Construction of an energy dissipator at the downstream end of the spillway chute
- Storm, sewer, and water utility relocations and / or replacements; installation of watertight structures and pipes within embankment; seepage controls
- Private utility relocation and / or installation within a ductbank
- Ancillary work includes:
    - Site preparation and structure demolition
    - Erosion control and control of water (bypassing, dewatering, and diversion systems)
    - Roadway and site restoration

Hazen

Basic Services

Task 1 – Project Management and Meetings

This task includes various project management and administrative actions, outlined below.

- Project Management – Consultant shall prepare and update a Microsoft Project schedule and provide monthly reporting updates, including notification of any out-of-scope-work. Monthly reports shall use the City's template and consist of brief bullet points describing major work items. Invoices shall include the City's invoice template.
- Progress Meetings – Consultant shall conduct monthly virtual meetings, up to thirty (30) minutes in length, with City staff throughout the project. Meetings shall include an update on the major milestones and discussion of coordination items. Provisions for up to two (2) additional in-person meetings are included for various needs throughout the project, beyond those outlined under Basic Services; otherwise, project coordination is anticipated to occur during the monthly Progress Meetings.
- City Council Meeting – Consultant shall prepare a slideshow describing the project and attend one (1) City Council meeting to support City staff. Consultant assumes the City will assist in preparation of the slideshow.

Task 2 – Data Collection

Survey and SUE

Consultant shall conduct a site survey via subconsultant surveyor within the extents shown in **Attachment 1**. These data are supplementary to those obtained during the preliminary study and are necessary to complete detailed design, understand topography and features on properties adjacent to the dam, and also to implement the water main relocation. Data collection shall be in accordance with City standards and generally include the following:

- Property owner research and monumentation survey for parcels within and adjacent to the survey extents (approximately 18 parcels)
- Develop and distribute a notification letter for each parcel; letter shall be carried by field personnel
- Traffic control, as necessary
- Recover and establish horizontal and vertical project controls
- Perform conventional topographic survey, including:
    - Above-ground features, spot elevations, break lines of manmade and natural features sufficient to map at a 1-foot contour interval
    - Existing structures and buildings with general description provided of use and type
    - Finished Floor Elevations (FFE) at points of ingress/egress within survey limits

- Site improvements such as curb and gutter (size/type), handicap ramps, pavements / surfaces (type), access and drives, signs (type), landscape areas (individual plantings and outlines with general descriptions), walls (height/material), fences (height/type), railing (type), etc.
- Temporary (Non-Permanent) features will NOT be located such as trashcans, dumpsters, benches, etc.
- Perform conventional topography of onsite gravity utilities and connectivity; gather information up to one structure outside the project limits on lateral lines and storm water lines and one structure outside on the main sanitary sewer lines; anticipated structures include approximately eight (8) sanitary sewer manholes, (4) storm drain structures, and clean outs, etc.; information includes rim (at flowline) and invert elevations along with pipe size and material.
- For structures that are inaccessible due to site conditions or being locked, invert information will not be collected.
- Abandoned pipes will be mapped per record as abandoned according to utility records (AATUR).
- Pipe systems that cannot be surveyed due to having an indeterminate connection shall be mapped as such.
- Locate all trees 4”DBH and greater in size

- Incorporate SUE data (see below)
- Compile Basemapping
- Provide Civil 3D file and electronic copy of PLS signed and sealed survey

Consultant shall conduct subsurface utility engineering (SUE) via subconsultant surveyor within the extents shown in Attachment 1. These data are supplementary to those obtained during the preliminary study. Data collection shall include SUE Levels D through B (utility designating) to identify horizontal locations of buried utilities. SUE shall be conducted during field survey and horizontal locations of utilities shall be included in the survey deliverable.

Consultant shall conduct SUE Level A (utility locating) via subconsultant surveyor within the extents shown in Attachment 1. Data collection shall identify vertical locations of utilities at key locations within the project area, including surface elevation at test locations. Subconsultant shall provide data in a Vacuum Excavation Test Hold Report. Specific test locations shall be determined during the project, estimated to follow the 35% design submittal. Traffic controls shall be provided by subconsultant as necessary. Test holes shall be backfilled with excavated materials; test holes in paved areas shall be patched using asphalt or concrete mix. Provisions for up to thirteen (13) test locations have been provided, and assume the following:

- Five (5) test locations on existing water mains at tie-ins of proposed water main relocation
- Eight (8) test locations on private utilities along Lake Trail Drive for water main relocation

Geotechnical Exploration

Consultant shall perform geotechnical explorations via subconsultant geotechnical engineer to identify and study existing materials to support the rehabilitation design. These data are supplementary to those obtained during the preliminary study and are necessary to understand design of the spillway foundation and the limit of embankment excavation into the abutments. Provisions are included for up to one (1) on-site meeting with the subconsultant and City to discuss lake access and up to four (4) days of drilling. The geotechnical exploration includes:

- Mobilize and advance up to three (3) boreholes from a barge-mounted drill rig on the lake and up to four (4) from a truck-mounted drill rig on the embankment and abutments. Borings within the lake will extend to approximately Elevation 100-feet (approximately 55-feet below top of dam); borings on the embankment and abutments will extend to approximately elevation 130-feet. Borings shall be continuous within the upper 20-feet. The total depth of borings is assumed to be approximately 250-feet. Additional boring depth beyond these provisions shall be provided as an Additional Service. Borings shall be grouted following completion of activities.
- During drilling, the following will be performed: log soil data, perform appropriate field tests (such as standard penetration tests), observe seepage and groundwater levels, and collect samples of the lakebed and subsurface material, collect up to four (4) undisturbed samples. Samples will be sealed for moisture control and placed in a soil sample box for protection during transportation to the laboratory for analyses.
- All field activities will be supervised and logged by a geologist or geotechnical engineer.
- Laboratory testing will be performed to determine the engineering properties of the subsurface material and is expected to include moisture content, index property, dispersive potential, and strength testing.
- After the completion of these items, the Subconsultant Geotechnical Engineer will develop a geotechnical data report (GDR) to summarize the work and present the collected data.

In addition, Consultant shall identify and inspect up to three (3) potential borrow sources to provide earthfill materials for dam embankment construction. Subconsultant geotechnical engineer shall obtain samples for analysis from each potential borrow source.

Task 3 – Property and Easement Acquisition

The ALWD PER identified numerous property and easement acquisition recommendations. Currently, three (3) properties have been identified as requiring full property acquisition, listed below. Consultant assumes the City shall provide all necessary services to obtain these properties and no provisions are included for Consultant services.

- Required Property Acquisitions
  - 0 Lakeridge Drive (0405-39-1288)

- 5935 Lakeridge Drive (0405-48-0504)
- 5939 Lakeridge Drive (0405-38-9418)

Five (5) additional properties, listed below, have been identified as potentially requiring either full or partial acquisition for dam improvements, listed below. Per City-direction, Consultant shall assume permanent easements will be obtained on these properties and future discussions shall evaluate property acquisition in lieu of easements.

- Potential Property Acquisitions or Easements for Dam Improvements
  - 0 Lakeridge Drive (0405-47-0315) (2 easements)
  - 5931 Lakeridge Drive (0405-48-0680)
  - 1908 Aldwych Place (0405-38-9732)
  - 5998 Lake Trail Drive (0405-38-5364)
  - 6000 Lake Trail Drive (0405-38-4580)

Given the uncertainty in regards to these acquisitions, provisions under Basic Services include up to (1) virtual meeting with the City to discuss acquisitions and development of a drawing depicting easements. All other services, including development of plats, property research, property owner contact, etc. shall be provided under Additional Services, if necessary.

Task 4 – Community Engagement

Public Meetings

Community engagement efforts include up to two (2) public meetings and an advertisement mailer. The first public meeting is proposed to be conducted within four (4)-weeks of notice to proceed (NTP) and the second following the 70% design milestone. Meetings are proposed to be open-house style. The first meeting will focus on obtaining residents' flooding accounts along the stream to assist with validation of the hydrotechnical models (**Task 5**), as well as an overall introduction to the project and planned improvements. The second meeting will present the project design. Community feedback regarding the project will be taken into consideration and discussed with the City. Consultant assumes the City will plan, advertise, host, provide equipment, and pay any fees for the public meetings; Consultant will provide meeting content, such as a slideshow and / or printed exhibits. Consultant also assumes the City and Consultant will provide multiple staff members to facilitate individual discussions with residents, as well as record notes from discussions for distribution to Consultant for summarization. Provisions for up to two (2) virtual meetings with the City are provided for coordination of the meetings.

Mailers and Exhibits

Consultant shall develop two (2) advertisement mailers, as well as a mailing list, for distribution by the City to homes along the stream and lake. The document will advertise the date, time, location, and purpose of each meeting.

Consultant shall provide up to six (6) large-format graphic exhibits for public meetings (two (2) copies of three (3) different exhibits). Exhibits shall depict plan views and include:

- Two (2) exhibits depicting existing conditions (aerial imagery) at the dam
- Two (2) exhibits depicting existing conditions (aerial imagery) along the stream
- Two (2) exhibits depicting proposed improvements (rendering) (second public meeting only)

Task 5 – Hydrotechnical Modeling

Consultant shall perform hydrotechnical modeling of ALWD, including the contributing watershed and stream. Modeling shall use previously developed HEC-HMS and HEC-RAS models. Models shall be used to support structural and geotechnical designs (**Task 9**), as well as project permitting (**Task 10**). Note that the hydrologic and hydraulic models have not been validated or calibrated, thus provisions to attempt validation or perform sensitivity analyses are included under Basic Services. In general, hydrotechnical modeling services include:

- Attempt model validation to historical accounts received by the City and local residents by adjusting hydrologic and hydraulic model parameters; or perform sensitivity analyses to runoff curve numbers, watershed lag time, and Manning's roughness coefficients.
- Finalize hydraulic sizing of the selected spillway, including development of a rating curve, dam top profile, and energy dissipator; see further spillway modeling services in **Task 6**
- Wave setup and runup calculations
- Reservoir drain / drawdown
- Consultant assumes City will select a spillway alternative for evaluation prior to or at the time of NTP; alternatives and downstream impact analyses are excluded from Basic Services.
- Storm drainage for relocation design

Modeling shall include scenarios listed in **Table 1**. Storm events to be simulated include the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storms, in addition to the spillway design flood (SDF). The spillway will be sized to pass the future 100-year storm (Scenario 2) and SDF (Scenario 4). Storm drain relocations shall be based on Scenario 3. Level of service and modeling standards for storm drainage shall be in accordance with the City's standards (10-year, 24-hour storm for conduits and on-grade inlets; 25-year, 24-hour storm for sag inlets). Provisions under Basic Services include hydrologic analysis of the watershed contributing to storm drains located within the dam, hydraulic analysis of these storm drain systems up to one structure outside of the dam embankment, and road / inlet spread analyses for inlets within the project area. However, City spread standards may not be met due to lack of upstream inlets beyond the project area; as such newly designed inlets shall be sized assuming 100% capture at upstream inlets beyond the project area. Floodplain permitting (**Task 10**) shall be based on Scenario 5. Aside from inundation mapping required for permitting purposes, maps up- and / or downstream of the dam shall be developed for up to four (4) storms. Final hydrotechnical modeling and design shall be summarized in the design report (**Task 10**).

Table 1: Hydrotechnical Model Scenarios

Scenario		Precipitation[1]	Landuse[2]	Storm Drainage[3]	Model[4]
1	Existing Conditions	Existing NOAA	Existing	Existing	Project-Specific
2	Future Conditions	Future NOAA	Existing	Proposed	
3	Proposed Storm Drain	Future NOAA	Existing	Proposed	
4	Proposed Spillway	12-hr 1/3-PMP	Future	Proposed	
5	Floodplain Permitting	N/A[5]	N/A[5]	N/A[5]	Effective / Preliminary

[1] Existing precipitation based on NOAA Atlas 14 depths. Future precipitation based on 1.06 times NOAA Atlas 14 depths. PMP based on NCDS PMP Study.

[2] Existing landuse refers to landuses delineated under the watershed planning program, as corrected by this study. Future landuse refers to landuse as derived from zoning districts, assuming full development of the watershed.

[3] Existing storm drainage refers to the watershed study program's hydrologic assessment (revised by this study as needed) that represents existing storm drainage systems within the watershed. Future storm drainage refers to inclusion of storm drainage improvement projects identified in watershed study program into the hydrologic model to account for increased drainage system outflows.

[4] Project-Specific model refers to the models developed for this and prior WAs. Effective / Preliminary model refers to the latest model available from the NCFMP.

[5] Modeling for floodplain permitting shall use the effective or preliminary hydrology.

Task 6 – Spillway Modeling

The spillway, including the labyrinth weir, downstream apron, chute / bridge, and energy dissipator, is complex system that requires advanced analyses to understand hydraulic capacity and behavior, surging, turbulence, and energy dissipation to support hydraulic, structural, and geotechnical design. Provisions under Basic Services include analyzing the existing system via computational fluid dynamic (CFD) modeling to verify the previously developed rating curve and a physical model, via subconsultant, to study the proposed system. Consultant shall coordinate with physical modeling subconsultant during the 35% design phase to confirm modeling parameters.

Task 7 – Private Utility Coordination

Multiple private utility lines are located within the dam embankment and require temporary relocation, at a minimum, and ideally permanent removal from the dam. Otherwise, utilities that must be reinstalled will be routed through one or more reinforced concrete ductbanks, designed as part of **Task 5**. Additionally, water main relocation to Lake Trail Drive may also require private utility relocations. Private utilities (underground) in the dam include:

- (1) Charter Cable Television
- (1) Metronet Fiber Optic
- (2) Brightspeed Telecommunications
- (1) Piedmont Natural Gas
- (3) Lumbee River EMC

Except for routing through the embankment ductbank(s), Consultant assumes each utility owner shall perform detailed design of relocations; Consultant also assumes utility owners will perform utility work. Provisions to coordinate relocations are provided under this task, including up to two (2) on-site meetings and up to five (5) virtual meetings (one (1) for each utility owner). Private utility work depicted on the drawings is assumed to include required extent of removal from the dam, planned relocation routes adjacent to the dam for routing to the ductbank(s), and depictions of existing utilities on Lake Trail Drive along the water main relocation route. Depending upon utility owner requirements, submittal of review fees and utility owner forms may be required; these shall be performed under Additional Services (**Task 12**).

Task 8 – PWC Utility Design and Permitting

Design

Based upon the City's selection of the water and sewer main relocation options presented in the PER, Consultant shall advance the modeling and design of water and sewer utility work. Existing utilities shall be field located as needed per **Task 2**. Modeling shall utilize files previously provided by PWC and include necessary updates based on final relocation designs. Alternative, demand, and capacity analyses are excluded; design shall be based on available fire flow and minimum allowable pressure.

Utility relocation designs shall be in accordance with PWC standards, except where in conflict with NCDS requirements or Consultant's recommendations to ensure appropriate construction of utilities within the dam. Design includes approximately 1,200 feet of water main and 1,050 feet of gravity sewer main. Gravity sewer structures and piping within the embankment shall be designed as watertight structures; piping shall include design of concrete encasement. Drawings shall include an overall PWC utility relocation plan, plans and profiles of PWC utility relocations, and relevant PWC detail drawings, amended as needed (up to thirteen (13) drawings in total). Given potential variations from PWC standards and typical approaches, additional coordination and design efforts are anticipated. Provisions under Basic Services include include up to two (2) virtual meetings, two (2) on-site meetings, and four (4) in-person milestone review meetings with the City and PWC. Final modeling and design of the utility relocations shall be summarized in a TM, with dam-related elements also included in the Design Report (**Task 10**)

Permitting

PWC utility relocations are anticipated to require both a sewer and water permit. Consultant shall prepare and submit permit forms via PWC's online portal. Permit fees of $1,000 ($500 for each permit) are anticipated and shall be paid by Consultant for reimbursement from the City. Provisions are included for up to two (2) permitting resubmittals. Consultant assumes the City and PWC will attend coordination meetings and provide timely feedback on proposed utility work to facilitate design, obtain any necessary design variances, and reduce or eliminate the need for additional permitting resubmittals.

Task 9 – Detailed Design

Consultant shall provide Detailed Design services, including civil, geotechnical, and structural design, as well as development of construction drawings, technical specifications, special provisions, and construction cost estimates. Services to be provided are described in the following section.

Site-Civil / Dam Design

Site-civil / dam design services include overall design of the site, including grading, erosion control, and other ancillary work, as outlined below.

- Site work - site preparation, demolition, erosion control, pavement design, roadway design, site restoration, landscaping, and various site improvements
- Dam construction – excavation, embankment construction, grading, upstream face wave / erosion protection, manually operated reservoir drain design, coordination with other engineering disciplines
- Utility design - storm drain relocation, utility ductbank and vault design for up to two (2) ductbanks, watertight structures and piping, concrete encasement of pipes within dam embankment
- Traffic control - road closure and detour plan (the project specifications shall require the contractor to submit a NC PE designed traffic control plan)

Geotechnical Modeling and Design

Geotechnical design analysis will be performed to provide dam safety and support the civil and structural design of the proposed embankment, spillway, and project appurtenances. The following list outlines planned geotechnical modeling and design support activities that will be performed by Consultant.

- Analysis of the subsurface data to develop engineering parameters for the major existing subsurface materials that are revealed by the explorations. This will include the development of shear strength, seepage, and settlement related parameters, an analysis of expected groundwater conditions, and a discussion of dispersive soil potential, as appropriate.
- The development of subsurface data profiles in OpenGround for inclusion in the project drawings, as appropriate.
- The analysis and modeling of the embankment behavior, under various hydraulic loads (normal pool, top of dam, etc.), to develop the following:
    - Develop limit equilibrium and finite element models to study slope stability, seepage behavior, and quantify settlement potential; ensure geotechnical design is in accordance with NCDS regulations.
    - Embankment excavation and undercut.

- Embankment geometry, including minimum crest width and upstream / downstream slope ratios.
- Terracing and / or the inclusion of a toe berm, if appropriate.
- Seepage cutoff measures, if required.
- Internal seepage collection systems, including the need for a chimney, blanket, toe drain, or other measures.
- Overbuilding of the dam crest to maintain the minimum freeboard.
- Parameters for use by Consultant's structural team during the design of the spillway and appurtenant structures, including interface friction, lateral earth pressures, hydraulic uplift potential, bearing capacity, settlement potential, etc., as required.
- General construction and sequencing-related considerations for use by the design team during design development.
- Prepare a TM and calculation briefs to document the analysis and recommendations.

Structural Design Analysis and Design

The structural analysis will be performed for structural stability of the spillway components following the North Carolina Dam Safety (NCDS) Rules and Regulations, US Army Corps of Engineers (USACE) engineering manuals, and US Bureau of Reclamation (Reclamation) design standards. The structure will be analyzed for sliding, overturning, and floatation for individual areas of the spillway plus overall global sliding and floatation stability. The reinforced concrete sections will be designed per the rules mentioned above and the requirements of ACI 350. The following components will be analyzed and designed:

- Approach area walls
- Labyrinth weir crest and slab
- Upper chute walls and slab
- Shallow foundations
- Covered chute / custom reinforced concrete box culvert / prefabricated bridge abutments (project specifications will require Contractor to design prefabricated bridge, if this option is selected)
- Lower chute walls and slab
- Structural, baffle-style energy dissipator
- Overall global stability and anchor design for floatation
- Utility duct bank designed for soil and vehicle loading per AASHTO guidelines
- Prepare calculation packages for each structure

Construction Documents

Construction documents shall be developed / advanced from the PER for the 35% milestone. Subsequent milestones include 70% design (pre-permitting documents), 90% design (permitting documents, except NCDS), 100% design (NCDS permitting), and Bid Documents (final PE signed and sealed documents). Provisions are included for up to an estimated seventy (70) drawings, including general drawings, plan and profile drawings of dam improvements, structural drawings, PWC drawings (**Task 8**), and detail drawings. Technical specifications shall be based on Consultant standards; specifications for PWC utility work will consider PWC specifications, but may require modifications to meet project / NCDS requirements. Consultant shall prepare Bidding Documents, including Division 00 – Procurement and Contracting Requirements, Division 01 – General Requirements (including measurement and payment), technical specifications, and appendices. Contract documents shall utilize EJCDC documents provided by the City (City contract, forms, general conditions, and supplementary conditions).

In general, the following subsets of drawings and specifications are anticipated for each design milestone:

- 35% Design
    - Incorporate feedback received from Community Engagement (**Task 4**) and coordination with other stakeholders during the project
    - General drawings (Cover, General Notes, Legend, Abbreviations, Index)
    - Plan, profile, and sections of the dam embankment excavation and reconstruction
    - Plan and profile of the proposed spillway system
    - Plan and profile of the proposed utility ductbank
    - Plan and profile of the proposed PWC water main relocation (**Task 8**)
    - Plan and profile of the proposed PWC gravity sanitary sewer relocation (**Task 8**)
    - Plan of property and easement acquisitions (**Task 3**)
    - Technical specifications table of contents
- 70% Design
    - Advanced 35% documents, plus:
    - Structural section and elevation drawings
    - Embankment details (sections, construction requirements, seepage control, etc.)
    - Conceptual control of water plans
    - Erosion control plan and details
    - Traffic control plan
    - Technical specifications
- 90% Design
    - Advanced 70% documents, plus:
    - Incorporate feedback received from Community Engagement (**Task 4**) and coordination with other stakeholders during the project
    - Structural detail and reinforcement drawings
    - Site restoration plan
    - Project and standard detail drawings

- Technical specifications

- 100% Design
  - Advanced 90% drawings, plus:
  - Incorporate feedback from permitting agencies
  - Draft Bidding Documents

- Bid Documents
  - Incorporate feedback from NCDS
  - Issue documents for bidding (**Task 11**)

Opinions of Probable Construction Cost and Construction Schedule

Consultant shall prepare opinions of probable construction costs (OPCCs) for each milestone submittal. Costs shall include design contingences appropriate for the respective level of design. An estimated construction schedule shall be developed and submitted at the 90% and 100% design milestones.

Design Milestone Review Meetings

Consultant shall conduct up to four (4) in-person review meetings with the City and PWC following each of milestone submittal. The project schedule assumes reviews will occur within two (2) weeks of each submittal. Reviews shall be recorded in a comment log provided to City by Consultant. The log shall identify the reviewer (name and entity), document and page reviewed, and a text description of the review comment; consultant shall provide responses in the log to each comment and the log shall be updated following each review meeting. Review comments pertaining to drawings shall include corresponding drawing markups.

Task 10 – Permitting and Funding

NCDEQ Erosion and Sediment Control

The estimated area of disturbance exceeds 1 acre; thus, an erosion and sediment control permit is anticipated to be required. Consultant shall develop a project narrative for the permit, complete required forms, and submit for review and approval at the 90% design milestone via NCDEQ's online portal. A permit fee of up to $1,000 is assumed ($119 per acre, rounded up to the nearest whole acre). Consultant shall pay permit fee for reimbursement from the City. Provisions are included for up to one (1) virtual meeting with the City and NCDEQ and up to one (1) permitting resubmittal.

NCFMP Floodplain Concurrence

Based on the permitting assessment performed as part of the PER, construction of improvements to the dam is anticipated to require a No-Rise Certification. Consultant shall utilize the latest model available from the North Carolina Floodplain Mapping Program (NCFMP) to perform model simulations required

for the certification. Revisions are anticipated to include updates to the dam and immediate vicinity based on project survey, as well as incorporation of the proposed spillway rating curve and dam top profile. Consultant shall also prepare a narrative summary of the project and floodplain modeling to be submitted with the model at the 90% design milestone. Consultant shall submit to the NCFMP for review and concurrence. There is no fee associated with a No-Rise Certification review. Provisions are included for up to one (1) virtual meeting with the City and NCFMP and up to one (1) permitting resubmittal.

Should NCFMP modeling, site conditions, or project design change relative to those at the time of the PER, additional floodplain evaluations and permitting may be required, including a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR), as well as associated review fees. These evaluations and permitting are excluded from Basic Services and may be provided under Additional Services or via separate Work Authorization, if necessary.

NCDEQ Section 401 / USACE Section 404

The project requires work in waters of the United States (WOUS), and therefore authorizations under Sections 401 and 404 of the Clean Water Act will be required. Consultant shall verify the 2024 delineation and mapping of WOUS as well as survey the project limits and immediate surroundings for federally protected species for compliance with the Endangered Species Act of 1973, as amended. Consultant shall prepare the application for Sections 401 and 404 of the Clean Water Act permitting based on the 90% design milestone to minimize modifications to the application or issued authorizations due to design changes. Consultant shall coordinate with regulatory agencies to facilitate a timely review of the permit application and with the design team to incorporate any necessary provisions in the construction documents for compliance with the permits to be issued. Provisions are included for up to two (2) virtual and one (1) on-site meetings with the City, NCDEQ, and USACE. A permit review fee is required by NC DEQ. The fee is anticipated to be $810, and Consultant shall pay permit fee for reimbursement from the City. If final project design is determined to require a Standard Permit, these services shall be provided under Additional Services

NCDS Authorization to Construct

The project requires review by NCDS and issuance of an *Authorization to Construct* (ATC). Documents to be submitted include an application, drawings, specifications, geotechnical data reports, engineering calculations / models, and design reports. A review fee is also required, which is dependent upon the estimated and actual costs of construction, as noted below.

- An application processing and compliance fee of 2.25% of the actual construction cost is required, with a minimum of $500 and a maximum of $50,000. The fee is paid in two parts, one for design review and one for final approval after construction.
- Based on the cost estimate developed in the PER, this project will require a total fee of $50,000 (the maximum allowable fee).

- The initial fee (submitted at 100% design) is the greater of $500 or one-half of the application processing and compliance fee (based on the engineer's estimated construction cost), which is anticipated to be $25,000 for this project.
- The final fee is 2.25% of the actual construction cost, minus the initial fee, which is due upon submittal of as-builts following construction and is anticipated to be $25,000.
- Actual construction cost includes only those costs associated directly with the dam; other ancillary costs are not included in the fee calculation (e.g. property acquisition, water quality controls, amenities, etc.)

Provisions for this WA include payment of the initial fee ($25,000) to NCDS by Consultant for reimbursement from the City. The final fee is to be paid following construction, upon submittal of as-builts to NCDS and prior to impounding. As such, payment of the final fee is excluded from this WA and shall be covered under a future WA for construction services.

The required reports include preliminary and final design reports. These may be combined into a single report submittal to NCDS, which is the anticipated method for this project. The preliminary design report (PDR) shall, at a minimum, include, per 15A NCAC 02K:

- Description, classification, and purpose of dam
- Description of downstream dam breach inundation hazards
- Maps of facility
- Preliminary drawings, including cross-sections, plans, and profiles of the dam, pool levels, and spillways
- Design criteria; hydrotechnical and geotechnical summaries

The final design report (FDR) shall, at a minimum, include:

- Geotechnical data report
- Geotechnical stability analyses
- Design of seepage controls
- Spillway capacity and calculations; overtopping analysis; freeboard evaluation
- Embankment design and protection
- Construction schedule
- Reservoir refilling schedule
- Estimated design life

Provisions are also included for other NCDS-required documents including: an operation and maintenance (O&M) plan and emergency action plan (EAP). The EAP shall utilize the NCDS template and the O&M plan shall be coordinated with the City. Note that upon City-acquisition of the dam, NCDS is likely to require the EAP to be submitted within 90-days. As such, the existing conditions EAP shall be submitted prior to the 35% design milestone. If NCDS requires an updated draft EAP based on proposed improvements, the update shall be performed as an Additional Service. The design report and O&M plan shall be submitted at the 90% design milestone for City review prior to submission to NCDS at 100% design. Other provisions are included for up to two (2) virtual and one (1) on-site meeting with the City and NCDS, as well as up to two (2) permitting resubmittals.

Funding Assessment and Application

The Engineer will update the funding opportunity list of available Federal, State, and local funding programs that could be used to finance the designed project developed during the PER stage of the project and provide the City a prioritized list of recommended of funding programs to pursue. This task will include the following sub-tasks:

- Conduct research to determine eligibility, program benefits, application process and priorities, application deadlines, and summarize the benefits and potential downfalls.
- Summarize the results of feasible funding programs in a presentation that highlights program benefits, application requirements, and a qualitative assessment of project selection. A summary of the financial benefits of these funding programs will be developed and provided to the City for use in discussions with internal or external stakeholders.
- The Engineer shall conduct up to two (2) coordination teleconferences to coordinate development of the recommendations during this phase.
- The Engineer shall facilitate up to three (3) scoping calls with funding agencies to develop funding agency familiarity with the project, understand funding program priorities, and ensure that a funding applications are developed with the highest potential chances of success.
- As needed, the Engineer shall develop an application for project grant or below market rate loan financing at the direction of the City. An allocation of $20,000 has been reserved for the development of an application.

Task 11 – Bidding Assistance

Consultant shall compile bidding documents and provide the City assistance with bidding. Services include:

- Issue PE signed and sealed Contract Documents; the bid form shall be based on a lump sum value for construction with unit price items as needed for select materials or activities
- Administer electronic distribution of Bidding Documents
- Issue up to two (2) addenda in response to bidder requests for information (RFIs)
- Attend the pre-bid conference
- Attend the bid-opening conference
- Evaluate and tabulate bid results
- Provide award recommendation letter to City
- Attend up to one (1) virtual negotiation meeting with City and selected bidder; services beyond this shall be provided as Additional Services

Preparation of Contract Documents suitable for execution by the selected bidder and City, including Conformed Documents incorporating addenda, shall be provided under a separate future WA

Additional Services

Requested or necessary services not expressly identified under Basic Services shall be considered as an additional service and performed under Task 12, described below.

Task 12 – Additional Services

Upon request and / or approval from the City, Consultant shall provide Additional Services, based upon the work directed or requested, and the associated fee negotiated for each request. Provisions for Consultant, its subcontractors, and other direct costs have been provided as part of Additional Services. No services shall be provided under Task 12 without prior written authorization from the City. Should the cost of an Additional Service exceed the amount provided herein, such services shall be provided under a separate WA. Potential Additional Services currently identified may include the following:

- Additional soil borings / soil boring depth and samples
- Additional survey data collection
- Additional SUE QL A test locations
- Easement plats, property research, and property owner contact / coordination
- Physical model of spillway
- Completing and submitting private utility owner forms and review fees
- CLOMR / LOMR
- USACE Standard Permit
- Proposed conditions EAP / dam breach hazard mapping
- Bidder negotiations
- Additional permitting resubmittals

Deliverables

Deliverables shall generally be made five times throughout the project, including the 35-, 70-, 90-, and 100% design milestones, as well as issuance of bidding documents after ATC is received from NCDS.

- Monthly / As-Needed
  - Task 1
    - Project schedule
    - Monthly reporting / updates
    - Progress meeting minutes / meeting summaries
    - PowerPoint presentations
    - Property owner mailing list
    - Property owner notification letter
- 35% Design Milestone
  - Task 2
    - Field survey data in AutoDesk Civil 3D ® format
    - NC PLS-Signed electronic version (PDF) of survey
    - Geotechnical Data Report
  - Task 4
    - Community meeting advertisement
    - Community meeting exhibits
    - Community meeting #1 summary
  - Task 5
    - Draft hydrotechnical models
  - Task 6
    - Recommendations for spillway modeling approach
  - Task 7
    - Private utility coordination meeting summary(ies)
  - Task 8
    - PWC utility relocation drawings
  - Task 9
    - Geotechnical recommendations report
    - Opinion of probable construction cost
    - 35% Construction Documents
  - Task 10
    - Existing Conditions EAP (anticipated prior to 35% design submittal)
- 70% Design Milestone
  - Task 2
    - SUE QL A test hole reports
  - Task 3
    - List and map of property / easement acquisitions
    - List, map, and draft plats of easement acquisitions

- Task 5
  - Hydrotechnical models
- Task 6
  - Spillway modeling summary
- Task 7
  - Private utility coordination meeting summary(ies)
- Task 8
  - Draft PWC utility models
- Task 9
  - 70% Construction Documents
  - Opinion of probable construction cost
- Task 10
  - Summary of potential funding opportunities

- 90% Design Milestone

  - Task 4
    - Community meeting advertisement
    - Community meeting exhibits
    - Community meeting #2 summary
  - Task 5
    - Final hydrotechnical models
  - Task 7
    - Private utility coordination meeting summary(ies)
  - Task 8
    - Final PWC utility modeling and design report
    - PWC permit applications
  - Task 9
    - 90% Construction Documents
    - Storm drainage design report
    - Opinion of probable construction cost
    - Construction schedule
  - Task 10
    - NCDEQ ESC permit application
    - Section 401 / 404 permit applications
    - NCFMP No-Rise Certification
    - Draft NCDS Design Report
    - Funding application

- 100% Design Milestone

  - Task 8
    - 100% Construction Documents
  - Task 10
    - Final NCDS Design Report
    - O&M Plan

- NCDS Application package

- Bid Documents Milestone
  - Task 10
    - PE Signed and Sealed, Bid-Ready Construction Documents
  - Task 11
    - Bidding Documents
    - Addenda, if needed
    - Bid tabulation
    - Award recommendation letter

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Schedule

Data collection, design, permitting, and issuance of bidding documents are anticipated to require approximately 30-months; however, this is largely dependent upon findings during data collection, as well as City, PWC, and permitting agency review timeframes. Bidding is assumed to require 3-months. Consultant shall not be held responsible for schedule delays caused by other parties, unforeseen conditions, or changes to the project scope.

An overall schedule is provided below; in accordance with **Task 1**, a Microsoft Project schedule shall be provided and updated regularly during the project. The following assumptions were incorporated into the schedule:

- City will host Community Meeting #1 within two (2) weeks of notice to proceed
- City & PWC Milestone Reviews: Meetings occur and comments received within two (2) weeks of submittal
- Fayetteville PWC Permits: Each cycle completed within 10-days (two review cycles assumed), with 10-days between cycles for document revisions by Consultant
- NCDEQ Erosion Control Permit: Initial agency review completed within 60-days, with 10-days for document revisions by Consultant, and 20-days for additional agency review
- NCFMP No-Rise Certification: Each cycles completed within 30-days (two review cycles assumed), with 10-days between cycles for document revisions by Consultant
- NCDEQ 401 / USACE 404 Permits: Initial agency review completed within 60-days, with 10-days for document revisions by Consultant, and 20-days for additional agency review
- NCDS Authorization to Construction: Initial agency review completed within 60-days, with 20-days for document revisions by Consultant, and 40-days for additional agency review
- Meetings: Meetings shall be scheduled throughout the project in accordance with design progress

Estimated Schedule

Task	Duration (m)	Milestone Month
Data Collection	2	2
35% Design / Hydrotechnical Modeling	5	6
Spillway Modeling	6	6
70% Design	6	12
90% Design	3	16
ESC / Floodplain / 401-404 Permitting	5	21
100% Design	2	23
NCDS Permitting	6	29
Bidding Documents	1	30
Bidding	3	33

Estimated Fees

The estimated fees are outlined on the following page and provided in City-standard format on the attached pages. The estimated fee is subdivided into project tasks; however, Consultant reserves the right to utilize task fees as needed up to the total fee for Basic Services. The fee for Basic Services includes provisions for Consultant labor commensurate with the anticipated work; expenses associated with travel, community meeting exhibits, and permitting fees; and Subconsultant costs for data collection services. **The total estimated fee for Basic Services is $1,625,235.00.** Provisions for Additional Services, if needed, include up to $202,500.00, for a total contract not to exceed fee of $1,827,735.00.

Estimated fees for Additional Services are provided in the event that services not identified under Basic Services are determined to be required to complete the project. Additional Service fees were computed as follows:

- Consultant Labor: approximately 10% of the Basic Services labor fee (hourly based)
- Expenses: approximately 10% of non-permitting expenses plus 5% of permitting expenses
- Subconsultant Fees:
    - Additional Survey / SUE: approximately 15% of the Basic Services subconsultant fee
    - Additional Geotechnical Exploration: approximately 10% of the Basic Services fee
    - Easement Plats: computed fee for up to seven (7) plats, property research, and property owner coordination / contact

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Estimated Fee

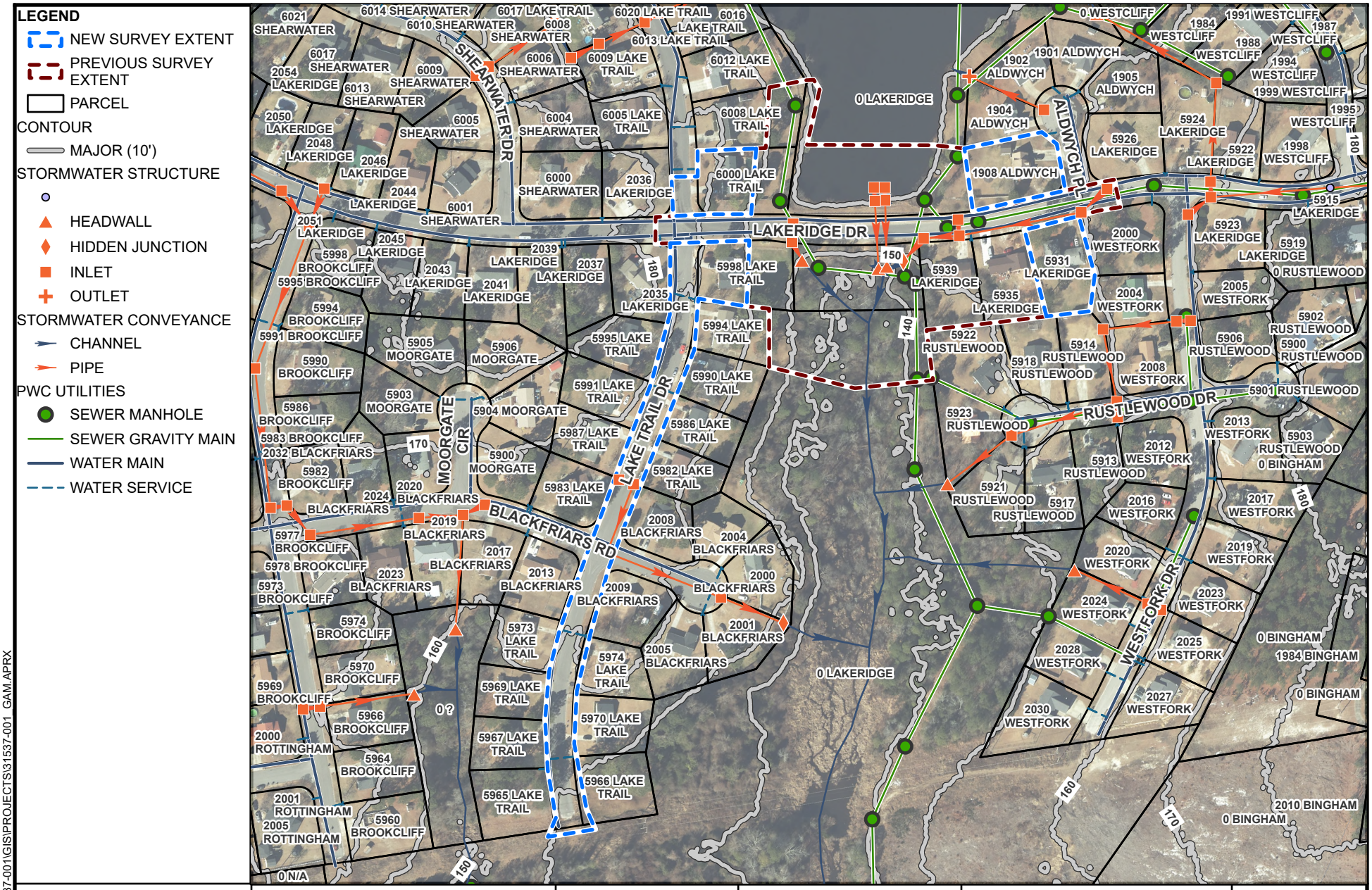
#	Activity	Consultant Labor	Expenses	Permitting Fees	Subconsultant Fee	Task Fee
Basic Services						
1	**Project Management and Meetings**	$40,000.00	$525.00		$0.00	$40,525.00
2	**Data Collection**	$22,000.00	$875.00		$215,000.00	$237,875.00
	Geotechnical Exploration				*$115,000.00*	
	Surveying				*$51,000.00*	
	SUE QL-B				*$17,000.00*	
	SUE QL-A				*$32,000.00*	
3	**Property and Easement Acquisition**	$3,000.00			$0.00	$3,000.00
4	**Community Engagement**	$33,000.00	$950.00		$0.00	$33,950.00
5	**Hydrotechnical Modeling**	$50,000.00			$0.00	$50,000.00
6	**Spillway Modeling**	$22,000.00	$1,000.00		$100,000	$123,000.00
	Physical Modeling				*$100,000*	
7	**Private Utility Coordination**	$20,000.00	$350.00		$0.00	$20,350.00
8	**PWC Utility Design and Permitting**	$200,000.00	$1,400.00	$1,000.00	$0.00	$202,400.00
9	**Detailed Design**	$690,000.00	$1,050.00		$0.00	$691,050.00
10	**Permitting and Funding**	$152,000.00	$1,025.00	$26,710.00	$0.00	$179,735.00
11	**Bidding Assistance**	$43,000.00	$350.00		$0.00	$43,350.00
Basic Services Total		**$1,275,000.00**	**$7,525.00**	**$27,710.00**	**$315,000.00**	**$1,625,235.00**
Additional Services						
12	**Additional Services**	$130,000.00	$2,500.00		$70,000.00	$202,500.00
	Additional Survey / SUE				*$15,000.00*	
	Additional Geotechnical Exploration				*$10,000.00*	
	Easement Plats (7 Plats)				*$45,000.00*	
Additional Services Total		**$130,000.00**	**$2,500.00**	**$0.00**	**$70,000.00**	**$202,500.00**
Contract Total		**$1,405,000.00**	**$10,025.00**	**$27,710.00**	**$385,000.00**	**$1,827,735.00**

Assumptions

- City shall provide selection of all preferred alternatives (as presented in the PER) prior to or at the time of NTP
- City shall advertise, plan, host, obtain, provide, and pay for all necessary public meeting accommodations, including audio-visual equipment.
- City shall assist in development of meeting advertisements and shall distribute mailers
- City shall assist in obtaining utility data and coordinating with utility owners; City shall provide utility owner contact information
- City shall provide EAP data (e.g. named individuals and contact information, property owner method of contact, equipment and material supplier information)
- City shall perform communication and / or coordination with property owners whose property is within the project area, if needed
- PWC shall provide models, GIS data, and other available information of utilities in the project area to evaluate water distribution and sanitary sewer modifications
- Permitting agency review durations

Exclusions

- Permitting assessments, applications, and fees for agencies or permits not explicitly identified in Basic Services
- Hazardous, historical, or archeological material surveys, mitigation, removal, or permitting
- Alternatives analyses; development of design new models
- Design or permitting of unforeseen conditions; City, PWC, or NCDOT-standard structures; temporary constructions, cofferdams, pumping systems, dewatering systems; private utility relocations (except ductbanks as described in Basic Services); prefabricated bridges; borrow sources; deep foundations; dredging; CLOMR / LOMR
- Internal inspection of existing ALWD spillway riser-barrel systems
- Preparation of Conformed Documents; construction administration / management; construction material testing
- Coordination with, or responding to comments from, third-party program managers
- Printing and / or distribution of hard copies of drawings (except as required for permitting) and Contract Documents



PATH: O:\31537-000\31537-001\GIS\PROJECTS\31537-001_GAM.APRX

REFERENCE: CONTOURS (GENERATED FROM NCFMP DEM), ROAD NAMES / PARCELS / ADDRESSES / BUILDING FOOTPRINTS (CUMBERLAND COUNTY), AERIAL IMAGERY (NC ONE MAP, 2021)

LABOR SUMMARY

	Tasks and Descriptions	Vice President				Associate Vice President				Senior Associate				Associate				Senior Principal Engineer				Principal Engineer				Assistant Engineer				Business Analyst				Senior Princlpal Scientist				Princlpal Scientist				Assistant Scientist				Senior Principal Designer				Principal Designer				Designer			
		$331				$312				$273				$236				$194				$179				$158				$208				$194				$179				$158				$179				$168				$160			
		CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD	CT	PE	ETP	ETD
1	Project Management and Meetings	32	0	0	0	0	0	0	0	62	0	0	0	0	0	0	0	12	0	0	0	0	0	0	0	64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Data Collection	2	0	0	0	0	0	0	0	31	0	0	0	0	0	0	0	14	0	0	0	0	0	0	0	48	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	0	0	0
3	Property and Easement Acquisition	0	0	0	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0
4	Community Engagement	12	0	0	0	0	0	0	0	20	0	0	0	60	0	0	0	24	0	0	0	0	0	0	0	31	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Hydrotechnical Modeling	20	0	0	0	0	0	0	0	30	0	0	0	0	0	0	0	60	0	0	0	0	0	0	0	149	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Spillway Modeling	4	0	0	0	4	0	0	0	16	0	0	0	0	0	0	0	20	0	0	0	0	0	0	0	71	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Private Utility Coordination	6	0	0	0	0	0	0	0	22	0	0	0	0	0	0	0	28	0	0	0	0	0	0	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	0	0	0
8	PWC Utility Design and Permitting	4	0	0	0	12	0	0	0	98	0	0	0	80	0	0	0	219	0	0	0	0	0	0	0	203	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	53	0	0	0	74	0	0	0	330	0	0	0
9	Detailed Design	68	0	0	0	52	0	0	0	344	0	0	0	324	0	0	0	300	0	0	0	506	0	0	0	784	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	98	0	0	0	468	0	0	0	702	0	0	0
10	Permitting and Funding	20	0	0	0	14	0	0	0	96	0	0	0	58	0	0	0	104	0	0	0	10	0	0	0	270	0	0	0	115	0	0	0	0	0	0	0	70	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11	Bidding Assistance	16	0	0	0	0	0	0	0	34	0	0	0	8	0	0	0	36	0	0	0	12	0	0	0	78	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12	Additional Services	20	0	0	0	10	0	0	0	76	0	0	0	54	0	0	0	82	0	0	0	54	0	0	0	174	0	0	0	12	0	0	0	0	0	0	0	8	0	0	0	0	0	0	0	0	0	16	0	0	0	56	0	0	0	109	0	0	0
	TOTAL CONTRACT	**204**	**0**	**0**	**0**	**92**	**0**	**0**	**0**	**834**	**0**	**0**	**0**	**584**	**0**	**0**	**0**	**899**	**0**	**0**	**0**	**582**	**0**	**0**	**0**	**1896**	**0**	**0**	**0**	**127**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**78**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**167**	**0**	**0**	**0**	**598**	**0**	**0**	**0**	**1214**	**0**	**0**	**0**

LABOR SUMMARY

	Tasks and Descriptions	Combined Totals (CT)					Previous Effort (PE)					Effort This Period (ETP)					Effort to Date (ETD)				
		Hours	Labor	Expense	Subs	TOT	Hours	Labor	Expense	Subs	TOT	Hours	Labor	Expense	Subs	TOT	Hours	Labor	Expense	Subs	TOT
1	Project Management and Meetings	170	$40,000	$525		$40,525	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
2	Data Collection	111	$22,000	$875	$215,000	$237,875	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
3	Property and Easement Acquisition	14	$3,000	$0		$3,000	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
4	Community Engagement	146	$33,000	$950		$33,950	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
5	Hydrotechnical Modeling	259	$50,000	$0		$50,000	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
6	Spillway Modeling	115	$22,000	$1,000	$100,000	$123,000	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
7	Private Utility Coordination	97	$20,000	$350		$20,350	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
8	PWC Utility Design and Permitting	1073	$200,000	$2,400		$202,400	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
9	Detailed Design	3645	$690,000	$1,050		$691,050	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
10	Permitting and Funding	757	$152,000	$27,735		$179,735	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
11	Bidding Assistance	216	$43,000	$350		$43,350	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
12	Additional Services	671	$130,000	$2,500	$70,000	$202,500	0	$0	$0	$0	$0	0	$0	$0	$0	$0	0	$0	$0	$0	$0
	TOTAL CONTRACT	**7,276**	**$1,405,000**	**$37,735**	**$385,000**	**$1,827,735**	**0**	**$0**	**$0**	**$0**	**$0**	**0**	**$0**	**$0**	**$0**	**$0**	**0**	**$0**	**$0**	**$0**	**$0**

EXHIBIT B

PROFESSIONAL SERVICES AGREEMENT FOR ON-CALL CONSULTING SERVICES

BETWEEN

CITY OF FAYETTEVILLE
FAYETTEVILLE, NORTH CAROLINA

AND

HAZEN AND SAWYER

APRIL 1, 2025

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

PROFESSIONAL SERVICES AGREEMENT
FOR ON CALL CONSULTING SERVICES

THIS AGREEMENT, effective the day April 1, 2025, by and between **THE CITY OF FAYETTEVILLE, NORTH CAROLINA** (hereinafter referred to as **CITY**), with principal business offices at Fayetteville, North Carolina, and Hazen and Sawyer (hereinafter referred to as **CONSULTANT**), a corporation with principal business offices at 498 7th Avenue, New York, NY 10018.

W I T N E S S E T H:

WHEREAS, CITY, is engaged in the operation and maintenance of facilities and services which from time to time require revision, renovation and extension of existing facilities, and the construction of new facilities and other related projects; and

WHEREAS, the professional services of engineers, architects, surveyors and others will from time to time in the future be needed by the **CITY** in the renovation of existing facilities, and in the construction of new facilities and other related projects; and

WHEREAS, pursuant to N.C.G.S. § 143-64.31 it is the public policy of this State that municipalities announce all requirements for architectural, engineering and surveying services, to select firms qualified on the basis of demonstrated competence and qualification and to negotiate contracts for services at a fair and reasonable fee with the best qualified firm; and

WHEREAS, CONSULTANT provides professional stormwater engineering consulting services of the nature required by the **CITY** and employs trained and experienced engineering, technical and/or other personnel possessing adequate knowledge, skills and experience to provide professional services to the **CITY**; and

WHEREAS, the parties contemplate that the on-call services of **CONSULTANT** will be performed on an as needed basis, in various stages in accordance with separate authorizations to be issued by **CITY**, and the parties desire to set forth the basic terms of their agreement in this Professional Services Agreement rather than in separate authorizations to be issued by **CITY**.

NOW THEREFORE, IN CONSIDERATION of the premises and the mutual covenants herein contained, the parties hereto do hereby contract and agree as follows:

ARTICLE 1. TERM OF AGREEMENT. The term of this Professional Services Agreement for On-Call Consulting Services shall be for three (3) years from the date it is effective. The Agreement may be extended thereafter by mutual written agreement of the parties.

1.1. ASSIGNMENT. It is the intent of this Professional Services Agreement to secure the professional [type of services] services of **CONSULTANT** and failure of **CONSULTANT** for any reason to make the professional engineering services available to the **CITY** for the purposes described in this Professional Services Agreement shall be cause for termination of this Agreement. **CONSULTANT** shall not assign this Agreement without prior written consent of the **CITY**. Nothing contained in this paragraph shall prevent **CONSULTANT** from employing such independent consultants, associates and subcontractors as it may deem appropriate to assist **CONSULTANT** in the performance of services rendered.

ARTICLE 2. COMPENSATION. CONSULTANT shall submit to **CITY** monthly invoices for services performed and accepted during that month. **CITY** agrees to pay **CONSULTANT's** monthly invoice within thirty (30) days after said invoice is received by the **CITY**. Adjustments to an invoice for billing errors may extend the time for payment. For clarity, compensation to **CONSULTANT** shall be based upon task and/or work authorizations that are provided to and agreed upon by the **CITY**. The signing of this Professional Services Agreement does not bind or obligate the **CITY** to pay **CONSULTANT** any compensation.

2.1. VERIFICATION OF INVOICES. CITY has the right to require the CONSULTANT to produce for inspection all **CONSULTANT's** time records, salaries of personnel and charges for direct expenses for which cost-plus compensation is provided. **CONSULTANT** agrees to provide **CITY** with said records on a timely basis and cooperate with **CITY** to verify the accuracy of all invoices.

2.2. NON-APPROPRIATION. Notwithstanding any other provisions of this Agreement, the Parties agree that payments due hereunder from the **CITY** are from appropriations and monies from the City Council and other governmental entities. In the event sufficient appropriations or monies are not made available to the **CITY** to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the **CITY**.

ARTICLE 3. PROFESSIONAL STANDARDS AND DUTIES OF CONSULTANT. **CONSULTANT** shall be held to the same standard and shall exercise the same degree of care, skill and judgment in the performance of services for **CITY** as is ordinarily provided by a similar professional under the same or similar circumstances at the time in Cumberland County, North Carolina. **CONSULTANT** agrees that the professional engineering services performed shall be in a safe and workmanlike manner in compliance with all applicable laws, ordinances and regulations or rules. In the event of a change in applicable law after the effective date of this Agreement that impacts the Services, the parties shall negotiate an amendment in good faith. All professional engineering services provided by the **CONSULTANT** which are, or must be, performed by licensed professionals, will be performed by such professionals licensed by the State of North Carolina.

3.1. CONSULTANT NOT RESPONSIBLE FOR CONSTRUCTION MEANS OR SAFETY. Notwithstanding anything to the contrary: **CONSULTANT** for general construction projects shall not be responsible for any general contractor's or other project participant's failure to fulfill their contractual responsibilities to the **CITY**, nor shall **CONSULTANT** be responsible for construction means, methods, techniques, sequences, or procedures. Neither shall **CONSULTANT** be responsible for a project safety program or safety precautions unless **CONSULTANT** sets forth a safety program which is accepted by **CITY** and becomes a part of the agreement between the parties.

3.2. CONSULTANT AS CONSTRUCTION MANAGER. In the event the **CITY** contracts with the **CONSULTANT** to provide Construction Management Services, but subject to Article 3.1, the **CONSULTANT** shall make site visits appropriate to the stage of construction to observe the progress and the quality of work and to attempt to determine in general if the work is proceeding in accordance with the Construction Contract Documents. Subject to Article 3.1, **CONSULTANT** will endeavor to protect **CITY** against defects and deficiencies in the work of contractors and will report any observed deficiencies to **CITY**. In no event shall **CONSULTANT** be responsible for any contractor's, subcontractor's, vendor's, or other project participant's failure to comply with federal, state or local laws, ordinances, regulations, rules, codes, orders, criteria, or standards unless it has contracted with the **CITY** to do so.

ARTICLE 4. ESTIMATES OF COST AND TIME. Although **CONSULTANT** has no control over the cost of labor, materials, equipment or services furnished by others, or over contractor's, subcontractor's, or vendor's methods of determining prices, or over competitive bidding or market conditions, nevertheless **CONSULTANT's** cost estimates and time estimates shall be made on the basis of current labor and material prices and the **CONSULTANT's** experience and qualifications, and **CONSULTANT's** estimates shall be provided consistent with the standards set out in Article 3 (*Professional Standards and Duties of Consultant*). Although **CONSULTANT** has no control over the resources provided by contractors to meet contract schedules, nevertheless **CONSULTANT's** estimates or forecast of schedules shall be provided consistent with the standards set out in Article 3 (*Professional Standards and Duties of Consultant*). **CONSULTANT** does not guarantee that project costs and schedules will not vary from the estimates and schedules given to **CITY**.

ARTICLE 5. LIABILITY, INDEMNIFICATION AND INSURANCE.

5.1. GENERAL. The **CITY** and **CONSULTANT** have considered the risks and potential liability that may exist during the performance of services by **CONSULTANT** and have agreed to allocate such liabilities in accordance with this Article. During the performance of services under this Agreement, **CONSULTANT** shall purchase and maintain insurance coverage as hereinafter set forth, without lapse or changes contrary to the requirements of this section. Words and phrases used in this Article shall be interpreted in accordance with customary insurance industry usage and practice.

5.2 INDEMNITY & PROFESSIONAL LIABILITY INSURANCE. To the extent permitted by law, **CONSULTANT** agrees to indemnify and hold harmless the **CITY** and its elected officials, employees, agents, successors, and assigns, from any and all liability and claims

for any injury or damage to the extent caused by any negligent or tortious act, omission or negligence of **CONSULTANT**, its agents, servants, employees, contractors, licensees, or invitees. Indemnification of the **CITY** by **CONSULTANT** does not constitute a waiver of the **CITY's** governmental immunity in any respect under North Carolina law. **CONSULTANT** agrees to purchase and maintain professional liability insurance (errors and omissions insurance) in the amount of $1,000,000 coverage for each claim, with a general aggregate of $2,000,000. Said insurance coverage shall be underwritten by an insurance company authorized to do business in the State of North Carolina by the North Carolina Department of Insurance, with an A.M. Best rating of not less than A.

5.3 INDEMNITY & GENERAL LIABILITY INSURANCE. CONSULTANT agrees to indemnify and hold the **CITY**, its servants, agents and employees, harmless from and against all liabilities, claims, demands, suits, losses, damages, costs and expenses (including attorney's fees) for third party bodily injury to or death of any person, or damage to or destruction of any third party property, to the extent caused by the negligence of **CONSULTANT, CONSULTANT's** employees, and **CONSULTANT's** subcontractors, for whom **CONSULTANT** is legally responsible during the performance of services under this Agreement. **CONSULTANT** shall purchase and maintain at all times during performance of services under this Agreement Commercial General Liability Insurance ("CGL") with combined single limits of $1,000,000.00 coverage for each occurrence with a general aggregate of $2,000,000.00, designating the **CITY** as an additional insured and which said insurance provides **CONSULTANT** with insurance for contractual liability which **CONSULTANT** has assumed pursuant to the terms of this Agreement.

5.4. OTHER INSURANCE. In addition to professional liability insurance and commercial general liability insurance set forth above, **CONSULTANT** further agrees to purchase and maintain at all times during the performance of services under this Agreement insurance coverage as follows:

- Worker's Compensation Insurance as required by North Carolina law and said policy shall also afford coverage to **CONSULTANT** for employer's liability.
- Automobile liability insurance with $1,000,000.00 combined single limit for each accident covering bodily injury and property damage.
- The CGL policy required above shall include independent contractor liability coverage.
- If applicable, the CGL policy required above shall provide **CONSULTANT** with products and completed operations insurance. Said coverage is to be written on an occurrence basis, with coverage extended for such a period of time in which suits can be filed before the running of the statute of limitations, on any claim for injury to person or property due to negligence of **CONSULTANT** in the design of any building designed by the **CONSULTANT** under the terms of this Agreement.

5.5. CERTIFICATES OF INSURANCE. CONSULTANT shall provide to **CITY**, within a reasonable time after request, certificates from the insurer(s) indicating the amount of insurance coverage, the nature of such coverage, and the expiration date of the policy for each of the insurance coverage requirements contained in Article 5.

ARTICLE 6. INDEPENDENT CONTRACTOR. CONSULTANT is an Independent Contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an Independent Contractor at all times. **CONSULTANT** shall be wholly responsible for the methods, means and techniques of performance. **CITY** shall have no right to supervise methods and techniques of performance employed by **CONSULTANT**, but **CITY** shall have the right to observe such performance.

ARTICLE 7. COMPLIANCE WITH LAWS. CONSULTANT agrees that in performing services pursuant to this Agreement to comply with all applicable regulatory requirements including federal, state and local laws, rules, regulations, orders, codes, criteria, and standards. **CONSULTANT** shall be responsible for procuring all permits, certificates, and licenses necessary to allow **CONSULTANT** to perform services under this Agreement. **CONSULTANT** shall not be responsible for procuring permits required for the construction of any building, unless such responsibility is specifically agreed to by **CONSULTANT**.

ARTICLE 8. CITY'S RESPONSIBILITIES. CITY will furnish to **CONSULTANT** all of **CITY'S** requirements for the project, including, but not limited to, scope of work, program, time constraints, schedule milestones, financial constraints, design objectives and design constraints, which are available to the **CITY** or which the **CITY** can reasonably obtain to furnish to **CONSULTANT** to enable **CONSULTANT** to respond to **CITY**. Additionally, the **CITY** shall also be responsible for the following:

- Make final decisions utilizing information supplied by **CONSULTANT**.
- Designate personnel to represent **CITY** in matters involving the relationship between **CITY, CONSULTANT** and third parties.
- Provide such accounting, independent cost estimating, and insurance counseling services as may be required by the project.
- Provide such legal services as **CITY** may require or **CONSULTANT** may reasonably request with regard to legal issues pertaining to the project, including those which may be raised by contractors, subcontractors, vendors or other project participants.
- Enter into contracts for the purchase, construction, or other services with contractors, subcontractors, and vendors.
- Provide financing for the project and make all payments in accordance with the terms of the contract.

ARTICLE 9. TERMINATION OF CONTRACT FOR CAUSE. In the event of substantial failure by **CONSULTANT** to perform in accordance with the terms of this contract, the **CITY** shall have the right to terminate **CONSULTANT** upon ten (10) calendar days' written notice in which event **CONSULTANT** shall have neither the obligation nor the right to perform further services under this contract nor shall the **CITY** be obligated to make any further payment for work that has not been performed. **CONSULTANT** shall provide the **CITY** all reports, surveys or other related documents upon the **CITY's** request.

ARTICLE 10. TERMINATION OF CONTRACT FOR CONVENIENCE. Upon thirty (30) calendar days' written notice to **CONSULTANT, CITY** may, without cause and without prejudice to any other right or remedy legally available to the **CITY**, terminate this Agreement.

Upon such notice, **CONSULTANT** shall have neither the obligation nor the right to perform services under this Agreement nor shall the **CITY** be obligated to make any further payment for work that has not been performed in accordance with the terms stated herein. In such case of termination, **CONSULTANT** shall be paid for the completed executed in accordance with this Agreement prior to the effective date of termination. Additionally, upon mutual agreement, **CONSULTANT** may be paid for any completed and accepted work which takes place in order to achieve a specifically identified item in the scope of services or a milestone of the Agreement, between the written notice of termination and the effective date of termination. Unless otherwise stated or agreed upon, the effective date of termination shall automatically occur thirty (30) days after the written notice is sent by the **CITY**. Upon request by the **CITY**, **CONSULTANT** shall provide to the **CITY** all reports, surveys or other related documents upon the **CITY's** request and at the **CITY's** cost. **CONSULTANT** has no liability for **CITY's** use of incomplete reports, surveys or related documents.

ARTICLE 11.1 NONDISCLOSURE OF PROPRIETARY INFORMATION. **CONSULTANT** shall consider all information provided by **CITY** and all drawings, reports, studies, calculations, plans, specifications, and other documents resulting from the **CONSULTANT'S** performance of the services to be proprietary, unless such information is available from public sources. **CONSULTANT** shall not publish or disclose proprietary information for any purposes other than the performance of the services without the prior written authorization of **CITY**. **CONSULTANT** shall not make any written or verbal statement to any press or news media concerning the Project without the written authorization of **CITY**.

ARTICLE 11.2 OWNERSHIP OF DOCUMENTS. All documents, including drawings and specifications prepared by CONSULTANT pursuant to this AGREEMENT, are instruments of service in respect of the Project and are owned by CONSULTANT. They are not intended or represented to be suitable for reuse by CITY or others on extensions of the Project or on any other project. Any reuse without written verification or adaption by CONSULTANT for the specific purpose intended will be at CITY'S sole risk and without liability to CONSULT ANT. Any such verification or adaptation will entitle CONSULTANT to further compensation at rates to be agreed upon by CITY and CONSULTANT. Such documents shall be kept confidential by CITY.

ARTICLE 12. NOTICE. Any formal notice, demand, or request required by or made in connection with this agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

TO CITY: **CITY OF FAYETTEVILLE**
ATTENTION: DOUGLAS J HEWETT
CITY MANAGER
433 HAY STREET
FAYETTEVILLE, NORTH CAROLINA 28301

TO CONSULTANT: **HAZEN AND SAWYER**
ATTENTION: MATTHEW JONES
VICE PRESIDENT

4011 WestChase Blvd., Suite 500
Raleigh, NC 27607

Nothing contained in this Article shall be construed to restrict the transmission of routine communication between representatives of **CONSULTANT** and **CITY**.

ARTICLE 13. FORCE MAJEURE. Neither party shall be deemed to be in default of its obligations hereunder or responsible for any delay or failure of performance if and *so long as* it is prevented from performing such obligations by an act of war, hostile foreign actions, adverse governmental actions, nuclear explosion, earthquake, hurricane, tornado, or other catastrophic natural event or act of God.

ARTICLE 14. GOVERNING LAW. The validity, interpretation, and execution of this Agreement and the performance of and rights accruing under this Agreement are all to be governed by the laws of the State of North Carolina.

ARTICLE 15. MISCELLANEOUS.

15.1. NONWAIVER FOR BREACH. No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

15.2. PRECEDENCE. In the event of any conflict or discrepancy between the terms of this Agreement and the specific written authorization to proceed pursuant to this Agreement, then the written authorization to proceed shall be given precedence over this Agreement in resolving such conflicts or discrepancies. If any conflict or discrepancy is discovered by either party hereto, then the written authorization to proceed, or this Agreement, shall be modified or amended, as necessary.

15.3. SEVERABILITY. The Parties agree that if any provision of this Agreement shall be held invalid for any reason, the remaining provisions shall not be affected if they may continue to conform to the purposes of this Agreement and the requirements of applicable law.

15.4 STATUTE OF LIMITATIONS. No action, regardless of form, arising out of this Agreement may be brought by either party after the applicable statute of limitations giving rise to the alleged cause of action.

ARTICLE 16. INTEGRATED AGREEMENT. The **CITY**'s authorization to proceed and this Professional Services Agreement for Consulting Services shall be integrated into and shall become the integrated agreement between the parties. **CONSULTANT** and **CITY** agree that all prior negotiations, representations, letters, agreements, understandings, or other communications between them, whether written or oral, are hereby merged into the Agreement

and that the Agreement supersedes all such prior negotiations, contracts and/or agreements. This Agreement shall not be modified unless such modifications are evidenced in writing, signed by both **CONSULTANT** and **CITY**.

ARTICLE 17. BENEFITS LIMITED TO PARTIES. Nothing herein shall be construed to give any right or benefits hereunder to anyone other than **CITY** and **CONSULTANT**.

17.1. LIMITATIONS. CONSULTANT's total liability to CITY under each authorization shall not exceed the total compensation paid under the authorization, or $1,000,000, whichever is greater. In no event shall CONSULTANT's total liability in the aggregate, for all services under this agreement, exceed $4,000,000. Limits set forth in this agreement shall include any and all causes, but not limited to negligence, errors, omissions, warranty, indemnity, provided, however, that the foregoing limitation shall not apply to any indemnity obligations of consultant with respect to third party personal injury and death or damage to third party property.

ARTICLE 18. VENUE AND FORUM. The Parties expressly agree that if litigation is brought in connection with this Agreement and (1) the litigation proceeds in the Courts of the State of North Carolina, the Parties agree that the appropriate venue shall be in Cumberland County (Fourteenth Judicial District of North Carolina); or (2) the litigation proceeds in a federal court, the Parties agree that the appropriate venue shall be the United States District Court for the Eastern District of North Carolina.

ARTICLE 19. E-VERIFY. CONSULTANT hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. **CONSULTANT** further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statues, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). **CONSULTANT** hereby pledges, attests and warrants through execution of this Agreement that **CONSULTANT** complies with the requirements of Article 2 of Chapter 64 of North Carolina General Statues and further pledges, attests and warrants that any subcontractors currently employed by or subsequently hired by **CONSULTANT** shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.

ARTICLE 20. MORALITY CLAUSE. If, in the sole opinion of the **CITY**, at any time **CONSULTANT** or any of its owner(s) or employee(s) or agent(s) (collectively referenced as an "Actor") engages in any one or more of the actions below, the **CITY** may immediately upon written notice to **CONSULTANT**, terminate this Agreement, in addition to any other rights and remedies that the **CITY** may have hereunder or at law or in equity:

1. bring disrepute, contempt, scandal, or public ridicule to the Actor;
2. subject the Actor to prosecution;

3. offend the community or public morals/decency;
4. denigrate individuals or groups in the community served by the **CITY**;
5. is scandalous or inconsistent with community standards or good citizenship;
6. adversely affect the **CITY**'s finances, public standing, image, or reputation;
7. is embarrassing or offensive to the **CITY** or may reflect unfavorably on the **CITY**; and,
8. is derogatory or offensive to one or more employee(s) or customer(s) of the **CITY**.

ARTICLE 21. DIVESTMENT OF COMPANIES BOYCOTTING ISRAEL OR THAT INVEST IN IRAN CERTIFICATION. **CONSULTANT** certifies that: (i) it is not identified on the Final Divestment List or any other list of prohibited investments created by the NC State Treasurer pursuant to N.C.G.S. § 147-86.58; (ii) it has not been designated by the NC State Treasurer pursuant to N.C.G.S. § 147-86.81 as a company engaged in the boycott of Israel ((i) and (ii) to be collectively referred to as "FD Lists"); and (iii) it will not take any action causing it to appear on the Treasurer's FD Lists created by the NC State Treasurer during the term of this Agreement. By signing this Agreement, **CONSULTANT** further agrees, as an independent obligation, separate and apart from this Agreement, to reimburse the **CITY** for any and all damages, costs and attorneys' fees incurred by the **CITY** in connection with any valid claim, brought by a third party, that this Agreement or any part thereof is void due to **CONSULTANT** appearing on the Treasurer's FD Lists at any time before or during the term of this Agreement.

ARTICLE 22. CITY'S TERMS SUPERSEDE. To the extent that there are terms in any of the attachments that conflict with the terms of this Agreement, the terms of this Agreement are superseding.

ARTICLE 23. SURVIVAL OF TERMS. All warranties, covenants, and representations contained within this Agreement and all applicable work authorizations, if any, shall continue in full force and effect for three (3) years after the execution and delivery of the final product, act, or service taken in furtherance of this Agreement. Survivability shall not be impacted, or otherwise shall not be rendered null or void, by the termination or natural expiration of this Agreement or other applicable work undertaken in furtherance of this Agreement.

ARTICLE 24. NON-DISCRIMINATION. **CONSULTANT** agrees not to discriminate by reason of age, race, religion, color, sex, national origin, disability or other applicable law while performing the services required herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement by their duly authorized representatives effective the day and year first above written.

ATTEST:

JENNIFER L. AYRE
6/25/2025
City Clerk

CITY OF FAYETTEVILLE

DR. DOUGLAS J. HEWETT, ICMA-CM
City Manager

DATE: 6/25/2025

HAZEN AND SAWYER

BY: _____

PRINT: Matthew Jones

TITLE: Vice President

DATE: June 3, 2025

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

TIFFANY R. MURRAY
Chief Financial Officer

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 25-5030

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A5

TO: **Mayor and Members of City Council**

THRU: **Kelly Strickland, Assistant City Manager**

FROM: **Tyffany L. Neal, MPA, Transit Director**

DATE: **January 26, 2026**

RE:
Approve FAST's 2026 Public Transportation Agency Safety Plan (PTASP) Update

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
Goal IV: Desirable Place to Live, Work and Recreate

Executive Summary:
Council is asked to approve FAST's 2026 Public Transportation Agency Safety Plan (PTASP) update.

In July 2018, FTA published the PTASP Final Rule which is intended to improve public transportation safety by guiding transit agencies to more effectively and proactively manage safety risks in their systems. As a recipient of FTA's Section 5307 Grant Program, FAST was required to develop a safety plan that included the processes and procedures to implement Safety Management Systems (SMS).

In April 2024, FTA published the first major update to the PTASP regulation. These updates are a part of a continuing effort to improve transit safety performance on federally supported transit systems, and PTASP is the first rule finalized by FTA to make transit safer for both transit workers and passengers.

The attached PTASP has been updated to ensure compliance with the final rule. This annual update includes FAST's 2025 safety event totals, improved safety performance monitoring and assessments (i.e. Operator assaults, etc.), and the strategies to reduce safety risks.

Transit is requesting approval of the plan and authorization by City Council.

Background:
On November 15, 2021, President Biden signed into law the Bipartisan Infrastructure Law which authorizes $108 billion over the next five (5) years for public transportation. This law will support federal public transportation programs in funding, as well as enhance State Safety Oversight (SSO) programs by protecting transit workers and riders from injuries thus ensuring safe access to transit. Additional SSO updates will improve safety training, work to reduce assaults on vehicle operators, encourage

development of transit agency safety plans and institute measures to reduce vehicular and pedestrian accidents involving transit buses.

On September 25, 2024, FTA issued a general directive that requires transit agencies subject to FTA's PTASP regulation to conduct a safety risk assessment, identify safety risk mitigations or strategies and provide information to FTA on how they are assessing, mitigating and monitoring the safety risk associated with assaults on transit workers.

The data and measures contained within FAST's 2026 PTASP is based of calendar year 2025's reportable safety data and reports to FTA's National Transit Database (NTD). This update allows FAST to improve its performance targets and expectations. In comparison to the safety data reported in FAST's 2022 PTASP, FAST has made several improvements in overall totals and percentages of reportable injuries, safety events and overall system reliability.

Issues/Analysis:
FAST currently has an established Safety Committee comprised of frontline employees. FAST is required to certify compliance of the updated PTASP to remain eligible for receipt of federal transit funds. Failure to comply with a requirement of the rule subjects FAST to a range of FTA enforcement options (depending upon the circumstances) including the ineligibility of receipt of FTA grant funding.

Budget Impact:
There is no budget impact as a result of this update.

Options:
1) Approve FAST's 2026 PTASP update.

2) Do not approve FAST's 2026 PTASP update and provide further guidance to staff.

Recommended Action:
Staff recommends that Council move to approve FAST's 2026 Public Transportation Agency Safety Plan (PTASP) as presented.

Attachments:
Proposed 2026 Public Transportation Agency Safety Plan (PTASP) Update

Public Transportation Agency Safety Plan (PTASP)

FAST
FAYETTEVILLE AREA SYSTEM OF TRANSIT

January 2026

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Section 1. About FAST

General Information

Fayetteville Area System of Transit (FAST)
455 Grove Street
Fayetteville, NC 28301
www.rideFAST.net

Accountable Executive (AE): Tyffany Neal, Transit Director

Chief Safety Officer (CSO): Dawn Dula, Assistant Transit Director

FTA Funding Sources: Urbanized Area Formula Grant Program (Section 5307)

Modes of Service Directly Provided:
☒ Bus (MB)
☒ Demand Response (DR)
☒ FAST does not provide transit services on behalf of another transit agency/entity.

History
Fayetteville Area System of Transit (FAST) is the City of Fayetteville's (CoF) public transportation system. FAST began in 1976 when the CoF assumed operations from a private transportation system operated by the Cape Fear Transit Bus Company. Cape Fear Transit provided3service in Fayetteville, as well as Little Rockfish in Hope Mills. It operated seven days a week, from 5:30 AM to midnight, with a fleet size of 23 buses and 20 bus operators.

Post-COVID, FAST operates a fleet of 32 fixed-route buses on 18 routes to provide service Monday through Friday from 5:00 AM to 7:30 PM, Saturday from 8:00 AM to 7:30 PM, and on Sunday from 9:00 AM to 7:30 PM. In addition, 22 FAST*Trac!* vehicles provided paratransit service to customers with disabilities who are unable to use the fixed-route system.

Today, FAST operates a reduced schedule providing efficient transit service close to 1.6 million customer trips annually. As a result, citizens of Fayetteville have better access to jobs, medical facilities, shopping and recreation opportunities. FAST provides a critical link to economic development and a better quality of life in Fayetteville. One thing that has not changed is FAST's mission and commitment to providing safe and affordable transportation services to more than 6,000 daily customers.

FAST's Safety Plan addresses all applicable requirements and standards as set forth in FTA's Public Transportation Agency Safety Program (PTASP) and the National Public Transportation Safety Plan (NSP).

Section 2. Plan Development, Approval and Updates

Name of Entity That Drafted This Plan	Fayetteville Area System of Transit (FAST)	
Signature by the Accountable Executive	**Signature of Accountable Executive**	**Date of Signature**
		01.26.26
Approval by the Board of Directors or an Equivalent Authority	**Name of Individual/Entity That Approved This Plan**	**Date of Approval**
	City of Fayetteville - City Council	01.26.26
	Relevant Documentation (title and location)	
	City of Fayetteville - City Council Minutes 01.26.26 City Clerk's Office	
Certification of Compliance	**Name of Individual/Entity That Certified This Plan**	**Date of Certification**
	North Carolina Department of Transportation (NCDOT)	
	Relevant Documentation (title and location)	

Version Number and Updates

Record the complete history of successive versions of this plan.

Version Number	Section/Pages Affected	Reason for Change	Date Issued
1	Section 6 (Pgs 25-28) Section 7 (Pgs 32-33)	FTA Dear Colleague Letter	02.17.22
2	All	Annual Update	11.28.22
3	All	Annual Update	01.26.26

Annual Review and Update of the Public Transportation Agency Safety Plan

Below is the process and timeline for FAST to conduct an annual review and update of its Public Transportation Agency Safety Plan PTASP).

In identifying the necessary steps for FAST to conduct an annual review and update of this PTASP, FAST will make the review the following key components of this plan at the end of each fiscal year:

1. Does this PTASP address all relevant requirements, particularly the PTASP regulation? Has the regulation been modified within the since the review of the last PTASP?

2. Does this PTASP reflect our transit system as it operates today?

3. Are the activities and processes described within this plan suitable to manage safety at FAST?

When modifications are made to FAST or within the CoF which affect any component of this PTASP upon annual review, the current PTASP will be reviewed, revised and resubmitted to the AE (indicated above) and CoF City Council for approval.

Section 3. Safety Performance Targets (SPTs)

Safety Performance Targets *Specify performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.*							
Mode of Transit Service	**Fatalities**	**Fatalities (per 100K VRM)**	**Injuries**	**Injuries (per 100K VRM)**	**Safety Events**	**Safety Events (per 100K VRM)**	**System Reliability (VRM between Failures)**
Fixed Route	0	0	12	0.99	39	3.20	4,264
ADA/Paratransit	0	0	1	0.27	13	3.46	20,350

Performance Measures:

- **SAFETY PERFORMANCE MEASURE: FATALITIES**
  - Fatalities – Loss of life
  - Fatalities per 100K Vehicle Revenue Miles (VRM) - Total reported fatalities multiplied by 100K VRM divided by annual expected VRM
    - Customers, employees and the general public
      - Fixed Route – Zero (0) reportable fatalities during the past calendar year
      - ADA/Paratransit - Zero (0) reportable fatalities during the past calendar year
    - Future Targets (2026)
      - Fixed Route – Zero (0) reportable fatalities within the 2026 calendar year
      - ADA/Paratransit - Zero (0) reportable fatalities within the 2026 calendar year
- **SAFETY PERFORMANCE MEASURE: INJURIES**
  - Injuries - Events that involve any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operation
  - Injuries per 100K Vehicle Revenue Miles (VRM) - Total reported injuries multiplied by 100K VRM divided by annual expected VRM
    - Customers, employees and the general public
      - Fixed Route - Twelve (12) reportable injuries during the past calendar year
      - ADA/Paratransit - One (1) reportable injury during the past calendar year
    - Projected Targets (2026)
      - Fixed Route – Ten or more percent (10%+) decrease in reportable injuries (per 100K VRM) during the 2026 calendar year
      - ADA/Paratransit – One-half of a percent (0.5%+) or more decrease in reportable injuries (per 100K VRM) during the 2026 calendar year

- **SAFETY PERFORMANCE MEASURE: SAFETY EVENTS**
    - Safety Events – Events occurring on transit right-of-way or infrastructure, at a transit revenue maintenance facility, during a transit related maintenance activity or involving a transit revenue vehicle
    - Safety Events per 100K Vehicle Revenue Miles (VRM) - Total reported safety events multiplied by 100K VRM divided by annual expected VRM
        - Customers, employees and the general public
            - Fixed Route – Thirty-nine (39) reportable safety events during the past calendar year
            - ADA/Paratransit – Thirteen (13) reportable safety event during the past calendar year
            - Maintenance – Zero (0) reportable safety events during the past calendar year
        - Projected Targets (2026)
            - Fixed Route – Ten or more percent (10%+) decrease in reportable safety events during the 2026 calendar year
            - ADA/Paratransit - One-half of a percent (0.5%+) or more decrease in or less reportable safety events during the 2026 calendar year
            - Maintenance - Zero (0) reportable safety events during the 2026 calendar year
- **SAFETY PERFORMANCE MEASURE: SYSTEM RELIABILITY**
    - System Reliability – Mean distance between major mechanical failures
    - Relationship with Transit Asset Management (TAM) Plan – State of Good Repair (SGR)
        - Customers, employees and the general public
            - Fixed Route – Four Thousand two hundred and sixty-four (4,264) VRMs between failures reported during the past calendar year
            - ADA/Paratransit – Twenty thousand three hundred and fifty (20,350) VRMs between failures reported during the past calendar year
        - Projected Targets (2026)
            - Fixed Route – Ten percent (10%) increase in mean distance between failures (MDBF) during the 2026 calendar year
            - ADA/Paratransit - Ten percent (10%) increase in mean distance between failures (MDBF) during the 2026 calendar year

Safety Performance Target Coordination *Describe the coordination with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets.*		
FAST will present its SPTs to Fayetteville Area Metropolitan Planning Organization (FAMPO) for review and adoption by the Transportation Policy Board.		
Targets Transmitted to the State	**State Entity Name**	**Date Targets Transmitted**
	NCDOT	January 2026
Targets Transmitted to the Metropolitan Planning Organization(s)	**Metropolitan Planning Organization (MPO) Name**	**Date Targets Transmitted**
	FAMPO	January 2026

Section 4. Safety Management Policy (SMP)

Safety Management Policy Statement

FAST strives to provide safe, reliable, comfortable and innovative transportation options to every member of the community. The PTASP has been developed to integrate safety into all FAST operations. By using the procedures contained within the PTASP, FAST continues to improve the safety and security of its operation and services.

This PTASP describes the policies, procedures and requirements to be followed by management, maintenance and operations personnel to provide a safe environment for FAST employees, customers and the general public. The goal of this safety plan is to eliminate the human and fiscal cost(s) of avoidable personal injuries and vehicle accidents and incidents.

A key to the success of this effort is for employees to be aware they are accountable for safely performing the requirements of their position. The success of the program also depends on all employees actively identifying potential hazards and making a commitment to the safety of others. FAST's Director and Leadership Team (LT) provide the continuing support necessary to achieve the PTASP objectives as each division within FAST has a responsibility under the PTASP.

FAST is aware that decisions and actions made by its employees often affect the safety of those within FAST, the CoF and surrounding communities. By following the processes described in the PTASP, FAST remains committed to the improved performance and safety of the system while creating a culture of safety, as a whole.

FAST's commitment is to:

- **Support** the management of safety through the provision of appropriate resources that results in an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication and actively manages safety with the same attention to results as the attention to the results of the other management systems within the organization
- **Integrate** the management of safety among the primary responsibilities of all leadership and employees
- **Clearly define** the accountabilities and responsibilities for the delivery of FAST's safety performance and Safety Management System (SMS) for all staff, managers and employees alike
- **Establish and operate** hazard identification and analysis, and safety risk evaluation activities--including an employee safety reporting program as a fundamental source for safety concerns and hazard identification--to eliminate or mitigate the safety risks of the consequences of hazards

resulting from FAST operations or activities to a point which is consistent with an acceptable level of safety performance

- **Ensure** no action is taken against any employee who discloses a safety concern through the employee safety reporting program unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence or deliberate or willful disregard of regulations or procedures
- **Comply** with and, wherever possible, exceed legislative and regulatory requirements and standards
- **Ensure** sufficient trained and skilled human resources are available to implement safety management processes
- **Ensure** all staff are provided adequate and appropriate safety-related training and information, competent in safety management matters and allocated tasks only commensurate with the skills required with their position
- **Establish and measure** safety performance against realistic and data-driven safety performance indicators and targets
- **Continually improve** safety performance through management processes which ensure appropriate safety management action is taken and effective
- **Ensure** externally supplied systems and services are delivered, meeting established safety performance standards, to support operations

FAST's Safety Goals are established:

In collaboration with the CoF, FAST will operate its transportation system which achieves an optimum level of safety (exceeding the safety performance of other transit systems of a similar size within the United States)

- To identify and evaluate, then eliminate or control, hazards to employees, customers and the general public
- To meet or exceed all government and industry occupational health and safety standards and practices
- To maximize the safety of future operations by affecting the design and procurement processes

The objectives of the PTASP are the means to achieving its goals. They also provide a method of evaluating the effectiveness of FAST's safety efforts.

FAST's Safety Objectives are established to:

- Integrate safety management and hazard control practices in each division within FAST
- Assign responsibilities for developing, updating, complying with and enforcing safety policies, procedures and requirements

- Verify compliance with FAST safety policies, procedures and requirements through performance evaluations, accident/incident trends and internal audits
- Investigate all reported accidents and incidents, including identifying and documenting the causes for the purpose of implementing corrective action, to prevent recurrences
- Increase investigation and systematic documentation of all reported near misses
- Identify, analyze and resolve safety hazards in a timely manner
- Minimize system modifications, during the operational phase, by establishing and utilizing safety controls at system design and procurement phases
- Ensure system modifications do not create new hazards
- Train all supervisors and employees regarding the safety components of each job function

As Accountable Executive, I understand the need for FAST to establish and maintain a strong safety culture which requires strong leadership and management commitment to safety. FAST's leadership and management commitment to safety involves demonstrating safety as a priority through our everyday actions. Safety truly is our top priority and takes these commitments seriously, as the lives of FAST's customers, employees and the general public depend on our ability to operate in a culture of safety.

_____ _____

Accountable Executive (Print Name) Date

_____

Accountable Executive (Signature)

Safety Management Policy Communication

FAST realizes the importance of ensuring its employees and customers are aware of its safety management policies and procedures to effectively manage the system's day-to-day operations. To do this, FAST relies on several forms of effective communication (as noted below):

Employees: FAST is constantly evaluating existing policies and procedures to verify effectiveness. To do this, FAST seeks input from its staff, and other CoF departments, to determine if change is necessary based on trends, data analysis, operational changes or new assets. Several methods are used to communicate policy and/or procedure changes to staff including:

- Printed materials
- Automated communication systems
- Electronic materials
- Intranet
- Employee email notification
- Departmental meetings

Prior to the implementation of changes to FAST's safety management policies impacting safety or service delivery, training is provided to all affected employees and conducted before the policy effective date. New policies and procedures are incorporated into new hire orientation training for probationary employees, as well. Depending on the importance of the policy or procedure change, an acknowledgement signature is required of each employee verifying an understanding of the change.

Customers: Several methods are used to communicate policy and/or procedural changes to current and future customers including:

- Printed materials posted on vehicles and facilities including effective date and who to contact for more information
- Changes to digital customer guidance including schedules and ride guides as appropriate
- Public Meetings
- Social Media
- Any services impacted by policies changes will include outreach as required by Federal Guidance

Authorities, Accountabilities and Responsibilities

As mentioned in the Safety Management Policy Statement, the ultimate authority for the success of this PTASP falls to the Accountable Executive (AE). The Chief Safety Officer (CSO), the administration and management team, as well as, employees fulfilling their commitment to safety on a day-to-day basis support the AE.

Accountable Executive (AE): The Accountable Executive determines, based on feedback from senior staff, the level of Safety Management System (SMS) principles to maintain and ensure a safe work environment, customer experience and community safety. FAST's AE is committed to providing employees with the training and resources necessary to be safe and successful in each role within FAST. The AE continually strives

to create a culture of safety amongst employees and expects each employee to play a role in maintaining a safe workplace.

The AE is accountable for ensuring that FAST's SMS is effectively implemented throughout the CoF's public transportation system. The AE is accountable for ensuring action is taken, as necessary, to address substandard performance in the FAST's SMS. He/She may delegate specific responsibilities, but the ultimate accountability for FAST's safety performance cannot be delegated and always rests with the AE.

The current AE, Tyffany Neal, is also the Transit Director and has ultimate responsibility for carrying out the PTASP for FAST; responsibility for carrying out the FAST's Transit Asset Management (TAM) Plan; and control/direct the human and capital resources needed to develop and maintain both FAST's PTASP (in accordance with 49 U.S.C. § 5329(d)) and the FAST's TAM Plan (in accordance with 49 U.S.C. § 5326).

Chief Safety Officer (CSO): FAST has concluded that a single CSO will be sufficient to manage the day-to-day adherence to this plan and, while in this role, report directly to the AE. The CSO monitors safety and security throughout the organization including sub-contractors. All divisions have been notified of the CSO's role and the established reporting requirements regarding safety-related matters. The CSO has been adequately trained for this role and has the authority and responsibility for day-to-day implementation and operation of FAST's SMS. Along with CSO responsibilities, the CSO, will be determined.

FAST's CSO is responsible for the following:

- Developing and maintaining SMS documentation
- Directing hazard identification and safety risk assessment
- Monitoring safety risk mitigation activities
- Providing periodic reports on safety performance
- Briefing the Accountable Executive, City's Executive Team (City Manager and/or Assistant City Managers) and City Council on SMS implementation progress
- Planning safety management training

Role of Staff to Develop and Manage Safety Management Systems (SMS)

Accountable Executive

The Accountable Executive (AE), who also serves as Transit Director, works with the Chief Safety Officer (CSO) and Leadership Team (LT) to revise the PTASP, as necessary, based on staff feedback, trends and data analysis. The AE is vested with the primary responsibility for the activities of FAST and its overall safety performance. The AE fulfills these responsibilities by providing the resources necessary to achieve PTASP goals and objectives and exercising the approval authority for system modifications as warranted. The AE also sets the agenda and facilitates the cooperative decision-making of the LT.

Chief Safety Officer (CSO)

For purposes of managing the SMS and PTASP, the CSO reports safety strategies, policies and goals for maintaining safety and security for customers, employees and the

general public directly to the AE. The CSO monitors day-to-day operations and work with staff to identify and mitigate risk through evaluation, feedback and data analysis.

Supervisors
Supervisors are responsible for the safety performance of all personnel and equipment under their supervision. They are responsible for the initial investigation of all accidents, incidents and injuries, and for reporting such to FAST's Safety & Training Coordinator (S&TC), the LT and the City's Risk Coordinator, Health and Safety Manager.

Employees
All FAST personnel are responsible for performing work safely and following established safety-related rules, procedures and work practices. This includes reporting all accidents, incidents, injuries and hazards to their supervisor per established requirements for the protection of themselves, co-workers, customers, facilities and equipment.

Key Staff
FAST staff is responsible for maintaining high standards of safety, customer service and security. Administrative staff is instrumental in ensuring action is taken to reduce risk and the whole system is continuously monitored to ensure actions are effective and appropriate.

FAST staff is involved with updates, modifications and implementation of the PTASP. Each staff member brings a valued perspective to the development of policies and procedures he/she is expected to implement. Every opportunity is granted for employees and customers to provide input to increasing safety at FAST. Those opportunities include monthly All-Employee meetings, safety training, and an open-door policy with access to all management staff.

Employee Safety Reporting Program (ESRP)

To ensure success, FAST has worked with the City's Safety Office to develop and implement an ESRP to enable employees to report any risk (or perceived risk) to a supervisor, CSO or LT member. The ESRP defines the employees' role in identifying and mitigating risk through open communication to superiors (including the AE and CSO). As stated in the Safety Management Policy Statement, FAST is determined to provide a safe working environment for its employees, customers and the general public.

The ESRP allows each employee to report detailed information and observations no matter what position they hold within the organization. This program dovetails with other methods currently in place to proactively identify hazards or threats. Those methods include, but are not limited to, the following:

- Pre-/Post-Trip Inspections
- Preventive Maintenance Inspections (PMIs)
- Employee Evaluations
- Facility Maintenance Plan
- Service Evaluation and Planning Program
- Training Program
- Customer and Public Complaint/Compliment Process

- Safety and Employee Meetings
- Accident/Incident Policies
- Safety Committee

Hazard Reporting Process (HRP)
The HRP is a proactive reporting method established to identify a perceived threat or hazard, potentially endangering employees, customers or the general public. FAST has developed an Employee Incident Form used to classify and provide information about hazards observed by FAST employees while on-duty. The form identifies vital information to assist employees in determining an action to mitigate the threat or hazard identified. This form is not meant to replace safety documentation currently utilized for accidents, incidents and injuries but, rather, to be used in conjunction with such forms. The Employee Incident Form, located in Appendix One (1).

As of December 2022, all FAST employees will receive at least one (1) hour of training on the procedures associated with the Employee Safety Event Reporting. This training will cover, and is not limited to, the following components:

- Role of staff within the Hazard Reporting Process
- Hazard assessment(s)
- Procedures for Use of the Employee Incident Form
- Critical information required on the Employee Incident Form
- Notification Process (depending on the hazard)
- Levels of likelihood of repeat hazards/threats
- Follow-Up process to determine effectiveness of mitigation
- Employee Incident Form locations within all FAST facilities
- Understanding of Occupational Safety and Health Administration (OSHA)

The following is also used as part of the ESRP.

Immediate Action Required
If a hazard is identified and perceived to be a risk to employees, co-workers, customers or the general public, FAST employees are expected to immediately report such to the supervisor on-duty. Once reported, the employee must determine if immediate action is necessary to prevent additional risk. If so, employees are expected to communicate with the supervisor before taking action (if time permits). Once such action(s) has/have been taken to mitigate the potential harm, employees are expected to advise the on-duty supervisor of the results of such actions. Prior to the conclusion of the employee's shift, the employee is required to complete the Employee Statement Form and submit such to the on-duty supervisor.

Delayed Action Required
If a hazard is identified and perceived to be a risk to employees, co-workers, customers or the general public, FAST employees are expected to immediately report such to the supervisor on-duty. Once reported, the employee must determine if immediate action is necessary to prevent additional risk. If not, employees are expected to communicate with the supervisor. Once notified, the on-duty supervisor will follow-up on the reported

hazard/risk. Prior to the conclusion of the employee's shift, the employee is required to complete the Employee Statement and submit such to the on-duty supervisor.

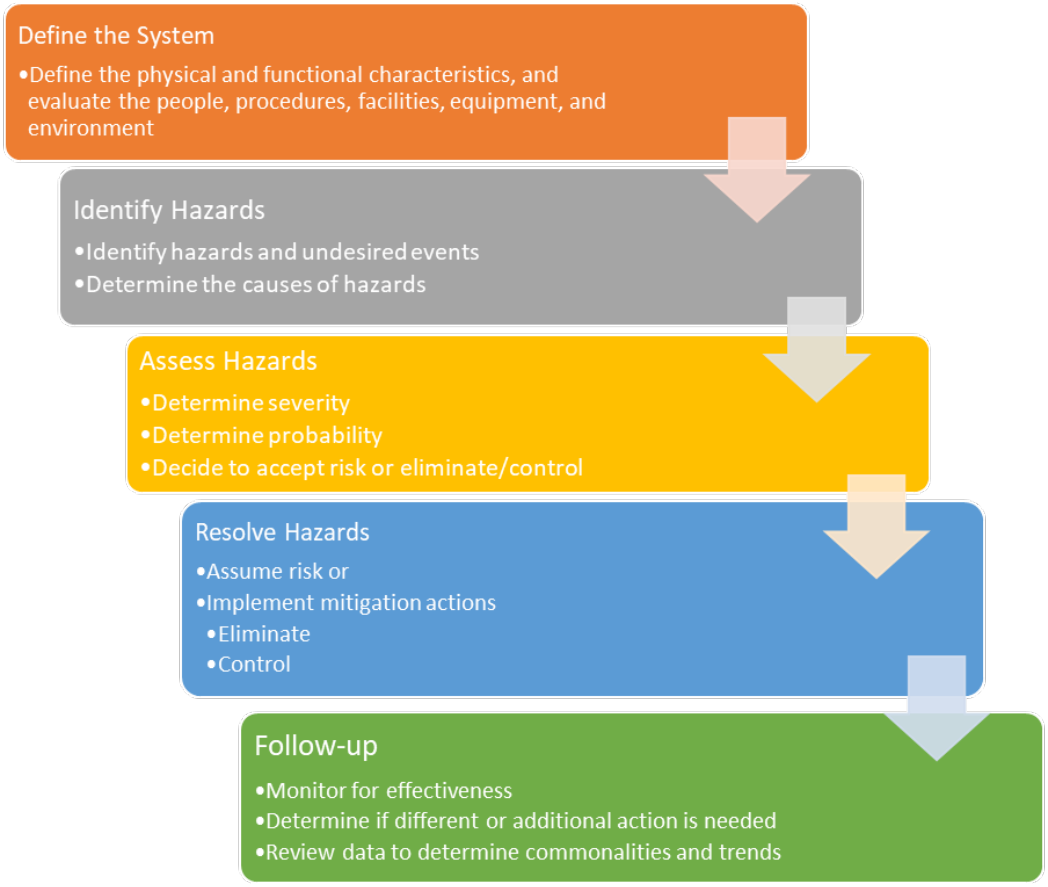
Role of the Supervisor
The on-duty supervisor is responsible for advising employees of the immediate or delayed action(s) necessary to mitigate an identified or perceived hazard. The supervisor must then review the Employee Statement to ensure all information is included adding additional information, if necessary, from his/her perspective. Once the documentation is complete, it must be reviewed by the CSO to investigate root cause(s) of hazard, determine "next steps" (action) necessary and follow-up.

FAST's CSO is responsible for determining the status of each hazard reported. In some cases, hazards may be identified and unable to be resolved; however, actions are taken to reduce the risk of the hazard. It is FAST's goal to eliminate all identified hazards, if and whenever possible. Some hazards may require continuous monitoring to ensure the hazard does not elevate to an action level.

All hazards reported are documented and integrated into current performance measures and data collection. The CSO tracks each hazard, until resolved, and recommend policy and/or procedural changes, if needed, as a result of the hazard mitigation.

Responsibility of FAST
FAST takes every reported hazard/threat seriously and investigates each to determine if such is an isolated case or an emerging trend requiring the evaluation of policies and procedures or service modifications. Employees reporting hazards do not face disciplinary action for reporting such identified or perceived hazards unless it is proven that such employee(s) negligently and intentionally contributed to the hazard. FAST encourages all employees to report any hazard or threat, perceived or observed, in an attempt to ensure FAST operates as safely as possible for its employees, customers and the general public. Employees may report hazards to the on-duty supervisor, their immediate supervisor, any member of the LT or go directly to the CSO to submit and discuss such hazard.

The following process chart illustrates the steps taken, as part of the hazard identification process, through the ESRP:



Section 5. Safety Risk Management

FAST provides training to all personnel in the identification of hazards and security threat while also providing tools to enable personnel to report these risks. Once the risk has been identified, FAST conducts an assessment of the risk(s) to determine the necessary response(s) and response time. The response may include further investigation or monitoring, action(s) to mitigate the hazard or security threat and follow-up assessment to ensure action taken is appropriate and effective.

Safety Hazard Identification

Hazards and security threats are identified through different methods of monitoring the system. This includes system, employee and asset assessments conducted daily and on an incremental basis. Additionally, FAST communicates with its peers across the state of North Carolina, NCDOT and FTA to identify common hazards impacting multiple systems. FAST conducts the following routine and random evaluations of the system in the following areas:

Personnel

Each FAST employee is evaluated at the mid and end of each fiscal year, in accordance with the City's evaluation process, to ensure employees are performing job functions as expected. Newly hired employees, as part of the orientation process, are provided training materials and resources to assist in the performance their daily tasks. These probationary employees' statuses are not modified to "permanent" until he/she has completed 365-days of "satisfactory" employment. During the probationary (initial 365-day) period, the employee is evaluated within 6-months and one-year, to determine whether the employee be placed in a regular status due to the successful completion of the first-year probationary period.

Additional job-specific evaluations (i.e. Trail Checks, On-Board evaluations, etc.) are conducted throughout the fiscal year on each FAST employee. Through such evaluations, should a determination be made which documents an employee's sub-par performance and the employee does not meet expectations, remedial training is conducted, and additional periodic evaluations are scheduled to ensure re-training measures/activities was/were effective.

Assets

Aimed at identifying hazards and deficiencies as part of daily and scheduled inspections, rolling stock, facilities and equipment are monitored through a vigorous preventive maintenance plan. FAST's Operations and Maintenance divisions coordinate the preventive maintenance program's scheduling of work, as necessary, from receipt of daily Driver's Vehicle Inspection Reports (DVIRs) submitted, incremental and annual vehicle inspections and manufacturer recommendations.

As required by FTA, FAST has developed a Transit Asset Management (TAM) Plan as a result of owning, operating and managing capital assets used to provide public transportation. FAST updates its TAM Plan annually with data relevant to each asset - to include a condition assessment, miles (with rolling stock and non-revenue vehicles) and age (in reference to whether the asset is in a State of Good Repair (SGR)). The TAM Plan allows FAST management to plan asset replacement or rehabilitation for future years.

System

As part of FAST's Safety Management System (SMS) monitoring, FAST uses Supervisor Safety Event Checklist and Employee Incident form when planning, spot-checking or responding to an event like an accident or incident. New routes are strategically developed with safety being the first priority and customer access thereafter. FAST's Transit Planner tests all routes before activating the route for revenue service. All routes are reviewed periodically to determine if environmental hazards exist requiring modifications to the route, schedule and/or vehicle.

All frontline employees have been trained to note any changes to service which may be considered a hazard or security threat and, through the ESRP, to notify the on-duty supervisor immediately (or upon return to FAST depending on the severity of the hazard).

Hazard Identification Procedure

All hazards and security threats identified (observed or perceived) are immediately reported to the on-duty supervisor regardless of the level of hazard or threat. The immediate supervisor then completes a Supervisor Statement Form and submits it to the CSO. Depending on the level of the reported hazard or threat, the CSO will report such to the City's Safety Office to advise and, if necessary, request additional resources/assistance. If the hazard or threat reported reach the level to which such must be reported to OSHA, the CSO will work with the City's Safety Office to ensure proper processes and procedures are adhered to.

If the reported hazard requires immediate mitigation, the employees are instructed on the necessary steps to take to reduce the risk which may or may not alleviate the risk completely. Additional actions may be taken once the immediate risk mitigation has been taken. Some hazards may not pose an immediate risk and are still reportable. The CSO is responsible for risk assessment, investigation and mitigation strategy.

In some cases, a customer or member of the general public, may contact FAST (via face-to-face, telephone, email, website or social media) with a concern about a front-line employee's identified or perceived hazardous behavior/actions. When such concerns are expressed to FAST, FAST documents all such and takes the appropriate action(s) to investigate such matters. Concerns deemed hazardous trigger immediate action by on-duty supervisors.

Employee Incident Forms are located on all vehicles for accident and incident reporting. A copy of the Employee Incident Form is located in Appendix 1.

The Employee Incident Form requires employees to briefly describe the hazard noting date, time of day, location and other pertinent information. The form includes a section for the CSO or immediate supervisor to document immediate action taken to reduce risk, a risk assessment chart prioritizing the risk and a section for additional follow-up

action. All forms are processed by the CSO and summarized periodically for trend analysis and include safety performance measures.

49 CFR part 673.5

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Safety Risk Assessment

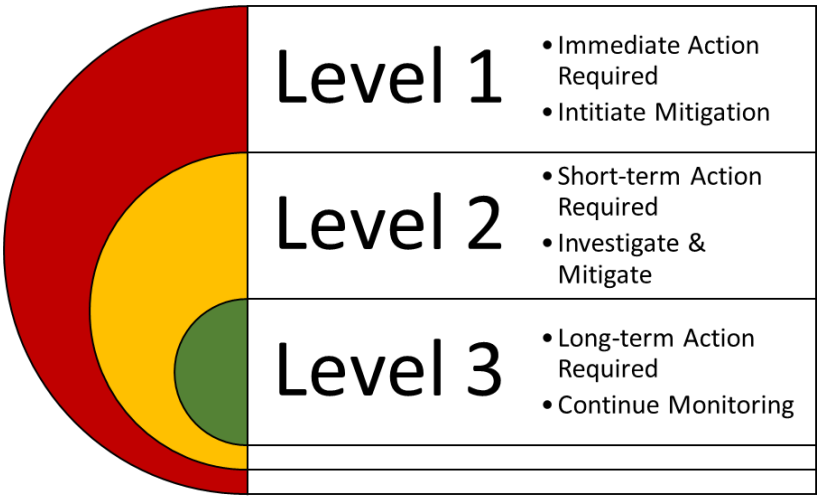
All FAST staff have been provided with the on-the-job training appropriate for each position, in which they work, within the organization. FAST expects its employees to respond to hazards or threats with professional judgment as there may be instances when an employee may not have time to contact a supervisor. In cases in which a hazard is identified (without immediate risk), employees are trained and expected to make an initial assessment of the hazard and include this information on the Employee Incident Form submitted.

Once received by the CSO, the initial risk assessment may be amended requiring immediate, short- or long-term response.

Level 1 - Immediate: A deficiency, threat or hazard requiring immediate attention to mitigate risk either temporarily until further action can be taken or complete mitigation.

Level 2 - Short Term: Action is needed within seven days to mitigate an identified deficiency, threat or hazard. The deficiency, threat or hazard does not pose immediate danger but if no action is taken could elevate to an immediate level risk.

Level 3 - Long Term: A deficiency, threat or hazard has been identified but does not pose a threat currently but could at a later time. Continued monitoring and awareness are required.



The CSO in coordination with staff investigates each identified hazard, assess the risk, and take appropriate action to mitigate the risk. Additional mitigation may be needed based on follow-up monitoring to the action taken.

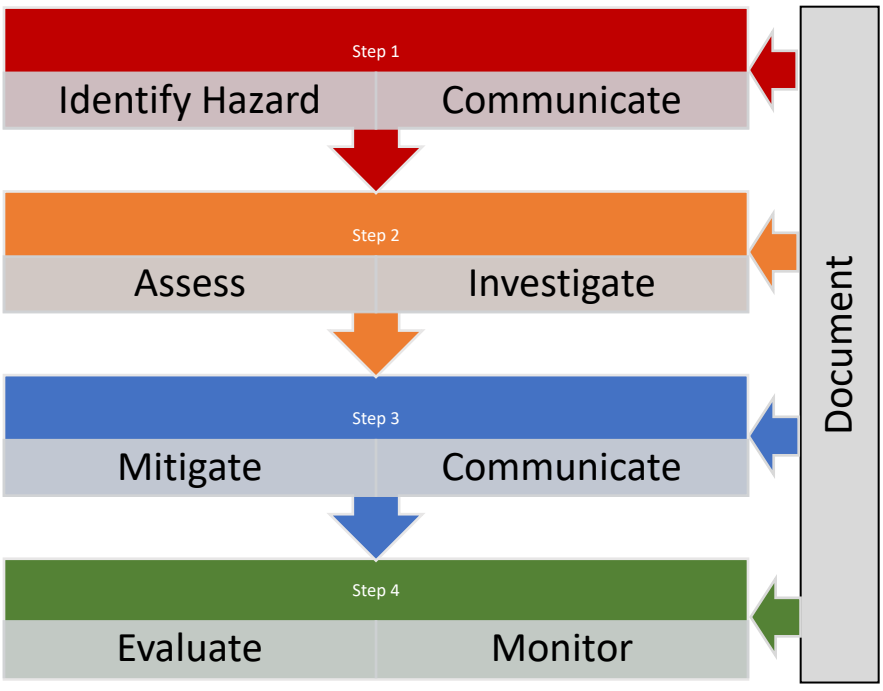
Safety Risk Mitigation

In response to all identified and assessed hazards, FAST takes steps to mitigate the hazard and reduce or eliminate the risk to employees, customers and the general public. Depending on the level of the safety risk, the CSO will work with the City's Safety Office to create mitigation strategies and, if necessary, request additional resources/assistance. If the strategies implemented reach the level to which there is an OSHA compliance component, the CSO will work with the City's Safety Office to ensure OSHA regulations are adhered to. Mitigation strategies are primarily dependent on results of the investigation into the elements contributing to the risks. The investigation may include more than one (1) division within FAST and may include interviews within the CoF and/or outside agencies/businesses.

Actions to mitigate risk include all employees, customers and the general public who may be impacted by either the hazard and/or the actions to reduce or alleviate such risk. FAST communicates actions to appropriate staff through methods appropriate to risk assessment. In some cases, immediate communication through two-way communications (i.e. dispatching system, text bursts, email, alerts, etc.) may be necessary. In other cases, printed materials (i.e. bulletin board notices/memorandums, flyers, etc.) may be appropriate.

Once a risk mitigation strategy has been implemented, FAST monitors the actions to determine if full mitigation is possible and, if not, if additional action is necessary to alleviate the risk. Some risks may not be completely mitigated but awareness to the risk is a top priority.

All actions taken to mitigate risk are the responsibility of the CSO, documented and linked to the initial deficiency, threat, or hazard identification step.



Risk Reduction Program

A risk reduction program is designed for transit operations to improve safety by reducing the number (and rates) of accidents, injuries and assaults on transit workers based on data submitted to the National Transit Database.

Vehicular and Pedestrian Accidents

A reduction of vehicular and pedestrian accidents involving buses that includes measures to reduce visibility impairments for transit operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments.

Transit Workers Assault

The mitigation of assaults on transit workers, including the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and objects into the workstations of transit operators when a risk analysis performed by the safety committee determines that such barriers or other measures would reduce assaults and injuries on transit workers.

Section 6. Safety Performance Monitoring and Measurement

Safety performance monitoring and measurement involves the continual monitoring of the FAST's activities to understand safety performance. Through these efforts, FAST can determine whether it's meeting its safety objectives and performance targets, as well as the extent to which it is effectively implementing Safety Management Systems (SMS).

FAST is constantly striving to maintain the highest level of safety through its monitoring methods to include adherence to policies and procedures, safety and maintenance plans and system and employee evaluation processes. These methods allow FAST to determine the need to make changes to improve policies, employee training and service delivery.

The CSO monitors operations daily through observation, data analysis, communication and safety updates to identify mitigation strategies that may be ineffective. If mitigation actions are found to be ineffective, additional strategies are developed through key and impacted staff feedback.

Maintenance

Maintenance Standards and Procedures

Maintenance standards and procedures are included in FAST's Maintenance Plan. In general, maintenance procedures are designed to ensure that the maintenance recommendations of the manufacturer are met, maximum efficiency in performance and operation is obtained and maximum vehicle life and condition are maintained. Daily vehicle inspections, an active Preventive Maintenance Program and careful monitoring are included in procedures to ensure the safety of FAST vehicles and adequacy of the Fleet Maintenance Plan.

Operator Inspections
All operators are required to perform a pre-trip and post-trip inspections to ensure vehicles are safe and in good operating condition. If any defects are noted by the operator, a Driver's Vehicle Inspection Report (DVIR) is completed and, depending on the severity and extent of the defect, the vehicle may be repaired or taken out of service until a repair can be made. In the case of a defect that develops or is noted once a vehicle is in service, the operator is required to communicate the problem to Operations who, in turn, then notifies Maintenance.

Daily Servicing and Inspections
FAST's Maintenance Department inspects, and services vehicles used in revenue service each day. These vehicles are fueled and washed, fluids, tires and lugs are checked and inspected for leaks and/or unusual noises. Service Aides clean vehicle interiors each evening. When a defect is noted, it is reported to the Maintenance Supervisor (or designee) on shift so that an evaluation and, if necessary, repair can be completed.

Mileage-Based Maintenance Inspections
All vehicles receive PMIs at designated mileage intervals. Mileages are determined by vehicle and subcomponent manufacturers and real-world experience. PMIs are conducted and completed at regularly scheduled intervals for buses and all other fleet. For buses, FAST performs PMIs every 6,000 miles/3 months and, for all other FAST fleet, FAST performs PMIs every 5,000 miles/3 months.

Oil sampling is performed quarterly for both engines and transmissions. A description of the schedule and type of inspection and service performed for each vehicle series and the Standard Operating Procedure for oil sampling is included in the FAST Maintenance Plan.

Operations

Facility Monitoring
Formal facility inspections of all FAST facilities and grounds are conducted by FAST's Maintenance Supervisor each quarter using a facility checklist. The purpose of the inspection is to identify any unsafe or unhealthy conditions which may exist and that may require maintenance or modifications. Each facility is also visually inspected for compliance with Occupational Safety and Health Administration (OSHA) and local fire codes.

Any guests at FAST's administration facility must check in through a secured process requiring check-in and validation of visit purpose. Employees are trained on procedures for guests in the workplace and facility access is limited by way of security access.

Frequency
The CSO ensures safety inspections are conducted quarterly. Safety & Training Coordinator search for potential hazards with equipment whenever such equipment is being used. Vehicle lifts, and cranes in the maintenance shop are inspected monthly by maintenance staff. Preventive maintenance of equipment and facilities is performed in accordance with the manufacturer's recommended practices. Hazards are also identified by analyzing work safety trends through Employee Incident Forms submitted

by employees. These forms are used by employees to report safety concerns and make safety recommendations.

Reporting
When deficiencies are noted during quarterly inspections, such deficiencies are documented and reported to the Transit Director in a quarterly report. When safety hazards are noted by non-scheduled observation(s), such hazards must be reported by the observer to the on-duty supervisor or CSO. Employee Incident Form are then routed to the CSO (or designee), if not already, to evaluate the concern and, when necessary, propose a resolution.

Hazard Resolution
The primary purpose of facility inspections and hazard reporting is to identify conditions that could lead to accidents and losses. In view of this, it is crucial that all divisions and employees be involved in the Hazard Identification and Resolution processes. Hazard resolution is assume the risk associated with the hazard or to eliminate or control the hazard.

Follow-Up
Corrective action for an identified and confirmed hazard through an established process is the responsibility of the CSO. FAST monitors the effectiveness of recommended countermeasures and ensures that new hazards are not introduced.

Documentation
Hazards that have been identified, proposed resolutions and corrective actions are recorded in printed and electronic copies by the Safety Committee and maintained by the CSO.

All front-line personnel are responsible for monitoring safety and security as part of their respective job responsibilities. If a hazard is identified through observation or interaction with customers or the general public, such must be reported to the on-duty supervisor as well as following FAST's Hazard Reporting Process.

Employee Hazard Reporting

Reporting Procedure
For hazards/threats identified and/or perceived, employees are required to submit an Employee Incident Form (prior to the conclusion of the employee's shift) to the on-duty supervisor, CSO or speak with a member of the LT. Employees can also contact a Safety Committee which is comprised of representation from each division within the organization and meets bi-monthly. Depending on the severity/risk of the hazard identified, immediate action may be taken or the input may be brought to the Safety Committee for future discussion.

Route/Operations Safety
Employees can fill out an Employee Incident Form or discuss suggestions for making FAST's facilities and/or routes safer. FAST encourages employees to be advocates for safety while also suggesting methods of improving transit value. FAST continues to provide an open-door policy and stresses the importance of employee feedback - both positive and negative.

Safety Committee

Safety Committee Responsibilities

The Safety Committee is responsible for, at a minimum:

- Identifying and recommending risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment
- Identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended
- Identifying safety deficiencies for purposes of continuous improvement
- Establishing a risk reduction program for transit operations to improve safety by reducing the number and rates of accidents, incidents and assaults on transit workers based on data submitted to the national transit database
- Establishing a reduction of vehicular and pedestrian accidents involving buses that includes measures to reduce visibility impairments for bus operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments
- Establishing mitigation of assaults on transit workers, including the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and object into the workstation of bus operators when a reis analysis performed by the safety committee, determines that such barriers or other measures would reduce assaults on transit workers and injuries to transit workers.

Safety Events

Accident and Incident Reporting Process

FAST's driving standards require the safe and professional driving of all its operators. To ensure better-than-average safety performance, FAST incorporates the TAPTCO Operator Training Guide in all Operator training and follows FTA guidelines to determine if a collision or incident could have been prevented.

All personnel operating FAST vehicles are held to the highest safety standard. All accidents and incidents involving FAST employees and/or vehicles are thoroughly investigated and reported accordingly.

FAST's Operator's Manual includes policies, procedures and responsibilities regarding accident/incident reporting. Documents contained within the manual establish procedures for accident notification and response.

FAST's Operations Team coordinates with law enforcement, whenever necessary, if an investigation warrants such. The City's Risk Coordinator coordinates with outside insurance providers and provides support to manage FAST's liability and claims.
Most accidents and incidents involving FAST are relatively minor in severity and are investigated by Transit Supervisors. Since most accidents involve buses, this section focuses on bus accidents; however, all non-bus accidents and incidents are also investigated.

Notification

Transit Operators are trained to notify the Transit Supervisor on-duty anytime a FAST vehicle is involved in an accident, incident or injury. Once notified, a Transit Supervisor

is directed to the scene and follow the On-Scene Procedures (as indicated below). Police and ambulance are dispatched to the scene (if and when necessary).

On-Scene Procedures
Transit Operators adhere to the following procedures defined in FAST's Operator Manual:

- Assist the injured
- If blocking traffic, set out reflective triangles
- Do not move the coach unless required to do so by a Transit Supervisor, fire or police order, or impending danger from traffic
- Obtain names, addresses, and phone numbers of all witnesses
- Have all customers complete the Customer Courtesy card

Transit Supervisors are responsible for conducting on-scene investigations of accidents, incidents and injuries. Depending on the severity and nature of the event, various mechanisms are used for preserving transient evidence. These may include, but are not limited to, digital photography, bus video, field sketches, interviews, observations, etc.

Investigation
FAST has established a Safety Committee with representation from each division and meets quarterly. The purpose of the Safety Committee is to discuss and review safety issues, hazard reports, accident investigations and corrective actions. The Safety Committee seeks ways to improve the work environment and provide a safety culture for FAST and its employees.

The Safety Committee is responsible for:
- Promoting safety practices
- Discuss preventability of accident `and incidents
- Investigating unsafe practices or conditions which are brought to the attention of the committee
- Making recommendations for addressing safety hazards to CSO

The Safety Committee will immediately report any safety issue or hazard that poses a direct threat to life or property to the Director (or designee).

After reviewing all related documents and evidence, the Safety Committee will make an independent preliminary determination of the following:
- Preventability of accident/incident
- Retraining

Once the S&TC makes the final determination of preventability, a Letter of Preventability (LoP) is issued to the employee and a copy of such is placed in the employee's safety/training file to include discipline for the employee, if warranted.

Accident/Incident Review Process
Accidents and incidents are classified as Preventable or Non-Preventable. Preventable accidents are defined as those accidents that could have been reasonably avoided if the operator had followed all defensive driving techniques as established by the TAPTCO Operator Training Guide and/or FAST's Standard Operating Procedures (SOPs).

Hazard Resolution
The primary purpose of the accident investigation process is to determine the root cause(s) of accident in an attempt to prevent and/or mitigate such in the future. To this end, it is crucial that all Transit Supervisors are appropriately involved in this process. A serious attempt is made to use lessons learned through the investigatory process to incorporate hazard resolutions into future trainings, procedures, designs, construction, modifications, training and procurements.

Follow-Up
Follow-up, in the form of corrective action, is the responsibility of the employee's immediate supervisor/manager. The responsibility of re-training is that of the S&TC and may be delegated to the CSO. All disciplinary action is assessed using the City's and/or FAST's policies and procedures for addressing such. Disciplinary consequences for preventable safety-related accidents and incidents include, but are not limited to, oral counseling's, written warnings, suspensions and Considerations of Dismissal.

Training is provided, for employees who have been involved in preventable accidents. Training and re-training are not disciplinary in nature.

Internal Reporting
The Transit Supervisor is responsible for ensuring that all accident reports are completed and filed with S&TC, CSO and Risk Coordinator. CSO and Division Managers advise on the history of the employee if a pattern of safety events is evident.

Documentation
FAST's S&TC, in conjunction with the CSO, maintain all the accident and/or incident investigation documentation.

Appeal Process
Should the employee dispute the determination of preventability, such employee has the right to file an appeal to the Director within seven calendar days. The Director (or designee) reviews all relevant information, interviews the employee making the appeal (and any subsequent witnesses) and confers with any available person or resource he/she considers valuable to his/her deliberation. The Director (or designee) will provide the final decision.

The Director (or designee) follows all policies, procedures and definitions as established in the Safety Committee By-Laws. Examples of investigations may include, but not limited to, reviews of accident and injury reports, vehicle condition reports, witness statements, employee interviews, accident scene sketches, video surveillance, physical evidence, brake test reports, training manuals and accident site visits.

Performance Measures
Through a series of performance measures, FAST observes its safety program by identifying trends and gaps in policies, procedures, training and monitoring efforts. The following performance measures are on a daily, monthly, and quarterly basis.

Maintenance
Preventive Maintenance On-time Inspection Percentage – determines the effectiveness of the maintenance department to ensure all inspections are conducted per manufacturing and FAST mileage intervals

Vehicles Removed From Revenue Service – tracks vehicles removed from service due to a mechanical defect developed while in service requiring immediate service either on-site of failure or once returned to the facility.

Annual Vehicle Condition Assessment – conducts a thorough annual inspection, determines (on a scale of 1-5) the overall condition of the asset. This performance measure is also used in annual updates of FAST's TAM Plan.

Operations

- *Customer Complaints Per Month* – tracks all customer complaints to identify areas of deficiency with vehicle, Operator or other FAST areas. Safety-related complaints are immediately routed to an on-duty Transit Supervisor or the CSO for investigation, mitigation and response. Complaints are received through various outlets (i.e. in-person, telephone calls, website, email, FAST public forums, etc.)
- *On-Time Performance* – serves as an indicator to issues with time management, environmental factors, scheduling and vehicle and Operator performance
- *On-Board Evaluations* – evaluations conducted onboard a transit vehicle (at least quarterly) and allows FAST to ensure satisfactory Transit Operator performance, customer service and vehicle safety
- *Trail Checks* – evaluations conducted following a transit vehicle (weekly) and allows FAST to ensure satisfactory Transit Operator performance, customer service and vehicle safety

Safety

- *Safety Performance Measure: Fatalities* – tracks the total number of reportable fatalities and rate per total vehicle revenue miles by mode
- *Safety Performance Measure: Injuries* – tracks the total number of reportable injuries and rate per total vehicle revenue miles by mode
- *Safety Performance Measure: Safety Events* – tracks the total number of reportable events and rate per total vehicle revenue miles by mode
- *Safety Performance Measure: System Reliability* – tracks the mean distance between major mechanical failures by mode

Section 7. Safety Promotion

Operator Selection

Hiring Practices

Selecting applicants best suited to excel at the Transit Operator I & II job requirements are critical to safe transit operations. The Transit Operator is directly responsible for the safety of not only its customers but, also, the pedestrians, bicyclists, motorists and all others who share the road with the transit vehicle.

FAST's hiring process includes the following components:

Application
Applicants are sought through printed and electronic postings in both traditional and culturally diverse media, referrals from current and former employees, postings on the CoF website, social media and applications/profiles completed by prospective candidates when there are no positions available. The applications are screened by key personnel in both Human Resources (HR) and Transit Operations.

Interview
After the application is submitted, reviewed and passes HR's preliminary screening, the applications are submitted to Transit for review. Once applications are reviewed, Transit then makes a determination as to whether the applicant is best qualified for an interview.

The interview process is designed to evaluate an applicant's strengths in customer service, conflict resolution, the ability to simultaneously perform tasks and the ability to perform well under temporal and interpersonal pressure.

Driving Record
To be eligible for hire as a Transit Operator I & II, a candidate must submit an acceptable driving record of six (6) months.

Licensing
All Transit Operator I applicants must possess a valid NC Driver's License.

All Transit Operator II applicants must possess a NC Class B Commercial Driver's License (CDL) with Passenger and Air Brake endorsements.

Criminal Background Check
All candidates who are offered a Conditional Offer must submit to a Criminal Background Check administered by the North Carolina State Police with the Federal Bureau of Investigation. The results must meet all statutory and City standards for the Transit Operator position.

Drug Testing
All candidates who are offered a Conditional Offer must produce a negative result for a pre-employment drug and alcohol screening.

Training

Training is intended to motivate employees to work safely. There are formal training programs for Transit Operators I & II, Maintenance employees and Operations employees. These trainings involve classroom training (i.e. TAPTCO Operator Training Guide, review of the FAST's Rider Rules of Conduct, Administrative Policies, Standard Operating Procedures (SOPs), etc.), Behind-the-Wheel (BTW) (off-route) training, cadetting revenue service) and On-the-Job training.

The safety components of training are designed to make employees aware of the hazards associated with each job and the appropriate methods for controlling these hazards. Trainings fall into three main categories: (1) Initial, (2) Periodic and (3) Refresher.

Initial Transit Operator Training

New Transit Operators receive an intensive four (4) week training course that covers every aspect of their new job as an Operator. Some components of the training are delivered in the classroom although the majority of learning occurs on the buses during BTW and cadetting training. This training includes, but is not limited to, the following:

- TAPTCO Operator Training Guide
- Basic Bus Maneuvers
- Service Stops
- System Overview
- Communication Skills
- Customer Service
- Accessible Service
- Emergency Management
- Personal Safety
- Health/Injury Prevention
- CDL Preparation (if applicable)
- Defensive/Distracted Driving
- Vehicle Operations
- Route Training
- Blood-Bourne Pathogens
- Accident, Incident and Injury Reporting Process

Cadetting provides real service experience with a Senior Transit Operator on the trainee's regularly scheduled work. The time the trainee operates the revenue route is at least eight (8) hours daily. During this time, the trainee receives a review of the day's events from the Senior Transit Operator by providing verbal feedback to the trainee prior to the conclusion of the shift. The Senior Transit Operator also submits written communication to the S&TC regarding the trainee's performance. The S&TC provides a weekly debriefing with the trainee to ensure a weekly review is conducted and concerns are discussed.

Trainee rotation amongst the Senior Transit Operators provide each student with experience across a variety of routes, vehicles, times of day, instructional styles and driving conditions.

After the initial training, the trainee receive additional support and training, including:

- On-board evaluations weekly
- Annual Refresher
- One-Year Follow-up: Debriefing with S&TC and annual follow-up thereafter
- Two-Year Transit Operators are invited to become secondary mentors to trainees

Annual Re-Training for All Transit Operators

Every year, each Transit Operator receives eight (8) hours of refresher a training during the calendar year. The training addresses, but is not limited to, the following topics:

- Fatigue Awareness
- Dealing With Difficult People

- Resolving Conflict
- Harassment
- Effectively Dealing With People of Differing Ages
- Proper Securement of Mobility Devices
- Defensive Driving Course
- Blood borne Pathogens
- Safety/Security Update
- Injury Prevention
- Accessible Service Sensitivity
- PTASP and SMS

Partial-day trainings are also scheduled whenever warranted by the addition of new equipment, changes in configuration, etc.

Initial Transit Supervisor Training

Transit Supervisors begin their career path, almost exclusively, as Transit Operators. Transit Supervisors perform many functions and receive training in, but not limited to, the following:

- Drug & Alcohol (Policy and procedures for all types of FTA-mandated testing)
- Accident Investigation
- Emergency Procedures
- Security Procedures
- On-the-job Injury Claims
- Blood borne Pathogens
- Harassment
- Cultural Diversity
- Coaching/Criticism/Discipline
- Dispatch Operations
- Field Operations
- First Aid and Defibrillator

In addition to initial training, all Transit Supervisors receive eight (8) hours of refresher training annually.

Injury and Illness Prevention Training

Injury and Illness Prevention Training is directed toward achieving a safe working environment for all employees and reducing the chance of occupational-related injuries and illnesses. The majority of training targets employees working in the Maintenance and Facilities Maintenance Departments because these employees have the greatest exposure to occupational hazards. The program is based on applicable Federal, State and Local safety codes and regulations. Some areas addressed in the training include, but are not limited to, the following:

- Handling Hazardous Materials (Right to Know)
- Slips, Trips, and Falls
- Personal Protection Equipment
- Material Safety Data Sheets (MSDS) and Labels
- First Aid
- Forklift Safety

- Blood borne Pathogens
- Hazardous Materials Storage
- Strains and Sprains
- Hazard Communication Program

Exposure to Infectious Diseases

The prevention and control of infectious diseases for FAST employees, the public and infrastructure is its upmost concern. Therefore, to prevent or control a disease from spreading, FAST has implemented countermeasures such as, hand hygiene, personal protective equipment (PPE), cleaning and disinfection to stop or slow the spread of infectious diseases.

Hand Hygiene

Hand hygiene is one of the best ways to prevent employees from getting sick and spreading germs to others in the workplace. Sick employees are less productive even when they come to work and can spread their illness to others.

FAST requires employees to practice good hand hygiene by washing hands with soap and water for least 20 seconds and then drying them. If soap and water is not readily available, employees are encouraged to use an alcohol-based hand sanitizer with at least a 60% alcohol.

Cleaning and Disinfection

FAST is committed to cleaning and disinfecting its facility and property on a regular basis. Maintenance Workers perform the following tasks according to the Facility Policy:

- Cleaning restrooms, floors, walls and windows
- Preparing disinfecting solutions as needed and replace with fresh solution frequently
- Regularly switch out mop heads and cleaning cloths to prevent contamination
- Immediately clean soil on surface (e.g., blood or bodily fluids)
- Conducting weekly fogging in all Transit vehicles and administration offices

Personal Protective Equipment (PPE)

FAST provides PPE to employees such as masks and disposable gloves. Masks and disposable gloves are not reusable.

Emergency Response Planning and Coordination

Details are contained in the FAST Continuity of Operation Plan (COOP).

System Modification, Design, Review and Approval

General Process

FAST is regularly modified in response to operational experience, the addition of new types of service and changes in service design and levels. FAST's philosophy is to use appropriate new technologies to benefit the environment and the community it serves. The challenge is to review any proposed modification adequately before it is approved. Any proposed modification should be evaluated to ensure it is compatible with existing

systems and does not introduce new hazards to the system or reduce the effectiveness of existing hazard controls.

Equipment modifications may be proposed by any employee of any department that uses the equipment. Changes may also occur from an analysis of reliability performance, historical data, and available improvements in equipment design and components.

Modification Design Review
A review of any modification in equipment design shall be made by the Director (with the input of the Leadership Team (LT) who are, ultimately, responsible for the equipment. The impact on the safety of all designs and specifications should be identified and evaluated before the change is approved. Some of the areas to be considered include, but are not limited to, the following:

- Hazardous Materials (handling and use)
- Motor Vehicle Safety
- Human Factor
- Occupational Health and Safety
- Materials Compatibility
- Fire Protection
- Lighting
- Braking systems
- Mirrors
- Warning Devices

Modifications must not be made before it is determined how such might affect the safety of the system or any other systems. Other divisions may evaluate a proposed change to determine its compatibility with other systems (i.e., fueling systems, communications systems, etc.). The evaluation may also include a review of applicable regulations, such as the Federal Motor Vehicle Safety Standards and Regulations and the U.S. Department of Labor's Occupational Safety and Health Act (OSHA).

Testing may also be performed to evaluate the safety of a proposed modification. The testing of small changes may be minimal. For substantial modifications, extensive field testing, mock-ups and structural evaluations may be employed.

Modification Design Approval
Final approval is generally made by the Transit Director. When modifications are made by a bus manufacturer, the Maintenance Manager works with the manufacturer and contractual changes may be made. If changes are substantial, additional training is provided for maintenance and operations staff.

Monitoring
Once a modification is put in place, feedback from Operations is solicited to evaluate the performance of the modification. Unsolicited input from Operations and its employees (end users) is also encouraged. Depending on the nature of the modification, divisional managers, Transit Planner and the CSO may be involved for input.

Documentation
The Maintenance Division is responsible for documenting any vehicle modifications. The CoF's Facilities Division is responsible for documenting any modifications made to a facility. Documentation may involve changing diagrams, schematics, manuals, service bulletins, service intervals, standard operating procedures and Safety Data Sheets (SDS). The Maintenance Manager is responsible for updating the SDS based on input from product manufacturers.

Routes
Route modifications are designed by the Transit Planner in coordination with the Operations Division. Planning may use Operations staff to assist with test routing and bus stop placement. This experience-based, real-world process is designed to protect the safety of the transit bus, transit customers, other vehicles and pedestrians.

The Transit Planner informs the Operations Division and CSO of any proposed route modifications. The Transit Planner can request that the department evaluate a specific proposal as well as work with the Operations Division to evaluate any proposed modifications.

FAST management and staff may request a route modification it believes will improve its operations. It may also choose to evaluate a modification that has been proposed by another department. Input from individual Transit Operators is encouraged through the Employee Statement, direct communication and periodic surveying of operators conducted by the Transit Planner.

Finally, the Transit Planner maintains a cooperative working relationship with the CoF's planning and streets departments of all municipal levels within the CoF in which FAST operates.

Section 8. Additional Information

This PTASP was developed from information contained within other FAST documents, policies and procedures and manuals. Those documents are listed below:

- FAST Policies and Procedures
- Safety and Security Plan (SSP)
- Vehicle Maintenance Plan
- City Ordinances
- Facility Maintenance Plan
- TAPTC Operator Training Manual
- Continuity of Operations Plan (COOP)

Section 9. Definitions of Terms Used in the Safety Plan

FAST incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the PTASP regulation.

- **Accident** means an event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.
- **Accountable Executive (AE)** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Chief Safety Officer (CSO)** means an adequately trained individual with authority and responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.
- **Demand Response (DR)** means a transit mode comprised of passenger cars, vans or small buses operating in response to calls from passengers or their agent to the transit operator, who then dispatchers a vehicle to pick up the passengers and transport them to their destination.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or sub-recipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or sub-recipient's Public Transportation Agency Safety Plan.
- **Event** means any accident, incident, injury or occurrence.
- **Fatality** means a death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Hazard Resolution** means to assume the risk associated with the hazard or to eliminate or control the hazard.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
- **Injury** means any damage or harm to persons as a result of an event that requires immediate medical attention away from the scene.

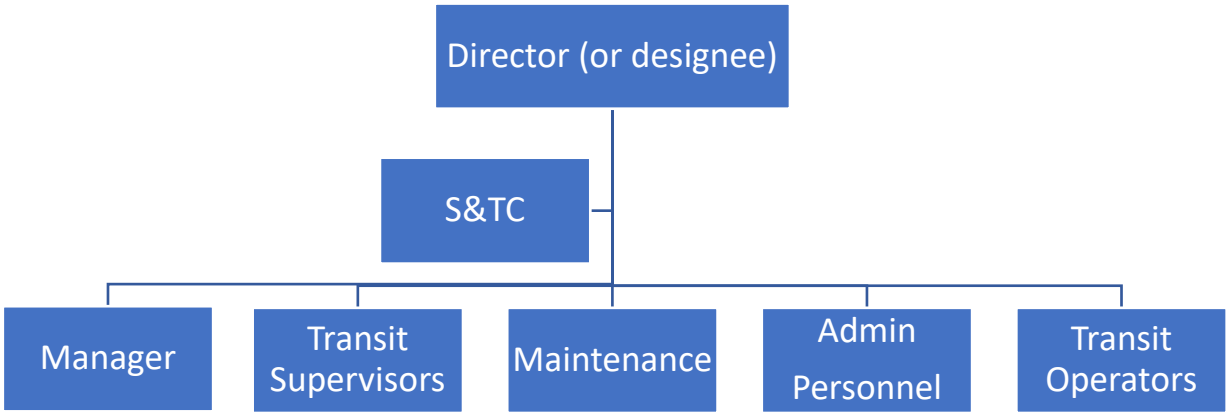
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
- **Operator** of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
- **Occupational Safety and Health Administration:** means to ensure safe and healthful working conditions for working men and women by setting and enforcing standards and providing training, outreach, education and assistance.
- **Performance Measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
- **Performance Target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.
- **Preventable Accident** means those accidents that could have been reasonably avoided if the operator had followed all defensive driving techniques.
- **Public Transportation Agency Safety Plan (or Agency Safety Plan)** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.
- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Event** means a collision, derailment, fire, hazardous material spill, act of nature occurring on transit right-of-way, in a transit revenue facility, in a transit maintenance facility, or involving a transit revenue vehicle and meeting established NTD thresholds.
- **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Management System** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety Performance Target** means a performance target related to safety management activities.

- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety Risk Assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
- **Safety Risk Management** means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Serious Injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **State of Good Repair (SGR)** means the condition in which a capital asset is able to operate at a full level of performance.
- **Transit Agency** means an operator of a public transportation system.
- **Transit Asset Management (TAM) Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.
- **Transit Operator I** means a transit operator whose primary duties include the transport of the general public in sedans/minivans; however, does not require a Commercial Driver's License (CDL).
- **Transit Operator II** means a transit operator whose primary duties include the transport of the general public. In addition, the transit operator must obtain/maintain a North Carolina Class B Commercial Driver's License (CDL) with Passenger and Airbrakes endorsements.

Section 10. Commonly Used Acronyms

Acronym	Word or Phrase
ADA	American's with Disabilities Act of 1990
AE	Accountable Executive
ASP	Agency Safety Plan (also referred to as a PTASP in Part 673)
CDL	Commercial Driver's License
CoF	City of Fayetteville
COOP	Continuity of Operations Plan
CFR	Code of Federal Regulations
CSO	Chief Safety Officer
DR	Demand Response
DVIR	Driver's Vehicle Inspection Report
ESRP	Employee Safety Reporting Program
FAST	Fayetteville Area System of Transit
FAMPO	Fayetteville Area Metropolitan Planning Organization
FTA	Federal Transit Administration
HR	Human Resource
LOP	Letter of Preventability
LPIR	Loss Prevention Investigation Report
LT	Leadership Team
MPO	Metropolitan Planning Organization
MB	Mode Bus
NCDOT	North Carolina Department of Transportation
NSC	National Safety Council
NSP	National Safety Plan
OSHA	Occupational Safety and Health Administration
Part 673	49 CFR Part 673 (Public Transportation Agency Safety Plan)
PMI	Preventive Maintenance Inspection
PPE	Personal Protective Equipment
PTASP	Public Transportation Agency Safety Plan
SGR	State of Good Repair
SMS	Safety Management System
SOP	Standard Operating Procedures
SPM	Safety Performance Measures
SPT	Safety Performance Target
SSP	System Safety Plan
S&TC	Safety and Training Coordinator
TAM	Transit Asset Management
TOI	Transit Operator One
TOII	Transit Operator Two
USC	United States Code
VRM	Vehicle Revenue Miles

Appendix 1. Safety Committee Members



FAST
FAYETTEVILLE AREA SYSTEM OF TRANSIT

INCIDENT REPORT - EMPLOYEE

Employee Name: _____ **Date:** _____

Division: _____ **Date of Event:** _____

*** (FR) Fixed Route; (P) Para.; (M) Maint.; (A) Admin.**

Time: _____ **AM / PM**

Vehicle #: _____

Location (Address): _____ **Weather Conditions:** _____

_____

Latitude: _____ **Customer(s) Involved:** _____

Longitude: _____ **1** _____

2 _____

Safety Event Type: _____ **3** _____

*** (A) Accident; (I) Incident; (N) Injury**

4 _____

Safety Event Description/Narrative:

Employee's Signature: _____

Supervisor's Signature: _____

Submitted Date: _____

Appendix 2 Employee Incident Form

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0053

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A6

TO: **Mayor and Members of City Council**

THRU: **Jeffrey Yates, Assistant City Manager**

FROM: **Christopher Cauley, Economic and Community Development Director**

DATE: **January, 26, 2026**

RE:
Authorization to Apply for Fiscal Year 2025 Choice Neighborhood Implementation Grant and Appropriate Additional Funding for the Application

COUNCIL DISTRICT(S):
District 2,3, & 4

Relationship To Strategic Plan:
Goal II: Responsive City Government supporting a diverse and viable economy
2.2: Community Revitalization - Invest in community places to ensure revitalization and increase quality of life
Goal III: City Investment in Today & Tomorrow
3.2 Manage the City's future growth and strategic land use
Goal IV: Desirable Place to Live, Work and Recreate
4.5 Neighborhood Vitality - Ensure a place to live in great neighborhoods

Executive Summary:
Council is asked to authorize staff to apply for the Fiscal Year 2025 Choice Neighborhood Grant for the Murchison Road area and adopt Budget Ordinance Amendment 2026-5 and Special Revenue Project Ordinance Amendment 2024-11 to fund activities required to best prepare the City and Fayetteville Metropolitan Housing Authority (FMHA) to successfully apply and win the grant.

Background:
In December of 2020, the City of Fayetteville, in partnership with the FMHA, was awarded a HUD Choice Neighborhoods Planning Grant for the Murchison neighborhood. Through the Grant, the City and FMHA have worked with local residents and a variety of community stakeholders - including nonprofits, faith-based organizations, anchor institutions, supportive services agencies, businesses, and others - to create a forward-looking Transformation Plan. The Plan is centered on redevelopment of FMHA's Murchison Townhouses, which includes 60 units of low-income public housing. The Transformation Plan seeks to replace 100% of those housing units within the neighborhood as part of new mixed-income developments.

In February of 2024 the City applied for the Choice Implementation Grant and was shortlisted as a finalist and was slated for a site visit where HUD staff toured the community for further insight. Staff was notified on July 16, 2024, the City was not

awarded a Fiscal Year 2023 Choice Implementation Grant. HUD scheduled a debrief with staff on September 19, 2024, where staff received feedback on areas to improve for the next funding round. On November 14, 2024, City staff held a meeting with the community to update them on HUD's decision and next steps.

The Choice Implementation Grant was announced on December 9, 2025, and is due by March 9, 2026. The Choice Neighborhood Initiative is the Department of Housing and Urban Development's signature affordable housing program that seeks to rebuild distressed public housing while simultaneously investing in the neighborhood, people, and housing at various income levels. From their website:

> The Choice Neighborhoods program leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Local leaders, residents, and stakeholders, such as public housing authorities, cities, schools, police, business owners, nonprofits, and private developers, come together to create and implement a plan that revitalizes distressed HUD housing and addresses the challenges in the surrounding neighborhood. The program helps communities transform neighborhoods by revitalizing severely distressed public and/or assisted housing and catalyzing critical improvements in the neighborhood, including vacant property, housing, businesses, services and schools.

Issues/Analysis:

In Fayetteville, the grant will propose to use approximately $20M to redevelop Elliot Circle into 200+ units of mixed income housing. This grant will also provide resources to ensure funding to create jobs skills training, educational opportunities, and health benefits for the residents of both Elliot Circle and Murchison Townhomes. Elliot Circle was chosen as the primary site for redevelopment due to its proximity to Fayetteville State University and the City's neighborhood parks and trails. The project team believes this site is incredibly impactful to spur the revitalization of this neighborhood and address housing quality, public safety, and economic opportunity for FMHA residents and the current residents of Elliot Circle, all of which have the right to return to the new development and will benefit from the Uniform Relocation Act requirements.

Multiple People and Neighborhood enhancements will also be funded by approximately $3M and $2M respectively. These funds will be used to develop and implement the following strategies:

- People: Creating economically stable and self-sufficient households.
- People: Improving mental and physical health.
- People: Preparing children to enter kindergarten.
- People: Ensuring children are proficient in core academic subjects.
- Neighborhood: Improve access to healthy foods and lifestyles.
- Neighborhood: Create access to trails and multi-use paths.
- Neighborhood: Develop place making and neighborhood branding.
- Neighborhood: Improve access to public parks and housing quality.

Urban Strategies, Inc. was brought on board to assist with the development and execution of the People plan and grant writing in partnership with Community Development Strategies, Inc. while FMHA and the City are currently evaluating Requests for Qualifications from housing developers with Choice Neighborhoods experience

Budget Impact:
On April 26, 2021, Council adopted Special Revenue Ordinance 2021-16 to provide $500,000 of General Fund funding to FMHA to partner in the planning, development, and execution of a rehabilitation program for FMHA-owned single family properties to support the transition of qualified FMHA residents from rental to homeownership. City staff later confirmed with FMHA that they are not able to use the funds for this purpose due to HUD restrictions on the homes. On October 23, 2023, Council adopted Special Revenue Project Ordinance Amendment 2024-9 and Special Revenue Project Ordinance 2024-11 to move funds from the Housing Authority Homeownership Program to the Choice Neighborhood Implementation Grant Program. Approximately $330k was spent on the first grant application leaving $170k remaining. An additional $100k from the General Fund's fund balance is necessary to apply for the Fiscal Year 2025 Choice Neighborhood Implementation Grant.

Options:
1. Authorize Staff to apply for the Fiscal Year 2025 Choice Neighborhood Implementation Grant for the Murchison Road area and adopt Budget Ordinance Amendment 2026-5 and Special Revenue Project Ordinance Amendment 2024-11.
2. Do not authorize Staff to apply for the Fiscal Year 2025 Choice Neighborhood Implementation Grant for the Murchison Road area and do not adopt Budget Ordinance Amendment 2026-5 and Special Revenue Project Ordinance Amendment 2024-11. Direct Staff to some other option.

Recommended Action:
Authorize Staff to apply for the Fiscal Year 2025 Choice Neighborhood Implementation Grant for the Murchison Road area and adopt Budget Ordinance Amendment 2026-5 and Special Revenue Project Ordinance Amendment 2024-11

Attachments:
Budget Ordinance Amendment 2026-5
Special Revenue Project Ordinance Amendment 2024-11

CITY OF FAYETTEVILLE **January 26, 2026**

2025-2026 BUDGET ORDINANCE AMENDMENT
CHANGE 2026-5

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

That the City of Fayetteville Budget Ordinance adopted June 9, 2025 is hereby amended as follows:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2025, and ending June 30, 2026, to meet the appropriations listed in Section 2.

Item

Schedule A: General Fund	Listed As	Revision	Revised Amount
Fund Balance Appropriation	$ 16,632,783	$ 100,000	$ 16,732,783
All Other General Fund Revenues and Financing Sources	200,195,819	-	200,195,819
Total Estimated General Fund Revenues and Other Financing Sources	$ 216,828,602	$ 100,000	$ 216,928,602

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, 2025, and ending June 30, 2026, according to the following schedules:

Item

Schedule A: General Fund	Listed As	Revision	Revised Amount
Community Investment	$ 9,489,334	$ 100,000	$ 9,589,334
All Other General Fund Expenditures and Other Financing Uses	207,339,268	-	207,339,268
Total Estimated General Fund Expenditures and Other Financing Uses	$ 216,828,602	$ 100,000	$ 216,928,602

Adopted this 26th day of January, 2026.

SPECIAL REVENUE FUND PROJECT ORDINANCE
AMENDMENT 2024-11

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue ordinances are hereby amended:

Section 1. The project change authorized is to Special Revenue Fund Project Ordinance 2024-11, adopted October 23, 2023, for the funding of professional services for the submission of a grant application to the U.S. Department of Housing and Urban Development for the Choice Neighborhood Implementation Grant.

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:

	Listed As	Amendment	Revised
General Fund Transfer	$ 500,000	$ 100,000	$ 600,000

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

Project Expenditures	$ 500,000	$ 100,000	$ 600,000

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

Section 6. The City Manager is hereby authorized to execute the agreement, subject to any necessary amendments, as well as any ancillary agreements necessary to implement the project.

Adopted this 26th day of January, 2026.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0054

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A7

TO: **Mayor and Members of City Council**

THRU: **Timothy L. Bryant, CEO/General Manager**
Fayetteville Public Works Commission

FROM: **Fayetteville Public Works Commission**

DATE: **January 26, 2026**

RE:
PWC - Approve Sole Source Recommendation - Spare Parts for Existing on-Load Tap Changers (OLTC)

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
High Quality Built Environment

Executive Summary:
The Sole Source Recommendation is to purchase spare parts for existing on-load tap changers (OLTC) from Reinhausen Manufacturing, Inc., in the amount of $178,069.04.

Background:
The Fayetteville Public Works Commission, during the meeting on January 14, 2026, approved the sole source request to purchase spare parts for existing on-load tap changers (OLTC) from Reinhausen Manufacturing, Inc, the sole provider in North Carolina, in the amount of $178,691.04, and forward to City Council for approval.

North Carolina law allows an exception from the competitive bidding requirements for "Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration." NCGS §143-129(e)(6).

Reinhausen Manufacturing Inc. has provided an email establishing that Reinhausen Manufacturing Inc. is the exclusive supplier of the required equipment in North Carolina.

Issues/Analysis:
N/A

Budget Impact:
Account String:
001.0170.0802.0000000-00.362000.36200.CPR1000579.000.00000.0000

Options:
N/A

Recommended Action:
The Fayetteville Public Works Commission recommends that City Council approve the sole source recommendation to purchase spare parts for existing on-load tap changers (OLTC) from Reinhausen Manufacturing, Inc, the sole provider in North Carolina, in the amount of $178,691.04, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

Attachments:
Sole Source Recommendation - Spare Parts for Existing On-load Tap Changers

FAYETTEVILLE PUBLIC WORKS COMMISSION
SOLE SOURCE FOR STANDARDIZATION REQUEST

TO: Timothy L. Bryant, CEO/General Manager DATE: December 16, 2025

FROM: Joel C. Valley, Director of Electric System Support JV
JV

PWC's Electric System Substation Department seeks approval to purchase specific equipment pursuant to a sole source exception to the competitive bidding requirements. North Carolina law allows an exception from the competitive bidding requirements for "Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration." NCGS §143-129(e)(6). Such an exception is only available in this instance if the Commission approves the purchase.

The sole source request is specifically to purchase spare parts for our existing on-load tap changers (OLTC) from Reinhausen Manufacturing, Inc. A quote for $178,691.04 was provided on December 16, 2025. The Director of Electric System Support has knowledge of the products and market, and supports this request based on the overriding consideration of standardization and compatibility with existing equipment. It is in the best interest of PWC to standardize the equipment for the following reasons:

- 30 of 30 (100%) of the Reinhausen OLTC are in use throughout our system.
- The OLTC provides the required means to adjust the system voltage up and down to match the load by using 32 taps 0.6525 volts per tap change on 120-volt base through a vacuum interrupter.
- Standardization decreases staff learning curves by maintaining the current equipment, maintenance, and operating standards.
- Standardization reduces operating and maintenance costs by reducing the inventory of replacement parts.

Reinhausen Manufacturing Inc. has provided an email establishing that Reinhausen Manufacturing Inc. is the exclusive supplier of the required equipment in North Carolina. The Substation Department has provided a letter to further justify this sole source request. Therefore, the Substation Department seeks approval to purchase the spare parts listed in the provided quote without the need for competitive bidding.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0055

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A8

TO: **Mayor and Members of City Council**

THRU: **Timothy L. Bryant, CEO/General Manager**
Fayetteville Public Works Commission

FROM: **Fayetteville Public Works Commission**

DATE: **January 26, 2026**

RE:
PWC - Approve Bid Recommendation - Gas Turbine 6 IR Load Gearbox Parts and Repair

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
High Quality Built Environment

Executive Summary:
A bid was received for the purchase of Gas Turbine 6 IR Load Gearbox Parts and Repair. The lowest responsive and responsible bidder, and in the best interest of PWC, is Philadelphia Gear Corporation, Huetown, AL, for the total amount of $529,997.00.

Background:
The Fayetteville Public Works Commission, during the meeting on January 14, 2026, approved the award for the purchase of Gas Turbine 6 IR Load Gearbox Parts and Repair to Philadelphia Gear Corporation, Huetown, AL, the lowest responsive and responsible bidder, and in the best interest of PWC, in the total amount of $529,997.00, and forward to City Council for approval.

Bid Date: December 18, 2025

BIDDER	TOTAL
Philadelphia Gear Corporation, Huetown, AL	$529,997.00

Issues/Analysis:
The bid notice was advertised through our normal channels on December 5, 2025, with a bid opening date of December 18, 2025. Bids were solicited from three (3) vendors, and one (1) was received.

Budget Impact:
Account string: 001.0915.0802..153000

Options:

N/A

Recommended Action:

The Fayetteville Public Works Commission recommends that City Council approve the award for the purchase of Gas Turbine 6 IR Load Gearbox Parts and Repair to Philadelphia Gear Corporation, Huetown, AL, the lowest responsive and responsible bidder, and in the best interest of PWC, in the total amount of $529,997.00, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

Attachments:

Bid Recommendation - Gas Turbine 6 IR Load Gearbox Parts and Repair

PUBLIC WORKS COMMISSION
ACTION REQUEST FORM

TO: Timothy Bryant, CEO/General Manager **DATE:** 12/19/2025

FROM: Candice S. Kirtz, Director of Supply Chain

ACTION REQUESTED: Approve award for the purchase of Gas Turbine 6 IR Load Gearbox Parts and Repair (PWC2526042).

BID/PROJECT NAME: Gas Turbine 6 IR Load Gearbox Parts and Repair

BID DATE: December 18, 2025 **DEPARTMENT:** Butler Warner Generation Plant

BUDGET INFORMATION: 001.0915.0802..153000

BIDDER	**TOTAL**
Philadelphia Gear Corporation, Huetown, AL	$529,997.00

AWARD RECOMMENDED TO: Philadelphia Gear Corporation, Huetown, AL

BASIS OF AWARDS: Lowest responsive, responsible bidder

COMMENTS: The bid notice was advertised through our normal channels on December 5, 2025, with a bid opening date of December 18, 2025. Bids were solicited from three (3) vendors, and one (1) was received.

ACTION BY COMMISSION
APPROVED_____ REJECTED_____
DATE_____

ACTION BY COUNCIL
APPROVED_____ REJECTED_____
DATE_____

BID HISTORY
GAS TURBINE 6 IR LOAD
GEARBOX PARTS AND
REPAIR
BID DATE: December 18, 2025

Advertisement

1. PWC Website 12/5/25 through 12/18/25

List of Prospective Bidders Notified of Bid

1. Philadelphia Gear Corporation, Huetown, AL
2. Liburdi Turbine Services, Mooresville, NC
3. Allied Power Group, Houston, TX

PWC Procurement Mailing List- Registered vendors via the PWC website and event registrants. (approximately 2000+ contacts)

Small Business Administration Programs:
Small Business Administration Regional Office (SBA)
NC Procurement & Technical Assistance Center (NCPTAC)
Veterans Business Outreach Center (VBOC)
Small Business Technology Center (SBTDC)
Women's Business Center of Fayetteville (WBC)

Local Business and Community Programs
FSU Construction Resource Office (FSUCRO)
FSU Economic Development Administration Program (FSUEDA)
FSU Career Pathways Initiative
NAACP, Fayetteville Branch
FTCC Small Business Center (SBC)
Greater Fayetteville Chamber, RFP posting submitted
Hope Mills Chamber
Spring Lake Chamber
Hoke Chamber
Fayetteville Business & Professional League (FBPL)

State Business and Community Programs
NC Institute of Minority Economic Development (The Institute) Durham, NC
NAACP, State Branch Raleigh, NC
National Utility Contracting Association- NC Chapter (NUCA)
Durham Chapter of the National Association of Women in Construction (NAWIC)
South Atlantic Region of National Association of Women in Construction (NAWIC)
The Hispanic Contractors Association of the Carolinas (HCAC)
United Minority Contractors of North Carolina
International Women in Transportation- Triangle Chapter

Media
Fayetteville Observer
WIDU, AM1600
IBronco Radio at FSU
Fayetteville Press News
Up & Coming Weekly
Bladen Journal
Greater Fayetteville Business Journal

SDBE / SLS Participation
Philadelphia Gear Corporation, Huetown, AL, is not a small local or SDBE business. Philadelphia Gear Corporation anticipates self-performing the entirety of this project.

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0059

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Consent

Agenda Number: 7.0A9

TO: **Mayor and Members of City Council**

THRU: **Timothy L. Bryant, CEO/General Manager**
Fayetteville Public Works Commission

FROM: **Fayetteville Public Works Commission**

DATE: **January 26, 2026**

RE:
PWC - Approve Resolution for Permanent Pipeline Easement, Temporary Construction Easements and a License Rights to Piedmont Natural Gas Company, Inc.

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
High Quality Built Environment

Executive Summary:
Piedmont Natural Gas Company, Inc., requests a Permanent Pipeline Easement, Temporary Construction Easements, and a Revocable License Agreement

Background:
In exchange for thirty-eight thousand seven hundred twenty and 52/100 dollars ($38,720.52), Piedmont Natural Gas Company, Inc. is seeking to acquire a permanent pipeline easement, certain temporary construction easements, and license rights under a revocable license agreement, with respect to certain tracts of land over which the Fayetteville Public Works Commission exercises management and control of its utility operations but which is titled in the name of the City of Fayetteville.

Issues/Analysis:
N/A

Budget Impact:
N/A

Options:
N/A

Recommended Action:
The Fayetteville Public Works Commission requests the Fayetteville City Council to approve the requested Permanent Pipeline Easement, Temporary Construction Easements and a License Rights to Piedmont Natural Gas Company, Inc., and to adopt the attached resolution.

Attachments:
City Resolution; Easement - Custer (1-7-2026) with plats; Easement L5S2-CUMB-132-A014 - Tom Sarling (1-7-2026) with plat; Retirement Easement -PWC (11-16-2025) with Plat; TCA - L5S2-CUMB-132_A01 - Tom Starling; TCA - L5S2 -CUMB-289-000 289_A02 290_000 - Custer; TCA - Retirement; USSE License Agreement - CUMB-289_000(1-7-2026) with Plat

Resolution No. R2026 - _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONVEYANCE OF A PERMENANT PIPELINE EASEMENT, TEMPORARY CONSTRUTION EASEMENTS AND LICENSE RIGHTS TO PIEDMONT NATURAL GAS COMPANY, INC.

WHEREAS, in exchange for thirty-eight thousand seven hundred twenty and 52/100 dollars ($38,720.52), Piedmont Natural Gas Company, Inc. is seeking to acquire a permanent pipeline easement, certain temporary construction easements, and license rights under a revocable license agreement (collectively, the "Instruments"), with respect to certain tracts of land over which the Fayetteville Public Works Commission exercises management and control of its utility operations but which is titled in the name of the City of Fayetteville in accordance with Chapter VIA of the Charter of the City of Fayetteville; and

WHEREAS, Piedmont Natural Gas Company, Inc.'s acquisition of said easements and license rights will facilitate its construction activities with respect to the installation of a pipeline for transportation and/or control of natural gas, including with respect to the provision of services to PWC's Butler Warner Generation Plant and surrounding properties; and

WHEREAS, the City of Fayetteville agrees that the terms and conditions negotiated by the Fayetteville Public Works Commission and Piedmont Natural Gas Company, Inc. for said conveyance are reasonable and the transaction is authorized under G.S. 160A-273 and should be permitted;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that the Fayetteville Public Works Commission is hereby authorized to grant and convey said easement and license rights to facilitate Piedmont Natural Gas Company, Inc.'s construction activities with respect to the provision of services to PWC's Butler Warner Generation Plant and surrounding properties, and with respect to its construction activities on or near Tom Starling Road (NCSR 2220).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this the 26th day of January, 2026; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

_____
Mitch Colvin, Mayor

ATTEST:

_____
Jennifer Ayre, City Clerk

EASEMENT AGREEMENT

Prepared by and Return to: Parker Poe Adams & Bernstein LLP (MJC), PO Box 389, Raleigh, NC 27602

NORTH CAROLINA

CUMBERLAND COUNTY

For Internal Informational Purposes Only
LINE NO. 5 SEG 2 PROJECT 110 MAOP
PROJECT TRACT NO. L5S2-CUMB-289_000, L5S2-CUMB-289_A02, L5S2-CUMB-290_000
PROJECT NO. 0235312
PARCEL ID #: 0459-00-8872, 0459-01-9736, 0459-22-8370

THIS "**EASEMENT AGREEMENT**" is made and granted as of this ____ day of January, 2026, from the **CITY OF FAYETTEVILLE**, a municipal corporation of the State of North Carolina, by and through **FAYETTEVILLE PUBLIC WORKS COMMISSION**, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville ("**Grantor**") to **PIEDMONT NATURAL GAS COMPANY, INC.**, a North Carolina corporation ("**Piedmont**").

WHEREAS, Grantor is the owner of, or has an interest in, that real property situated in Cumberland County, North Carolina, as more particularly described in the instruments recorded in Book 2495, Page 785; Book 3679, Page 243; Book 3679, Page 247; Book 4039, Page 187; and Book 7776, Page 261, all of the Cumberland County Registry (the "**Property**").

NOW, THEREFORE, Grantor for and in consideration of the sum of Twenty Six Thousand Nine Hundred Thirty One Dollars and Forty Cents ($26,931.40) and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, and conveys unto Piedmont the following easements and rights of way in the areas shown on the surveys attached hereto as **Exhibit A, Exhibit B,** and **Exhibit C** and incorporated herein by reference (together, the "**Surveys**"), as more specifically provided herein.

For purposes of this EASEMENT AGREEMENT, the term "**Easements**" shall refer collectively to all easements granted hereby, and the term "**Easement Areas**" shall refer collectively to all the easement areas described herein and as depicted on the Surveys.

Pipeline Easement. A perpetual non-exclusive easement under, upon, through and across that portion of the Property designated as "20' Pipeline Easement" on **Exhibit C** (the "**Pipeline Easement Area**") for the purposes of building, constructing, laying, installing, maintaining, operating, repairing, altering, replacing, removing, relocating within the Pipeline Easement Area, and inspecting a portion of a natural gas pipeline (such portion of the natural gas pipeline being referred to herein as the "**Pipeline**") (which Pipeline shall be underground) and appurtenant facilities, including, without limitation, at or below grade valves and anode beds and above ground markers, cathodic protection equipment, and bollards, for the transportation of natural gas (collectively, the "**Facilities**"). Said Pipeline shall be of a size approved in writing by Grantor, such approval not to be unreasonably withheld.

It is expressly made a condition of the Pipeline Easement that if Piedmont, its successors or assigns, shall abandon the Pipeline Easement or any portion of said Pipeline Easement Area for the stated purposes of the Pipeline Easement, then and in the event, all the rights herein granted shall cease and terminate with respect to the Pipeline Easement Area so abandoned, and the title to said Pipeline Easement Area shall be freed from the burden of said Pipeline Easement; and it is further agreed that nonuse of the Easement or any portion thereof for the purposes of said Pipeline Easement for the period of four (4) consecutive years along with an intent to abandon shall constitute an abandonment unless such nonuse is caused by market conditions or circumstances beyond the reasonable control of Piedmont. In the event of an abandonment of the Pipeline Easement, Piedmont shall deliver to Grantor a recordable instrument evidencing that the title to the Pipeline Easement so abandoned is free and clear of the burden of said Pipeline Easement and free and clear of liens, encumbrances, clouds upon or defects in the title to said Pipeline Easement Area created or permitted to be created by Piedmont.

Temporary Construction Easement ("TCE"). A non-exclusive, temporary construction easement over and upon the areas designated as "10' TCE" on **Exhibit B** and "TCE - 1" and "50' TCE - 2" on **Exhibit C** (the "**TCE Areas**") for the purposes of performing construction activities relating to the Pipeline and appurtenant facilities and laying, storing, and parking, equipment, vehicles, materials, fill, gravel, components, parts, and tools associated with the construction of Piedmont's natural gas pipeline and appurtenant facilities for which this TCE is given, which may or may not be located on the Property. Piedmont shall have the right, but not the obligation, to install temporary fencing around the TCE Areas and to exclude all persons, other than Grantor, its agents and contractors, and other third parties with rights to the Easement Areas, from any fenced portions of the TCE Areas. All such materials and equipment shall be placed and stored at Piedmont's sole risk and expense. Grantor assumes no responsibility for the safekeeping, security, or protection of any property of Piedmont or its contractors, subcontractors, or agents. Grantor shall not be liable for any loss, theft, damage, or destruction of any of such materials or equipment, regardless of the cause. The TCE does not grant Piedmont the right to place, and Piedmont shall not place, any permanent facilities in the TCE Areas.

The TCE shall terminate without any further action by any party upon the earlier of (1) Piedmont's restoration of the TCE Areas pursuant to the restoration requirements described in the Damages section below and when any permits have been issued for construction and/or erosion and sediment control measures are present, the release of Piedmont from its obligations under all permits and the removal of all temporary erosion and sediment control measures from the Property, or (2) 24 months after the date of this Easement Agreement. Prior to the termination of the TCE, Piedmont shall remove all equipment, vehicles, materials, fill, gravel, components, parts, and tools from the TCE Areas.

Temporary Access Easement. A temporary access easement upon, over, and across those portions of the Property designated as "30' Temporary Access" on **Exhibit A**, "Temporary Access" on **Exhibit B,** and "30' Temporary Access" on **Exhibit C** (the "**Temporary Access Area**") for the purposes of ingress, egress, and regress. Piedmont shall have the right, but not the obligation, to construct roads or driveways within the Temporary Access Area (including, without limitation, grading, graveling, and installing culverts) where no roads or driveways currently exist.

The Temporary Access Easement shall terminate without any further action by any party upon the earlier of (1) Piedmont's restoration of the Temporary Access Area pursuant to the restoration requirements described in the Damages section below and when any permits have been issued for construction and/or erosion and sediment control measures are present, the release of Piedmont from its obligations under all permits and the removal of all temporary erosion and sediment control measures from the Property, or (2) 24 months after the date of this Easement Agreement.

Grantor and Piedmont agree that Piedmont may, at Piedmont's sole discretion, upon written notice prior to the expiration of the TCE or Temporary Access Easement, as applicable, extend the duration of the TCE or Temporary Access Easement on a month-to-month basis for $500.00 per month with respect to each such easement for a maximum of an additional twelve (12) consecutive month period.

Piedmont's Use. Piedmont shall have the right, but not the obligation, to clear and keep the Easement Areas cleared of vegetation, undergrowth, trees (including overhanging limbs and foliage), and any obstructions (collectively, "**Obstructions**") that unreasonably interfere with the rights granted herein. Some or all of the Facilities may be installed now and/or in the future in the Pipeline Easement Area. All Facilities shall be and remain the property of Piedmont and may be removed by it at any time and from time to time.

Grantor's Reservation of Rights. Grantor reserves the right to use the Easement Areas for all purposes that do not unreasonably interfere with the rights granted herein including, without limitation, the rights of ingress and egress over the Easement Areas. Grantor shall not: (1) unreasonably interfere with Piedmont's access to or maintenance or use of the Facilities or Easement Areas; or (2) install or permit to be installed or maintained, any Obstructions within the Easement Areas except as approved in writing by Piedmont, such approval not to be unreasonably withheld, conditioned, or delayed.

Damages. Piedmont shall, at its sole cost and expense, repair and restore the Property to the condition existing immediately prior to Piedmont's use of the Easement Areas except to the extent such repairs are for damages caused by Grantor. Such restoration shall include restoring, leveling the surface of, and reseeding the Easement Areas.

Required Notices. Piedmont shall give Grantor prompt notice of any of the following occurrences arising with regard to (i) the Property, and (ii) that certain 50' Easement, which is the subject to the Consent Order recorded in Book 2815, Page 761, Cumberland County Registry, as assigned pursuant to the instrument recorded in Book 3980, Page 793, Cumberland County Registry, or Grantee's activities thereon: (1) any spill, release, or other occurrence that constitutes a violation of the provisions of any applicable laws, rules, or regulations; and (2) any notices, claims, or allegations of environmental violations or contamination received from any federal, state, or local governmental agency or authority, or the filing or commencement of any judicial or administrative proceeding by any such agency.

No Waiver or Additional Representations. The failure by Piedmont or Grantor to exercise and/or enforce any of the rights or privileges herein described shall not be construed as a waiver or abandonment of any such rights and privileges, and each party thereafter may exercise and/or enforce, at any time and from time to time, any or all of them.

Indemnification. Piedmont shall indemnify and hold Grantor, its Commissioners, officers, employees, agents, representatives, successors, and assigns harmless of and from any claims, losses, causes of action, liabilities, damages, and expenses (including reasonable attorney's fees) to the extent caused by the willful misconduct or negligent act or omission of Piedmont, or its agents, employees, licensees, or invitees relating to the use of the Easements contained herein (including, without limitation, the storage of materials and equipment within the TCE Areas); provided, however, that Piedmont shall not be obligated to indemnify Grantor to the extent such claims, losses, causes of action, and damages are caused by the negligent act or omission, or willful misconduct, of Grantor, its Commissioners, officers, employees, agents, representatives, successors, or assigns.

Ownership of the Property. Grantor represents, warrants, and covenants that it is the lawful owner of the Property and has the right to convey the rights set forth herein, subject, however, to all easements, covenants, and rights-of-way of record over or across the Easement Areas or any portion thereof.

To have and to hold said rights, privileges, and Easements unto Piedmont, its successors, and assigns. The Easements shall run with the land and inure to the benefit of and be binding upon Grantor, Piedmont, and their respective successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, this Easement Agreement has been executed by Grantor, as of the date first above written.

GRANTOR:

CITY OF FAYETTEVILLE, a municipal corporation of the State of North Carolina, by and through Fayetteville Public Works Commission, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville

By: _____

Name: Timothy L. Bryant

Title: CEO/General Manager

NORTH CAROLINA
CUMBERLAND COUNTY

I, _____, a Notary Public for Cumberland County, North Carolina, certify that Timothy L. Bryant personally came before me this day and acknowledged that he is CEO/General Manager of the Fayetteville Public Works Commission and that he, in such capacity, being authorized to do so, executed the foregoing Easement on behalf of Fayetteville Public Works Commission.

Witness my hand and official seal this the _____ day of January, 2026.

[NOTARY SEAL]

_____Sign

_____Print

My commission expires: _____

IN WITNESS WHEREOF, this Easement Agreement has been executed by Piedmont, as of the date first above written.

PIEDMONT:

PIEDMONT NATURAL GAS COMPANY, INC., a North Carolina corporation

By: _____

Name: Jennifer Ingram

Title: Manager - Land Services

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public for _____ County, North Carolina, certify that Jennifer Ingram personally came before me this day and acknowledged that she is Manager - Land Services of Piedmont Natural Gas Company, Inc., a North Carolina corporation, and that she, in such capacity, being authorized to do so, executed the foregoing Easement on behalf of Piedmont Natural Gas Company, Inc.

Witness my hand and official seal this the _____ day of January, 2026.

[NOTARY SEAL]

_____Sign

_____Print

My commission expires: _____

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TEMPORARY ACCESS	0.143	6,224

EXHIBIT A

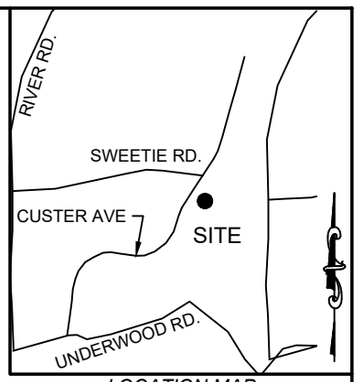
THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

GRAPHIC SCALE (IN FEET)

60 0 60

1 inch = 60 ft.

NAD83 (2011) NC GRID



LOCATION MAP
NOT TO SCALE

CERTIFICATION

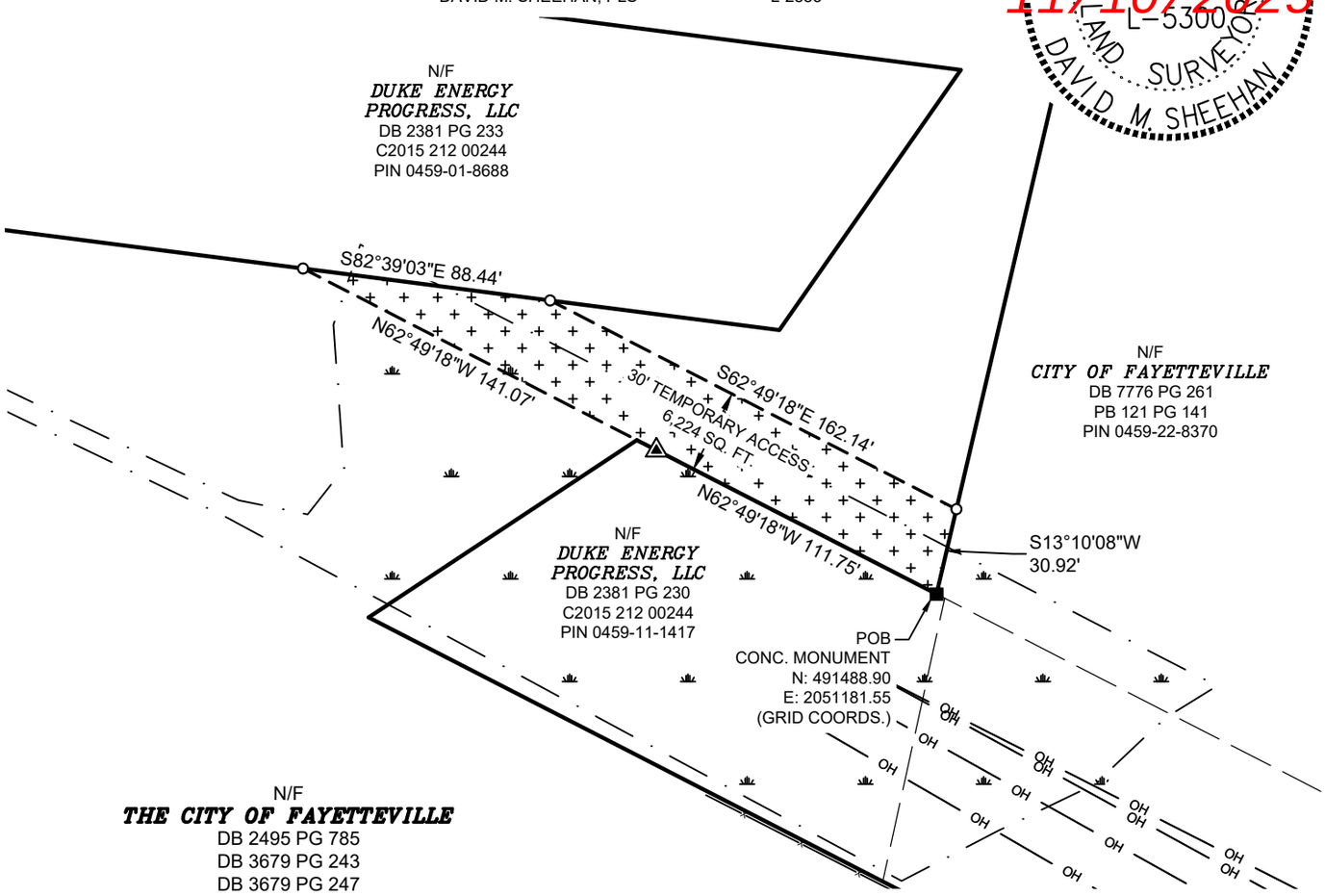
I, DAVID M. SHEEHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2495, PAGE 785, AND IN BOOK 3679 PAGE 243, AND IN BOOK 3679, PAGE 247); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 2495, PAGE 785, AND IN BOOK 3679 PAGE 243, AND IN BOOK 3679, PAGE 247; THAT THE RATIO OF PRECISION IS 1: 10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (F)(11)(C)(4) THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS 10TH DAY OF NOVEMBER 2025

DAVID M. SHEEHAN, PLS L-2883

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN

11/10/2025



LEGEND

- IRON ROD FOUND
- CONCRETE MONUMENT
- COMPUTED POINT (NOT SET)
- WETLANDS
- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- FENCE LINE
- OH — OVERHEAD UTILITY

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
N/F NOW OR FORMERLY

NOTES

1. SUBJECT PROPERTY SURVEYED AND MAPPED FOR: DUKE ENERGY / PIEDMONT NATURAL GAS.
2. AREA BY COORDINATE COMPUTATION METHOD.
3. GRID COORDINATES AND BEARINGS SHOWN ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), REALIZATION 2011, EPOCH 2010 BASED ON AN OPUS CONTROL POINT FOR THE PROJECT AT LAT. N 34 DEG. 57 MIN. 56.60320 SEC., LONG. W 078 DEG. 50 MIN. 55.34117 SEC. DISTANCES SHOWN ARE HORIZONTAL GRID IN U.S. SURVEY FEET WITH A COMBINED FACTOR OF 0.999877805 (GROUND TO GRID).
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5. SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.
6. THE OUTER LIMITS OF THE PERMANENT EASEMENT EXTENDS OR SHORTENS TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
THE CITY OF FAYETTEVILLE

2274 CUSTER AVENUE, EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS:	DATE OF SURVEY: 02/16/2024	SCALE: 1" = 60'
	DRAWN BY: SGJ	DEED: 2495-785, 3679-243, 3679-247
DUKE PROJ. #: 0235312	CHECK BY: DMS	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-289_000	115002_RW_L5S2-CUMB-289_000_TAE_R0_111025	

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TEMPORARY ACCESS	0.003	136
TCE	0.009	403

EXHIBIT B

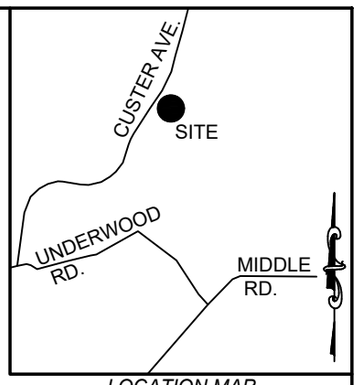
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GRAPHIC SCALE (IN FEET)

10 0 10

1 inch = 10 ft.

NAD83 (2011) NC GRID



LOCATION MAP
1" = 5000'

CERTIFICATION

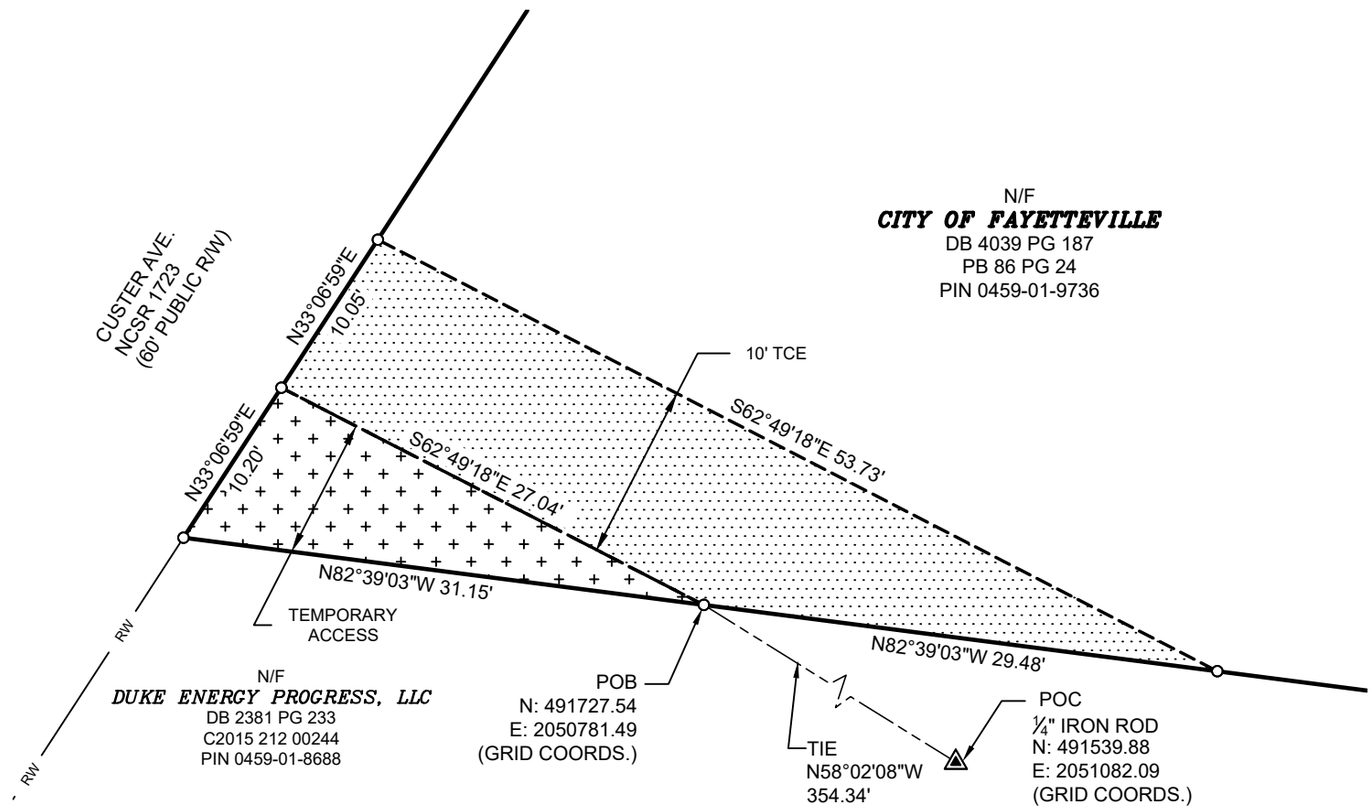
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THIS 19TH DAY OF MARCH 2025

DAVID M. SHEEHAN, PLS L-5300

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN

3/19/2025



LEGEND

- IRON ROD FOUND
- COMPUTED POINT (NOT SET)
- SUBJECT PARCEL
- SUBJECT EASEMENT
- RW — RIGHT OF WAY
- TIE LINE

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY
NCSR	NORTH CAROLINA SECONDARY ROAD

NOTES

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919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS: R1 03/19/25	DATE OF SURVEY: 02/16/2024	SCALE: 1" = 10'
TAE	DRAWN BY: TJM	DEED: 4039-187
DUKE PROJ. #: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-289_A02	115002_RW_L5S2-CUMB-289_A02_TAE_R1_031925	

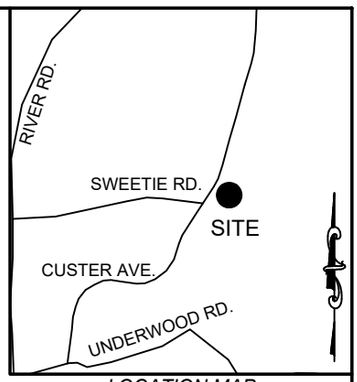
EXHIBIT C

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AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
PIPELINE EASEMENT	0.208	9,065
TEMPORARY ACCESS	0.253	11,019
TCE - 1	0.355	15,444
TCE - 2	1.608	70,069
TCE - TOTAL	1.963	85,513

GRAPHIC SCALE (IN FEET)
350 0 350
1 inch = 350 ft.

NAD83 (2011) NC GRID



LOCATION MAP
NOT TO SCALE

N/F
BETHEA, WILLIE G & IRENE P.
DB 6349 PG 84
PIN 0459-13-7265

N/F
MCKEITHAN, TONY
DB 9691 PG 671
PIN 0459-23-2008

50' NCNG EASEMENT
DB 1060 PG 611

20' PIPELINE EASEMENT
9,065 SQ. FT.

90' CP&L EASEMENT
DB 1116 PG 93

N/F
DUKE ENERGY PROGRESS, LLC
DB 2381 PG 230
C2015 212 00244
PIN 0459-11-1417

N/F
LEWIS, ROSA
DB 2332 PG 625
PIN 0459-12-2384

50' TCE - 2
70,069 SQ. FT.

N/F
CITY OF FAYETTEVILLE
DB 7776 PG 261
PB 121 PG 141
PIN 0459-22-8370

90' CP&L EASEMENT
DB 1116 PG 93

CUSTER AVE. (NCSR 1723)
60' PUBLIC R/W

50' NCNG EASEMENT
DB 2815 PG 761

TCE - 1
15,444 SQ. FT.

N/F
DUKE ENERGY PROGRESS
DB 2381 PG 233
C2015 212 00244
PIN 0459-01-8688

30' TEMPORARY ACCESS
11,019 SQ. FT.

N/F
CITY OF FAYETTEVILLE
DB 2495 PG 785
DB 3679 PG 243
DB 3679 PG 247
PB 86 PG 24
PIN 0459-00-8872

N/F
DUKE ENERGY PROGRESS, LLC
DB 2381 PG 236
PIN 0459-11-6062

N/F
TYSON, JOHN M.
DB 2381 PG 230
PIN 0459-11-1417

CSX RAILROAD
130' R/W
PB 114 PG 66

RW

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN
3/19/2025

CERTIFICATION

I, DAVID M. SHEEHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 7776, PAGE 261); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 7776, PAGE 261; THAT THE RATIO OF PRECISION IS 1: 10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (F)(11)(C)(4) THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS 19TH DAY OF MARCH 2025

DAVID M. SHEEHAN, PLS L-5300

LEGEND

- IRON ROD SET
- CONC. MONUMENT FOUND
- IRON PIPE SET
- COMPUTED POINT (NOT SET)
- GUY ANCHOR
- UTILITY POLE

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R/W RIGHT OF WAY
N/F NOW OR FORMERLY
NCSR NORTH CAROLINA SECONDARY ROAD

WETLANDS

- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- RW — RIGHT OF WAY
- EXISTING EASEMENT
- TIE LINE
- OH — OVERHEAD ELECTRICAL
- RAILROAD LINE
- FENCE LINE
- TREE LINE

NOTES

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PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

0 CUSTER AVE., EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS: R1 01/15/25 PE	DATE OF SURVEY: 02/09/2024	SCALE: 1" = 350'
R2 03/19/25 TAE	DRAWN BY: SGJ	DEED: 7776-261
DUKE PROJ. #: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-290_000	115002_RW_L5S2-CUMB-290_000_PE_R2_031925	

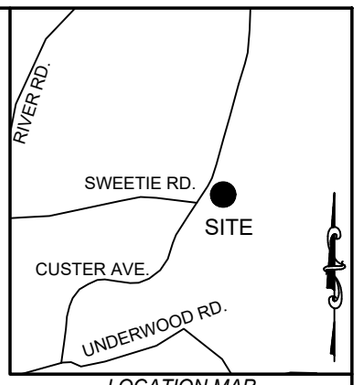
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TCE - 1	0.355	15,444
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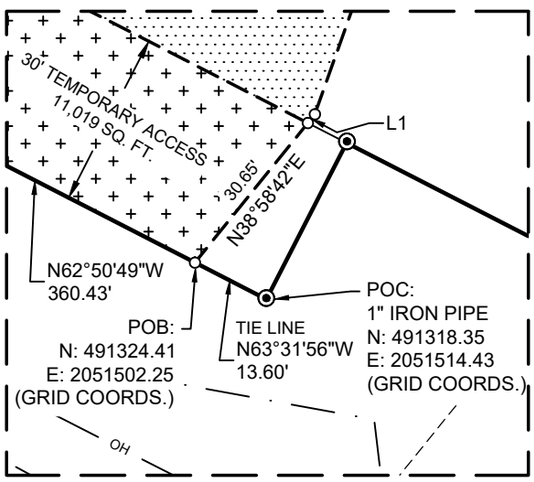
GRAPHIC SCALE (IN FEET)
100 0 100
1 inch = 100 ft.

NAD83 (2011) NC GRID



LOCATION MAP
NOT TO SCALE

INSET MAP 1" = 30'



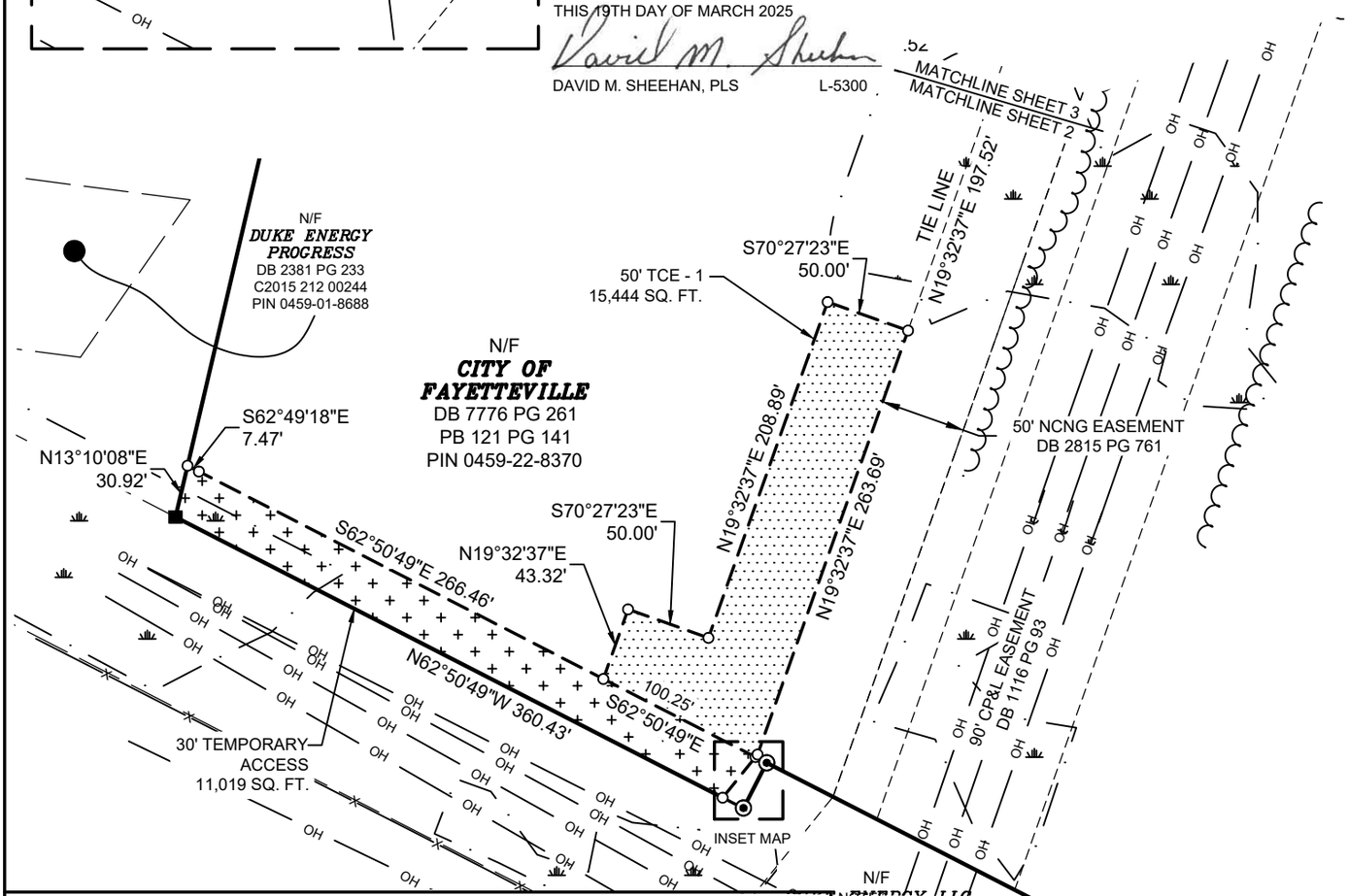
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THIS 19TH DAY OF MARCH 2025

DAVID M. SHEEHAN, PLS L-5300

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN
3/19/2025



LEGEND

IRON ROD SET	SUBJECT PARCEL
CONC. MONUMENT FOUND	SUBJECT EASEMENT
IRON PIPE SET	ADJACENT PARCEL
COMPUTED POINT (NOT SET)	RW — RIGHT OF WAY
GUY ANCHOR	EXISTING EASEMENT
UTILITY POLE	TIE LINE
POB POINT OF BEGINNING	OH — OVERHEAD ELECTRICAL
POC POINT OF COMMENCEMENT	RAILROAD LINE
R/W RIGHT OF WAY	FENCE LINE
N/F NOW OR FORMERLY	TREE LINE
NCSR NORTH CAROLINA SECONDARY ROAD	
WETLANDS	

NOTES

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EXHIBIT C

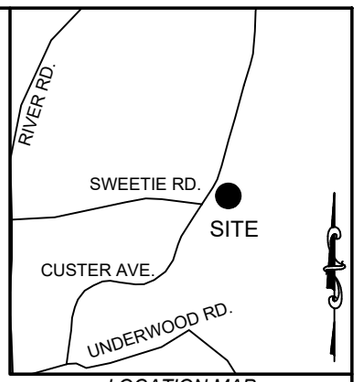
THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

GRAPHIC SCALE (IN FEET)

100 0 100

1 inch = 100 ft.

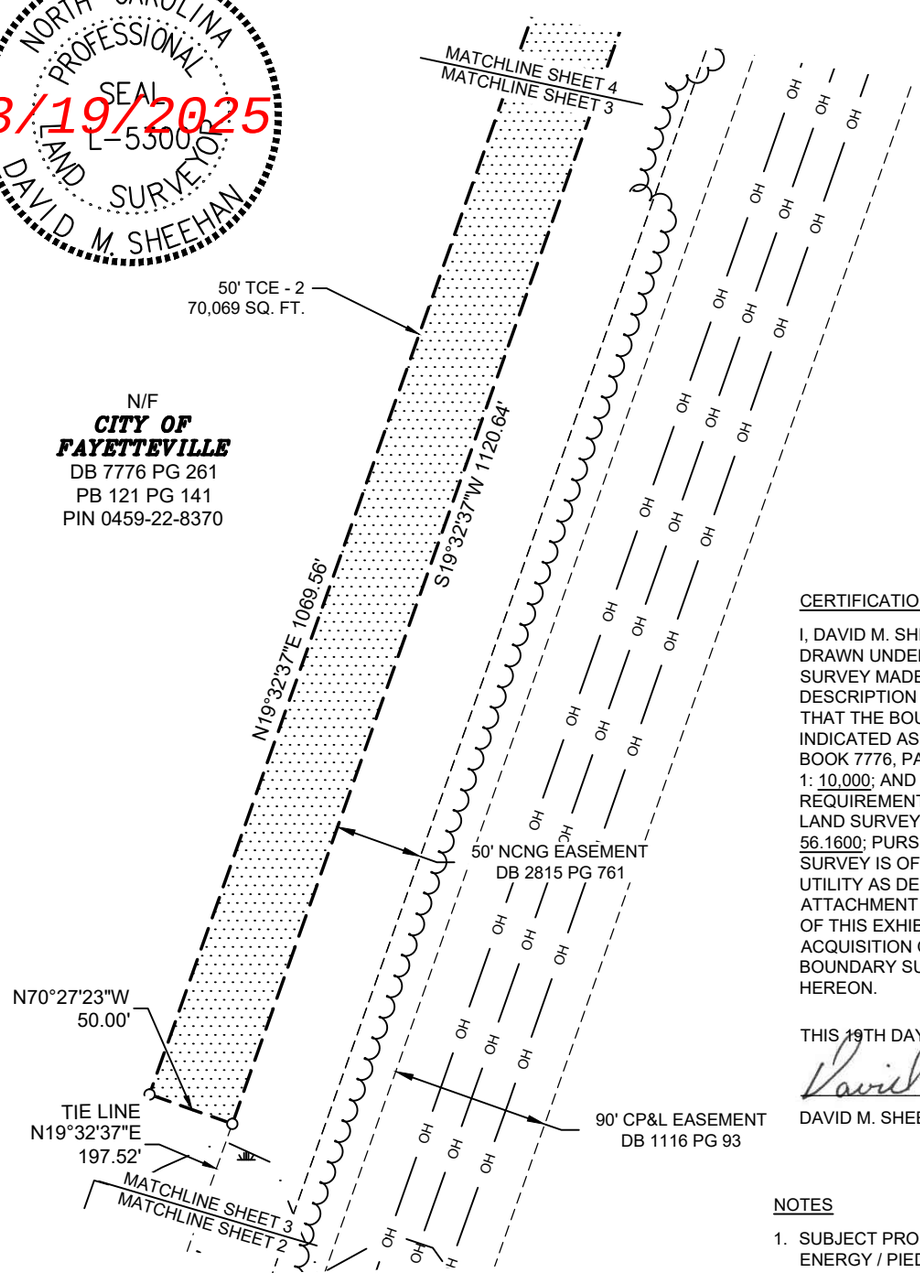
NAD83 (2011) NC GRID



LOCATION MAP
NOT TO SCALE

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN

3/19/2025



CERTIFICATION

I, DAVID M. SHEEHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 7776, PAGE 261); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 7776, PAGE 261; THAT THE RATIO OF PRECISION IS 1: 10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (F)(11)(C)(4) THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS 19TH DAY OF MARCH 2025

DAVID M. SHEEHAN, PLS L-5300

LEGEND

- IRON ROD SET
- CONC. MONUMENT FOUND
- IRON PIPE SET
- COMPUTED POINT (NOT SET)
- GUY ANCHOR
- UTILITY POLE

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R/W RIGHT OF WAY
N/F NOW OR FORMERLY
NCSR NORTH CAROLINA SECONDARY ROAD

WETLANDS

- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- RW — RIGHT OF WAY
- EXISTING EASEMENT
- TIE LINE
- OH — OVERHEAD ELECTRICAL
- RAILROAD LINE
- FENCE LINE
- TREE LINE

NOTES

1. SUBJECT PROPERTY SURVEYED AND MAPPED FOR: DUKE ENERGY / PIEDMONT NATURAL GAS.
2. AREA BY COORDINATE COMPUTATION METHOD.
3. GRID COORDINATES AND BEARINGS SHOWN ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), REALIZATION 2011, EPOCH 2010 BASED ON AN OPUS CONTROL POINT FOR THE PROJECT AT LAT. N 34 DEG. 57 MIN. 56.60320 SEC., LONG. W 078 DEG. 50 MIN. 55.34117 SEC. DISTANCES SHOWN ARE HORIZONTAL GRID IN U.S. SURVEY FEET WITH A COMBINED FACTOR OF 0.999877805 (GROUND TO GRID).
4. PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
5. SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.
6. THE OUTER LIMITS OF THE PERMANENT EASEMENT EXTENDS OR SHORTENS TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

0 CUSTER AVE., EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS: R1 01/15/25 PE	DATE OF SURVEY: 02/09/2024	SCALE: 1" = 100'
R2 03/19/25 TAE	DRAWN BY: SGJ	DEED: 7776-261
DUKE PROJ. #: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-290_000	115002_RW_L5S2-CUMB-290_000_PE_R2_031925	

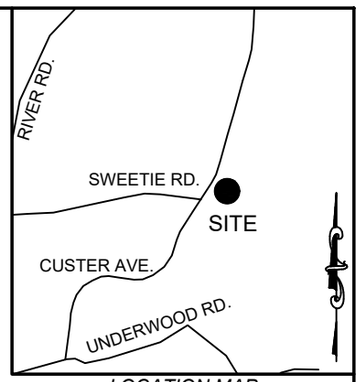
EXHIBIT C

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
PIPELINE EASEMENT	0.208	9,065
TEMPORARY ACCESS	0.253	11,019
TCE - 1	0.355	15,444
TCE - 2	1.608	70,069
TCE - TOTAL	1.963	85,513

GRAPHIC SCALE (IN FEET)
100 0 100
1 inch = 100 ft.

NAD83 (2011) NC GRID



LOCATION MAP
NOT TO SCALE

50' NCNG EASEMENT
DB 1060 PG 611

N/F
BETHEA, WILLIE G & IRENE P.
DB 6349 PG 84
PIN 0459-13-7265

N/F
MCKEITHAN, TONY
DB 9691 PG 671
PIN 0459-23-2008

S78°43'18"E 155.82'
N78°43'18"W 119.10'
S71°40'51"E 296.70'
N71°40'51"W 295.05'
N71°40'51"W 240.89'
20' PIPELINE EASEMENT
9,065 SQ. FT.

50' TCE - 2
70,069 SQ. FT.

N/F
CITY OF FAYETTEVILLE
DB 7776 PG 261
PB 121 PG 141
PIN 0459-22-8370

N19°32'37"E 1120.64'
N19°32'37"E 1069.56'
50' NCNG EASEMENT
DB 2815 PG 761
90' CP&L EASEMENT
DB 1116 PG 93

MATCHLINE SHEET 4
MATCHLINE SHEET 3

Line Table		
Line #	Length	Direction
L1	1.91	N38° 58' 42"E
L2	39.84	N78° 43' 18"W
L3	20.47	N23° 34' 38"E
L4	20.00	S19° 32' 37"W
L5	36.77	N78° 43' 18"W
L6	50.00	N11° 16' 42"E

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN
3/19/2025

CERTIFICATION

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THIS 19TH DAY OF MARCH 2025

DAVID M. SHEEHAN, PLS L-5300

LEGEND

- IRON ROD SET
- CONC. MONUMENT FOUND
- IRON PIPE SET
- COMPUTED POINT (NOT SET)
- GUY ANCHOR
- UTILITY POLE

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R/W RIGHT OF WAY
N/F NOW OR FORMERLY
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WETLANDS

- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- RW — RIGHT OF WAY
- EXISTING EASEMENT
- TIE LINE
- OH — OVERHEAD ELECTRICAL
- RAILROAD LINE
- FENCE LINE
- TREE LINE

NOTES

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2. AREA BY COORDINATE COMPUTATION METHOD.
3. GRID COORDINATES AND BEARINGS SHOWN ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), REALIZATION 2011, EPOCH 2010 BASED ON AN OPUS CONTROL POINT FOR THE PROJECT AT LAT. N 34 DEG. 57 MIN. 56.60320 SEC., LONG. W 078 DEG. 50 MIN. 55.34117 SEC. DISTANCES SHOWN ARE HORIZONTAL GRID IN U.S. SURVEY FEET WITH A COMBINED FACTOR OF 0.999877805 (GROUND TO GRID).
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6. THE OUTER LIMITS OF THE PERMANENT EASEMENT EXTENDS OR SHORTENS TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

0 CUSTER AVE., EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS: R1 01/15/25 PE	DATE OF SURVEY: 02/09/2024	SCALE: 1" = 100'
R2 03/19/25 TAE	DRAWN BY: SGJ	DEED: 7776-261
DUKE PROJ. #: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-290_000	115002_RW_L5S2-CUMB-290_000_PE_R2_031925	

EASEMENT AGREEMENT

Prepared by and Return to: Parker Poe Adams & Bernstein LLP (MJC), PO Box 389, Raleigh, NC 27602

NORTH CAROLINA

CUMBERLAND COUNTY

For Internal Informational Purposes Only
LINE NO. 5 SEG 2 PROJECT 110 MAOP
PROJECT TRACT NO. L5S2-CUMB-132_A01
PROJECT NO. 0235312
PARCEL ID #: 0433-26-7737

THIS "**EASEMENT AGREEMENT**" is made and granted as of this ____ day of January, 2026, from the **CITY OF FAYETTEVILLE**, a municipal corporation of the State of North Carolina, by and through **FAYETTEVILLE PUBLIC WORKS COMMISSION**, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville ("**Grantor**") to **PIEDMONT NATURAL GAS COMPANY, INC.**, a North Carolina corporation ("**Piedmont**").

WHEREAS, Grantor is the owner of, or has an interest in, that real property situated in Cumberland County, North Carolina, as more particularly described in the instrument recorded in Book 4317, Page 656 of the Cumberland County Registry (the "**Property**").

NOW, THEREFORE, Grantor for and in consideration of the sum of Two Thousand Eighty-Two Dollars and Forty-Two Cents ($2,082.42) and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, and conveys unto Piedmont the following easements and rights of way in the areas shown on the survey attached hereto as **Exhibit A** and incorporated herein by reference (the "**Survey**"), as more specifically provided herein.

For purposes of this EASEMENT AGREEMENT, the term "**Easements**" shall refer collectively to all easements granted hereby, and the term "**Easement Areas**" shall refer collectively to all the easement areas described herein and as depicted on the Survey.

Temporary Construction Easement ("TCE"). A non-exclusive, temporary construction easement over and upon the area designated as "TCE" on **Exhibit A** (the "**TCE Area**") for the purposes of performing construction activities relating to a natural gas pipeline ("**Pipeline**") and appurtenant facilities and laying, storing, and parking, equipment, vehicles, materials, fill, gravel, components, parts, and tools associated with the construction of the Pipeline and appurtenant facilities for which this TCE is given, which may or may not be located on the Property. All such materials and equipment shall be placed and stored at Piedmont's sole risk and expense. Grantor assumes no responsibility for the safekeeping, security, or protection of any property of Piedmont or its contractors, subcontractors, or agents. Grantor shall not be liable for any loss, theft, damage, or destruction of any of such materials or equipment, regardless of the cause. The TCE does not grant Piedmont the right to place, and Piedmont shall not place, any permanent facilities in the TCE Area.

The TCE shall terminate without any further action by any party upon the earlier of (1) Piedmont's restoration of the TCE Area pursuant to the restoration requirements described in the Damages section below and when any permits have been issued for construction and/or erosion and sediment control measures are present, the release of Piedmont from its obligations under all permits and the removal of all temporary erosion and sediment control measures from the Property, or (2) 24 months after the date of this Easement Agreement. Prior to the termination of the TCE, Piedmont shall remove all equipment, vehicles, materials, fill, gravel, components, parts, and tools from the TCE Area.

Temporary Access Easement. A temporary access easement upon, over, and across that portion of the Property designated as "30' Temporary Access" **Exhibit A** (the "**Temporary Access Area**") for the purposes of ingress, egress, and regress. Piedmont shall have the right, but not the obligation, to construct roads or driveways within the Temporary Access Area (including, without limitation, grading, graveling, and installing culverts) where no roads or driveways currently exist.

The Temporary Access Easement shall terminate without any further action by any party upon the earlier of (1) Piedmont's restoration of the Temporary Access Area pursuant to the restoration requirements described in the Damages section below and when any permits have been issued for construction and/or erosion and sediment control measures are present, the release of Piedmont from its obligations under all permits and the removal of all temporary erosion and sediment control measures from the Property, or (2) 24 months after the date of this Easement Agreement.

Grantor and Piedmont agree that Piedmont may, at Piedmont's sole discretion, upon written notice prior to the expiration of the TCE or Temporary Access Easement, as applicable, extend the duration of the TCE or Temporary Access Easement on a month-to-month basis for $500.00 per month with respect to each such easement for a maximum of an additional twelve (12) consecutive month period.

Piedmont's Use. Piedmont shall have the right, but not the obligation, to clear and keep the Easement Areas cleared of vegetation, undergrowth, trees (including overhanging limbs and foliage), and any obstructions (collectively, "**Obstructions**") that unreasonably interfere with the rights granted herein.

Grantor's Reservation of Rights. Grantor reserves the right to use the Easement Areas for all purposes that do not unreasonably interfere with the rights granted herein including, without limitation, the rights of ingress and egress over the Easement Areas. Grantor shall not: (1) unreasonably interfere with Piedmont's access to or maintenance or use of the Easement Areas; or (2) install or permit to be installed or maintained, any Obstructions within the Easement Areas except as approved in writing by Piedmont, such approval not to be unreasonably withheld, conditioned, or delayed.

Damages. Piedmont shall, at its sole cost and expense, repair and restore the Property to the condition existing immediately prior to Piedmont's use of the Easement Areas except to the extent such repairs are for damages caused by Grantor. Such restoration shall include restoring, leveling the surface of, and reseeding the Easement Areas.

Required Notices. Piedmont shall give Grantor prompt notice of any of the following occurrences arising with regard to the Property or Grantee's activities thereon: (1) any spill, release, or other occurrence that constitutes a violation of the provisions of any applicable laws, rules, or regulations; and (2) any notices, claims, or allegations of environmental violations or contamination received from any federal, state, or local governmental agency or authority, or the filing or commencement of any judicial or administrative proceeding by any such agency.

No Waiver or Additional Representations. The failure by Piedmont or Grantor to exercise and/or enforce any of the rights or privileges herein described shall not be construed as a waiver or abandonment of any such rights and privileges, and each party thereafter may exercise and/or enforce, at any time and from time to time, any or all of them.

Indemnification. Piedmont shall indemnify and hold Grantor, its Commissioners, officers, employees, agents, representatives, successors, and assigns harmless of and from any claims, losses, causes of action, liabilities, damages, and expenses (including reasonable attorney's fees) to the extent caused by the willful misconduct or negligent act or omission of Piedmont, or its agents, employees, licensees, or invitees relating to the use of the Easements contained herein (including, without limitation, the storage of materials and equipment within the TCE Area); provided, however, that Piedmont shall not be obligated to indemnify Grantor to the extent such claims, losses, causes of action, and damages are caused by the negligent act or omission, or willful misconduct, of Grantor, its Commissioners, officers, employees, agents, representatives, successors, or assigns.

Ownership of the Property. Grantor represents, warrants, and covenants that it is the lawful owner of the Property and has the right to convey the rights set forth herein, subject, however, to all easements, covenants, and rights-of-way of record over or across the Easement Areas or any portion thereof.

To have and to hold said rights, privileges, and Easements unto Piedmont, its successors, and assigns. The Easements shall run with the land and inure to the benefit of and be binding upon Grantor, Piedmont, and their respective successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, this Easement Agreement has been executed by Grantor, as of the date first above written.

GRANTOR:

CITY OF FAYETTEVILLE, a municipal corporation of the State of North Carolina, by and through Fayetteville Public Works Commission, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville

By: _____

Name: Timothy L. Bryant

Title: CEO/General Manager

NORTH CAROLINA
CUMBERLAND COUNTY

I, _____, a Notary Public for Cumberland County, North Carolina, certify that Timothy L. Bryant personally came before me this day and acknowledged that he is CEO/General Manager of the Fayetteville Public Works Commission and that he, in such capacity, being authorized to do so, executed the foregoing Easement on behalf of Fayetteville Public Works Commission.

Witness my hand and official seal this the _____ day of January, 2026.

[NOTARY SEAL]

_____Sign

_____Print

My commission expires: _____

IN WITNESS WHEREOF, this Easement Agreement has been executed by Piedmont, as of the date first above written.

PIEDMONT:

PIEDMONT NATURAL GAS COMPANY, INC., a North Carolina corporation

By: _____

Name: Jennifer Ingram

Title: Manager - Land Services

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public for _____ County, North Carolina, certify that Jennifer Ingram personally came before me this day and acknowledged that she is Manager - Land Services of Piedmont Natural Gas Company, Inc., a North Carolina corporation, and that she, in such capacity, being authorized to do so, executed the foregoing Easement on behalf of Piedmont Natural Gas Company, Inc.

Witness my hand and official seal this the _____ day of January, 2026.

[NOTARY SEAL]

_____Sign

_____Print

My commission expires: _____

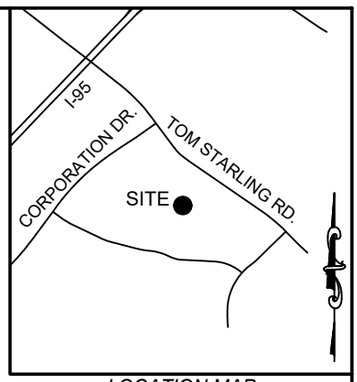
AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TEMPORARY ACCESS	0.535	23,298
TCE	0.030	1,297

EXHIBIT A

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

GRAPHIC SCALE (IN FEET)
150 0 150
1 inch = 150 ft.

NAD83 (2011) NC GRID



LOCATION MAP
1" = 3,000'

CERTIFICATION

I, DAVID M. SHEEHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 4317, PAGE 646); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 4317, PAGE 646; THAT THE RATIO OF PRECISION IS 1: 10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (F)(11)(C)(4) THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

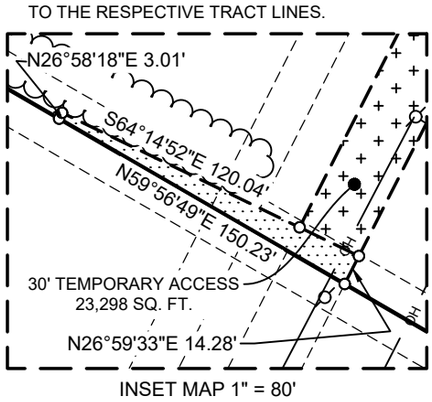
THIS 28TH DAY OF APRIL 2025

DAVID M. SHEEHAN, PLS L-5300

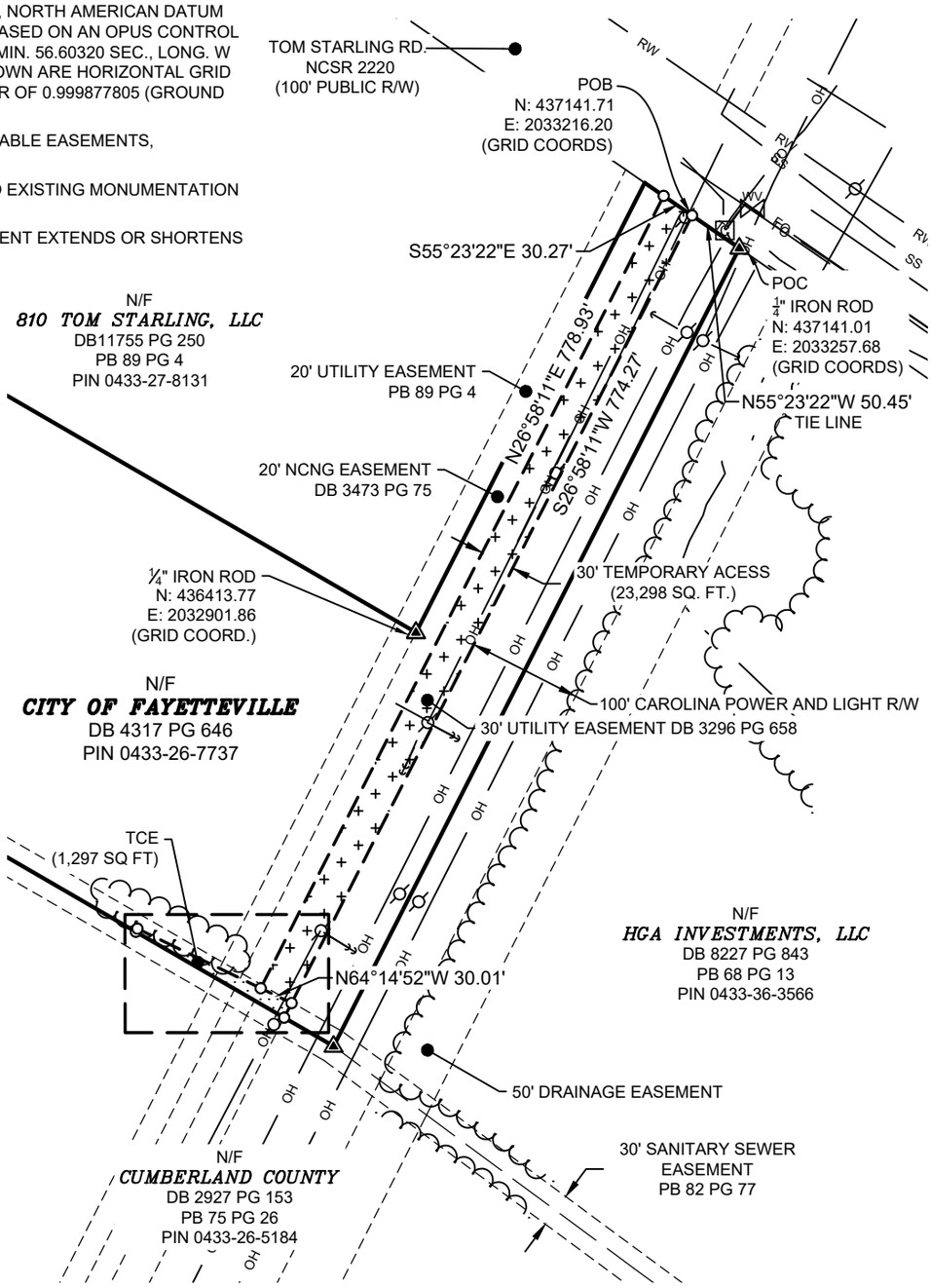
NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN
4/28/2025

NOTES

1. SUBJECT PROPERTY SURVEYED AND MAPPED FOR: DUKE ENERGY / PIEDMONT NATURAL GAS.
2. AREA BY COORDINATE COMPUTATION METHOD.
3. GRID COORDINATES AND BEARINGS SHOWN ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), REALIZATION 2011, EPOCH 2010 BASED ON AN OPUS CONTROL POINT FOR THE PROJECT AT LAT. N 34 DEG. 57 MIN. 56.60320 SEC., LONG. W 078 DEG. 50 MIN. 55.34117 SEC. DISTANCES SHOWN ARE HORIZONTAL GRID IN U.S. SURVEY FEET WITH A COMBINED FACTOR OF 0.999877805 (GROUND TO GRID).
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5. SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.
6. THE OUTER LIMITS OF THE PERMANENT EASEMENT EXTENDS OR SHORTENS TO THE RESPECTIVE TRACT LINES.



INSET MAP 1" = 80'



LEGEND

- IRON ROD FOUND
- UTILITY POLE
- GUY WIRE
- CABLE PULL BOX
- WATER VALVE
- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- RW — RIGHT OF WAY
- EXISTING EASEMENT
- TREELINE
- DITCH
- OH — OVERHEAD UTILITY
- SS — STORM SEWER
- FO — FIBER OPTIC

POB	POINT OF BEGINNING
POC	POINT OF COMENCEMENT
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY
NCSR	NORTH CAROLINA SECONDARY ROAD

ELI PROJECT #: 23-31-3001

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

814 TOM STARLING RD., ROCKFISH TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

REVISIONS: R1 4/28/25 DATA	DATE OF SURVEY: 12/12/2023	SCALE: 1" = 150'
	DRAWN BY: TJM	DEED: 4317-646
DUKE PROJ. #: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-132_A01	115002_RW_L5S2-CUMB-132_A01_TAE_R1_042825	

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202
TELEPHONE NO.
800-641-7762

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

Prepared by and Return to: Parker Poe Adams & Bernstein LLP (MJC), PO Box 389, Raleigh, NC 27602

NORTH CAROLINA

CUMBERLAND COUNTY

For Internal Informational Purposes Only
LINE NO. 5 SEG 2 PROJECT 110 MAOP
PROJECT TRACT NO. L5S2-CUMB-290_000 PROJECT NO. 0235312
PARCEL ID #: 0459-22-8370

THIS "**TEMPORARY CONSTRUCTION EASEMENT AGREEMENT**" is made and granted as of this ____ day of _____, 2025, from the **CITY OF FAYETTEVILLE**, a municipal corporation of the State of North Carolina, by and through **FAYETTEVILLE PUBLIC WORKS COMMISSION**, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville ("**Grantor**") to **PIEDMONT NATURAL GAS COMPANY, INC.**, a North Carolina corporation ("**Piedmont**").

WHEREAS, Grantor is the owner of, or has an interest in, that real property situated in Cumberland County, North Carolina, as more particularly described in the instrument recorded in Book 7776, Page 261 of the Cumberland County Registry (the "**Property**").

NOW, THEREFORE, Grantor for and in consideration of the sum of Ten Dollars ($10.^{00}$) and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, and conveys unto Piedmont the following easements and rights of way in the areas shown on the map attached hereto as **Exhibit A** and incorporated herein by reference, as more specifically provided herein.

Temporary Construction Easement ("TCE"). A non-exclusive, temporary construction easement over and upon the areas designated as "10' TCE-1" and "10' TCE-2" on **Exhibit A** (the "**TCE Areas**") for the purposes of performing activities associated with the abandonment and retirement of Piedmont's now-existing natural gas pipeline(s) and appurtenant facilities. Piedmont shall have the right, but not the obligation, to install temporary fencing around the TCE Areas and to exclude all persons, other than Grantor, its agents and contractors, and other third parties with rights to the Easement Areas, from any fenced portions of the TCE Areas. All such materials and equipment shall be placed and stored at Piedmont's sole risk and expense. Grantor assumes no responsibility for the safekeeping, security, or protection of any property of Piedmont or its contractors, subcontractors, or agents. Grantor shall not be liable for any loss, theft, damage, or destruction of any of such materials or equipment, regardless of the cause. The TCE does not grant Piedmont the right to place, and Piedmont shall not place, any permanent facilities in the TCE Areas.

The TCE shall terminate without any further action by any party upon the earlier of (1) Piedmont's restoration of the TCE Areas pursuant to the restoration requirements described in the Damages section below and when any permits have been issued for construction and/or erosion and sediment control measures are present, the release of Piedmont from its obligations under all permits and the removal of all temporary erosion and sediment control measures from the Property, or (2) 24 months after Piedmont's commencement of the activities for which this Temporary Construction Easement Agreement is given. Prior to the termination of the TCE, Piedmont shall remove all equipment, vehicles, materials, fill, gravel, components, parts, and tools from the TCE Areas.

Grantor and Piedmont agree that Piedmont may, at Piedmont's sole discretion, upon written notice prior to the expiration of the TCE, extend the duration of the TCE on a month-to-month basis for $500.00 per month with respect to each such easement for a maximum of an additional twelve (12) consecutive month period.

For purposes of this TEMPORARY CONSTRUCTION EASEMENT, the term "**Easements**" shall refer collectively to all easements described above and as depicted on **Exhibit A,** and the term "**Easement Areas**" shall refer collectively to all the easement areas described above and as depicted on **Exhibit A**.

Piedmont's Use. Piedmont shall have the right, but not the obligation, to clear and keep the Easement Areas cleared of vegetation, undergrowth, trees (including overhanging limbs and foliage), and any obstructions (collectively, "**Obstructions**") that unreasonably interfere with the rights granted herein.

Grantor's Reservation of Rights. Grantor reserves the right to use the Easement Areas for all purposes that do not unreasonably interfere with the rights granted herein including, without limitation, the rights of ingress and egress over the Easement Areas. Grantor shall not: (1) unreasonably interfere with Piedmont's access to or maintenance or use of the Easement Areas; or (2) install or permit to be installed or maintained, any Obstructions within the Easement Areas except as approved in writing by Piedmont, such approval not to be unreasonably withheld, conditioned, or delayed.

Damages. Piedmont shall, at its sole cost and expense, repair and restore the Property to the condition existing immediately prior to Piedmont's use of the Easement Areas except to the extent such repairs are for damages caused by Grantor. Such restoration shall include restoring, leveling the surface of, and reseeding the Easement Areas.

Required Notices. Piedmont shall give Grantor prompt notice of any of the following occurrences arising with regard to (i) the Property, and (ii) that certain 50' Easement, which is the subject to the Consent Order recorded in Book 2815, Page 761, Cumberland County Registry, as assigned pursuant to the instrument recorded in Book 3980, Page 793, Cumberland County Registry, or Grantee's activities thereon: (1) any spill, release, or other occurrence that constitutes a violation of the provisions of any applicable laws, rules, or regulations; and (2) any notices, claims, or allegations of environmental violations or contamination received from any federal, state, or local governmental agency or authority, or the filing or commencement of any judicial or administrative proceeding by any such agency.

No Waiver or Additional Representations. The failure by Piedmont or Grantor to exercise and/or enforce any of the rights or privileges herein described shall not be construed as a waiver or abandonment of any such rights and privileges, and each party thereafter may exercise and/or enforce, at any time and from time to time, any or all of them.

Indemnification. Piedmont shall indemnify and hold Grantor, its Commissioners, officers, employees, agents, representatives, successors, and assigns harmless of and from any claims, losses, causes of action, liabilities, damages, and expenses (including reasonable attorney's fees) to the extent caused by the willful misconduct or negligent act or omission of Piedmont, or its agents, employees, licensees, or invitees relating to the use of the Easements contained herein (including, without limitation, the storage of materials and equipment within the TCE Areas); provided, however, that Piedmont shall not be obligated to indemnify Grantor except to the extent such claims, losses, causes of action, and damages are caused by the negligent act or omission, or willful misconduct, of Grantor, its Commissioners, officers, employees, agents, representatives, successors, or assigns.

Ownership of the Property. Grantor represents, warrants, and covenants that it is the lawful owner of the Property and has the right to convey the rights set forth herein, subject, however, to all easements, covenants, and rights-of-way of record over or across the Easement Areas or any portion thereof.

To have and to hold said rights, privileges, and Easements unto Piedmont, its successors and assigns. The Easements shall run with the land and inure to the benefit of and be binding upon Grantor, Piedmont and their respective successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, this Easement Agreement has been executed by Grantor, as of the date first above written.

GRANTOR:

CITY OF FAYETTEVILLE, a municipal corporation of the State of North Carolina, by and through Fayetteville Public Works Commission, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville

By: _____

Name: Timothy L. Bryant

Title: CEO/General Manager

NORTH CAROLINA
CUMBERLAND COUNTY

I, _____, a Notary Public for Cumberland County, North Carolina, certify that Timothy L. Bryant personally came before me this day and acknowledged that he is CEO/General Manager of the Fayetteville Public Works Commission and that he, in such capacity, being authorized to do so, executed the foregoing Easement on behalf of Fayetteville Public Works Commission.

Witness my hand and official seal this the _____ day of _____, 2025.

[NOTARY SEAL]

_____Sign

_____Print

My commission expires: _____

IN WITNESS WHEREOF, this Easement Agreement has been executed by Piedmont, as of the date first above written.

PIEDMONT:

PIEDMONT NATURAL GAS COMPANY, INC., a North Carolina corporation

By: _____

Name: Jennifer Ingram

Title: Manager - Land Services

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public for _____ County, North Carolina, certify that Jennifer Ingram personally came before me this day and acknowledged that she is Manager - Land Services of Piedmont Natural Gas Company, Inc., a North Carolina corporation, and that she, in such capacity, being authorized to do so, executed the foregoing Easement on behalf of Piedmont Natural Gas Company, Inc.

Witness my hand and official seal this the _____ day of _____, 2025.

[NOTARY SEAL]

_____Sign

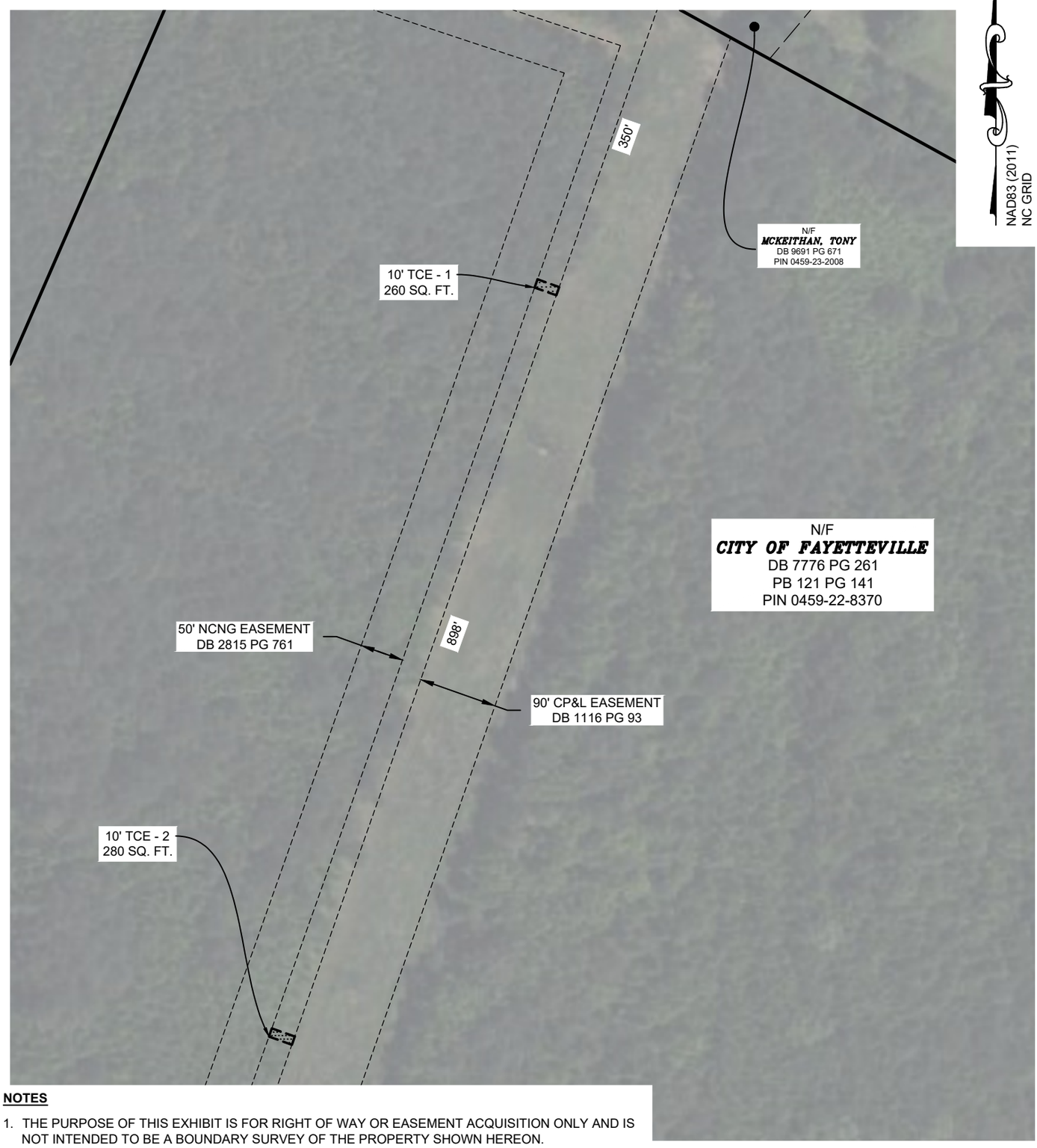
_____Print

My commission expires: _____

EXHIBIT A

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TCE - 1	0.006	260
TCE - 2	0.006	280
TCE TOTAL	0.012	540

GRAPHIC SCALE (IN FEET)
150 0 150
1 inch = 150 ft.



NOTES

1. THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.
2. THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.
3. GAS LINE(S) AND OTHER UTILITIES ARE NOT SHOWN AND SHOULD BE LOCATED PRIOR TO DESIGN, CONSTRUCTION, AND EXCAVATION ACTIVITIES.
4. PROPERTY LINES, RIGHT OF WAY, AND IMPROVEMENTS SHOWN WERE ESTABLISHED BY USING GIS DATA, DEEDS, DEVELOPMENT PLANS, AND AERIAL OBSERVATIONS. THE SUBJECT PROPERTY MAY HAVE ADDITIONAL IMPROVEMENTS NOT SHOWN HEREON.
5. AREA BY COORDINATE COMPUTATION METHOD.
6. PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
7. THE OUTER LIMITS OF THE EASEMENT(S) EXTEND OR SHORTEN TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

LEGEND
SUBJECT PARCEL
SUBJECT EASEMENT
ADJACENT PARCEL
EXISTING EASEMENT
N/F NOW OR FORMERLY

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

0 CUSTER AVE., EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

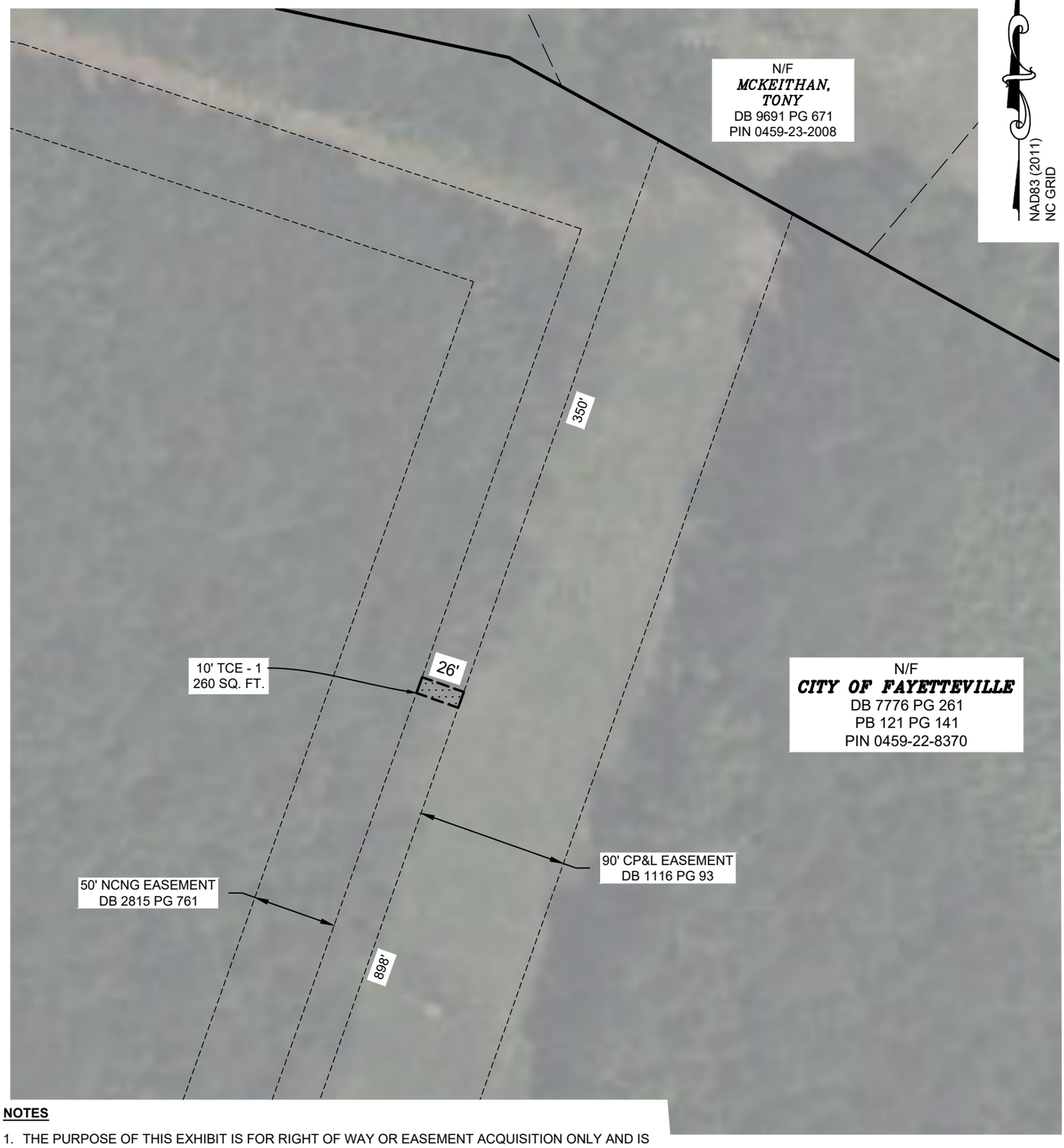
DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS:	DATE OF MAP: 07/03/2025	SCALE: 1" = 200'
	DRAWN BY: TJM	DEED: 7776-261
DUKE PROJ.#: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-290_000	115002_RW_L5S2-CUMB-290_000_TCE_R0_PRELIM	

EXHIBIT A

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TCE - 1	0.006	260
TCE - 2	0.006	280
TCE TOTAL	0.012	540

GRAPHIC SCALE (IN FEET)
80 0 80
1 inch = 80 ft.



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7. THE OUTER LIMITS OF THE EASEMENT(S) EXTEND OR SHORTEN TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

LEGEND
- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- EXISTING EASEMENT

N/F NOW OR FORMERLY

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

0 CUSTER AVE., EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

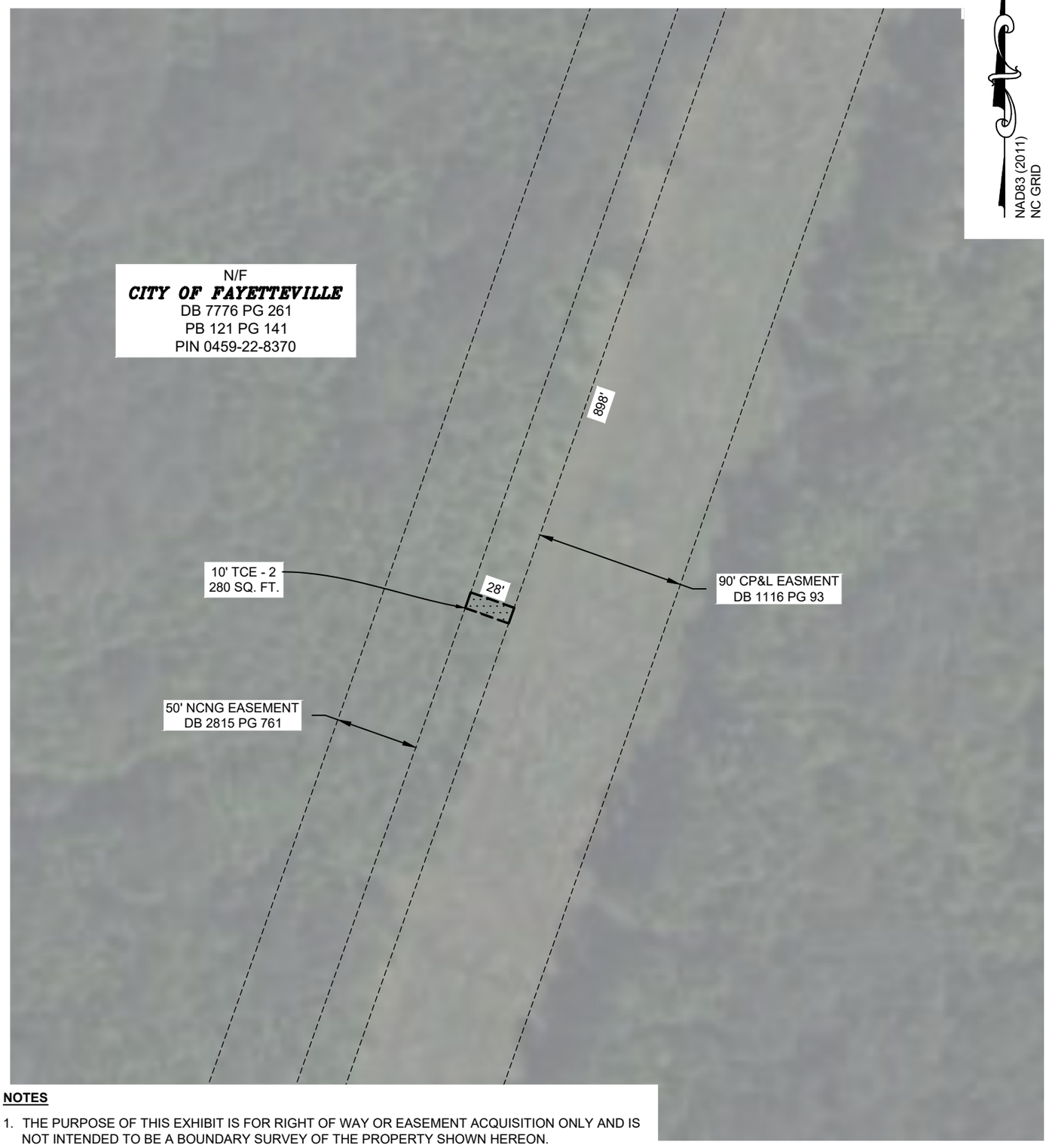
REVISIONS:	DATE OF MAP: 07/03/2025	SCALE: 1" = 80'
	DRAWN BY: TJM	DEED: 7776-261
DUKE PROJ.#: 0235312	CHECK BY: GCC	PROPERTY ID #: 115002
TRACT #: L5S2-CUMB-290_000	115002_RW_L5S2-CUMB-290_000_TCE_R0_PRELIM	

EXHIBIT A

AREA TABLE		
EASEMENT TYPE	ACRES	SQ. FT.
TCE - 1	0.006	260
TCE - 2	0.006	280
TCE TOTAL	0.012	540

GRAPHIC SCALE (IN FEET)
80 0 80
1 inch = 80 ft.

NAD83 (2011)
NC GRID



NOTES

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5. AREA BY COORDINATE COMPUTATION METHOD.
6. PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
7. THE OUTER LIMITS OF THE EASEMENT(S) EXTEND OR SHORTEN TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

LEGEND
- SUBJECT PARCEL
- SUBJECT EASEMENT
- ADJACENT PARCEL
- EXISTING EASEMENT
- N/F NOW OR FORMERLY

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
EASEMENT EXHIBIT

EASEMENT ACROSS THE LAND OF
CITY OF FAYETTEVILLE

0 CUSTER AVE., EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS:	DATE OF MAP: 07/03/2025 DRAWN BY: TJM CHECK BY: GCC	SCALE: 1" = 80' DEED: 7776-261 PROPERTY ID #: 115002
DUKE PROJ.#: 0235312		
TRACT #: L5S2-CUMB-290_000	115002_RW_L5S2-CUMB-290_000_TCE_R0_PRELIM	

Piedmont Natural Gas

Total Compensation Agreement ("Agreement")

Piedmont Natural Gas Company, Inc. ("Piedmont")

Project Name:	Line 5 Segment 2 Project 110 MAOP	Project Number:	0235312
Project Tract #:	L5S2-CUMB-132_A01	Consideration:	$0.00
Landowner:	City of Fayetteville	% Ownership:	100.00%
Pay to the Order of:			
Deliver Check To:	Richard Galt 955 Old Wilmington Highway Fayetteville, NC 28301	Phone: (919) 223-4339, Kyle Brisson	

In consideration of the Easement Agreement dated _____, 2026 ("Easement") granted by Landowner to Piedmont, Piedmont agrees to pay Landowner the following amounts:

PER ACRE FAIR MARKET VALUE ("FMV")	$36,857

PERMANENT (G662)	Acres	%FMV		
Pipeline Easement Area				
Perm. Access Easement Area				
USSE Area				
Testing and Operations Easement Area				
PERMANENT TOTAL				

TEMPORARY (G663)	Acres	%FMV		
TCE Area	0.030	10%		$110.57
Temp. Access Easement Area	0.535	10%		$1,971.85
Right of Entry				
Option Agreement				
TEMPORARY TOTAL				**$2,082.42**

CROP DAMAGES (G656)	Type	Acres	Yield per Acre	Price per Yield Unit	
Crops					
Timber					
CROP DAMAGE TOTAL					

OTHER DAMAGES (G656)		
OTHER DAMAGES TOTAL		

GRAND TOTAL	$2,082.42

Landowner agrees the amounts paid pursuant to this Agreement shall constitute full and final payment for the Easement and any damages described above. Any damages not listed above will be addressed pursuant to the terms of the Easement. This Agreement shall be governed by North Carolina law.

Landowner: **Date:**

_____ (SIGN) _____

Timothy L. Bryant, CEO/General Manager (PRINT)

Land Agent:

_____ (SIGN) _____

_____ (PRINT)

Piedmont Natural Gas

Total Compensation Agreement ("Agreement")

Piedmont Natural Gas Company, Inc. ("Piedmont") **CONSOLIDATED**

Project Name: Line 5 Segment 2 Project 110 MAOP Project Number: 0235312

Project Tract #: L5S2-CUMB-289_000, L5S2-CUMB-289_A02 & L5S2-CUMB-290_000 Consideration: $18,192.61

Landowner: City of Fayetteville % Ownership: 100.00%

Pay to the Order of:

Deliver Check To: Richard Galt Phone: 919-223-4339, Kyle Brisson

955 Old Wilmington Highway

Fayetteville, NC 28301

In consideration of the Easement Agreement, Temporary Construction Easement Agreement, and Revocable License Agreement dated _____, 2026 granted by Landowner to Piedmont, Piedmont agrees to pay Landowner the following amounts:

PER ACRE FAIR MARKET VALUE ("FMV")	$36,857

PERMANENT (G662)	Acres	%FMV		
Pipeline Easement 290	0.208	80%		$6,133.00
Perm. Access Easement Area				$0.00
License Area 289	0.409	80%		$12,059.61
Testing and Operations Easement Area				$0.00
PERMANENT TOTAL				**$18,192.61**

TEMPORARY (G663)	Acres	%FMV		
TCE 289_A02	0.009	10%		$33.17
Temp. Access 289	0.143	10%		$527.06
Temp. Access 289_A02	0.003	10%		$11.06
Temp. Access 290	0.253	10%		$932.48
TCE 290	1.963	10%		$7,235.03
TEMPORARY TOTAL				**$8,738.79**

CROP DAMAGES (G656)	Type	Acres	Yield per Acre	Price per Yield Unit	
Crops					
Timber					
CROP DAMAGE TOTAL					

OTHER DAMAGES (G656)		
	Tree Clearing Damages	$9,706.70
OTHER DAMAGES TOTAL		**$9,706.70**

GRAND TOTAL	$36,638.10

Landowner agrees the amounts paid pursuant to this Agreement shall constitute full and final payment for the Easement Agreement, Temporary Construction Easement Agreement, and Revocable License Agreement and any damages described above. Any damages not listed above will be addressed pursuant to the terms of the Easement. This Agreement shall be governed by North Carolina law.

Landowner: **Date:**

_____ (SIGN) _____

Timothy L. Bryant, CEO/General Manager (PRINT)

Land Agent:

_____ (SIGN) _____

Charice Muckelvene (PRINT)

Piedmont Natural Gas

Total Compensation Agreement ("Agreement")

Piedmont Natural Gas Company, Inc. ("Piedmont")

Project Name: Line 5 Segment 2 Project 110 MAOP Project Number: 0235312

Project Tract #: L5S2-CUMB-290_000 - Retirement Consideration: $0.00

Landowner: City of Fayetteville % Ownership: 100.00%

Pay to the Order of:

Deliver Check To: Richard Galt

955 Old Wilmington Highway

Fayetteville, NC 28301

Phone: 919-223-4339, Kyle Brisson

In consideration of the Temporary Construction Easement Agreement dated _____, 2026 granted by Landowner to Piedmont, Piedmont agrees to pay Landowner the following amounts:

PER ACRE FAIR MARKET VALUE ("FMV")	$36,857

PERMANENT (G662)	Acres	%FMV		
Pipeline Easement				$0.00
Perm. Access Easement Area				$0.00
License Area				$0.00
Testing and Operations Easement Area				$0.00
PERMANENT TOTAL				**$0.00**

TEMPORARY (G663)	Acres	%FMV		
TCE	0.012	10%		$44.23
TEMPORARY TOTAL				**$44.23**

CROP DAMAGES (G656)	Type	Acres	Yield per Acre	Price per Yield Unit	
Crops					
Timber					
CROP DAMAGE TOTAL					

OTHER DAMAGES (G656)		
	Tree Clearing Damages	$55.77
OTHER DAMAGES TOTAL		**$55.77**

GRAND TOTAL	**$100.00**

Landowner agrees the amounts paid pursuant to this Agreement shall constitute full and final payment for the Temporary Construction Easement Agreement and any damages described above. Any damages not listed above will be addressed pursuant to the terms of the Easement. This Agreement shall be governed by North Carolina law.

Landowner: **Date:**

_____ (SIGN) _____

Timothy L. Bryant, CEO/General Manager (PRINT)

Land Agent:

_____ (SIGN) _____

Charice Muckelvene (PRINT)

STATE OF NORTH CAROLINA **L5S2-CUMB-289_000**
PIN: 0459-00-8872
COUNTY OF CUMBERLAND **Project No.: 0235312**

REVOCABLE LICENSE AGREEMENT

THIS REVOCABLE LICENSE AGREEMENT (this "**Agreement**") is made and entered into as of the _____ day of January, 2026, by and between **CITY OF FAYETTEVILLE**, a municipal corporation, by and through **FAYETTEVILLE PUBLIC WORKS COMMISSION**, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville, a North Carolina public authority, having a mailing address of 955 Old Wilmington Rd, Fayetteville, North Carolina 28301 ("**Licensor**"), and **PIEDMONT NATURAL GAS COMPANY, INC**, a North Carolina corporation, with a mailing address of 525 South Tryon Street, DEC 09B, Charlotte, North Carolina 28202 ("**Licensee**").

RECITALS

WHEREAS, Licensor is the owner of that certain real property located in Cumberland County, North Carolina, as more particularly described in the instruments recorded in the Office of the Register of Deeds for Cumberland County in Book 2495, Page 785; Book 3679, Page 243; Book 3679, Page 247; and Plat Book 86, Page 24 (collectively, the "**Licensor's Property**"), and

WHEREAS, Licensee desires to acquire a revocable, non-exclusive license for use of a portion of Licensor's Property as more particularly shown as "LICENSE AREA 17,800 SQ. FT" on a plat of survey attached hereto as **Exhibit A** and incorporated herein by reference (the "**License Area**"), subject to the terms and conditions set forth herein, and

WHEREAS, Licensor is willing to grant to Licensee the desired revocable, non-exclusive license for such occupancy and utilization, subject to the terms and conditions as stipulated below.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and Licensee hereby agree as follows:

1. Grant of License. Licensor hereby grants to Licensee, and Licensee hereby accepts from Licensor, subject to the terms of this Agreement, a limited, revocable, nonexclusive license to use the License Area for installing and maintaining a utility station and appurtenant facilities to be used in connection with the transportation and/or control of natural gas (the "**Improvements**").

Licensee shall access the License Area only via the road specifically designated for such purpose by Licensor from time to time, (the "**Designated Road**"). Use of any other portion of the Licensor's Property is strictly prohibited without the prior written consent of Licensor.

The term of the Agreement shall be for a period of ten (10) years from the date hereof (the "**Term**") unless sooner terminated or extended as provided hereinafter; provided, however, that upon the expiration of the initial ten (10) year Term of this Agreement, and each subsequent renewal term, this Agreement shall be automatically renewed for a period of one (1) year. The license rights granted herein may be terminated by Licensor or Licensee upon one hundred eighty (180) days' written notice to the other party. Upon termination of this Agreement, Licensee shall immediately cease use of the License Area and Licensor's Property.

2. License Fee. During the Term of this Agreement and any renewal thereof, the Licensee shall pay to Licensor the sum of Ten and No/100 Dollars ($10.00) per year in advance.

3. Licensor Reservation. Licensor reserves for itself, its successors, and assigns, the right to use the License Area, in whole or in part, from time to time for any purposes that are not inconsistent with the rights granted to Licensee in this Agreement, and such concurrent uses shall not be deemed or construed as a violation of Licensee's rights or Licensor's obligations under this Agreement. Licensor may make use of the License Area without any responsibility for any loss or damage sustained or claimed by Licensee.

4. Release. Licensee, on behalf of itself and its invitees who use the License Area from time to time, hereby releases Licensor and Licensor's employees, officers, directors, agents, successors, and assigns from any liability associated with the use of the License Area by Licensee and Licensee's contractors and invitees.

5. Miscellaneous.

5.1 It is expressly stipulated by Licensor and Licensee that this Agreement is a revocable license for permissive use only. Licensee agrees that Licensee does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in the License Area or Licensor's Property, by virtue of this Agreement or Licensee's occupancy or use hereunder, and Licensor conveys no interest in the License Area or Licensor's Property to Licensee by this Agreement.

5.2 It is expressly stipulated by Licensor and Licensee that the privileges provided herein create no perpetual rights but determinable privileges depending solely on the conditions in this Agreement and at no time shall this Agreement be construed as a license coupled with an interest.

5.3 Licensee shall indemnify and hold Licensor, its Commissioners, officers, employees, agents, representatives, successors, and assigns harmless of and from any claims, losses, causes of action, liabilities, damages, and expenses (including reasonable attorney's fees) to the extent caused by the willful misconduct or negligent act or omission of Licensee, or its agents, employees, licensees, or invitees relating to the use of the License Area contained herein; provided, however, that Licensee shall not be obligated to indemnify Licensor to the extent such claims, losses, causes of action, and damages are caused by the negligent act or omission, or willful misconduct, of Licensor, its Commissioners, officers, employees, agents, representatives, successors, or assigns.

5.4 Licensee and its successors and assigns shall have the right to assign, license, lease, or otherwise transfer, in whole or in part, this Agreement, or any rights granted herein, to any parent or wholly owned subsidiary of Licensee for the uses and purposes expressly stated herein.

5.5 The failure of any party to this Agreement in any one or more instances to insist upon compliance with any provision or covenant herein or to exercise any right or privilege herein shall not constitute or be construed as a waiver of such or any similar provision or covenant.

6. This Agreement shall be governed by the laws of the State of North Carolina without regard to principles of conflict of laws.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year first set forth above.

LICENSEE:

PIEDMONT NATURAL GAS COMPANY, INC., a North Carolina corporation

By:_____
Jennifer Ingram
Manager - Land Services

LICENSOR:

CITY OF FAYETTEVILLE, a municipal corporation of the State of North Carolina, by and through Fayetteville Public Works Commission, a public authority, in accordance with Chapter VIA of the Charter of the City of Fayetteville

By:_____
Timothy L. Bryant
CEO/General Manager

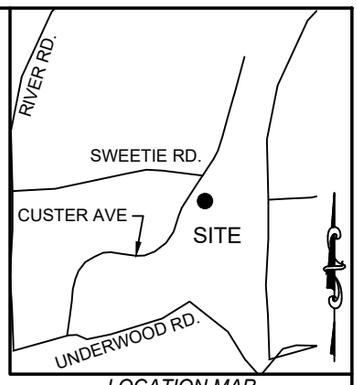
EXHIBIT A

AREA TABLE		
AREA TYPE	ACRES	SQ. FT.
LICENSE AREA	0.409	17,800

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

GRAPHIC SCALE (IN FEET)
100 0 100
1 inch = 100 ft.

NAD83 (2011) NC GRID



LOCATION MAP
NOT TO SCALE

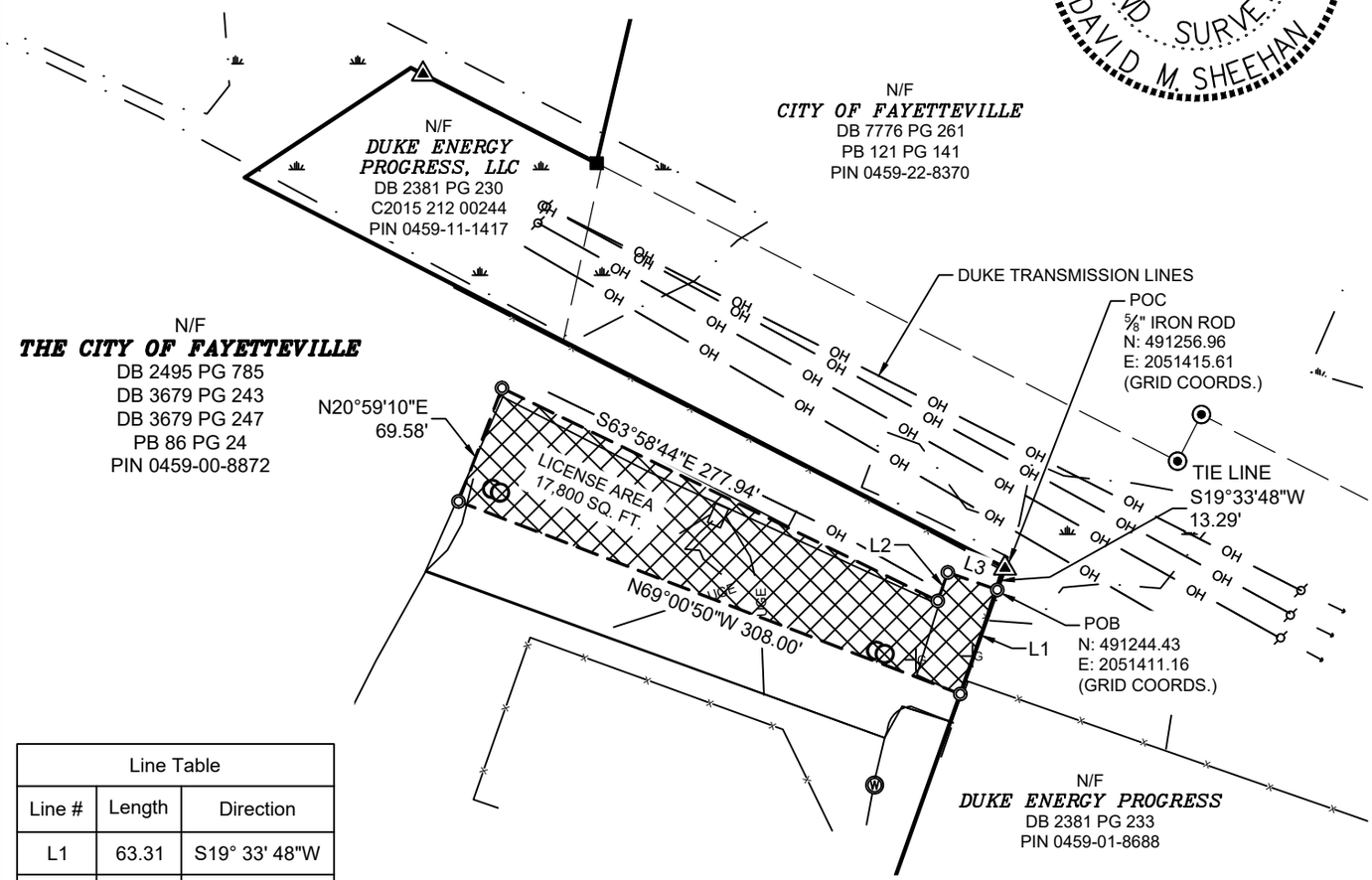
CERTIFICATION

I, DAVID M. SHEEHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2495, PAGE 785, AND IN BOOK 3679 PAGE 243, AND IN BOOK 3679, PAGE 247); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 2495, PAGE 785, AND IN BOOK 3679 PAGE 243, AND IN BOOK 3679, PAGE 247; THAT THE RATIO OF PRECISION IS 1: 10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (F)(11)(C)(4) THIS SURVEY IS OF A PROPOSED LICENSE AREA FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS 12TH DAY OF NOVEMBER 2025

DAVID M. SHEEHAN, PLS L-2883

NORTH CAROLINA PROFESSIONAL SEAL L-5300 LAND SURVEYOR DAVID M. SHEEHAN
11/12/2025



Line Table		
Line #	Length	Direction
L1	63.31	S19° 33' 48"W
L2	17.28	N19° 24' 05"E
L3	30.05	S70° 35' 55"E

LEGEND

- IRON ROD FOUND
- IRON PIPE FOUND
- CONCRETE MONUMENT
- REBAR SET W/ CAP
- COMPUTED POINT (NOT SET)
- BOLLARD
- UTILITY POLE
- GUY ANCHOR
- GAS MARKER
- WELL
- WETLANDS
- SUBJECT PARCEL
- SUBJECT AREA
- ADJACENT PARCEL
- FENCE LINE
- OVERHEAD UTILITY (OH)
- UNDERGROUND UTILITY (UGE)
- EDGE OF ROAD
- TREE LINE

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
N/F NOW OR FORMERLY

NOTES

1. SUBJECT PROPERTY SURVEYED AND MAPPED FOR: DUKE ENERGY / PIEDMONT NATURAL GAS.
2. AREA BY COORDINATE COMPUTATION METHOD.
3. GRID COORDINATES AND BEARINGS SHOWN ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), REALIZATION 2011, EPOCH 2010 BASED ON AN OPUS CONTROL POINT FOR THE PROJECT AT LAT. N 34 DEG. 57 MIN. 56.60320 SEC., LONG. W 078 DEG. 50 MIN. 55.34117 SEC. DISTANCES SHOWN ARE HORIZONTAL GRID IN U.S. SURVEY FEET WITH A COMBINED FACTOR OF 0.999877805 (GROUND TO GRID).
4. PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
5. SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.
6. THE OUTER LIMITS OF THE LICENSE AREA EXTENDS OR SHORTENS TO THE RESPECTIVE TRACT LINES.

ELI PROJECT #: 23-31-3001

Energy Land & Infrastructure
500 GREGSON DRIVE, SUITE 180 · CARY, NC 27511
919-234-1974 · WWW.ELI-LLC.COM · LICENSE # P-1289
ENGINEERS · SURVEYORS · INFRASTRUCTURE · ENVIRONMENTAL

PIEDMONT NATURAL GAS COMPANY, INC
REVOCABLE LICENSE AGREEMENT EXHIBIT

LICENSE AREA ACROSS THE LAND OF
THE CITY OF FAYETTEVILLE

2274 CUSTER AVENUE, EASTOVER TOWNSHIP
CUMBERLAND COUNTY, NORTH CAROLINA

DUKE ENERGY®
PIEDMONT NATURAL GAS
SUBSIDIARY OF DUKE ENERGY
525 S. TRYON STREET
CHARLOTTE, N.C. 28202

REVISIONS:

DATE OF SURVEY: 02/16/2024
DRAWN BY: SGJ
CHECK BY: GCC

SCALE: 1" = 100'
DEED: 2495-785, 3679-243, 3679-247
PROPERTY ID #: 115002

DUKE PROJ. #: 0235312

TRACT #: L5S2-CUMB-289_000

115002_RW_L5S2-CUMB-289_000_LIC_USSE_R0_111225

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0009

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Public Hearing (Public & Legislative)

Agenda Number: 8.01

TO: **Mayor and Members of City Council**

THRU: **Kelly Strickland - Assistant City Manager**
Dr. Gerald Newton, AICP - Development Services Director

FROM: **Craig Harmon - Senior Planner**

DATE: **January 26, 2026**

RE:
P25-30: A request to rezone 2211 Rosehill Road (0438470005000), consisting of 21.27 acres and owned by Cross Creek Refuse LLC, from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5). (Tabled from August 25 and October 27, 2025)

COUNCIL DISTRICT(S):
2 - Malik Davis

Relationship To Strategic Plan:
Reclassification from SF-6 to MR-5 advances the City's FY2025 Strategic Plan by enabling context-appropriate, infrastructure-efficient housing growth on an infill tract with access to public services. The district's mix of housing types at moderate densities supports economic resilience, neighborhood reinvestment, and long-term fiscal health.

Goal II - Diverse & Viable Economy

- Broadens the tax base by allowing additional dwelling units and product types on already-serviced land, improving taxable value per acre relative to detached-only patterns.
- Signals regulatory certainty that can catalyze reinvestment and job-supporting activity in construction and allied services.
- Uses existing utilities and streets more intensively, improving return on prior public investments.

Goal III - Invested in Today & Tomorrow (Strategic Growth & Land Use)

- Directs growth to a location contiguous with the urban fabric and public utilities, reducing pressure on greenfield areas and supporting a more compact city form.
- Aligns with medium-density residential policy by accommodating townhomes, duplexes, and small-scale multifamily where appropriate transitions and site design can be provided.
- Creates opportunities to integrate open space, stormwater best-management practices, and multimodal connectivity at the master-planning stage.

Goal IV - Live, Work, & Recreate (Neighborhood Revitalization & Housing Choice)

- Expands housing choice for a range of households (e.g., starter, workforce, multigenerational) without displacing lower-intensity options permitted today.

- Supports corridor reinvestment by adding nearby residents to sustain local services, parks, and everyday retail.
- Encourages complete-neighborhood outcomes by siting homes closer to jobs, schools, and civic amenities.

Goal VI - Collaborative & Trusted Government

- Advances transparent, predictable decision-making through a legislative rezoning that applies clear, citywide development standards.
- Provides a framework for ongoing coordination among Planning, Engineering/Stormwater, and utility partners to ensure capacity, access, and safety are addressed during site design and permitting.

Anticipated performance indicators (how this supports plan tracking)

- Net new dwelling units and diversity of housing types delivered.
- Increase in taxable value per acre on the subject parcels over a 5-10-year horizon.
- Share of housing growth occurring on infill/serviced land versus fringe locations.
- Multimodal access metrics captured at site plan (block length, sidewalk/path connectivity, transit adjacency where applicable).

Conclusion

The MR-5 designation advances Strategic Plan goals by pairing modest density with housing diversity on a serviced infill site, strengthening the tax base, supporting neighborhood vitality, and leveraging existing infrastructure in a fiscally responsible manner.

Executive Summary:

Case P25-30 requests conventional rezoning of ±21.27 acres at 2211 Rosehill Road (REID 0438470005000), owned by Cross Creek Refuse LLC, from SF-6 to MR-5 to enable a broader mix of moderate-density housing types on a serviced infill tract. The change aligns with the area's medium-density residential policy framework, supports Strategic Plan priorities to diversify the tax base, manage growth where infrastructure exists, and expand housing choice, and provides a predictable set of citywide standards for compatibility. Access, internal circulation, and any turn-lane or frontage improvements will be determined during development review in coordination with transportation agencies; water, sewer, and electric connections and capacity will be finalized at permitting. Environmental resources - including required stream buffers, floodplain, and stormwater controls - will be addressed under existing UDO and state requirements, with opportunities to cluster development away from sensitive areas. Overall, the request is expected to yield neutral-to-modestly positive fiscal outcomes, moderate transportation impacts mitigated through standard conditions, and community benefits from added housing options near established services.
At its meeting on July 8, 2025, the Zoning Commission voted to deny the rezoning request following public testimony from three speakers in opposition. The applicant subsequently submitted a timely appeal to the City Council.

The appeal was scheduled for City Council consideration as a legislative hearing on August 25, 2025. Between the Zoning Commission hearing and the scheduled Council meeting, community members in opposition organized a neighborhood meeting at Smith Recreation Center in Seabrook Park, which was attended by Assistant City Manager Kelly Strickland and Senior Planner Craig Harmon to address questions and

provide information.

During the August 25 City Council meeting, and at the applicant's request, the Council voted to table the hearing to October 27, 2025. At the request of the applicant, this item was tabled again, this time to the January 26, 2026 meeting.

Background:
Owner: Cross Creek Refuse LLC
Applicant: Benjamin Strout, Strout Architecture
Requested Action: Rezoning from SF-6 (Single-Family Residential 6) to MR-5 (Mixed Residential 5)
Site Location: 2211 Rosehill Road
REID: 0438470005000
Status: Vacant
Size: ±21.27 acres
Public Notification: 153 mailed notices to owners within the statutory radius
NCDOT Project Context: U-4403B - US 401 Business (MLK Fwy) to US 401 Bypass

Adjoining Land Use & Zoning

North (SF-6): Vacant land; single-family residential; religious institution
South (SF-6): Religious institution; apartments
East (SF-6): Vacant land; single-family residential; cemetery
West (SF-6): Vacant land; single-family residential

Land Use Policy Context

The 2040 Comprehensive Plan: Future Land Use Map & Plan (adopted May 26, 2020) applies to properties within the city limits and the Municipal Influence Area (MIA). The subject area is designated **Medium Density Residential** and **Park/Open Space.**

Medium Density Residential (MDR): Primarily small-lot single-family neighborhoods at roughly 3-6 dwellings per acre, with duplexes and townhomes interspersed; low-rise apartments may be appropriate. Areas are generally auto-oriented, with some walkable neighborhoods and destinations.

Park/Open Space: Lands typically unsuited for development due to site constraints or environmental/cultural importance; may include passive or active recreation amenities and reserved open space such as undisturbed floodplain.

Issues/Analysis:
The ±21.27-acre tract at 2211 Rosehill Road (REID 0438470005000) occupies the west side of Rosehill Road near its intersection with Courtney Street. It is currently vacant, though historical aerials from the late 1960s and early 1980s show a structure that has since been removed and the site has reverted to open or wooded conditions. Big Cross Creek forms or abuts the rear of the parcel, and portions of the property lie within regulated floodplain and floodway. Those environmental constraints will shape future site design - limiting grading and building envelopes in sensitive areas,

triggering compliance with flood damage prevention and stormwater standards, and creating opportunities to preserve riparian buffers and designate functional open space.

The surrounding context is predominantly Single-Family Residential 6 (SF-6) with a mix of uses typical of an established corridor edge: single-family neighborhoods, religious institutions, and the Lafayette Cemetery. Several larger SF-6 parcels remain undeveloped, producing a transitional character between built neighborhoods and open land. Notably, Melvin Place to the south functions as an apartment community despite its SF-6 zoning, and farther south along the corridor the Rosehill Garden Apartments are zoned Mixed Residential 5 (MR-5). Together these conditions indicate an emerging spectrum of housing forms in the area and suggest that “missing-middle” formats can provide an appropriate transition between detached neighborhoods and larger multifamily development.

The request is a conventional (“straight”) rezoning from SF6 to MR-5 under the City’s Unified Development Ordinance (UDO), processed in accordance with the text and procedures in Section 30-2.C for map amendments. MR-5 is intended to meet diverse housing needs at moderate densities by allowing a range of residential building types - small-lot single-family, duplexes, triplexes and quadplexes, townhouses, and small-scale multifamily - together with associated open space and civic uses permitted by right or with approval per the UDO. Because the request is for a straight district, no site plan or case-specific conditions are under consideration at this stage. If the map amendment is approved, all uses and intensities allowed in MR-5 would be governed by citywide standards for dimensional requirements, access and circulation, landscaping and buffering, tree preservation, lighting, noise, environmental protections, and the applicable review procedures. Compatibility with adjacent uses is addressed through those standing tools - setbacks and height limits, buffer opacity and fencing, façade and screening requirements where applicable - during subdivision and development review rather than by bespoke conditions on the rezoning.

From a mobility perspective, the property fronts Rosehill Road, providing the primary opportunity for vehicular, pedestrian, and potential transit access. Exact driveway locations, internal street and block layout, pedestrian connectivity, and any turn-lane or frontage improvements will be determined at the engineering and driveway-permitting stages in coordination with the City and, as applicable, NCDOT. The corridor is influenced by NCDOT Project U-4403B (US 401 Business/MLK Freeway to US 401 Bypass), signaling network investments that may enhance area capacity and safety over time. While MR-5 entitlements could yield more dwellings than SF-6, trip impacts are typically mitigated through access management, sidewalk and crossing upgrades, internal connectivity, and, if thresholds are met, a traffic impact analysis with any warranted improvements.

Public water, sewer, and electric service are available in the general vicinity; specific connection points, capacity confirmations, and any easements or extensions are resolved through the Technical Review Committee process. Public safety coverage (police, fire, EMS) extends to the area, with hydrant spacing, apparatus access, and response routing evaluated at site plan. Solid-waste service (curbside or centralized)

and stormwater best-management practices (detention, water-quality treatment) are established by ordinance and technical manuals and will be sized to the final program. Given the creek corridor, environmental compliance will be a central design driver: no-rise requirements and encroachment prohibitions within floodway, elevation and compensatory storage standards in floodplain, riparian buffer preservation, and erosion and sediment control measures during construction. MR-5's flexibility allows clustered development that pulls buildings and streets away from sensitive areas while meeting open-space quotas and tree-canopy expectations.

The Future Land Use Map designates the site for Medium Density Residential with Park/Open Space along Big Cross Creek. That policy framework anticipates primarily small-lot single-family neighborhoods at roughly three to six dwellings per acre, with duplexes and townhouses interspersed and the possibility of low-rise apartments inn appropriate locations, while reserving environmentally constrained lands as open space that can support passive or active recreation and water-quality functions. MR-5 provides the zoning toolkit to implement this vision: it enables a range of missing-middle housing types that fit the medium-density envelope, supports walkable internal patterns even in a generally auto-oriented corridor, and facilitates permanent open-space preservation where environmental constraints preclude development.

Compatibility consideration are manageable within the existing code framework. Along SF-6 edges, height and setback transitions combined with landscape buffers can moderate scale and privacy impacts. Where the site interfaces with civic or culturally sensitive uses - such as the Lafayette Cemetery - enhanced buffering, fencing, lighting controls, and managed access can preserve reverence and minimize spillover effects. In relation to nearby multifamily, MR-5 can "fill the gaps" with smaller buildings and varied unit types rather than repeating large, isolated complexes, thereby producing a more gradual gradient of density and form.

In sum, the requested MR-5 classification is a logical evolution of the corridor's pattern and a faithful implementation of the Future Land Use Map. It would broaden housing choices for starter, workforce, and multigenerational households; leverage existing infrastructure on a serviced infill tract; and embed environmental stewardship by clustering development away from the Big Cross Creek corridor. Approval would advance strategic growth, fiscal efficiency, and neighborhood vitality while relying on the UDO's established standards to ensure access, utilities, safety, and compatibility are addressed during the subsequent development review.

Budget Impact:
Rezoning the property from SF-6 to MR-5 does not, by itself, appropriate funds or commit the City to new spending; fiscal effects arise only if and when a project is approved and built. Given the site's infill context and proximity to existing services, the near- to mid-term budget outlook is expected to be neutral to modestly positive for the General Fund, with most growth-related infrastructure funded by the developer and supported by enterprise fund participation where applicable. Over time, MR-5's higher potential unit yield should increase taxable value per acre relative to a detached-only program, producing additional ad valorem revenue. Incremental population and household formation may also marginally elevate shared revenues such as local

options sales/use and vehicle taxes. Stormwater utility billing would rise with impervious area (measured in ERUs), though on-site best-management practices required at permitting will mitigate public system burdens.

One-time revenues would include plan review, subdivision, and building permit fees at the development stages. Water and sewer system development charges and connection fees - collected by the utility - are not General Fund revenues but help defray capacity and extension costs, reducing pressure on public capital outlays. On the expenditure side, public safety, parks/recreation, code compliance, and similar operating costs scale with actual buildout and call volumes; MR-5's moderate densities generally support efficient service delivery on existing networks. Transportation impacts are address through standard access management, frontage improvements, and any warranted turn lanes or multimodal upgrades at the driveway-permitting and engineering phases, with costs ordinarily borne by the developer and reviewed by the City and, as applicable, NCDOT. If any public streets or facilities are ultimately accepted, the City would assume routine maintenance thereafter; stormwater costs would be limited to public conveyances brought into the system and any downstream facilities already maintained.

No immediate City capital project is triggered by the map amendment. Capacity checks, easements, and any off-site improvements attributable to the development program are resolved through the Technical Review Committee and permitting processes. The corridor's inclusion in NCDOT Project U-4403B signals broader network investment over time; any site-specific mitigation tied to trip generation would be imposed through standard development review rather than City-initiated capital spending. Administrative costs already incurred - such as mailed notice to 153 properties and required advertising - are minor and absorbed within existing departmental appropriations.

Taken together, the fiscal profile of the rezoning is neutral in the near term (prior to construction) and, absent unforeseen off-site obligations, is expected to become modestly positive as certificates of occupancy are issued, the tax roll grows, and utility and fee revenues materialize while ongoing service costs remain comparatively low on serviced infill land.

Options:

1. **Recommend Approval to MR-5 (as requested) - Recommended**
   Adopt a written statement finding the map amendment **consistent** with the 2040 Future Land Use Map (Medium Density Residential with Park/Open Space along Big Cross Creek) and **reasonable and in the public interest** because it enables context-appropriate housing diversity on serviced infill land, provides code-based tools to transition to adjacent SF-6 areas, and preserves environmentally sensitive areas through existing UDO standards.
2. **Recommend Approval to a More Restrictive District (Commission-specified)**
   If the Commission concludes a lower-intensity classification is warranted, identify the alternative district on the record and adopt a **revised** statement of consistency and reasonableness explaining why the alternative better

addresses adjacency, access constraints, or environmental sensitivities while remaining aligned with the Future Land Use Map.

3. **Recommend Denial**
   Adopt a written statement finding the request **inconsistent** with the Future land Use Map and/or **not reasonable and not in the public interest,** citing specific facts such as incompatibility with adjacent SF-6 patterns, unresolved transportation or infrastructure constraints, or inadequate protections of environmental resources.

Recommended Action:

- The Professional Planning Staff recommends that the City Council approve the straight rezoning from SF-6 to MR-5. The request is consistent with the Future Land Use Plan's Medium Density Residential designation with Park/Open Space along Big Cross Creek, and MR-5 provides the appropriate toolkit to implement that policy by allowing small-lot detached, duplex/townhome, and low-rise multifamily while preserving environmentally constrained areas through open-space and buffer requirements. The range of MR-5 uses, and associated development standards is suitable for this corridor given the surrounding mix of single-family neighborhoods, civic uses, and nearby multifamily, and compatibility will be addressed through the UDO's citywide requirements for setbacks, height, landscaping/buffering, lighting, access, and stormwater. Transportation access, utility connections, and public-safety considerations will be reviewed and conditioned at the subdivision and site-plan stages. No evidence indicates factors that would substantially harm public health, safety, morals, or general welfare.

Note: As a reminder, this application was denied by the Zoning Commission and has been appealed to the City Council for further consideration.

Attachments:

1. Plan Application
2. Aerial Notification Map
3. Zoning Map
4. Land Use Plan Map
5. Subject Property
6. Surrounding Property Photos
7. Consistency and Reasonableness Statement
8. Powerpoint

Planning & Zoning
433 Hay Street
Fayetteville, NC 28301
910-433-1612
www.fayettevillenc.gov

Project Overview #1726764

Project Title: 2211 Rose Hill Rd., Fayetteville, NC
Application Type: 5.1) Rezoning (Map Amendment)
Workflow: Staff Review
Jurisdiction: City of Fayetteville
State: NC
County: Cumberland

Project Location

Project Address or PIN: 2211 ROSEHILL RD (0438470005000)
Zip Code: 28305

Is it in Fayetteville? If you're not sure, click this link: Cumberland County Tax Office GIS system

GIS Verified Data

Project Address: 2211 ROSEHILL RD

General Project Information

Has the land been the subject of a map amendment application in the last five years?: No

Previous Amendment Approval Date:

Previous Amendment Case #:

Proposed Zoning District: MR-5

Acreage to be Rezoned: 21.27

Is this application related to an annexation?: No

Water Service: Public

Sewer Service: Public

A) Please describe all existing uses of the land and existing structures on the site, if any:

Existing Use of Land
The subject property is presently **vacant and undeveloped**. It has no commercial, residential, agricultural, or industrial operations on-site and serves only as open land.

Existing Structures
There are **no permanent or temporary structures, foundations, utilities, or improvements** on the parcel. The site is raw ground with natural vegetation only.

B) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site.:

Surrounding Zoning & Land-Use Context

- **Immediate adjacency (all sides): Parcels that physically abut the Rosehill Road tract are zoned SF-6 (Single-Family Residential), the same district that currently governs the subject property.**
- **Comparable MR-5 precedents within 500 ft:**
  - **Tiffany Court (350 ft west of the subject site) and**
  - **Topeka Street (475 ft southwest)**
  are each zoned MR-5 (Mixed Residential-5) even though they, like the subject tract, are otherwise surrounded by SF-6 parcels. These two pockets provide recent, local examples of Council granting MR-5 where it advances hou
- **Frontage context: For most of the Rosehill Road frontage opposite the site, the land is a platted cemetery. Up-zoning the subject property to MR-5 will therefore have minimal impact on existing residential neighbors and no adverse effe**

Conclusion

Because the subject tract mirrors the physical setting of Tiffany Court and Topeka Streetisolated MR-5 islands amid SF-6the requested MR-5 designation is consistent with zoning patterns already deemed appropriate within this corridor. Giv incompatibility or additional neighborhood burden but will simply extend an established zoning solution that promotes a greater mix of attainable housing types.

Amendment Justification - Answer all questions on this and all pages in this section (upload additional sheets as needed).

A) State the extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.:

The Rosehill Road tract already carries a *Medium-Density Residential (6-15 du/ac)* designation on Fayettevilles 2040 Comprehensive Plan Future Land-Use Map. Re-zoning from SF-6 to MR-5 is the most direct way to implement that map designation, because MR-5 is the Unified Development Ordinances intended zoning district for sites that are expected to deliver missing-middle housing - duplexes and quadplexes-at roughly 10-15 units per acre.

The Comprehensive Plans housing policy framework reinforces this match. Policy LU-7 calls on the City to expand the range of housing types and price points by promoting smaller lots, duplexes, triplexes, and quadplexes in precisely those Medium-Density areas where utilities and transit already exist. By shifting to MR-5, the Rosehill site will provide those housing forms without surpassing the density ceiling the Plan envisions, thereby advancing the Citys goals for affordability and diversity of stock.

The Unified Development Ordinance adds a locational test: MR-5 parcels must front an arterial or collector roadway so that moderate densities are supported by appropriate infrastructure. Rosehill Road is mapped as a minor arterial, so the site satisfies that standard and can rely on existing water, sewer, and roadway capacity without requiring capital upgrades.

No adopted small-area or corridor plans assign a conflicting future use to this block of Rosehill Road. In fact, both the North Fayetteville Area guidance and countywide growth-management policies encourage moderate-density infill on under-utilized land where municipal services are already in place. Because the parcel is vacant, the rezoning will not displace residents or businesses, and the cemetery opposite the frontage will experience no operational impact.

Taken together, the requested amendment is entirely consistent with the Comprehensive Plan, meets every locational criterion in the UDO, and aligns with broader long-range goals to concentrate attainable housing where infrastructure can already support it.

B) Are there changed conditions that require an amendment? :

Changed conditions warranting the map amendment

Several conditions have emerged since the parcel was last zoned that now make an MR-5 designation more appropriate than the legacy SF-6:

1. **Acute housing-inventory shortfall.**
   A 2024 countywide housing study found Cumberland County is already short of both rental and for-sale units and will add another 1,800 households in the 2023-2028 window. The analysis singles out a lack of missing-middl
2. **Fort Bragg-related demand shift.**
   Ongoing barracks renovations and troop relocations at Fort Bragg are pushing hundreds of soldiers and their families into the off-post market, intensifying demand for attainable units within a 10-mile commuting ring that incl
3. **Corridor infrastructure upgrades now underway.**
   In spring 2025 the City launched storm-drain and pedestrian improvements on Rosehill Road, replacing undersized cross-pipes and upgrading sidewalks. These capital works increase the corridors capacity to absorb mode
4. **Policy evolution toward medium-density infill.**
   The 2040 Comprehensive Plan, adopted after the current SF-6 zoning was applied, calls for Medium-Density Residential (615 du/ac) on this block. Re-zoning to MR-5 is the specific mechanism the Unified Development Orc
5. **Nearby precedents for MR-5 islands.**
   Since the last zoning action, the City has approved two isolated MR-5 pockets; Tiffany Court and Topeka Street; within the same SF-6 fabric and within 500 feet of the subject site. Extending the same treatment to Rosehill F

Taken together-documented housing pressure, fresh infrastructure capacity, an updated land-use vision, and recent MR-5 approvals in the immediate vicinity; these changed conditions create a compelling rationale for amending t

C) State the extent to which the proposed amendment addresses a demonstrated community need.:

How the amendment meets a demonstrated community need

Cumberland County is experiencing an acute housing shortage; vacancy has hovered below 1 percent and both renters and buyers face rising prices. A March 2025 housing-market update noted that only **0.7 percent of homes v sale, well under the 23 percent considered healthy**, and nearly half of renters now spend more than 30 percent of their income on housing. The Citys own 2024-2028 Action Plan likewise calls the lack of moderately-priced uni countys most pressing issues.

At the same time, renovations and temporary closures of barracks at Fort Liberty are forcing hundreds of soldiers and their families to seek off-post housing through at least 2026, intensifying demand within a short commuting rac Road. Local real-estate professionals have identified **duplexes and quadplexes; exactly the missing-middle types permitted in MR-5**; as the product type in shortest supply.

Re-zoning this vacant parcel from SF-6 (single-family, ~6 du/ac) to MR-5 (mixed residential, up to 15 du/ac) will:

- Deliver roughly **160 attainable units** on existing water-sewer lines, adding supply without sprawl or new infrastructure costs.
- Provide housing options that are naturally more affordable than large-lot detached homes, directly addressing the cost-burden highlighted by City and county studies.
- Ease pressure on neighboring single-family neighborhoods by absorbing some of the Fort Liberty spill-over demand in a location fronting an arterial road and buffered on the opposite side by a cemetery, thus minimizing con

In short, the amendment is responsive to clearly documented, near-term housing needs and offers a practical, policy-supported way to supply the missing-middle units the Fayetteville market currently lacks.

D) State the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.:

Compatibility and Appropriateness of MR-5 for the Rosehill Road Tract

The requested MR-5 district harmonizes with its surroundings while supplying a housing type now missing along Rosehill Road:

- **Scale and form match the neighborhood fabric.**
  MR-5 permits duplexes and quadplexes limited to 35 ft in height and subject to the same side- and rear-yard setbacks that govern the abutting SF-6 parcels. From the street they read as large single-family homes rather tha
- **Natural buffering across Rosehill Road.**
  The site fronts a cemetery for most of its road frontage. That low-intensity institutional use has no residential privacy concerns, meaning the added density will neither block views nor introduce incompatible activity opposite
- **Precedent pockets of MR-5 within 500 ft.**
  Tiffany Court and Topeka Street (each surrounded by SF-6 lots) were recently zoned MR-5 without adverse neighborhood effects. Granting the same classification here applies the Citys zoning logic consistently along the c
- **Infrastructure already sized for moderate density.**
  Rosehill Road is a mapped minor arterial with existing sidewalks, transit access, and water-sewer mains sized to accommodate up to 15 dwelling units per acre (UDO locational criterion for MR-5). No off-site upgrades are
- **Smooth land-use transition.**
  MR-5 sits between low-density detached housing (SF-6) and larger multi-family districts (MF-15, MF-24). Rezoning the vacant tract to MR-5 provides a logical missing-middle step that eases the shift from one-unit lots to hig
- **Vacant land minimizes impacts.**
  Because the parcel is undeveloped, no residents or buildings will be displaced. Construction can incorporate perimeter landscaping and architectural controls to maintain neighborhood aesthetics, ensuring compatibility in b

Given these factors, MR-5 is the **appropriate zoning district** for the Rosehill Road property: it meets the Unified Development Ordinances siting rules, complements adjoining SF-6 lots in scale and character, extends an establis frontage and existing utilities to deliver needed missing-middle housing without new infrastructure or adverse effects on adjacent land uses.

E) State the extent to which the proposed amendment results in a logical and orderly development pattern.:

Re-zoning the vacant Rosehill Road parcel to MR-5 advances a **logical, orderly pattern of growth** for four reasons:

1. It fills a planned missing-middle pocket rather than leap-frogging outward.
The Citys 2040 map already earmarks this block for Medium-Density Residential. Converting an empty interior parcel that fronts an arterial road implements that policy exactly where the plan intended, instead of pushing new units deeper into rural edges or established SF-6 streets.

2. It steps density up gradually along the corridor.
Rosehill Road now exhibits three tiers of intensity: very-low (cemetery), low (SF-6 homes), and two isolated MR-5 nodes at Tiffany Court and Topeka Street. Rezoning the subject tract extends that middle tier in a continuous line, creating a clear progression__cemetery__MR-5 duplexes/quadplexes__ SF-6 lots behind; rather than a patchwork of abrupt jumps.

3. It leverages built infrastructure, avoiding piecemeal upgrades.
The site already fronts a minor arterial with sidewalks, transit, and water-sewer mains sized for up to 15 du/ac. Adding units here uses that latent capacity and keeps development compact, which is the textbook definition of orderly growth under the UDO and Comprehensive Plan.

4. It preserves the existing street grid and block structure.
MR-5 housing can share a single Rosehill curb cut and internal drive while respecting side and rear-yard setbacks equivalent to SF-6. That means no new public streets or odd lot splits; just one cohesive block that aligns with the rectangle of surrounding parcels.

Because it carries out the future-land-use map, extends an established MR-5 line, builds where services already exist, and fits the surrounding plat pattern, the amendment produces a development layout that is both predictable and neatly integrated into Fayettevilles broader growth framework.

F) State the extent to which the proposed amendment might encourage premature development.:

The requested shift from SF-6 to MR-5 **will not encourage premature development** for three key reasons:

1. **Planned density, not acceleration.**
   The Citys 2040 Future Land-Use Map already designates the site for Medium-Density Residential, so rezoning simply applies the zoning district envisioned for the parcel; it does not leapfrog past the Comprehensive Plan or
2. **Infrastructure is in place today.**
   Rosehill Road is an existing minor arterial with adequate capacity, continuous sidewalks, and stubbed water-sewer mains sized for up to 15 dwelling units per acre. No extensions of utilities, roads, or public services are req
3. **Vacant infill, not edge growth.**
   The parcel lies within the City limits and is surrounded by developed property on all sides (including a cemetery across the road) so the rezoning activates a gap in the current urban fabric instead of pushing growth to outlyir

Because the amendment merely implements the adopted land-use plan on a fully serviced, in-town site, it does **not** create pressure for premature or uncoordinated development elsewhere.

G) State the extent to which the proposed amendment results in strip-style commercial development.:

The requested change from SF-6 to **MR-5** permits only residential uses (duplexes, triplexes, quadplexes, town-home clusters, and limited civic facilities). It **does not introduce or expand any retail zoning** along Rosehill Road,

- **Use limitations.** MR-5 expressly excludes general retail, drive-through, automotive, or big-box uses that typify strip corridors; its non-residential allowances are limited to small civic or community facilities (e.g., day-care, ne
- **Frontage character.** Buildings in MR-5 must front the street with residential faades, maintain 20-ft front setbacks, and observe the same height envelope as adjacent SF-6 homes, so the visual environment remains reside
- **No incremental retail pressure.** Because the parcel is bordered by a cemetery on the opposite frontage and SF-6 lots on its flanks, the rezoning does not create a logical follow-on retail corner or pad site; any future comr

For these reasons the amendment **does not (and cannot) result in strip-style commercial development** along Rosehill Road.

H) State the extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.:

The MR-5 zoning requested for the Rosehill Road parcel would **not create an isolated, out-of-place district.** Two MR-5 pockets already exist within 500?feet (on Tiffany Court and Topeka Street) each surrounded by SF-6 lots much like the subject site. Rezoning this tract simply stitches a third MR-5 area into that same corridor pattern, reinforcing a modest string of missing-middle housing zones rather than standing alone. Because the new district will sit on an arterial frontage and share identical height, setback, and residential character controls with its SF-6 neighbors, it remains contextually tied to the surrounding fabric rather than forming a disconnected outlier.

I) State the extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.:

The rezoning to MR-5 is **not expected to cause any significant adverse impact on the value of nearby properties** for several reasons:

Comparable local precedent shows stable values.
Homes abutting the MR-5 pockets on Tiffany Court and Topeka Street continue to list and sell at prices in line with, or slightly above, the broader SF-6 market. Those rezonings did not trigger discounted sales or assessment challenges, indicating that duplex-and-quadplex development of this scale is already accepted by the market.

Neighborhood character remains residential and low-rise.
MR-5 buildings are limited to 35 feet in height and must meet the same front, side, and rear setbacks as SF-6 structures. From the street they read as large homes, not apartment blocks, so potential buyers in the SF-6 streets behind the site still enjoy the same visual character and privacy expectations.

Additional eyes on the street can increase desirability.
Moderate infill adds residents who support better maintenance of public infrastructure, increases passive surveillance, and can raise perceptions of neighborhood vitality; factors that research shows either stabilize or improve adjacent single-family values rather than erode them.

Cemetery frontage buffers the most immediate interface.
Because a cemetery occupies most of the opposite frontage, no single-family homes sit directly across from the new units. This arrangement further reduces any perceived competition or conflict that might otherwise weigh on front-door curb appeal.

Sewer, water, and roadway capacity already exist.
No off-site assessments or special districts are required to serve the project, so surrounding owners will not face infrastructure cost-sharing that could negatively affect their equity.

Taken together (documented local sales experience, strict residential form controls, inherent buffering, and no new financial burden on neighbors) the proposed amendment offers additional housing choice without any credible mechanism for depressing surrounding property values.

J) State the extent to which the proposed amendment results in significantly adverse impacts on the natural environment.:

Extent to which the amendment affects the natural environment (wetlands included)

A mapped wetland complex skirts the southwest corner of the Rosehill Road parcel, so environmental safeguards are an important part of any future development. Even with that resource present, the proposed change from SF-6

1. **Rezoning alone does not disturb soil or water.**
   A map amendment is a policy decision only; ground-disturbing activity cannot proceed until a site-specific plan has been reviewed for compliance with City storm-water rules and state/federal wetland regulations.
2. **Wetland impacts are tightly regulated at two levels.**
   Federal/State permits. Any fill within jurisdictional wetlands will require a U.S. Army Corps of Engineers Section 404 permit and a companion NC DEQ 401 Water-Quality Certification or Isolated-Wetland authorization. The
   City UDO standards. Fayettevilles ordinance echoes those requirements, expressly stating that all state and federal wetland approvals must be in hand before a grading permit is issued.
3. **MR-5 can preserve more wetland area than SF-6.**
   Because MR-5 allows 3- to 4-unit buildings on a single foundation, the same 160 units can fit on a smaller development footprint than 160 detached houses on 6,000 ft2 lots. The higher-yield building arrangement lets the site
4. **Post-construction storm-water controls remain identical.**
   Whether the land stays SF-6 or becomes MR-5, any development must meet the Citys post-construction storm-water standards (peak-rate detention, water-quality treatment, and erosion-control measures) ensuring runoff

Conclusion
With federal, state, and City safeguards in place (and the design flexibility MR-5 provides to cluster buildings away from sensitive areas) the rezoning itself does **not** pose a significant adverse impact on the wetlands or the broade

Primary Contact Information

Contractor's NC ID#:

Project Owner
Benjamin Strout
Strout Architecture
438 Carr Ave
Homewood , AL 35209
P:2055698774
ben@anotherstory.com

Project Contact - Agent/Representative
Benjamin Strout
Strout Architecture
438 Carr Ave
Homewood , AL 35209
P:2055698774
ben@anotherstory.com

Property Owner Email: claudio@valoriscapitalpartners.com

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds $40,000. :

NC State General Contractor's License Number:

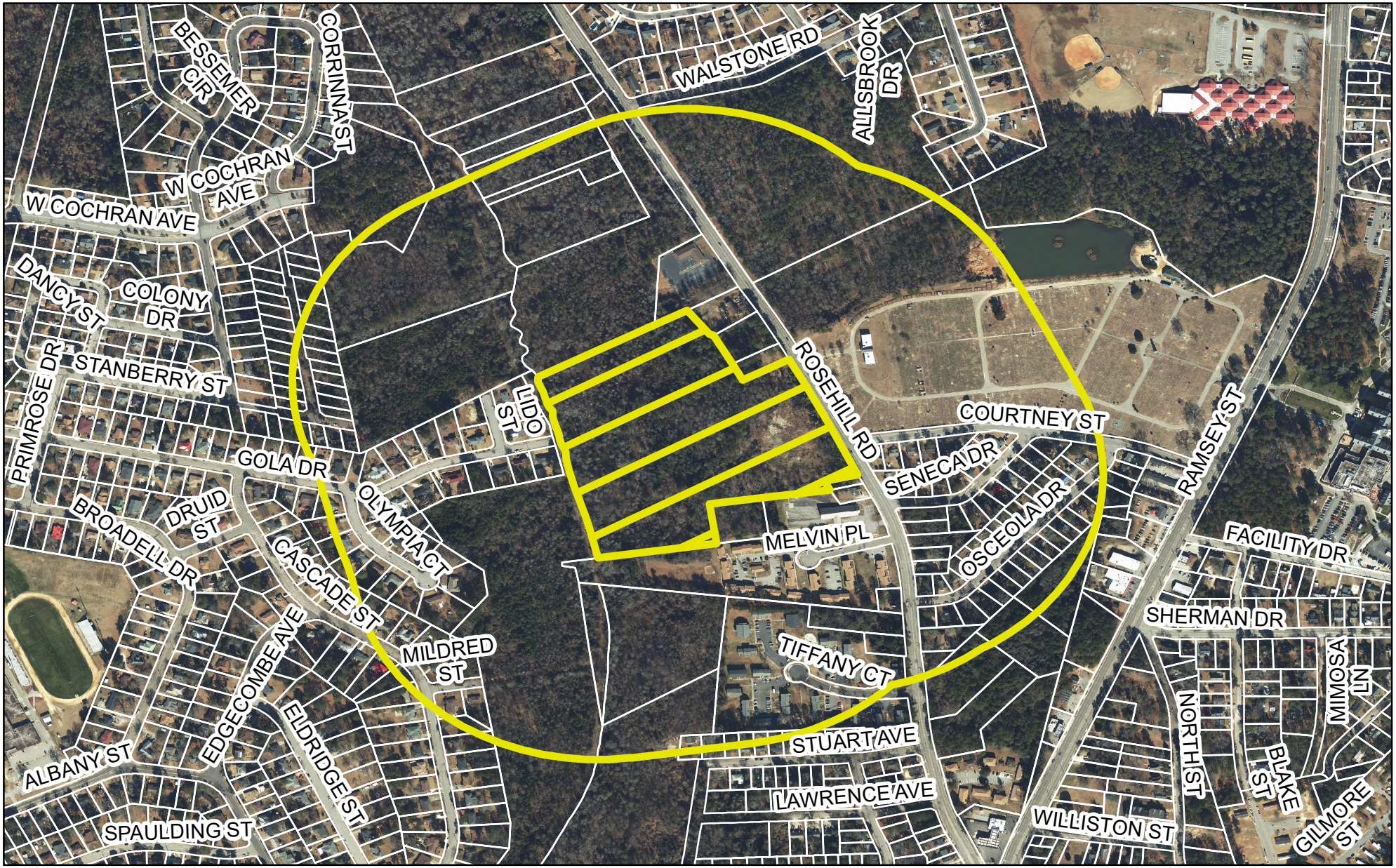
NC State Electrical Contractor #1 License Number:

NC State Electrical Contractor #2 License Number:

NC State Electrical Contractor #3 License Number:

NC State Mechanical Contractor's #1 License Number:
NC State Mechanical Contractor's #2 License Number:
NC State Mechanical Contractor #3 License Number:
NC State Plumbing Contractor #1 License Number:
NC State Plumbing Contractor #2 License Number:

Indicate which of the following project contacts should be included on this project: Architect



Aerial Notification Map

Case #: P25-30

Request: Rezoning
Single Family Residential 6 (SF-6) to
Mixed Residential 5 (MR-5)

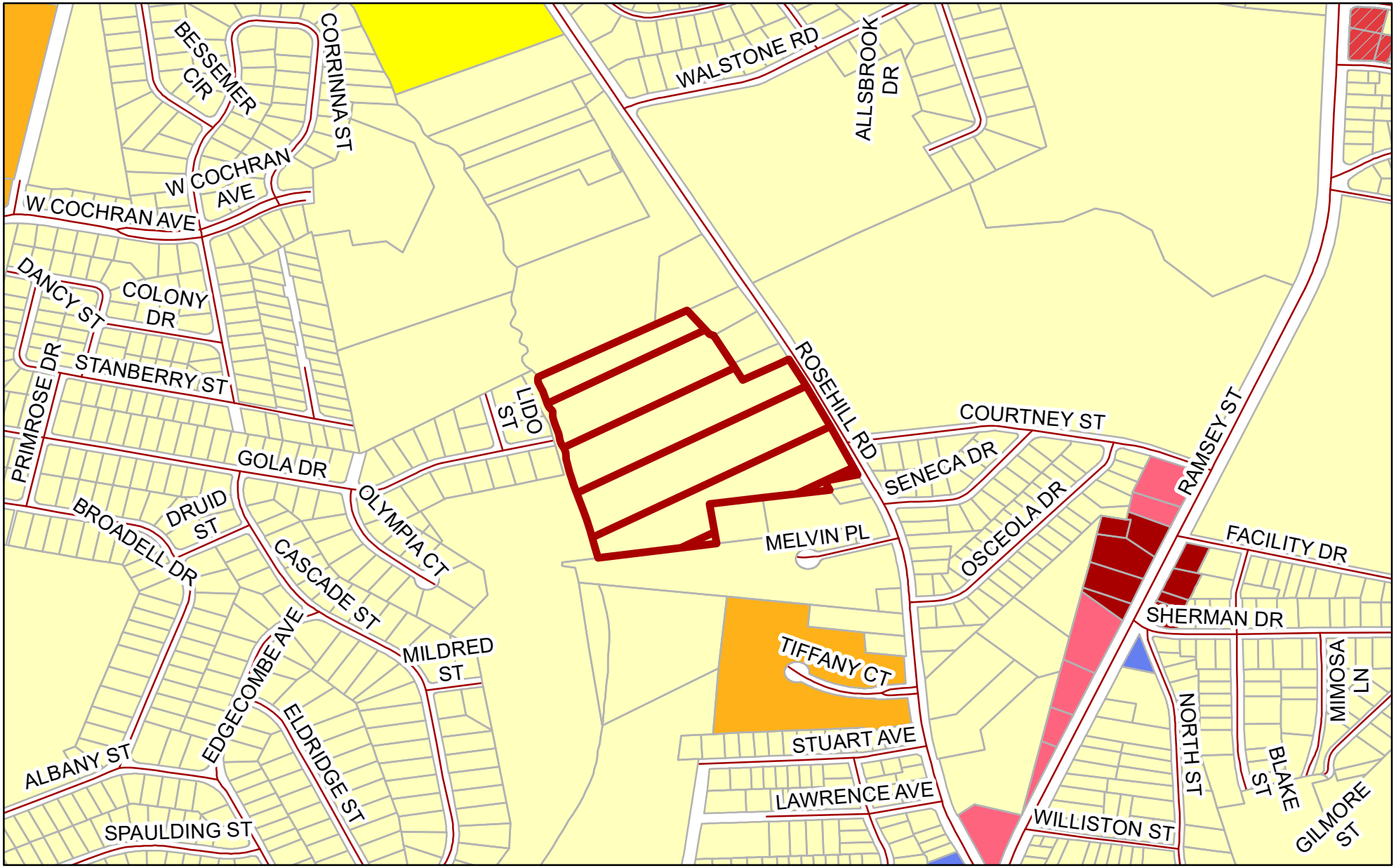
Location: 2211 Rosehill Rd
0438470005000

Legend

- P25-30
- P25-30 Notification Radius

Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.

FAYETTEVILLE NC
AMERICA'S CAN DO CITY



Zoning Map

Case #: P25-30

Request: Rezoning
Single Family Residential 6 (SF-6) to
Mixed Residential 5 (MR-5)

Location: 2211 Rosehill Rd
0438470005000

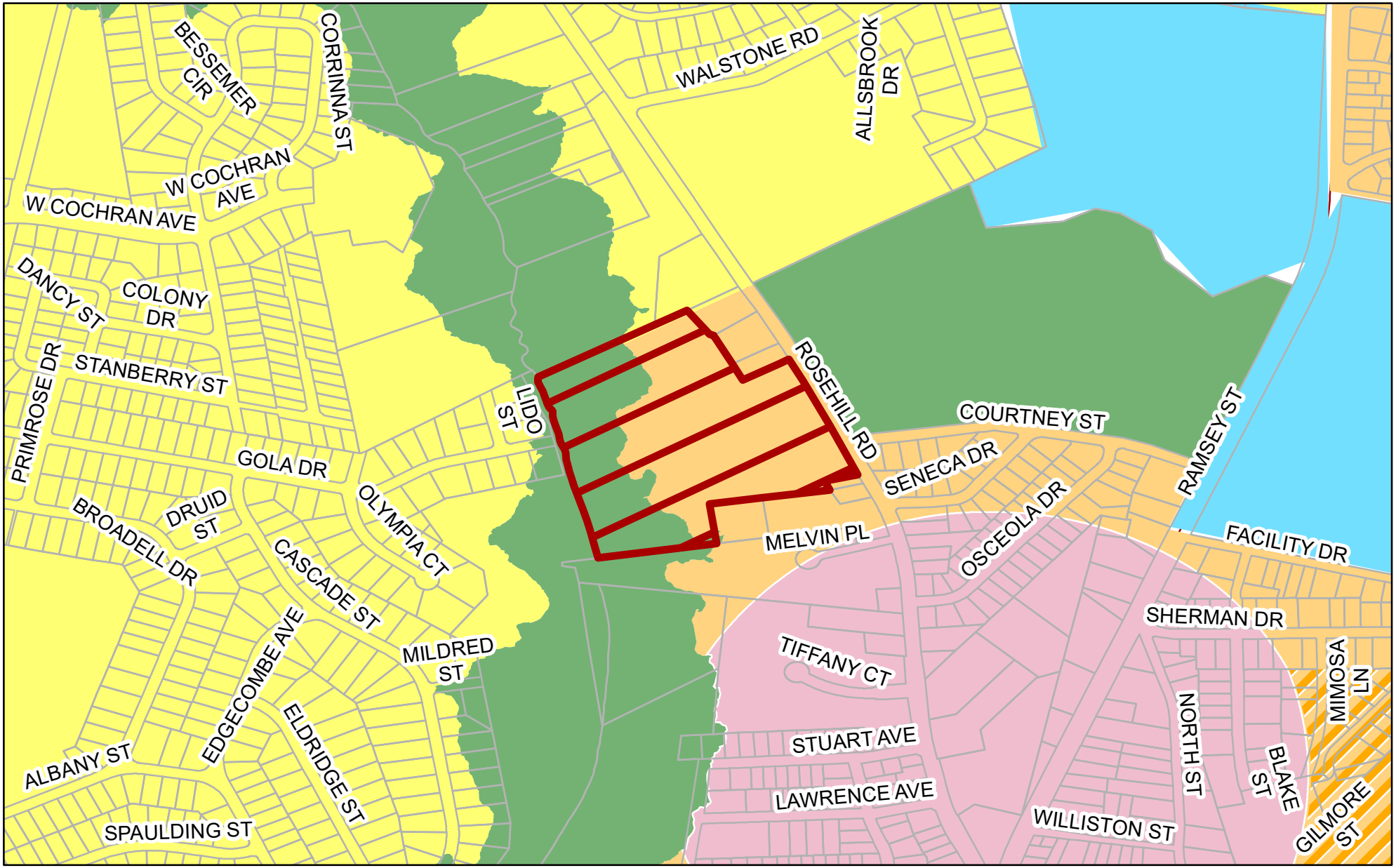
Legend

- P25-30
- CC - Community Commercial
- LC - Limited Commercial
- MR-5 - Mixed Residential 5
- NC/CZ - Conditional Neighborhood Commercial
- OI - Office & Institutional
- SF-6 - Single-Family Residential 6
- SF-10 - Single-Family Residential 10

N W E S

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FAYETTEVILLE NC
AMERICA'S CAN DO CITY



Land Use Map

Case #: P25-30

Request: Rezoning
Single Family Residential 6 (SF-6) to
Mixed Residential 5 (MR-5)

Location: 2211 Rosehill Rd
0438470005000

Legend

P25-30

Land Use Plan 2040

Character Areas

- PARKOS - PARK / OPEN SPACE
- LDR - LOW DENSITY
- MDR - MEDIUM DENSITY
- NIR - NEIGHBORHOOD IMPROVEMENT
- NMU - NEIGHBORHOOD MIXED USE
- OI - OFFICE / INSTITUTIONAL

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FAYETTEVILLE NC
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FAYETTEVILLE NC

Subject Property



FAYETTEVILLE NC

Surrounding Properties









Consistency and Reasonableness Statement

Map Amendments

Pursuant N.C.G.S. Sections 160D-604 and -605, the Zoning Commission finds that the proposed zoning map amendment in case P25-30 is inconsistent with the City of Fayetteville's Future Land Use Map and Plan (Comprehensive Plan). The following analysis examines the proposed amendment relative to the goals and land-use policies and strategies of the Comprehensive Plan:

Consistency

1. GOALS

GOAL(S)	CONSISTENT	INCONSISTENT
GOAL #1: Focus value and investments around infrastructure and strategic nodes	X	
GOAL #4: Foster safe, stable, and attractive neighborhoods		X

2. LAND USE POLICES AND STRATEGIES:

LAND USE POLICIES AND STRATEGIES	CONSISTENT	INCONSISTENT
LUP 1: Encourage growth in areas well-served by infrastructure and urban services, including roads, utilities, parks, schools, police, fire, and emergency services.	X	
1.2: Encourage more intense uses, greater mix of uses and denser residential types in key focal areas.	X	
LUP 3: Encourage redevelopment along underutilized commercial strip corridors and reinvestment in distressed residential neighborhoods	X	
3.2: Identify potential barriers for redevelopment and reinvestment and provide flexibility through modifications to development regulations while maintaining high standards.	X	
LUP 4: Create well-designed and walkable commercial and mixed use districts.	X	
4.1: Ensure new development meets basic site design standards	X	

3. The proposed amendment is consistent with the Future Land Use Map as follows:

X	The proposed land use is consistent and aligns with the area's designation on the FLU Map.	OR		The proposed land use is inconsistent and does not align with the area's designation on the FLU Map.
X	The proposed designation, as requested, would permit uses that are complimentary to those existing on adjacent tracts.	OR		The proposed designation, as requested, would permit uses that are incongruous to those existing on adjacent tracts.

Reasonableness

The proposed zoning amendment is reasonable and in the public interest because it supports the polices of the Comprehensive Plan as stated above and the Strategic Plan as stated in the Staff Report, and because: [select all that apply]

_____ The size, physical conditions, and other attributes of the proposed use(s) will benefit the surrounding community.

_____ The amendment includes conditions that limit potential negative impacts on neighboring uses.

X The proposed uses address the needs of the area and/or City.

X The proposal adapts the zoning code to reflect modern land-use trends and patterns.

The amendment is also in the public interest because it: [select all that apply]

X improves consistency with the long-range plan.

X improves the tax base.

_____ preserves environmental and/or cultural resources.

X facilitates a desired kind of development.

X provides needed housing/commercial area.

Additional comments, if any (write-in):

July 8, 2025
Date

Chair Signature

R. Kerry Wright
Print

CITY COUNCIL



ZONING CASES

January 26, 2026
(Tabled from Aug. 25, & Oct.27)

FAYETTEVILLE NC

CASE NO. P25-30

Owner: 2211 Rosehill Development LLC

Applicant: Valoris Capital Partners

Request: Single Family Residential 6 to Mixed Residential 5

Location: 2211 Rosehill Rd

Acreage: 21.27 acres ±

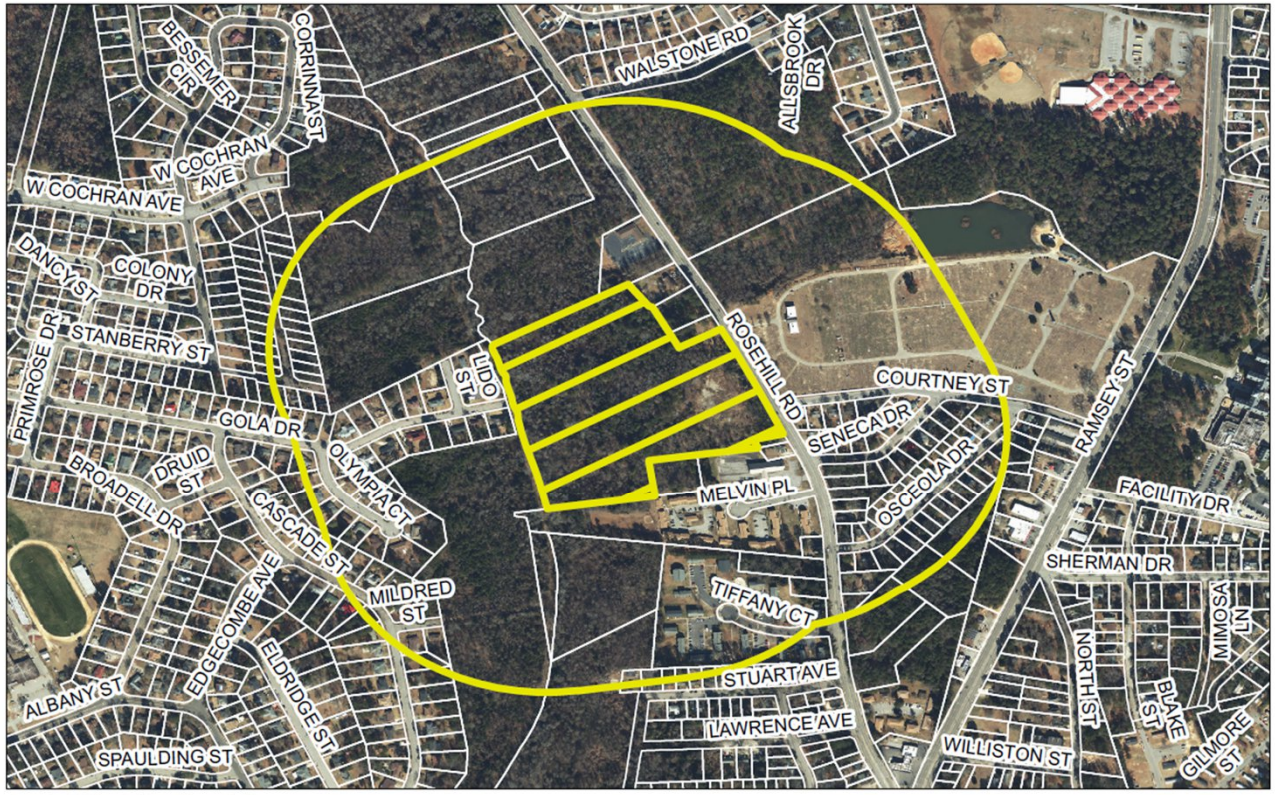
District: 2

REID #: 0438470005000

Notes: **1. APPEALED ITEM** - Denied by Zoning Commission

2. NEW LEGISLATION – Applicants can now reapply immediately after a Zoning Case has been denied (No waiting period).

Subject Property



Aerial Notification Map
Case #: P25-30

Request: Rezoning
Single Family Residential 6 (SF-6) to
Mixed Residential 5 (MR-5)

Location: 2211 Rosehill Rd
0438470005000

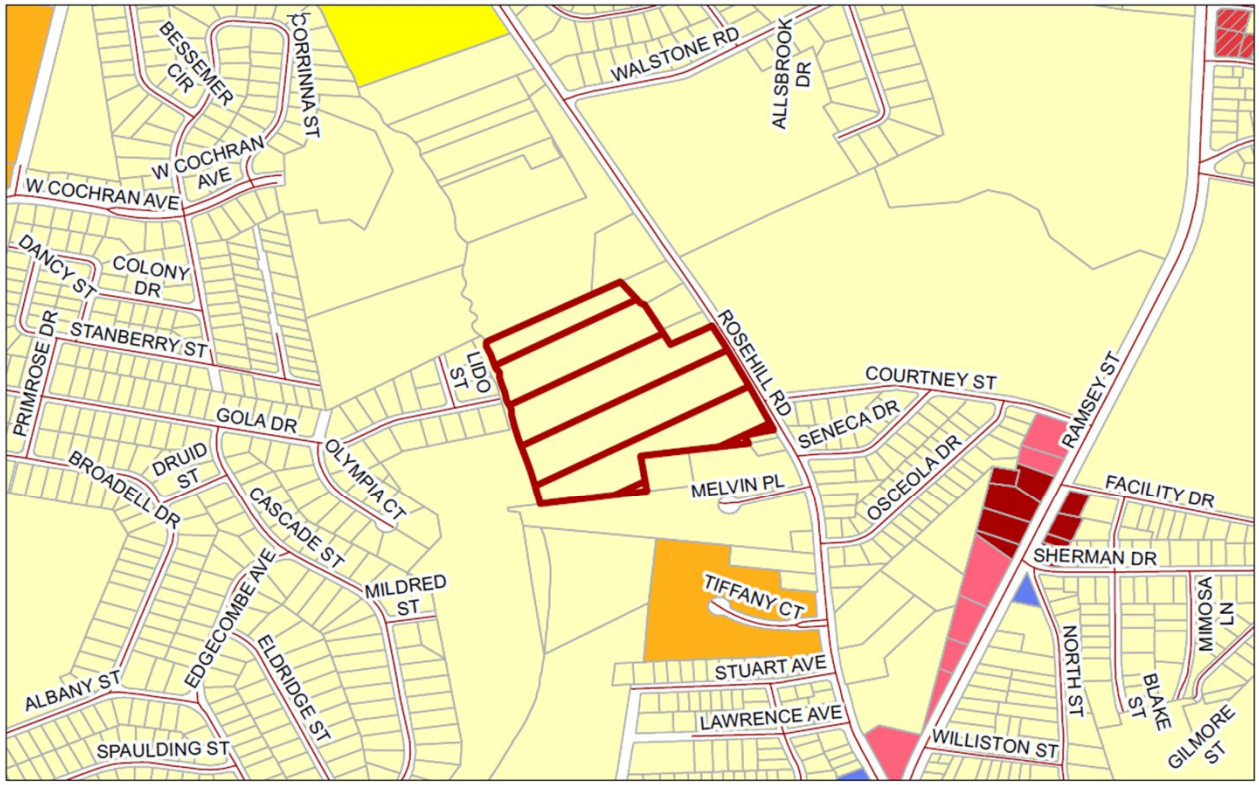
Legend

- P25-30
- P25-30 Notification Radius

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FAYETTEVILLE NC
AMERICA'S CAN DO CITY

Zoning Map



Zoning Map
Case #: P25-30

Request: Rezoning
Single Family Residential 6 (SF-6) to
Mixed Residential 5 (MR-5)

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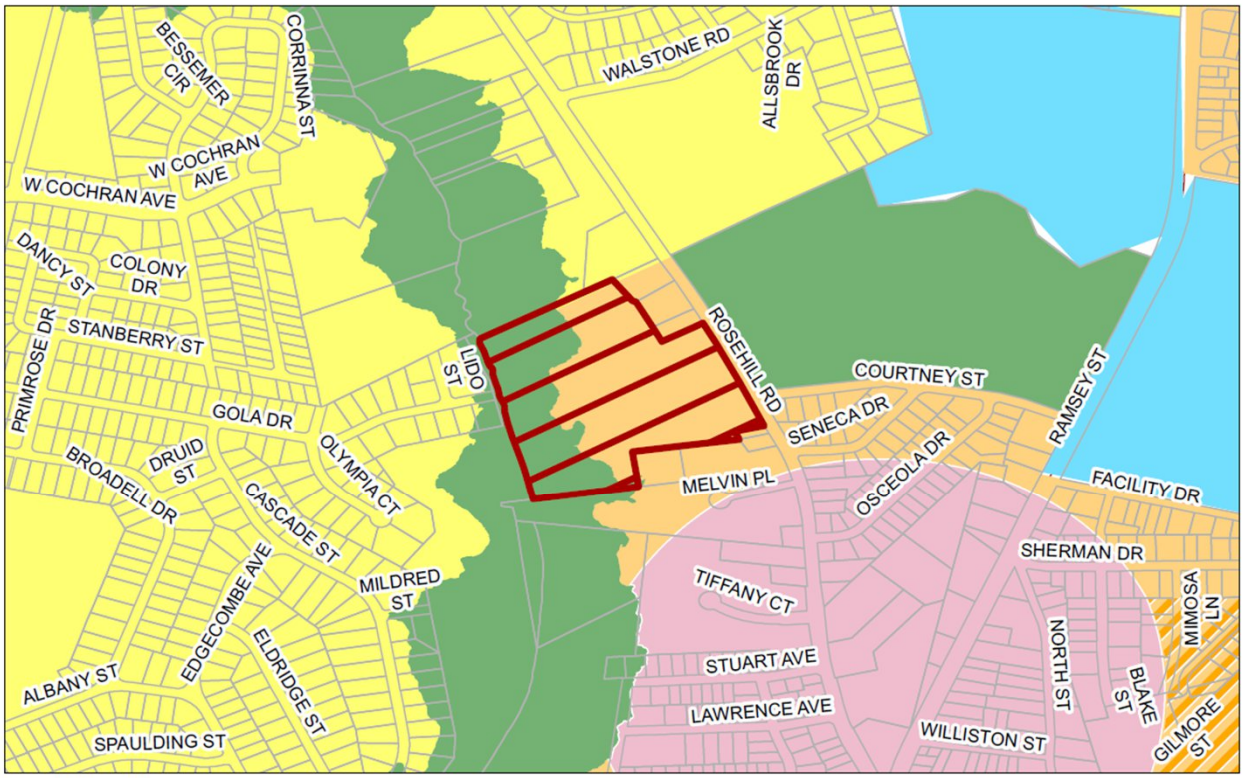
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FAYETTEVILLE NC
AMERICA'S CAN DO CITY

Land Use Map



Land Use Map
Case #: P25-30

Request: Rezoning
Single Family Residential 6 (SF-6) to
Mixed Residential 5 (MR-5)

Location: 2211 Rosehill Rd
0438470005000

Legend
P25-30
Land Use Plan 2040
Character Areas
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FAYETTEVILLE NC
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FAYETTEVILLE NC

Subject Property



Surrounding Properties









Analysis & Recommendation

Analysis:

- The Mixed Residential 5 zoning district is consistent with the Land Use Designation of Medium Density Residential by supporting a variety of housing types at moderate densities which aligns with surrounding development including nearby multi-family.
- The size, location, and proximity to existing infrastructure make the site suitable for this type of medium density residential development.

Recommendation:

The Professional Planning Staff recommends APPROVAL of the map amendment to Mixed Residential 5 (MR-5) Zoning based on:

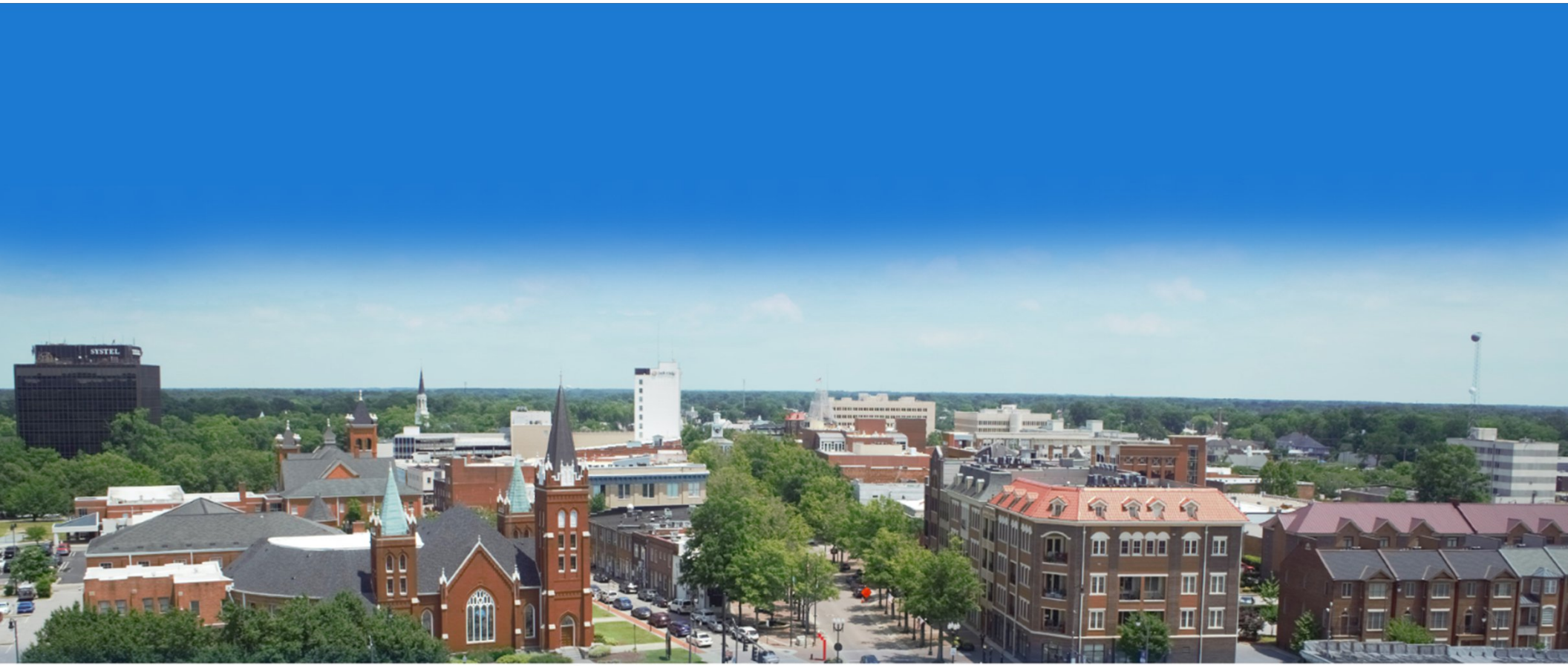
- The proposed amendments to the existing conditional zoning implement policies adopted in the Future Land Use Plan and the Unified Development Ordinance.

- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the proposed number of units and the required number of parking spaces associated with this type of use;

- There are no other factors, which will substantially adversely affect the public health, safety, morals, or general welfare when built in accordance with the conditions.

Options

1. Approval of the map amendment to MR-5 as presented based on the evidence submitted and finds that the rezoning is consistent with the Future Land Use Plan as demonstrated by the attached consistency and reasonableness statement (recommended)
2. Approval of the map amendment to a more restrictive zoning district based on the evidence submitted and finds that the map amendment would be consistent with the Future Land Use Plan and an amended consistency statement.
3. Denial of the map amendment request based on the evidence submitted and finds that the map amendment is inconsistent with the Future Land Use Plan.



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AMERICA'S CAN DO CITY

FayettevilleNC.gov

City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0002

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Public Hearing (Public & Legislative)

Agenda Number: 8.02

TO: **Mayor and Members of City Council**

THRU: **Kelly Strickland, Assistant City Manager**

FROM: **Sheila Thomas-Ambat, PE, CCM, CFM, Public Services Director**
Brian McGill, PE, PTOE, Assistant Public Services Director - Traffic

DATE: **January 26, 2026**

RE:
Adopting Council Policy 160.09.2 - The Policy for Residents to Request "No Parking" in Multi-Use Lanes

COUNCIL DISTRICT(S):
All Districts

Relationship To Strategic Plan:
Goal IV: Be a highly desirable place to live, work, and recreate.

Executive Summary:
Council requested staff develop a process for "No Parking" in multi-use lanes, similar to the speed hump process. This request is the result of discussion from the June 2, 2025 Council Work Session, where staff provided the Bicycle Lane Ordinance Clarifications and Recommendations presentation.

Staff presented research and asked for guidance from Council at the September 2, 2025 Council Work Session. The unanimous Council approval of the recommendations from that work session has led to the creation of the attached policy.

Staff recommend the adoption of Council Policy 160.09.2, which is the policy for residents to request "No Parking" in multi-use lanes in their neighborhoods.

Background:
History of recent "No Parking" policies:
• 08/23/2023 - Brunswick Road "No Parking" zone is enacted [Most recent "No Parking" zone installed]
• 06/02/2025 - Council requested staff develop a process for multi-use lanes "No Parking" requests
• 09/02/2025 - Staff presented "No Parking" information at Council Work Session
• 11/18/2025 - Staff presented Council Policy 160.09.2 to the City Council Policy Review Committee
• 11/24/2025 - Staff presented the process for residents to request "No Parking" in multi-use lanes for adoption

The City of Fayetteville does not have a defined policy for residents to request "No

Parking" in neighborhoods with multi-use lanes. To-date, for "No Parking" to be applied, Council members were required to request "No Parking" on behalf of their constituents. After reviewing the location, staff would make a recommendation and pursuant to any discussion, a "No Parking" zone could be enacted. The most recent "No Parking" zone installed was Brunswick Road on August 23, 2023.

The City documents "No Parking" zones as part of traffic schedule Number 9 - Parking Prohibited. The ordinance which authorizes the traffic schedules, Chapter 16, Article III, Section 16-61, Traffic Schedules Adopted; City Manager Authorized to Compile. is attached to this agenda item as "16-61 Traffic Schedules.pdf".

It was requested at the June 2, 2025 Council Work Session, prior to the presentation for Bicycle Lane Ordinance Clarifications and Recommendations, that staff provide a process for "No Parking" in multi-use lanes following a process similar to speed humps.

Staff presented File 25-4864 (attached to this agenda item) at the September 2, 2025 Council Work Session, which included a presentation (attached to this agenda item as "No Parking Presentation_20250902.pdf") showing research and documentation behind recommendations for a potential policy. Staff requested guidance from Council based on the recommendations and information from the presentation. Council provided guidance through unanimous approval of the recommendations from the presentation and directed staff to return with a policy or ordinance allowing "No Parking" to be established in multi-use lanes.

Staff created Council Policy 160.09.2 in response to the recommendations from the presentation on September 2, 2025 and File 25-4864 (attached). This policy was presented to the City Council Policy Review Committee on November 18, 2025 where it was approved and recommended to proceed to the November 24, 2025 meeting for approval.

At the November 24, 2025 meeting, staff presented this item as Agenda #7.0A2 and File 25-4946 (attached). Council moved to present the proposed City Council Policy at a public hearing to allow residents to comment on the policy, as well as to bring awareness of the policy to the public.

At the January 26, 2026 regular Council meeting, staff are presenting an example of the proposed policy process.

The presentation presented to the public at the January 26, 2026 meeting is attached to this agenda item as "No Parking Policy Example Presentation_20260126.pdf".

Issues/Analysis:

It was determined during the review and clarification surrounding bicycle lane ordinances that there is a desire by some communities to enact "No Parking" in multi-use lanes. Some communities may have used bicycle lanes as a de facto "No Parking" multi-use lane, however, with clarification of what is/is not permitted in bicycle lanes, defining a "No Parking" request process was requested.

Eight (8) municipalities were reviewed for their “No Parking” process. These municipalities are as follows: Apex, Concord, Durham, Greenville, High Point, Huntersville, Raleigh, Wilmington. More detail on the research behind the recommendations behind this policy can be found in File 25-4864, which was summarized in the presentation presented to Council on September 2, 2025. A short summary of our review of those eight (8) municipalities identified the following:

- 6 of 8 municipalities have a formal “No Parking” policy.
- While all allow “No Parking” to be requested for Safety Concerns, only 6 of 8 allow non-safety/resident requests to proceed.
- Signature thresholds vary between municipalities, ranging from 51% to 100%.
- 3 of 8 municipalities do not require Council approval to enact “No Parking” zones.

The recommendations for the policy are summarized below. These items are proposed to be formalized as City Council Policy number 160.09.2 and be memorialized into the Residential Traffic Management Program through the attachment “Residential Traffic Management Program: No Parking Request in Multi-Use Lanes”.

- “No Parking” can be requested by residents in multi-use lanes per this policy. “No Parking” in multi-use lanes for non-safety reasons will only be applied where residents request it and per this policy.

- “No Parking” will be evaluated on a block-by-block basis, to be measured from intersection to intersection. If the road ends (such as a cul-de-sac) then the “block” will be defined as the entire length of the multi-use lane. Evaluation areas will be applied to both sides of the road regardless of which side(s) “No Parking” is requested for.

- A signature threshold of 70% is required for “No Parking” to be approved in a multi-use lane. Signatures from owners, renters, tenants, etc. are valid. When in dispute, the owner’s signature overrides the renter/tenant. For multi-family properties, the units directly adjacent to the street receiving “No Parking” shall be counted for the number of signatures needed. Abandoned houses/vacant lots are excluded from the number of needed signatures but may be counted in support of a “No Parking” zone should a mailed ballot be returned or online petition be signed by the renter/tenant/owner of the property. Staff will be required to review each “No Parking” zone request in person to verify the property is not abandoned, or a vacant lot. Should a property’s status change, the contact person must request staff to review and re-solicit approval of the “No Parking” zone.

- Mailed ballot cards will be mailed to the “No Parking” area for signature approval. Signatures are required from both sides of the street, regardless of which side(s) “No Parking” is applied to. The signature threshold of 70% applies

to both sides of the street and is measured independent of each other; The 70% signature threshold is not for the entire evaluation area, but for each side of the road.

- A “No Parking” request is valid for 60 calendar days from the day the mailed ballot cards are placed in the mail. A new request for “No Parking” will be entertained by staff upon request after six (6) months have elapsed from the most recent request for the subject evaluation area.

- A “No Parking” zone can be requested to be rescinded once it has been in place for one (1) year. It follows the same thresholds and signature process as above, to include deadlines. The difference between this mailed ballot card and the original mailed ballot card is this one will ask if the resident wishes to remove the “No Parking” zone instead of create one.

- All changes to “No Parking” zones will be submitted to the next available Council Regular session for approval and amendment into the Traffic Schedule.

While we serve at the pleasure of Council and City Manager, staff do have two main concerns which are identified as follows:

- Without knowing resident interest in the program, the funding requirement and staff time is unknown at this time when considering the following:
  - Staff time for the following:
    - Visiting proposed “No Parking” zones
    - Validating returned mailer/ballot signatures
    - Updating Council & seeking approval to update the traffic schedule
    - Installing “No Parking” sign assemblies in new zones
  - Costs for the following:
    - Fabricating and sending mailers/ballots
    - Fabricating metal signs and purchasing signposts
- Staff becoming involved in neighborhood civil disputes. While staff are cognizant of residents desires for “No Parking” citing safety concerns and ordinance violations, disagreements between neighbors may escalate.

Should the policy be adopted, staff will work to roll-out the process online and begin preparing materials. When preparation work is complete, staff will coordinate with other City Departments and Council to inform the public of this new policy.

Budget Impact:
This item discusses starting a new policy to address an unknown amount of resident demand for “No Parking” zones across City neighborhoods. The impact on the budget is unknown at this time.

Options:
1) Adopt Council Policy 160.09.2 - The Process for Residents to Request “No Parking” in Multi-Use Lanes.

2) Decline Council Policy 160.09.2 and return to staff with direction.

Recommended Action:
1) Adopt Council Policy 160.09.2 - The Process for Residents to Request “No Parking” in Multi-Use Lanes.

Attachments:
Council Policy 160.09.2.pdf
File 25-4864.pdf
File 25-4946.pdf
No Parking Presentation_20250902.pdf
16-61 Traffic Schedules.pdf
Other Municipalities Policies.pdf
No Parking Policy Example Presentation_20260126.pdf

SUBJECT – STREETS, TRAFFIC, AND PARKING **Residential Traffic Management Program: No Parking Request in Multi-Use Lanes**	Number **160.9.2**	Revised	Effective Date 11-24-25	Page 1 of 5

It shall be the policy of the City Council of the City of Fayetteville that the Residential Traffic Management Program (RTMP) be applicable to all City-owned public roads. Upon the request of a contact person to study the road upon which they live, it will be the responsibility of the Public Services Department to determine if the road qualifies for the installation of a "No Parking" zone as outlined in the RTMP. The Public Services Department will notify the contact person as to the result of the outcome of the study. Should the road qualify for the installation of a "No Parking" zone, it will be the responsibility of the City to collect the necessary support via mailed ballots before a "No Parking" zone can be installed. Should a road not qualify for "No Parking" as outlined in the RTMP, the contact person may choose to request the road be studied again after six months have elapsed from the previous study.

FAYETTEVILLE NC

AMERICA'S CAN DO CITY

PUBLIC SERVICES

Traffic Services Division

RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

GUIDELINES TO MANAGE RESIDENTIAL TRAFFIC

GOALS

1. Improve residential livability by encouraging multi-modality by restricting the parking of vehicles in specific areas.
2. Maintain access, safety and comfort for alternative transportation users on residential streets.
3. Encourage citizen involvement in solutions to residential traffic problems.
4. Appropriately channel public resources by prioritizing no parking requests according to documented criteria.

POLICIES

A request to consider modification of parking on public streets containing multi-use lanes **shall meet all** of the following criteria:

- The street must be classified as a local street and be primarily residential in nature.
- The street must have multi-use lanes installed to be eligible for this policy.
- **The Citizens Association or the Neighborhood must designate a contact person(s) who will be the primary contact in the neighborhood for answering residents' questions.**

This policy shall not prevent City Staff from proposing No Parking Zones – regardless of the presence of multi-use lanes – on the basis of safety concerns.

PETITION ACCEPTANCE & SUPPORT REQUIREMENTS

The City Traffic Services Division determines the boundary of the "affected area" to be included in the petition directly and indirectly affected areas. The petition requesting parking modifications must be supported by 70 percent of the number of households on each side of the road affected by the proposed changes; one (1) household, one (1) signature minimum. The City will mail ballot cards to addresses within the affected area requesting a response from the occupant regarding approval for restriction of parking within the multi-use lanes on the specified side(s) of the requested street(s). All petitions have a deadline of 60 calendar days from the day the ballot cards are placed in the mail. A new request for "No Parking" will be entertained by staff upon request after six (6) months have elapsed from the most recent request for the subject evaluation area.

An eligible household is a single residential or commercial unit and shall include property owners, tenants, businesses and long-term tenants such as mobile park residents within the "affected area". In case of conflict between property owner and tenant, the property owner's vote takes precedence over the tenant.

NO PARKING IN MULTI-USE LANE APPLICATION POLICY

Staff Evaluation – An evaluation for any no parking request will be made to determine if guidelines listed below are met. No parking zones can have a wide-ranging impact not only on the tenants and property owners, but also on the residents living on the immediate and nearby streets. Therefore, their installation will be evaluated within an overall residential management study. The "affected area" for mailed ballots **may** be larger than the just the street(s) receiving the no parking request. **The Citizens Association or the Neighborhood must designate a contact person(s) who will be the primary contact in the neighborhood for answering residents' questions concerning no parking zones in multi-use lanes.**

No parking requests will be handled in the order in which they were received. The city will fund locations based on the annual funding and provided they meet all criteria.

Streets – No parking requests will be considered for installation only on residential, local streets. A local street is defined as one whose abutting land use is at least 85% residential when considered in segments. **The street must have multi-use lanes to be eligible for a no parking request.** There is no minimum length for the street or street segment for consideration of a no parking request. No parking requests will be evaluated on a block-by-block basis, to be measured from intersection to intersection. If the road ends (such as a cul-de-sac) then the "block" will be defined as the entire length of the multi-use lane. Evaluation areas – those receiving mailed ballots – will be applied to both sides of the road at a minimum, regardless of which side(s) a no parking zone is requested for.

Residential Surveys – City staff will determine the evaluation area and circulate mailed ballots in order to determine the approval of a no parking zone request. The concurrence of not less than 70 % (one signature per household) is required on each side of the street(s) receiving a no parking request. **The signature threshold of 70% applies to both sides of the street and is measured independent of each other; The 70% signature threshold is not for the entire evaluation area, but for each side of the road.** For multi-family properties, the units directly adjacent to the street receiving no parking shall be counted for the number of signatures needed. Abandoned houses/vacant lots are excluded from the number of **required** signatures but **may** be counted in support of a no parking zone should a mailed ballot be returned or online petition be signed by the owner of the property. Should the status of a parcel change, (such as vacant to occupied) the contact person must request for staff to review and re-solicit approval of the no parking zone.

City staff shall review each no parking zone request in person to verify a property is not abandoned or a vacant lot.

Non – Compliant Installation – A non-compliant no parking zone will not be permitted to be installed in a multi-use lane through this policy.

No Parking Zone(s) Approval – Should a no parking zone be approved through this policy, the no parking zone must be submitted and approved by City Council prior to going into effect. Upon confirmation of a successful resident survey, the no parking zone will be submitted to City Council for approval at the next regular Council meeting which staff can submit items for. The no parking zone approval will be submitted as a consent item.

No parking zones which have been approved by Council shall be installed within ten (10) business days of Council Approval.

No Parking Zone(s) Installation – After obtaining all reviews, surveys, and approvals, the city will install no parking zones. Residents are to be reminded that mandatory signage will be installed with these zones. If no parking is approved for one (1) side of the street, there will be a minimum of two (2) no parking signs installed. If no parking is approved for two (2) sides of the street, there will be a minimum of four (4) no parking signs installed. There shall be no limit to the number of no parking signs to be installed.

No Parking Zone Removal – For no parking zones installed through this policy, once the no parking zone(s) has been in place for one (1) year, a neighborhood can revisit their decision to have no parking zone(s). If the residential survey reveals a 70% support from the residents to remove the no parking zone(s), they will be removed.

City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Master

File Number: 25-4864

File ID:	25-4864	**Category:**	Other Items of Business	**Status:**	Agenda Ready
Version:	1	**Case Number:**		**Mtg Type:**	City Council Work Session
				File Created:	08/14/2025
File Name:				**Final Action:**	10/15/2025

Title: **Resident Request for “No Parking” in Neighborhoods**

Notes:

Agenda Date: 09/02/2025

Agenda Number: 6.06

Sponsors:

Enactment Date:

Attachments: No Parking Presentation.pdf, 16-61 Traffic Schedules.pdf, Other Municipalities Policies.pdf

Enactment Number:

Contact:

Hearing Date:

Entered by:

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 25-4864

TO: **Mayor and Members of City Council**

THRU: **Adam Lindsay, ICMA-CM, Assistant City Manager**

FROM: **Sheila Thomas-Ambat, PE, Public Services Director**
Brian McGill, PE, PTOE, Assistant Public Services Director - Traffic Services

DATE: **September 2, 2025**

RE:
Resident Request for “No Parking” in Neighborhoods

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
Goal IV: Be a highly desirable place to live, work, and recreate.

Executive Summary:
Council requested staff develop a process for “No Parking” down multi-use lanes, similar to the speed hump process. This request is the result of discussion from the June 2, 2025 Council Work Session, where staff provided the Bicycle Lane Ordinance Clarifications and Recommendations presentation.

Staff plan to return at a future Council Work Session with the process for residents to request “No Parking” along multi-use lanes, pending Council guidance based on the suggestions from the presentation.

Background:
History of “No Parking”:

- 08/23/2023 - Brunswick Road “No Parking” zone is enacted [Most recent “No Parking” zone]
- 06/02/2025 - Council requested staff develop a process for multi-use lanes “No Parking” requests
- 09/02/2025 - Staff presents “No Parking” information at Council Work Session

The City of Fayetteville does not have a defined policy for citizens to request “No Parking” in neighborhoods with multi-use lanes. To-date, for “No Parking” to be applied, Council members were required to request “No Parking” on behalf of their constituents. After reviewing the location, staff would make a recommendation and pursuant to any discussion, a “No Parking” zone could be enacted. The most recent “No Parking” zone was Brunswick Road on August 23, 2023.

The City documents “No Parking” zones as part of traffic schedule Number 9 - Parking Prohibited. The ordinance which authorizes the traffic schedules, Chapter 16, Article III, Section 16-61, *Traffic Schedules Adopted; City Manager Authorized to Compile.* is attached.

It was requested at the June 2, 2025 Council Work Session, prior to the presentation for Bicycle Lane Ordinance Clarifications and Recommendations, that staff provide a process for “No Parking” in multi-use lanes following a process similar to speed humps.

Issues/Analysis:
It was determined during the review and clarification surrounding bicycle lane ordinances that there is a desire by some communities to enact “No Parking” in multi-use lanes. Previously some communities may have used bicycle lanes as a de facto “No Parking” multi-use lane, however, with clarification of what is/is not permitted in bicycle lanes, defining a “No Parking” request process was requested.

Eight (8) municipalities were reviewed for their “No Parking” process. These

municipalities are as follows: Apex, Concord, Durham, Greenville, High Point, Huntersville, Raleigh, Wilmington. Of those eight (8) municipalities, we identified the following:

- 6 of 8 municipalities have a formal “No Parking” policy.
- All municipalities allow “No Parking” to be requested based on safety concerns.
- 6 of 8 municipalities have some form of “No Parking” requests based on non-safety concerns/resident request.
    - 1 municipality said non-safety-related requests only move forward if they come from HOA’s.
    - 1 municipality’s program for non-safety-related requests requires 8 adjoining blocks in a neighborhood and a parking study.
    - 1 municipality has stated signs are only placed when safety concerns arise or repeated ordinance violations are documented.
- 5 of 8 municipalities have signature thresholds, ranging from 51% to 100%
- 3 of 8 municipalities do not require Council approval to enact a “No Parking” zone/update their traffic schedule.
- All municipalities reviewed above 95,000 population (6 of 8) has a “Parking Coordinator” or “Parking Manager”.

From reviewing those municipalities formal policies, staff suggest the following:

- Provide residents a formal process to request “No Parking” for City streets with multi-use lanes, with community engagement like the speed hump process. Community engagement “like the speed hump process” means the use of mailers and ballots to determine resident approval for their “No Parking” zone.
- This process would only be applicable to City streets with multi-use lanes.
- “No Parking” restriction areas should be applied by block, from intersection to intersection. This avoids applying “No Parking” zones on a “house-by-house” basis, which can be cumbersome and difficult to manage and document appropriately.
- A time limit for “No Parking” requests should be established to prevent resident abuse of the system as well as prevent overburdening staff. To align with the speed hump request process, staff recommend 60 days for the mailer/ballot time period to be permitted, and then 6 months where additional requests will not be permitted. If one side of the road is requested and fails to meet the signature threshold, then no new requests would be enabled for one side or both sides of the street during the following 6 months.
- To match the speed hump neighborhood signature threshold, staff recommend a signature threshold of 70%. This threshold should be required for both sides of the street, regardless of which side(s) “No Parking” is applied to. The signature threshold should be applied to both sides equally. If “No Parking” is applied to only one side of the street, it is expected that visitors and residents may begin to use the other side of the street. Therefore, requiring both sides of the street to approve the “No Parking” zone should be required.
- For the signature thresholds, abandoned houses/vacant lots should be excluded

from number of needed signatures, as they would not be affected by the “No Parking” zone. Should their status change, they may ask for staff to review and re-solicit approval of the “No Parking” zone. Staff will be required to review each “No Parking” zone request in person to verify the property is not abandoned, or a vacant lot.

- To match the speed hump request process, the owner, renter, tenant, etc. may sign. In the case of conflicting desires, the owner’s signature overrides the renter/tenant signature. Only one signature per residential unit or property is permitted; Multiple signatures for one address will only be counted as one signature.
- For multi-family properties, the units directly adjacent to the street receiving "No Parking" should be counted for the number of signatures needed.

Finally, staff have two main concerns regarding enacting a formal policy for “No Parking”.

- Without knowing resident interest in the program, the availability of funds and staff time is uncertain as the following is considered:
    - Visiting proposed “No Parking” zones
    - Preparing and sending mailers/ballots
    - Validating the returned mailer/ballot signatures
    - Updating Council with the necessary information to update the traffic schedule
    - The cost of metal for sign fabrication and the purchase of signposts
- Staff becoming involved in neighborhood civil disputes. While staff are cognizant of residents desires for “No Parking” citing safety concerns and ordinance violations, disagreements between neighbors may escalate.

As this item was addressing the ability to request “No Parking” in multi-use lanes, staff will request Council’s direction and proceed as directed. If directed to create this new program, it will come back to Council for formal adoption.

Staff consider staff-initiated “No Parking” requests based on safety concerns to be independent from this agenda item but has identified the desire to establish clarity on the staff-initiated requests process with a future presentation.

Budget Impact:
This item discusses starting a new policy to address an unknown amount of resident demand for “No Parking” zones across City neighborhoods. The impact on the budget is unknown at this time.

Options:
This item is for informational purposes only and is for staff to receive guidance from Council.

Recommended Action:
This item is for informational purposes only and is for staff to receive guidance from Council.

Attachments:

No Parking Presentation.pdf
16-61 Traffic Schedules.pdf
Other Municipalities Policies.pdf

City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Master

File Number: 25-4946

File ID:	25-4946	**Category:**	Consent	**Status:**	Agenda Ready
Version:	1	**Case Number:**		**Mtg Type:**	City Council Regular Meeting
				File Created:	09/16/2025
File Name:				**Final Action:**	

Title: **Adopting Council Policy 160.09.2 - The Policy for Residents to Request "No Parking" in Multi-Use Lanes**

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Council Policy 160.09.2, File 25-4864, No Parking Presentation_20250902, 16-61 Traffic Schedules, Other Municipalities Policies	**Enactment Number:**	
Contact:		**Hearing Date:**	
Entered by:	BrianMcGill@FayettevilleNC.gov	**Effective Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 25-4946

TO: **Mayor and Members of City Council**

THRU: **Adam Lindsay, ICMA-CM, Assistant City Manager**

FROM: **Sheila Thomas-Ambat, PE, CCM, CFM, Public Services Director**
Brian McGill, PE, PTOE, Assistant Public Services Director - Traffic Services

DATE: **November 24, 2025**

RE:
Adopting Council Policy 160.09.2 - The Policy for Residents to Request "No Parking" in Multi-Use Lanes

COUNCIL DISTRICT(S):

All Districts

Relationship To Strategic Plan:
Goal IV: Be a highly desirable place to live, work, and recreate.

Executive Summary:
Council requested staff develop a process for “No Parking” in multi-use lanes, similar to the speed hump process. This request is the result of discussion from the June 2, 2025 Council Work Session, where staff provided the Bicycle Lane Ordinance Clarifications and Recommendations presentation.

Staff presented research, and asked for guidance from Council, at the September 2, 2025 Council Work Session. The unanimous Council approval from that work session of the recommendations has led to the creation of the attached policy.

Staff recommend the adoption of Council Policy 160.09.2, which is the policy for residents to request “No Parking” in multi-use lanes in their neighborhoods.

Background:
History of recent “No Parking” policies:

- 08/23/2023 - Brunswick Road “No Parking” zone is enacted [Most recent “No Parking” zone]
- 06/02/2025 - Council requested staff develop a process for multi-use lanes “No Parking” requests
- 09/02/2025 - Staff presented “No Parking” information at Council Work Session
- 11/18/2025 - Staff presented Council Policy 160.09.2 to the City Council Policy Review Committee
- 11/24/2025 - Staff present process for residents to request “No Parking” in multi-use lanes for adoption

The City of Fayetteville does not have a defined policy for residents to request “No Parking” in neighborhoods with multi-use lanes. To-date, for “No Parking” to be applied, Council members were required to request “No Parking” on behalf of their constituents. After reviewing the location, staff would make a recommendation and pursuant to any discussion, a “No Parking” zone could be enacted. The most recent “No Parking” zone was Brunswick Road on August 23, 2023.

The City documents “No Parking” zones as part of traffic schedule Number 9 - Parking Prohibited. The ordinance which authorizes the traffic schedules, Chapter 16, Article III, Section 16-61, *Traffic Schedules Adopted; City Manager Authorized to Compile.* is attached to this agenda item as “16-61 Traffic Schedules.pdf”.

It was requested at the June 2, 2025 Council Work Session, prior to the presentation for Bicycle Lane Ordinance Clarifications and Recommendations, that staff provide a process for “No Parking” in multi-use lanes following a process similar to speed humps.

Staff presented File 25-4864 (attached to this agenda item) at the September 2, 2025 Council Work Session, which included a presentation (attached to this agenda item as "No Parking Presentation_20250902.pdf") showing research and documentation behind recommendations for a potential policy. Staff requested guidance from Council based on the recommendations and information from the presentation. Council provided guidance through unanimous approval of the recommendations from the presentation and directed staff to return with a policy or ordinance allowing "No Parking" to be established in multi-use lanes.

Staff created Council Policy 160.09.2 in response to the recommendations from the presentation on September 2, 2025 and File 25-4864. This policy was presented to the City Council Policy Review Committee on September 18, 2025 where it was approved and recommended to proceed to the November 24, 2025 meeting for approval.

Issues/Analysis:

It was determined during the review and clarification surrounding bicycle lane ordinances that there is a desire by some communities to enact "No Parking" in multi-use lanes. Some communities may have used bicycle lanes as a de facto "No Parking" multi-use lane, however, with clarification of what is/is not permitted in bicycle lanes, defining a "No Parking" request process was requested.

Eight (8) municipalities were reviewed for their "No Parking" process. These municipalities are as follows: Apex, Concord, Durham, Greenville, High Point, Huntersville, Raleigh, Wilmington. More detail on the research behind the recommendations behind this policy can be found in File 25-4864, which was summarized in the presentation presented to Council on September 2, 2025. A short summary of our review of those eight (8) municipalities identified the following:

- 6 of 8 municipalities have a formal "No Parking" policy.
- While all allow "No Parking" to be requested for Safety Concerns, only 6 of 8 allow non-safety/resident requests to proceed.
- Signature thresholds vary between municipalities, ranging from 51% to 100%.
- 3 of 8 municipalities do not require Council approval to enact "No Parking" zones.

The recommendations for the policy are summarized below. These items are formalized in the "Residential Traffic Management Program: No Parking Request in Multi-Use Lanes" attachment and presented as City Council Policy number 160.09.2.

- "No Parking" can be requested by residents in multi-use lanes per this policy. "No Parking" in multi-use lanes for non-safety reasons will only be applied where residents request it and per this policy.
- "No Parking" will be evaluated on a block-by-block basis, to be measured from intersection to intersection. If the road ends (such as a cul-de-sac) then the "block" will be defined as the entire length of the multi-use lane. Evaluation areas will be applied to both sides of the road regardless of which side(s) "No Parking" is requested for.
- A signature threshold of 70% is required for "No Parking" to be approved in a multi-use lane. Signatures from owners, renters, tenants, etc. are valid. When in

dispute, the owner's signature overrides the renter/tenant. For multi-family properties, the units directly adjacent to the street receiving "No Parking" shall be counted for the number of signatures needed. Abandoned houses/vacant lots are excluded from the number of needed signatures but may be counted in support of a "No Parking" zone should a mailed ballot be returned or online petition be signed by the owner of the property. Should their status change, the contact person must request staff to review and re-solicit approval of the "No Parking" zone. Staff will be required to review each "No Parking" zone request in person to verify the property is not abandoned, or a vacant lot.

- Mailed ballot cards will be mailed to the "No Parking" area for signature approval. Signatures are required from both sides of the street, regardless of which side(s) "No Parking" is applied to. The signature threshold of 70% applies to both sides of the street and is measured independent of each other; The 70% signature threshold is not for the entire evaluation area, but for each side of the road.
- A "No Parking" request is valid for 60 calendar days from the day the mailed ballot cards are placed in the mail. A new request for "No Parking" will be entertained by staff upon request after six (6) months have elapsed from the most recent request for the subject evaluation area.
- A "No Parking" zone can be requested to be rescinded once it has been in place for one (1) year. It follows the same thresholds and signature process as above, to include deadlines. The difference between this mailed ballot card and the original mailed ballot card is this one will ask if the resident wishes to remove the "No Parking" zone instead of create one.
- All changes to "No Parking" zones will be submitted to the next available Council Regular session for approval and amendment into the Traffic Schedule.

While we serve at the pleasure of Council and City Manager, staff do have two main concerns which are identified as follows:

- Without knowing resident interest in the program, the funding requirement and staff time is unknown at this time when considering the following:
    - Time and materials necessary for this program, to include but not be limited to the following:
        - Staff time visiting proposed "No Parking" zones
        - Costs for fabricating and sending mailers/ballots
        - Staff time validating the returned mailer/ballot signatures
        - Staff time for updating Council with the necessary information to update the traffic schedule
        - Costs for fabricating metal signs and the purchase of signposts
        - Costs and staff time for installation of "No Parking" sign assemblies in "No Parking" zones
    - Staff becoming involved in neighborhood civil disputes. While staff are cognizant of residents desires for "No Parking" citing safety concerns and ordinance violations, disagreements between neighbors may escalate.

Should the policy be adopted, staff will work to roll-out the process online and begin preparing materials. When preparation work is complete, staff will coordinate with other City Departments and Council to inform the public of this new policy.

Budget Impact:
This item discusses starting a new policy to address an unknown amount of resident demand for “No Parking” zones across City neighborhoods. The impact on the budget is unknown at this time.

Options:
1) Adopt Council Policy 160.09.2 - The Process for Residents to Request “No Parking” in Multi-Use Lanes.
2) Decline Council Policy 160.09.2 and return to staff with direction.

Recommended Action:
1) Adopt Council Policy 160.09.2 - The Process for Residents to Request “No Parking” in Multi-Use Lanes.

Attachments:
Council Policy 160.09.2.pdf
File 25-4864.pdf
No Parking Presentation_20250902.pdf
16-61 Traffic Schedules.pdf
Other Municipalities Policies.pdf

Resident Request for “No Parking” in Neighborhoods

September 2, 2025



FAYETTEVILLE NC

Request & Background

During discussion on bicycle and multi-use lanes, Council requested staff review the process for making a “No Parking” request.

City does not currently have a formal “No Parking” request process.

City has Traffic Schedule #9 (Parking Prohibited) which must be updated each time a “No Parking” zone is created.

Last “No Parking” zone created was on Brunswick Road (8/28/2023).

Staff are requesting Council guidance based on presentation suggestions.

"No Parking" Municipal Peer Review

Municipality	Pop.	Has Formal Policy?	Basis of Install… Safety Issue	Basis of Install… Resident Request	Signatures Required	Requires Council?	Other Note
Huntersville	67,000	✓	✓	✓	100%	X	
Apex	76,000	X	✓	✓[A]	X	✓	
Greenville	95,000	✓	✓	✓	51%	X	Parking Coordinator
Concord	112,500	✓	✓	✓	75%	✓	Parking Manager
High Point	118,500	✓	✓	✓	75%	✓	Parking Coordinator
Wilmington	125,000	X	✓	X	X	✓	Parking Manager
Fayetteville	209,500	X	✓	X	X	✓	
Durham	302,000	✓	✓	X	X	X	Parking Manager
Raleigh	500,000	✓	✓	✓[B C]	70%	✓	Parking Manager

[A] *Only if HOA Requests*
[B] *Residential Permit Parking Area (minimum of 8 adjoining blocks in a neighborhood)*
[C] *Requires Parking Study*

Legend
✓ Yes
X No

“No Parking” Recommendation

Provide residents a formal process to request “No Parking” for City streets with multi-use lanes, with community engagement like the speed hump process.

The following slides are suggestions; Staff will return with specifics pending Council guidance.

Presentation on staff initiated “No Parking” requests based on safety issues to come, independent from this topic.

“No Parking” Recommendation (Continued)

Can be requested for City streets with multi-use lanes only.

Restriction area applied by block, from intersection to intersection.

Mailers/ballots sent to restriction area for signature approval of “No Parking”. [matches speed hump process]

“No Parking” requests will be considered for 60 days, then no new request will be entertained for that block for 6 months. [matches speed hump process]

“No Parking” Recommendation (Continued)

Signature Threshold = 70%. [matches speed hump neighborhood signature threshold]

Signatures required from both sides of the street, regardless of which side(s) “No Parking” is applied to; Threshold applies to both sides equally.

Abandoned houses/vacant lots are excluded from number of **needed** signatures.

Owner, renter, tenant, etc. may sign. Owner’s signature overrides renter/tenant. [matches speed hump process]

For multi-family properties, the units directly adjacent to the street receiving "No Parking" shall be counted for the number of signatures needed.

Staff Concerns

Staff capacity and program requirements for funds, materials, and time when scaled.

Staff becoming involved in neighborhood civil disputes.

“No Parking” Example

✓ ELIGIBLE

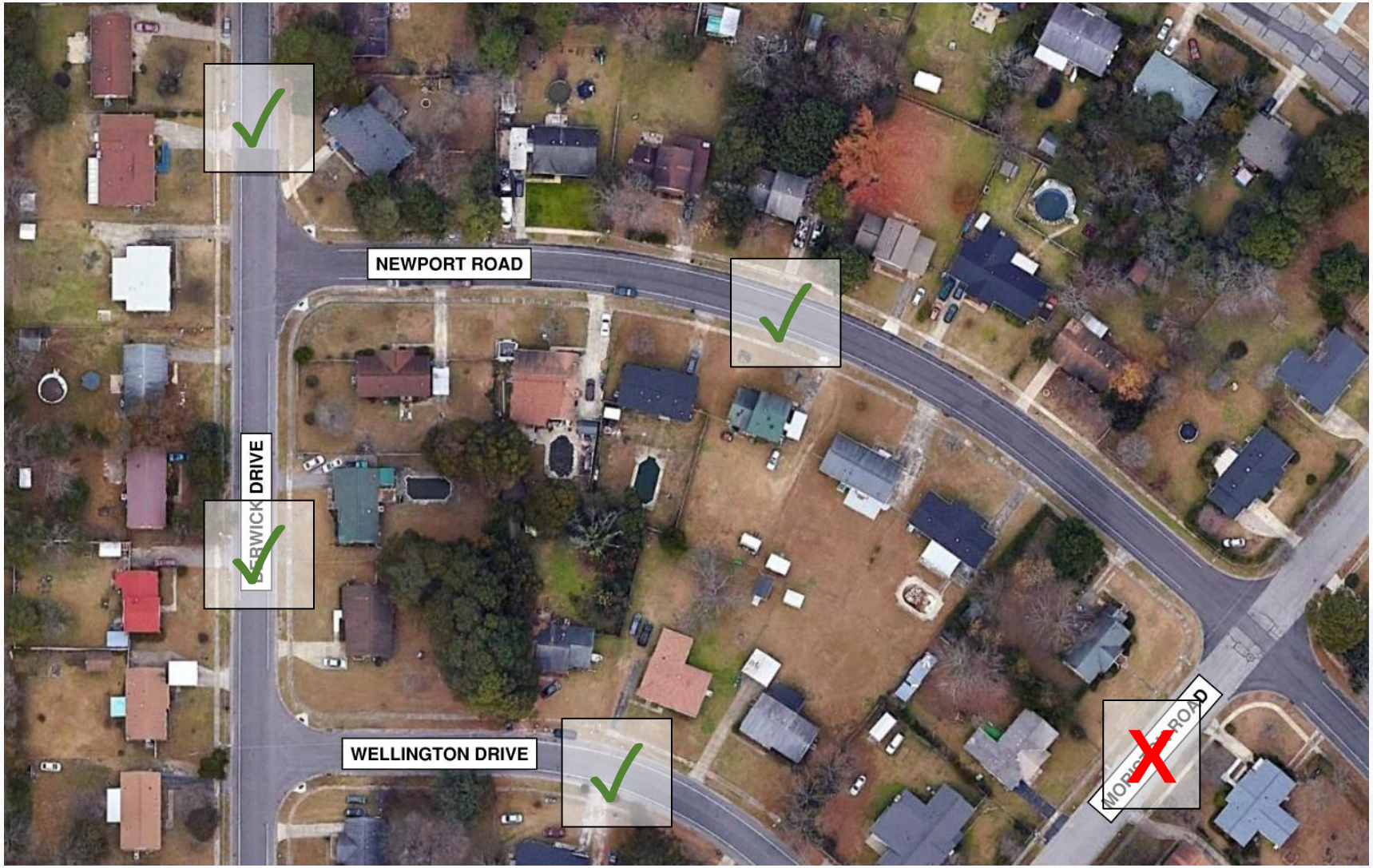
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“No Parking” Example

✓ ELIGIBLE

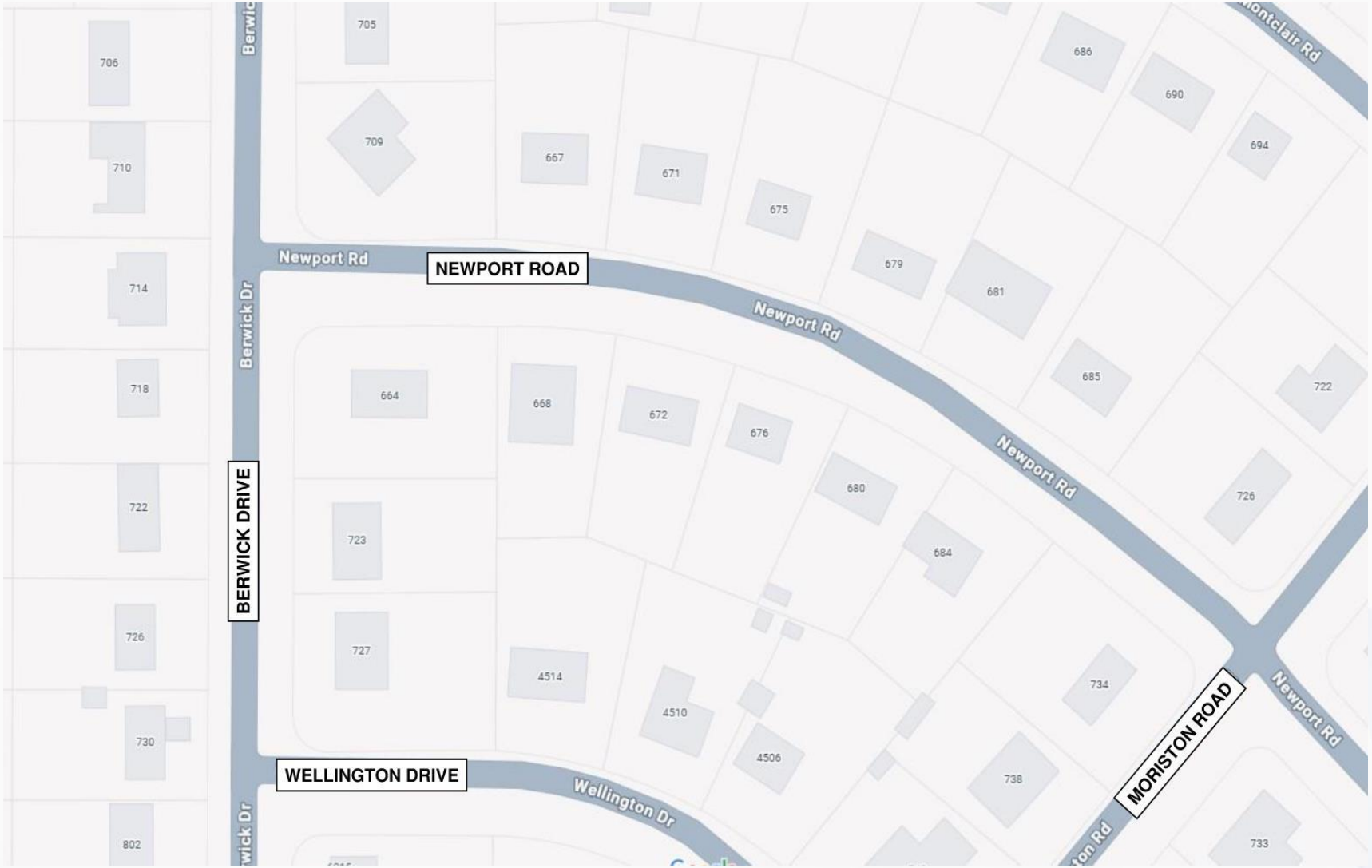
X NOT ELIGIBLE



“No Parking” Example

✓ SIGNS

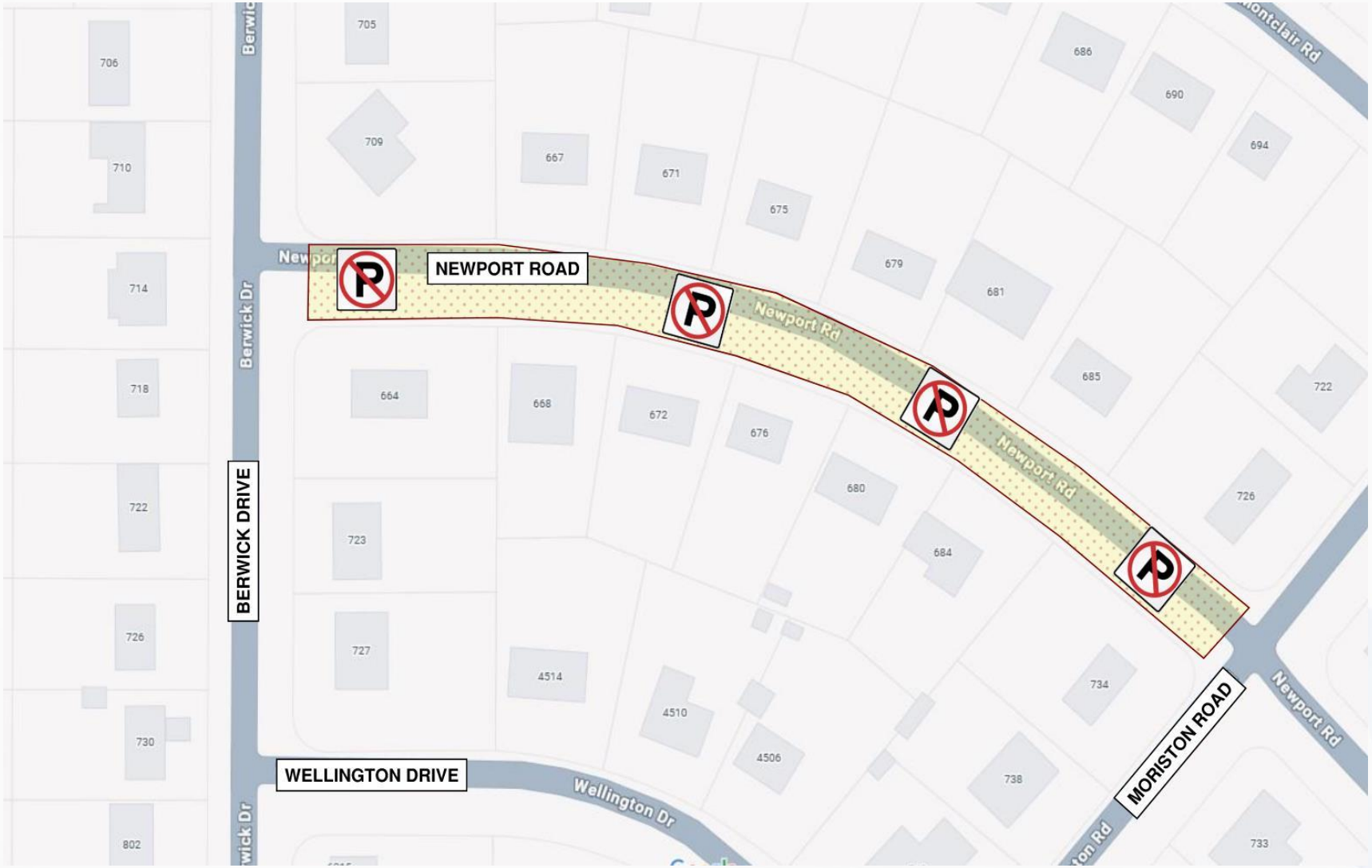
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

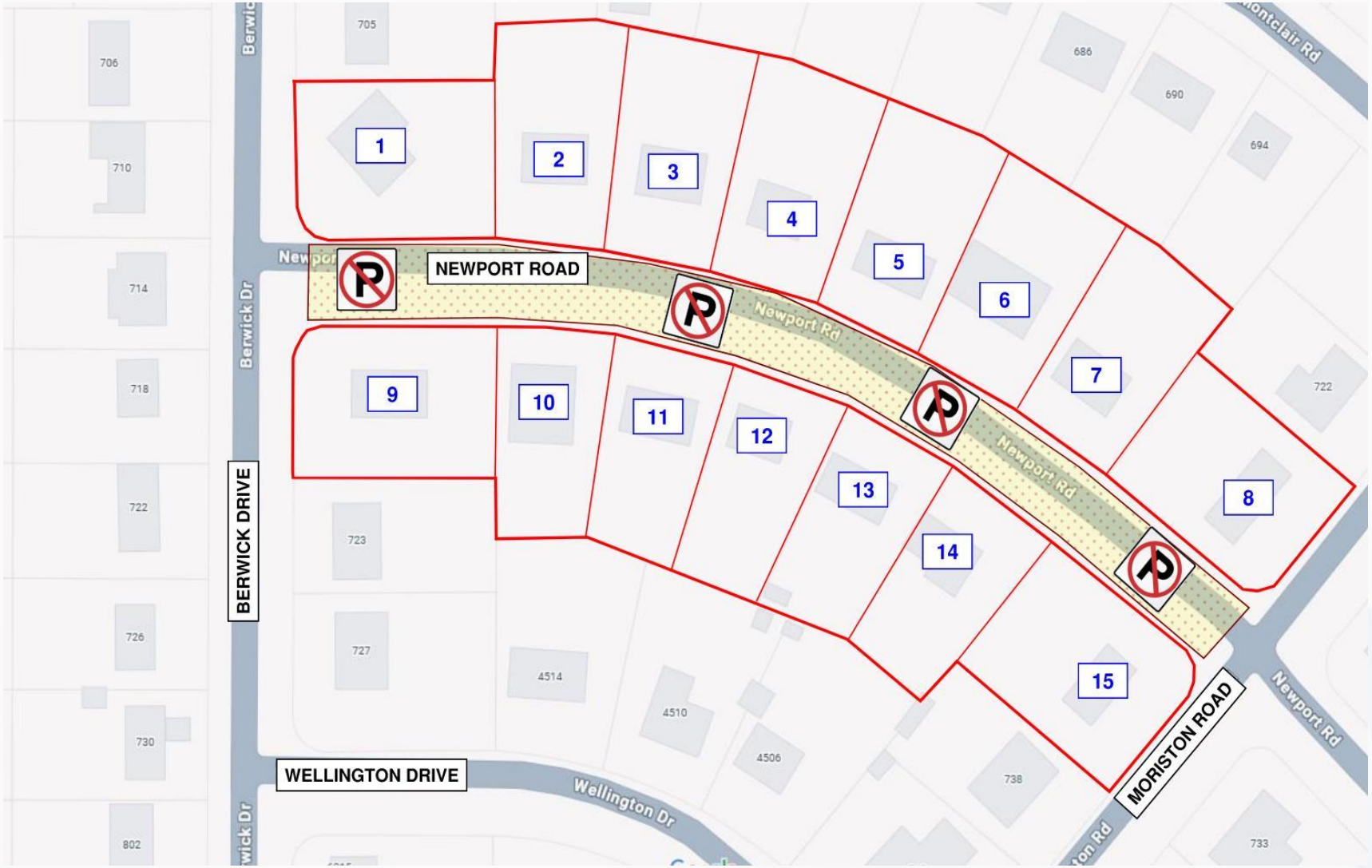
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“No Parking” Example

✓ SIGNS

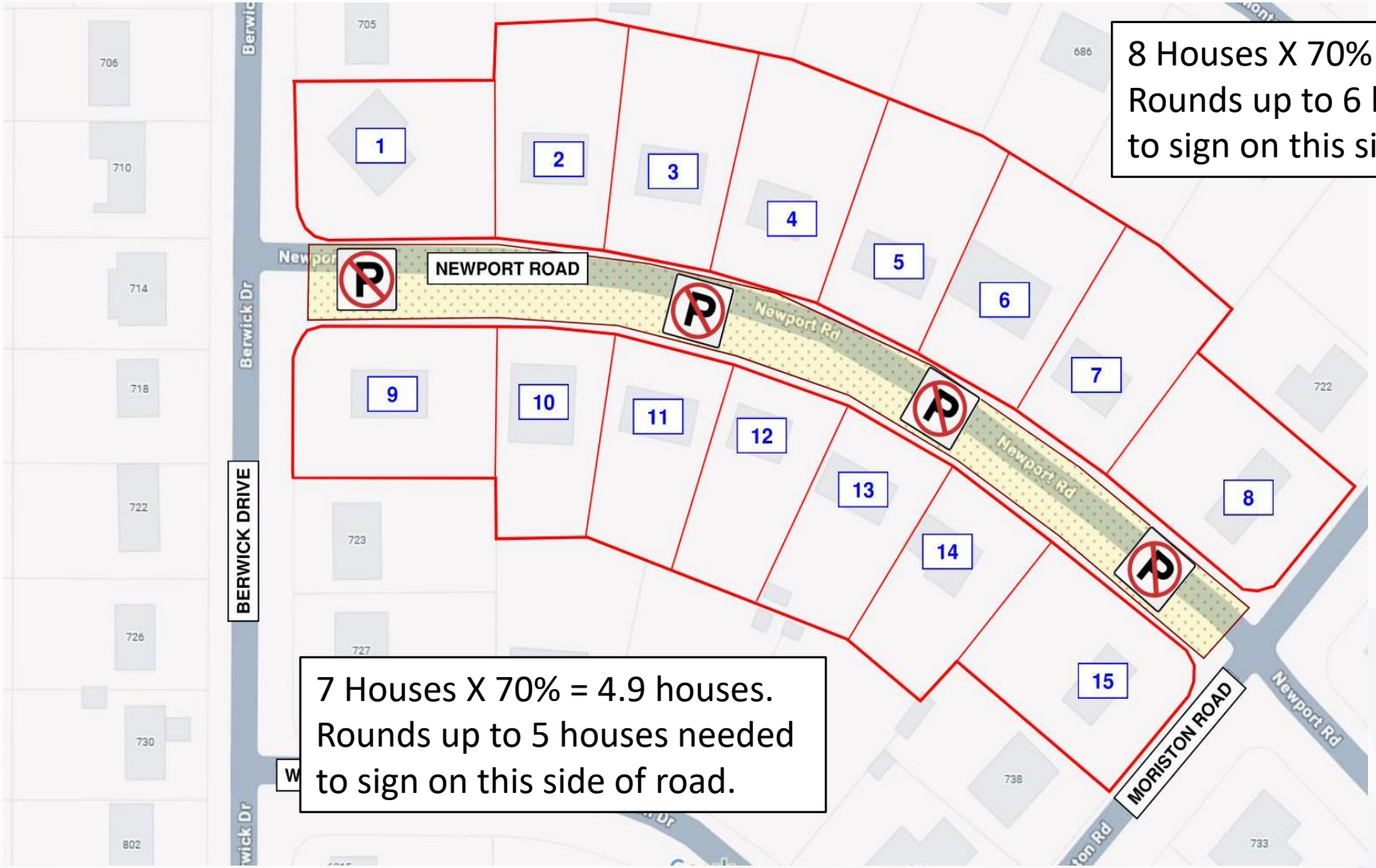
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

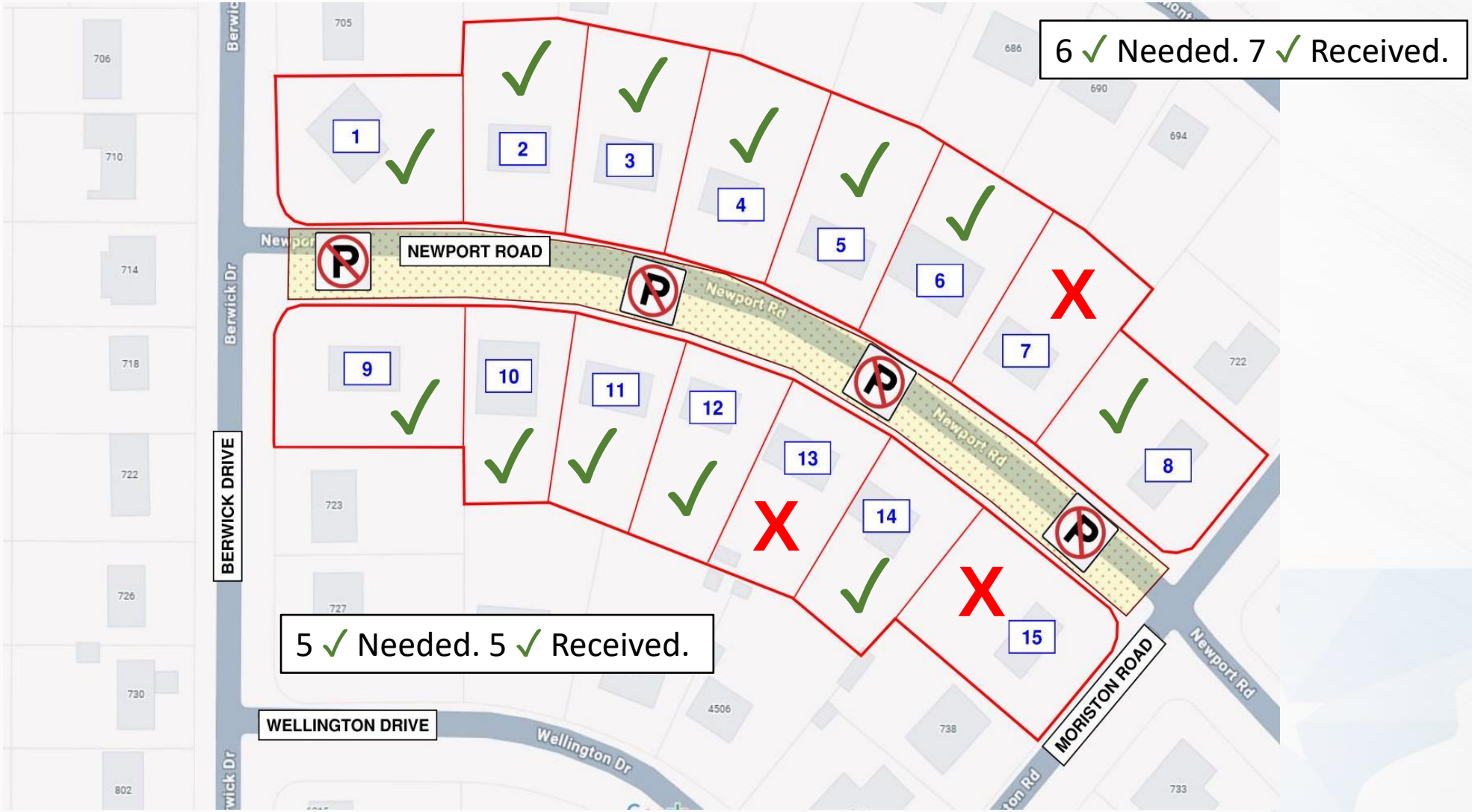
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

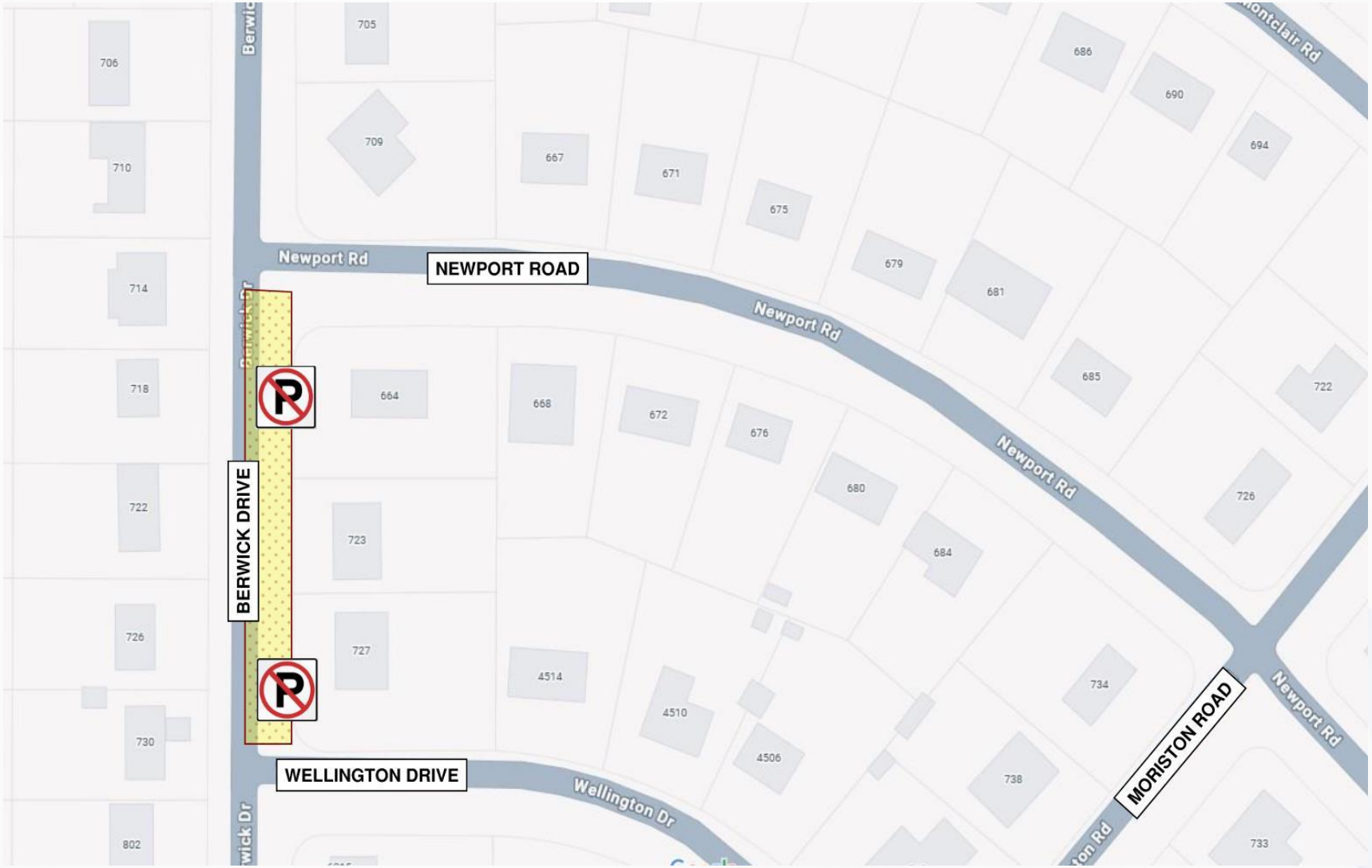
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

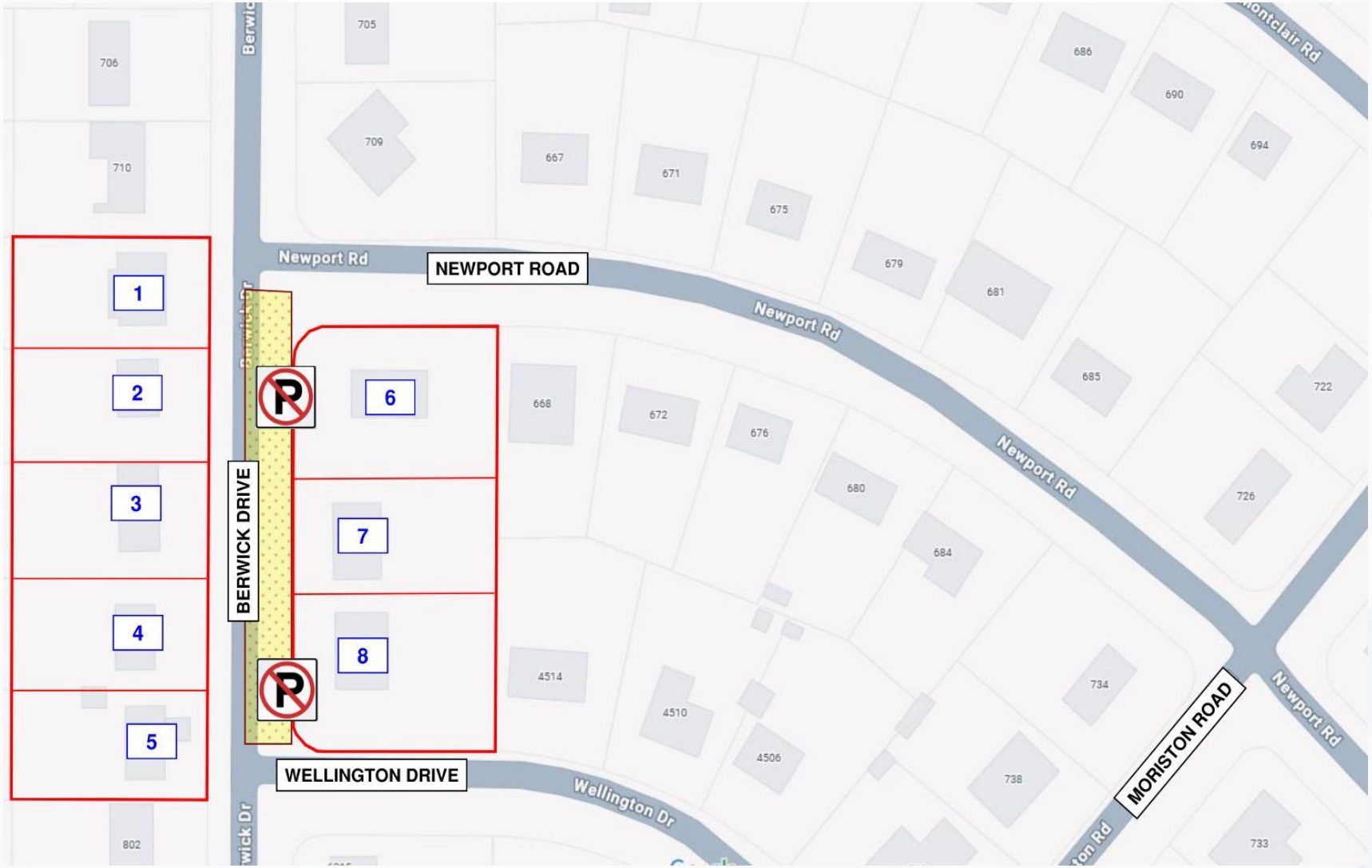
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

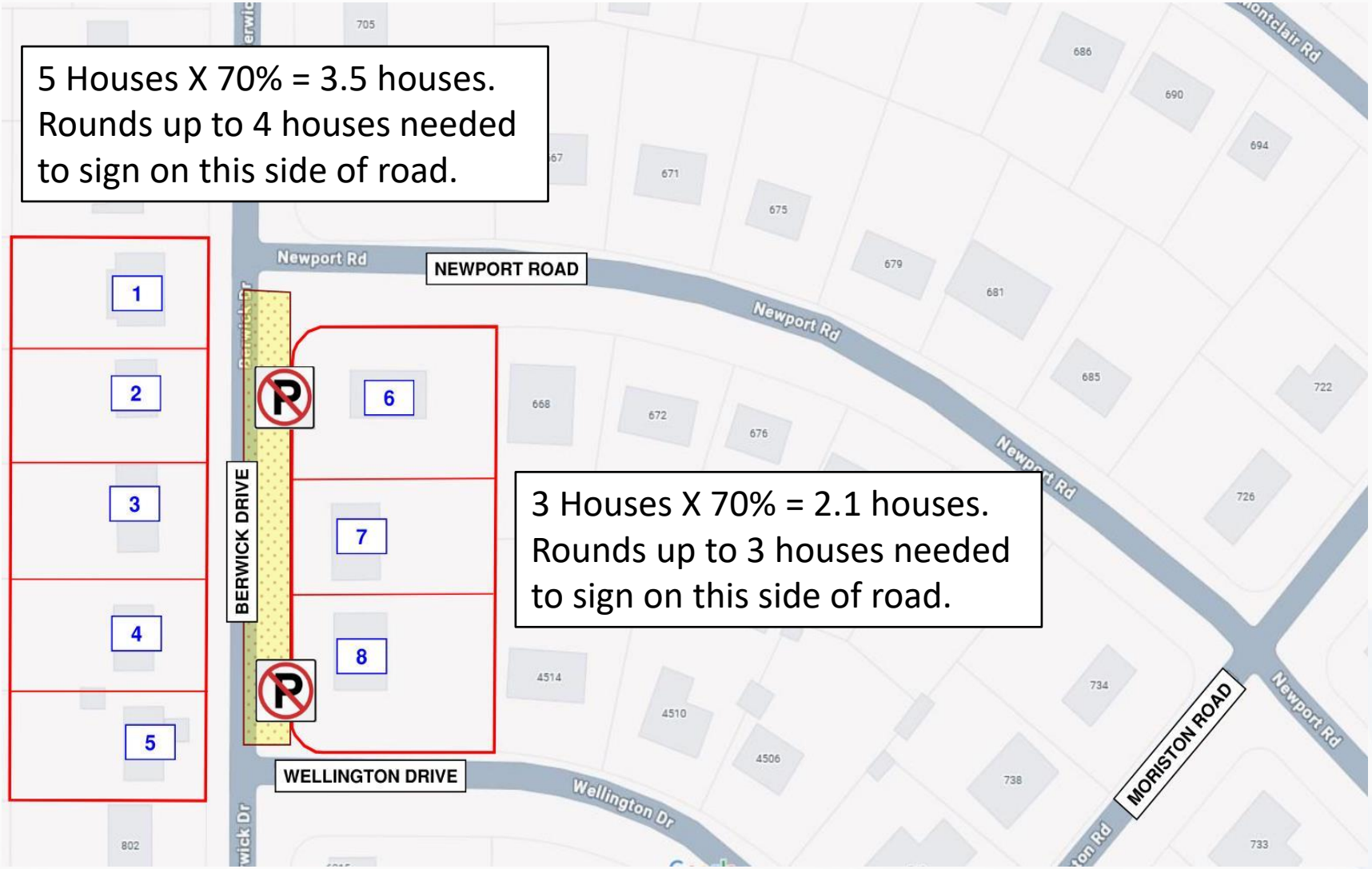
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

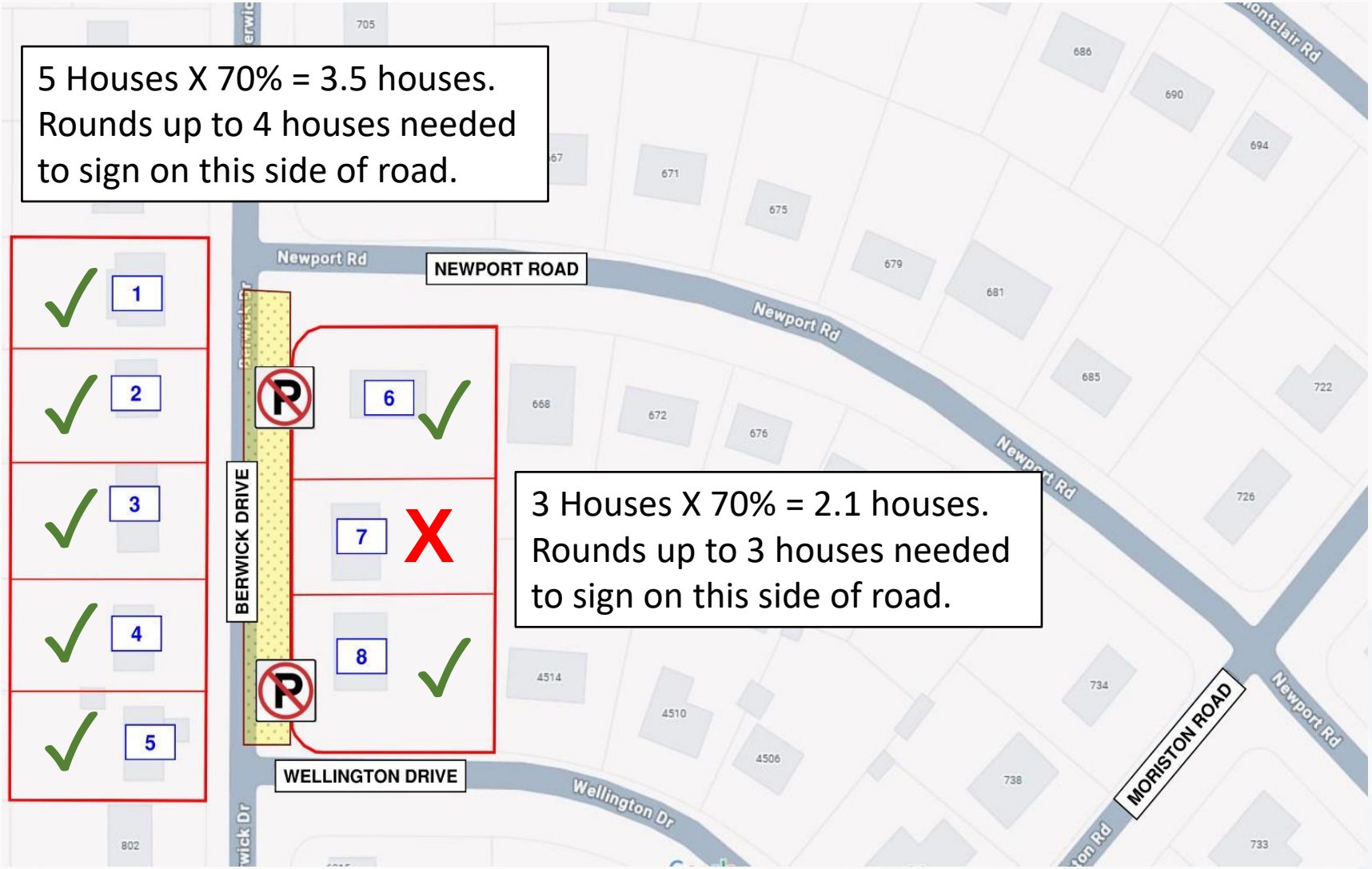
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

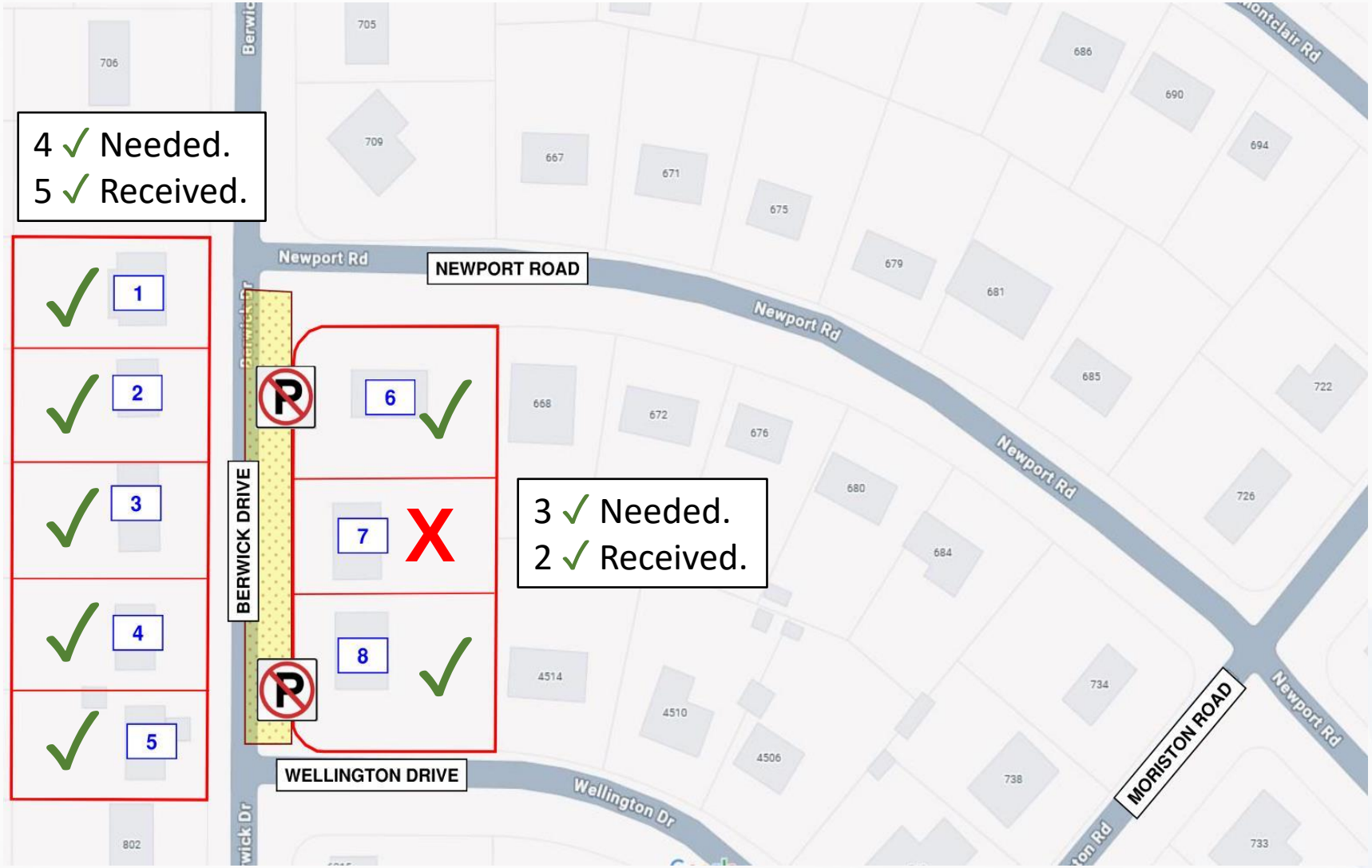
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

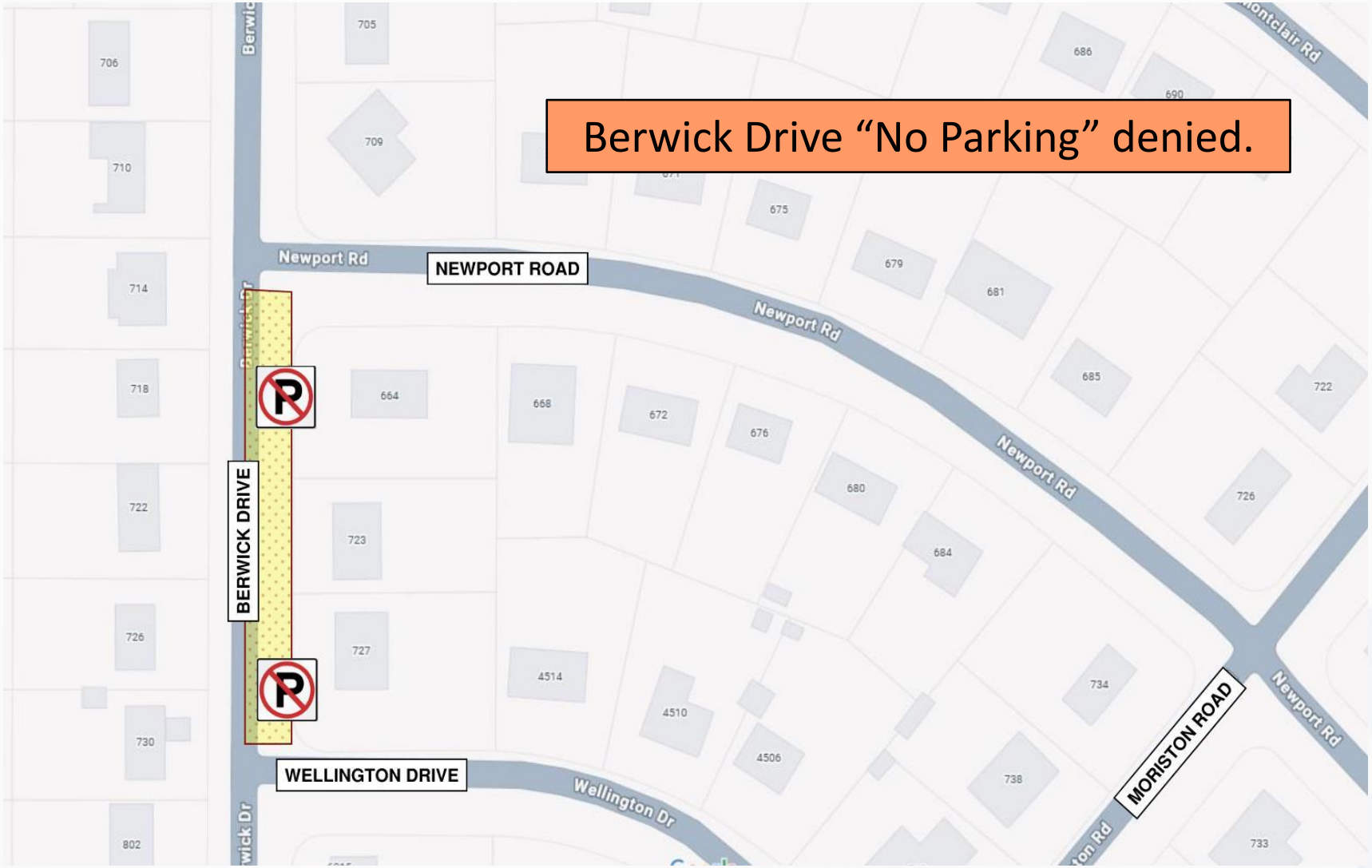
X DOESN’T SIGN



“No Parking” Example

✓ SIGNS

X DOESN’T SIGN





FAYETTEVILLE NC

AMERICA'S CAN DO CITY

FayettevilleNC.gov

PART II - CODE OF ORDINANCES

CHAPTER 16 - MOTOR VEHICLES AND TRAFFIC

Article III. - Traffic Schedules

Sec. 16-61. Traffic Schedules Adopted; City Manager Authorized to Compile.

The following traffic schedules, compiled under the authorization and direction of the city manager, and kept on file in the offices of the city manager and city traffic engineer and police department, are hereby adopted and made a part of this chapter:

1. Bus stops.
2. Downtown Business District parking:
    a. On-street pay parking.
    b. Off-street, leased and reserved parking areas (including parking decks).
    c. Attendant lots and event parking.
3. Fire lanes.
4. Leased and reserved parking areas.
5. Light truck traffic.
6. Loading and unloading zones.
7. Local truck routes.
8. One-way streets.
9. Parking prohibited.
10. Prohibition of right turn on red signal.
11. Restricted parking.
12. Speed control.
13. Stop intersections.
14. Through truck routes.
15. Turn control.
16. Yield right-of-way.

(Code 1961, § 20-21; Ord. No. S2001-020, § 1, 11-19-2001; Ord. No. S2019-056, 1, 11/25/2019*)*

Effective on: 11/18/2013

Secs. 16-62—16-90. Reserved.

Effective on: 11/18/2013

Greenville
NORTH CAROLINA

Find yourself in good company

Memorandum

To: Petitioners

From: Traffic Engineering Division

Date:

Subject: Petition Procedures/Policy

The Traffic Engineering Division's current policy requires a petition be submitted when requesting changes in the current parking status and or traffic operational improvement.

In order for the change in the current parking status to be approved, the petitioner must be able to show that there is general support for the change. Support should be from the legal property owners. Because changes in parking affect renters, employees, and business owners along, and on both sides of the affected streets, these signatures will also be reviewed.

When collecting signatures, the petitioners should include their names in the first column, address in the second column, phone number in the third column, and the fourth column should be the signature to show the relationship to the property. Signatures should be collected from as many people as possible along, and on both sides of the street, that will be affected by the requested change. **(See Attached Instructions)**

Please remember that submittal of the petition does not automatically mean the requested change will be approved. The Traffic Engineering Division must make decisions based on the traffic flow, safety, and overall traffic operations of the entire system. Following review by the engineering staff, the request will be considered by the Director of Engineering.

If you have any questions related to the petition form or the policy, please contact Stacey L. Pigford, Assistant Traffic Engineer at (252) 329-4678.

We, the undersigned, do hereby certify that we reside, own property, or work at the address described below following each name subscribed hereto. This petition represents residents, property owner, or employees from both sides of the street(s) that will be affected by this request.

We respectfully petition the Traffic Engineering Division to take such actions as may be required to implement the following parking or traffic operational improvement:

Location:_____

Submitted by:_____
Address:_____
Telephone No:_____

Name (Printed)	Address	Phone Number	Signature

Doc# 1041798

NOTES:

All requested information must be provided for each signature to be valid. **Signatures must be received from residents of at least fifty-one percent (51%) of the living units** contained in each block of proposed location and desired action.

ADDRESS:

Information should be provided in the numerical order of address (i.e., 100 Elm Street 101 Elm Street, 103 Elm Street, etc.). The "type" of living unit (see definition below should be specified as

1. a single family dwelling
2. an apartment
3. a duplex
4. other dwelling.

Addresses of apartments should be listed.

SIGNATURE:

The signature of the representative of the living unit should be provided above this typed or printed name. The full name of the signee should be given. The signee must be at least 18 years of age. No more than one person for each living unit may sign the petition.

LIVING UNIT:

A living unit is a (1) single family or (2) an apartment. Each of the following also represents one living unit; (3) a rooming house, a boarding house, a fraternity house, a sorority house, a rest home, or a representative of living unit for which he/she is signing. Boarding or rooming facilities should be represented preferably by the resident or non-resident manager.

PHONE NUMBER:

The employer's phone number is needed for purposes of verifying the residents address. The phone number provided must be one where the signee's address can be verified between the hours of 8:00 a.m. and 5:00 p.m. This should be a business number, a school registrar's number, or a home phone number for retired persons or housewives.

EMPLOYER:

This should be the name of the employer whose phone number is request above.

If any questions arise concerning any items on this petition, please call 252-329-4066.

Please return all completed petitions to:

City of Greenville
Traffic Engineering Department
P.O. Box 7207
Greenville, NC 27835-7207

Name (Printed)	Address	Phone Number	Signature

Doc# 1041798

CITY OF HIGH POINT

DEPARTMENT OF TRANSPORTATION

PARKING POLICY FOR NEIGHBORHOOD STREETS

(Approved by City Council - 10/01/92)

This document establishes the policy for controlling parking on neighborhood streets. Neighborhood streets are non-thoroughfare, non-commercial streets.

A street which is a thoroughfare, as defined by the Adopted High Point Thoroughfare Plan, and has residential property along it, is not subject to this policy. Parking is generally not permitted along collector streets nor minor or major thoroughfares.

Parking restrictions on a block or street may be initiated upon:

1. Request of the residents of the block.

2. Staff identification of a verified need.

3. Request of a City Department or the City Council.

Citizens requesting parking restrictions will be referred to the Department of Transportation where their request will be evaluated.

REQUESTS FROM RESIDENTS

Parking restrictions will be considered at the request of residents of a block or street upon submittal of a petition signed by 75 percent of the residents of the block(s) of street where the restriction is requested. Residents on both sides of the street must sign the petition. The 75 percentage is consistent with the other city policies, such as 25 mph speed limit and block party street closings. The petition must specify the side or sides of the street where the restrictions should apply. The petition constitutes notification to the residents of a pending change in parking. Prior to any parking control, not based on safety considerations, staff must be assured of support by the residents affected by the proposed controls. For the purpose of determining the attainment of the 75 percentage, businesses, churches and vacant lots/houses are excluded from the total number needed.

With regard to multi-family properties, the number of units directly adjacent to the street where the restrictions are to be installed are to be counted in the totals needed. Either the residents of the units, the owner or the president-chairman of the board of a condominium association may petition.

Restrictions will be considered for a minimum of a full block to avoid confusing piece-meal house-by-house restrictions. Once the signed petition is returned to the Transportation

Department, it will be validated as to the signatures and if all applicable criteria is satisfied, then the appropriate signs will be installed.

STAFF INITIATED

Parking restrictions may be implemented by the Department of Transportation without a 75 percent petition based on the following criteria:

1. Safety
2. Emergency Vehicle Access
3. Traffic Operational Needs

Residents along the area of the restrictions will be notified of the restrictions prior to installation of the signs.

Parking restrictions on residential streets may be warranted if:

1. Traffic is heavy, or exceeds 2,500 vehicles per day. Typically, these streets are the major neighborhood collectors, and may require control in order to ensure safety and traffic flow.
2. An identifiable accident problem exists, for which removal of onstreet parking would help to reduce the number of accidents.
3. Vehicle access is a problem (driveways).
4. There is insufficient room for the passage of Police, Fire and Emergency Vehicles, Buses and Sanitation Vehicles.

Parking may be restricted on one or both sides of the street. If the street is less than 26' wide, restrictions should be placed on both sides. Availability of off-street parking and access to residential driveways will be considered as part of the decision to restrict parking.

REMOVAL OF PARKING CONTROLS

Removal of controls is based on the same procedure by which it was installed. If the controls were installed originally by the petition process, then they can only be removed by the petition process, subject to a safety evaluation. If the controls were installed at Staff initiative, the removal must be based on a change in the conditions under which they were originally installed. Removal in this case is not subject to the petition process.

APPEAL OF RESTRICTIONS

A resident not in favor of the 75% petition or staff initiated restrictions may appeal the restrictions to City Council.

LISTING OF RESTRICTIONS

Those streets where parking restrictions are implemented will be added to the appropriate list of schedules in Article P, Chapter 10 of the Code of Ordinance.

CITY OF HIGH POINT

PETITION REQUESTING PARKING RESTRICTIONS

FOR RESIDENTIAL STREETS

We, the undersigned, request that the City of High Point install parking restrictions (No Parking Tow-In signs) on our street as indicated below:

_____
Street

_____ between _____
Street Street

We agree and understand that once parking restrictions are installed, requests by petitioner to alter or void the petition require a similar petition of 75 percent of the residents of the street (s) affected.

Printed Name of Lead Petitioner	Address	Telephone

_____
Signature of Lead Petitioner

Property Owner/Resident Signatures	Address	Telephone #

PLEASE RETURN PETITION FORM TO:

Director of Transportation
City of High Point
P. O. Box 230
High Point, N. C. 27261



PARKING RESTRICTIONS POLICY

PARKING RESTRICTIONS POLICY

PURPOSE:

It is the intent of the City of Concord to maintain safe and unobstructed flow of traffic along City maintained streets. The purpose of this policy is to establish clear guidelines for citizens and City staff to address requests and concerns related to parking along City streets.

POLICY:

- Requests/concerns related strictly to enforcement of parking violations (i.e. parking in front of a fire hydrant, blocking a driveway, parking on a sidewalk, etc.) should be directed to the Code Enforcement Division of the Concord Police Department at (704)-920-5150. Further contact information can be found on the City web page located at: https://www.concordnc.gov/Departments/Police/Operations-Bureau/Code-Enforcement.
- Parking Ordinances are covered under Chapter 58 – Article VII of the City of Concord Code of Ordinances.
- In accordance with the Code of the City of Concord Section 58-249, the Transportation Director is authorized to designate up to 200 feet of length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay in traffic.
- Requests will be considered in the order in which they are received unless any Traffic Safety Advisory Committee (TSAC) member determines a particular area merits immediate consideration due to public safety concerns.
- Any newly erected sign will be mounted on a standard u-channel post. Neighborhoods, or other entities with decorative signs will be responsible for installing decorative materials in accordance with their respective encroachment agreements.
- If it is discovered that decorative signs exist in neighborhoods or other areas and a valid encroachment agreement does not exist, the HOA or other organization will be required to request an agreement from the City of Concord or remove all decorative elements and replace them with standard materials at the expense of the HOA or other entity.
- Repeat requests for parking restrictions will not be considered within a 36 month time period without sufficient cause. Sufficient cause is determined at the discretion of the Transportation Director and/or the Traffic Safety Advisory Committee (TSAC).
- Requests for parking restrictions to address law enforcement issues other than traffic safety will not be considered under this policy.

IMPLEMENTATION:

Step One:

Parking restrictions on a block or street may be initiated upon the following:

- Request of a City of Concord Department or City Council directive.
- Request of the residents (resident owners or lessees) of the street or block.
- Request of any user of the street facility.
- Identification by Transportation staff of a potential problem.

Citizens or Neighborhood Organizations (hereinafter "Applicant"[1]) requesting parking restrictions for a specific area should submit a Parking Restrictions Request Form to the Transportation Department where their request will be registered. A copy of the Parking Restrictions Request Form is available on the Policies

[1] Applicant – Resident, petitioners, neighborhood association, or other entity initiating the request

and Regulations section of the Transportation Department's page: https://www.concordnc.gov/Departments/Transportation/Policies-and-Regulations. Staff will initiate a study to investigate the request(s) in question and make a determination as to whether or not the need for signage or other measures is present.

1) If an especially hazardous condition or unusual delays in traffic are identified, the Transportation Department will determine if the request warrants immediate action and, if necessary, will implement measures in accordance with Section 58-249 of the City of Concord Code of Ordinances.
2) If no especially hazardous conditions or unusual delays in traffic are identified, the request will be forwarded to the Code Enforcement Division of the Concord Police Department to be evaluated for enforceability.

Step Two:

Once an evaluation of the request has been completed, the request will be discussed at the next feasible monthly TSAC meeting. The Applicant will be notified of any recommendations within 5 business days from the TSAC meeting in which the request is discussed. Typical recommendations include but are not limited to:

1) The identified concerns have been determined to be especially hazardous or cause unusual delays and TSAC is taking appropriate actions to help alleviate the issues.
2) The identified concerns have been determined to be enforceable violations and TSAC has recommended additional signage to reinforce driver knowledge of potential violations along with referral to Code Enforcement for targeted enforcement.
3) The identified concerns have been determined to be enforceable violations and the request has been referred to the Code Enforcement Division of the Concord Police Department for targeted enforcement. No additional measures are recommended at this time.
4) The identified concerns have not been determined to be parking code violations, nor have they been identified as causing hazardous conditions or unusual delays in traffic.

Step Three:

If a request warrants recommendations # 3 or # 4 above, or a request pertains to more than 200 feet of street, and the Applicant desires to continue a request for additional signage or other measures, a petition will be required. It is the Applicant's responsibility to obtain the signatures of at least 75% of the property owners[2] (one per property) on the entire street(s). Names, addresses, and telephone numbers are required on the Parking Restrictions Petition Form. The petition must state and/or show the location, including which side of the street the proposed restriction(s) is to apply. Property owners on both sides of the street must sign the petition. Once the petition form is returned to the Transportation Department along with a verification statement from the Applicant, City staff will validate the petition and will schedule a Public Hearing before City Council.

Failure to return a complete and valid petition in support of the proposed restrictions containing the required 75% of property owners represented within 6 months of notification will cause the request to be denied and ineligible for re-evaluation for a period of 36 months.

Step Four:

If approved, appropriate regulatory signs will be installed and Concord Police will be advised of the change.

[2] Property Owner – Individual or entity in possession of title for the land, building, or other. Renters/ Tenants will not be considered.

Request for Parking Restrictions

(Please Read the City's Parking Restrictions Policy Prior to Submitting Request)

Name of Applicant: _____

Subdivision (if applicable): _____

Address: _____

Day phone #: _____

E-mail address: _____

Neighborhood association (HOA) if applicable: _____

Does your neighborhood have decorative signs? _____ (Yes/No/Unsure)
Does a valid encroachment agreement exist for decorative signs? _____ (Yes/No/Unsure)

Please tell us the location of the requested parking restrictions (addresses, cross streets, etc.). Be as specific as possible:

_____

_____

_____

Please tell us about the reason for the Parking Restrictions request:

_____

_____

_____

I have read the City of Concord Parking Restrictions Policy and agree to be the named Applicant for this request. _____ Date: _____

Signature of Applicant

Please submit your request by mail, or email to edwardsg@concordnc.gov. Further contact information for the Administrative Division can be found on the Transportation Department Contacts page on the City of Concord website at https://www.concordnc.gov.

Transportation
635 Alfred Brown Jr. Court SW., P.O. Box 308, Concord, NC 28026
Phone (704) 920-5338 ● Fax (704) 795-0404

PARKING RESTRICTIONS PETITION
VERIFICATION STATEMENT

There are a total of _____ properties along _____.
There are _____ valid signatures on the Parking Restrictions Petition Form, which represent _____ % of the properties along the identified street segment(s).

I verify the signatures on the Parking Restrictions Petition Form are those of the property owners of record, that they are valid, and that only one signature per property/business has been considered in the above percentage.

_____ Date: _____
Signature of Applicant

PARKING RESTRICTIONS PETITION FORM
(This form may be reproduced if necessary)

We the undersigned, petition the City of Concord under the **Parking Restrictions Policy** to restrict parking and install appropriate signage on the listed streets and locations as indicated below:

STREET FROM TO SIDE OF ROAD _____

_____

_____

_____ Check here if Optional map showing restriction area is attached.

Support from 75% of the property owners (one per property) along each street segment is required for the parking restrictions request to move forward in the approval process.

By signing below I certify that I support the requested Parking Restrictions Request		
PROPERTY OWNER PRINTED NAME & SIGNATURE	**ADDRESS**	**TELEPHONE #**

NEIGHBORHOOD STREET PARKING RESTRICTION REQUEST POLICY

The Town of Huntersville's *Neighborhood Street Parking Restriction Request Policy* was developed to guide Town Engineering Staff and inform residents about the processes and procedures for implementing parking restrictions on neighborhood residential streets. Under this policy, the Town Engineering Department will work with a Neighborhood Representative at their initiation, to identify parking issues in their neighborhood and develop appropriate solutions. A neighborhood representative must be a Home Owners Association (HOA) Board member and endorsed by the HOA by official letter; or in neighborhoods without an HOA, have the support of all other households along the street (must provide names, address, and signatures of supporting household representatives).

This *Neighborhood Street Parking Restriction Request Policy* incorporates **Education**, **Enforcement**, and **Engineering** into resolving parking issues in neighborhoods. Residents can actively participate through neighborhood committees providing education and awareness of the issues and solutions available. Increased education and enforcement of existing Town Ordinances may reduce the need for further restrictions. Where increased education and enforcement do not resolve the issue, additional parking restrictions through signage may be explored.

What Streets will be addressed under this Policy?

Residential Local streets make up the majority of Huntersville's street system. These streets serve local circulation needs for motor vehicle, bicycle, and pedestrian traffic and primarily provide access to residences and on occasion, businesses. These streets are typically found within larger subdivisions.

Neighborhood Awareness Efforts

Many people may not be aware of parking restrictions within the Town Code of Ordinances. These restrictions apply town wide and do not require signs for enforcement. HOA's and residents should take it upon themselves to make neighbors aware of current parking restrictions.

Process for a neighborhood parking restriction request:

1. A Neighborhood Representative (HOA Board member, HOA Board designee, resident with support of neighbors) should contact the Town of Huntersville Engineering Department at (704) 766-2220 or submit a request form to request an

evaluation. The form for such a request is attached or can be downloaded from the Town of Huntersville website.

2. Engineering staff will discuss with the Neighborhood Representative the issue and the process that will be followed.

3. Engineering staff will collect and analyze information related to the issue(s) identified and present the findings to the representative. The police department and fire department will be contacted for input on the request.

4. If a new parking restriction is found to be acceptable by the Director of Engineering, Engineering staff will develop a plan for implementation. Implementation is subject to the following options:

    - The requesting entity is responsible for installation of the signs (signs to be provided by the Town at no cost) if the HOA wants to install the signs on decorative sign posts.
    - The town can install the signs at no cost on standard town sign posts for each sign location.

5. The parking restrictions for the neighborhood will be subject to future periodic evaluation to determine if the restrictions are still needed.

Signage request Warrants

To qualify for a restriction, the following warrants must be met:

- The street must be classified as a Town maintained two-lane Residential Local street.
- The width of the street pavement (if there are no pavement markings) or marked travel lane is less than 19 feet for restrictions on one or both sides of the street.
- The width of the street pavement (if there are no pavement markings) is 25 to 19 feet for restrictions on one side of the street.

Raleigh

Thank you for printing this page from the City of Raleigh's Official Website (www.raleighnc.gov)
https://raleighnc.gov/transportation/services/parking-customer-service/petition-residential-parking-permit-program
12/17/2024 9:19 am

Petition For Residential Parking Permit Program

Updated: Dec 17, 2024

Jump To:

Criteria for a New Residential Permit Parking Area
Initial Application Process
Completion of Parking Study
Approval of New Parking Program

A Residential Permit Parking Program is created in a neighborhood at the request of the community. We review requests for new programs each year.

Criteria for a New Residential Permit Parking Area

The minimum criterion for incorporation into the program is that the requested area must contain at **least eight (8) adjoining block faces** that are bounded by property in residential zoning districts, or the area is a continuation/expansion of an existing controlled residential parking area.

Note: a “block face” means one side of a street between two (2) intersecting streets.

The City will provide guidance and assistance to any resident(s) interested in establishing a residential permit parking program in their area.

Please contact us at 919-996-3996
(tel:919-996-3996)
for more information.

Initial Application Process

A petition identifying the boundaries and streets of the area within the proposed controlled residential parking area must be made to the Department of Transportation requesting such designation. The petition must have the **signatures of at least 70%** of all affected property owners in favor of the program.

Completion of Parking Study

Privacy - Terms

Following receipt of the petition by the Department of Transportation, a parking study may be conducted at various times of the day or week. This study shall consider:

- The effect on the safety of residents of the area under consideration from intensive use by nonresidents for parking of vehicles, including the storage of vehicles.
- The need of the residents of the area to obtain adequate on-street parking adjacent to or close by their places of residence.
- The difficulty or inability of residents of the area to secure adequate on-street parking adjacent to or close by their places of residence because of widespread use of available parking spaces in that area by nonresident transient motorists.
- The impact of major public facilities and programs on the health, safety, and welfare of the residents of the area and any unreasonable burdens placed on those residents in securing adequate on-street parking and gaining access to their places of residence by virtue of such facilities and programs.
- The likelihood of alleviating, by use of a parking permit system, any problem of unavailability of residential parking spaces.
- The desire of the residents in the area for the institution of a parking permit system and the willingness of those residents to bear the administrative costs incidental to the issuance of permits authorized by this section.
- The need for all residential permit spaces to be available in the area under consideration for use by visitors and the general public for at least sixteen (16) hours, with or without time restriction.
- Such other factors as the Director shall deem relevant.

Approval of New Parking Program

Upon satisfactory review of the petition by parking administration and approval by City Council, the Department of Transportation will issue residential parking permits to all affected property owners and/or tenants who are legally and physically residing in the controlled residential parking area.

The cost to residents is **$20 per decal per calendar year**. No pro-rated discount is given for a partial year. Guest passes can be purchased for a fee.

It must be understood by all residents that once incorporated into the program, the City will also be routinely enforcing all on-street parking regulations which will include permitted vehicles.

PARKING RESOURCES

Residential Parking Permits *(/parking/services/parking-customer-service/residential-parking-permits)*

- Residential Parking Permit FAQs
  (/transportation/services/new-residents-information/residential-parking-permit-faqs)
- Parking Customer Service
  (/parking/services/parking-customer-service)
- Find Parking Downtown
  (/parking/services/find-parking-downtown)
- Pay for Parking
  (/parking/services/pay-parking)

CONTACT

raleighparking@raleighnc.gov
(mailto: raleighparking@raleighnc.gov)

919-996-3996
(tel:919-996-3996)

SUPPORTED SERVICES

Parking Customer Service
(/parking/services/parking-customer-service)

Back to *Transportation*
(/transportation)

DEPARTMENT:

Transportation
(/transportation-department)

SERVICE CATEGORIES:

Parking Services
(/transportation/service-unit/parking-services)

RELATED SERVICES:

Parking Customer Service
(/parking/services/parking-customer-service)

Brian . McGill

From: Nicholas, Peter <Peter.Nicholas@durhamnc.gov>
Sent: Monday, August 18, 2025 2:16 PM
To: Brian . McGill
Cc: Tracey, Leslie
Subject: [EXTERNAL]RE: [EXTERNAL]Re: [EXTERNAL]Voicemail

Brian,

Durham Transportation is permitted to evaluate and install regulatory signage on city streets ***without City Council approval***. A former administration approved a "delegation of authority" to the Public Works Director, who ultimately authorized the City Traffic Engineer to implement regulatory sign changes.

The parking petition process Durham had in place prior to 2024 was cumbersome for staff. It required signatures from 50% of homeowners, which had to be secured within 90 days. If feasible, Homeowners Associations (HOAs) were enlisted to ensure all streets within a given neighborhood were evaluated equitably. Non-HOA requests in established or organized neighborhoods were typically a major burden on staff resources. The years immediately following COVID-19 were particularly problematic, as staff were brought into neighborhood disputes to act as arbiters for a wide array of transient parking matters.

In early 2024, the Transportation Department initiated a new standard operating procedure (SOP) and requested that the Development Review team require "No Parking" signs, where applicable, for all new residential and commercial developments. This was done to address parking issues before on-street parking patterns were established. The time-consuming exercise of routing petitions ended, and the team was able to shift time/attention to addressing Departmental/Citywide Goals.

Here is the SOP:

Engineering evaluates two categories of parking matters within established neighborhoods 1) **Safety** Issues (Emergency/Public Health) and 2) **Non-Safety** Issues (General Requests)

1. **Safety** requests from DPD, DFD, Solid Waste, Maintenance teams and sight distance are considered an Emergency/Public Health issues and are reviewed/confirmed by Engineering Staff
    - When safety matters are received/confirmed, Engineering will partner with DPD/DFD to acknowledge and request a written commitment to enforce an Emergency/Public Health issues
    - If confirmed and supported by DPD, a letter of notification will be distributed to the impacted residences with frontage (and adjacent) to the impacted area
    - No Parking signs for safety matters are typically posted within 30 days
2. **Non-Safety** requests from residents are field reviewed, historic aerials/roadway images are evaluated, CityWorks Service Requests are queried, and the applicable ordinance(s) is/are evaluated to determine if the matter is a legitimate/correctable issue (missed solid waste pickup, history of SR's pertaining to maintenance conflicts, and content of previous SR's).
    - It is typical for residents to initiate isolated Service Request's with spillover parking (multiple car families, driveway conflicts, homes with teenage drivers, rentals, attached garages used for storage), neighborly disputes, and/or aesthetics
        - General requests typically reference emergency vehicle access concerns, parking of private delivery services (Amazon/FedEx, UPS), private maintenance services (lawncare, deliveries), long term parking of large/commercial vehicles, sight distance issues created by parked cars and when vehicles are required to momentarily yield to oncoming traffic due to the presence of a parked vehicle

        - Most locations are low volume roadways with sufficient roadway width for safe passage of vehicles, emergency services, maintenance operations, solid waste pickup, and the temporary yielding condition offers traffic calming benefits
    - For Non-Safety issues, Engineering denies the request to install regulatory parking signs and issues the "FAQ" response
        - If the parking conflict persists, DPD can elevate a matter from a "Non-Safety" issue to a Safety issue

FAQ - Issuing citations for illegal parking is a Durham Police Department enforcement matter. Residents are directed to contact the Non-Emergency Durham Police Department at 919-560-4600 and reference the applicable ordinance of The City of Durham Municipal Code - Sec. 66-171. Regulatory parking signs are *not required* to enforce violations of Sec. 66-171 of the municipal code (additional municipal codes will be evaluated when/where applicable).

Over the past 18 months, two residents have requested to appear before the city council to discuss on-street parking matters. In both instances, the Engineering staff attempted to work with the requestors, but to no avail.

The team still receives about two to three parking requests per week, but the clearly defined Departmental Standard Operating Procedure (SOP) amongst Engineering, DPD, DFD, and Solid Waste is proving to be a streamlined and effective process. This new procedure benefits Transportation by eliminating petitions and DPD by preventing the need for additional enforcement resources generated by the installation of petition generated regulatory signage.

Hope this helps…

Respectfully,

Pete Nicholas, P.E.
Transportation Engineer
Department of Transportation, City of Durham
101 City Hall Plaza, 4th Floor, Suite 4304
Durham, NC 27701

P 919-560-4366, ext. 36436
F 919-560-4561

peter.nicholas@durhamnc.gov
www.DurhamNC.gov

E-mail correspondence to and from this sender may be subject to the North Carolina Public Records Law and can be disclosed to third parties.

From: Tracey, Leslie <Leslie.Tracey@durhamnc.gov>
Sent: Monday, August 18, 2025 11:38 AM
To: Brian . McGill <BrianMcGill@FayettevilleNC.Gov>; Nicholas, Peter <Peter.Nicholas@durhamnc.gov>
Subject: Re: [EXTERNAL]Re: [EXTERNAL]Voicemail

Hi Brian. This is best answered by Pete, since I'm not involved in most of the No Parking requests. I copied him. If you want to call, best way is to reach him on his cell, 919-218-6479.

Leslie

Leslie Tracey, PE, PTOE, RSP$_1$
Transportation Engineer
City of Durham

From: Brian . McGill <BrianMcGill@FayettevilleNC.Gov>
Sent: Monday, August 18, 2025 9:52 AM
To: Tracey, Leslie <Leslie.Tracey@durhamnc.gov>
Subject: RE: [EXTERNAL]Re: [EXTERNAL]Voicemail

Hi Leslie,

I just tried calling but reached your voicemail and got another call I had to answer.

My main question is, for "No Parking" in residential neighborhoods, do yall have a citizen driven process for requests that isn't justified by safety concerns?

I've talked with Apex and they're saying that if it isn't a safety or operational issue, and if an HOA doesn't make the request, then they don't bring the request to Council.

Wilmington says if there's a safety reason with repeated violations then they'll take it to Council to post the sign, but their process isn't at the request of citizens either really.

I've reached out to Raleigh but we're playing phone-tag at the moment.

Thank you,
Brian

FAYETTEVILLE NC
AMERICA'S CAN DO CITY

Brian McGill, PE, PTOE
Assistant Public Services Director for Traffic Services
Public Services Department
339 Alexander Street | Fayetteville, NC 28301
910-433-1170 (O)
BrianMcGill@fayettevillenc.gov
www.FayettevilleNC.gov

All communication not specifically exempted by North Carolina law is a public record and subject to release upon request.

From: Tracey, Leslie <Leslie.Tracey@durhamnc.gov>
Sent: Thursday, August 7, 2025 10:32 AM
To: Brian . McGill <BrianMcGill@FayettevilleNC.Gov>
Subject: [EXTERNAL]Re: [EXTERNAL]Voicemail

Hi Brian. I don't think we've had a chance to connect yet. Do you want to set up a call for tomorrow? I'm free in the afternoon.

Leslie

Leslie Tracey, PE, PTOE, RSP$_1$
Transportation Engineer
City of Durham

From: Brian . McGill <BrianMcGill@FayettevilleNC.Gov>
Sent: Wednesday, July 30, 2025 3:15 PM
To: Tracey, Leslie <Leslie.Tracey@durhamnc.gov>
Subject: RE: [EXTERNAL]Voicemail

Hi Leslie,

Yes, my City is working on getting some processes updated to better facilitate resident requests. I was reaching out to a handful of municipalities and wanted to reach out to yall. I don't have availability this afternoon, but can talk briefly tomorrow or more in-depth on Friday. It's mainly regarding requests for "No Thru Trucks" signs in neighborhoods, as well as how No Parking requests from citizens (and Council Members) are handled where yall are.

Brian McGill, PE, PTOE
Assistant Public Services Director for Traffic Services
Public Services Department
339 Alexander Street | Fayetteville, NC 28301
910-433-1170 (O)
BrianMcGill@fayettevillenc.gov
www.FayettevilleNC.gov

All communication not specifically exempted by North Carolina law is a public record and subject to release upon request.

From: Tracey, Leslie <Leslie.Tracey@durhamnc.gov>
Sent: Wednesday, July 30, 2025 3:10 PM
To: Brian . McGill <BrianMcGill@FayettevilleNC.Gov>
Subject: [EXTERNAL]Voicemail

Hi Brian. I checked my voicemail yesterday for the first time in a few weeks, and I had one from you from July 21. Something about a peer review? Do you still need to talk? I can call later this afternoon.

Thanks,
Leslie

Leslie Tracey, PE, PTOE, RSP1
Transportation Engineer

TRANSPORTATION
CITY OF DURHAM

101 City Hall Plaza, 4th Floor
Durham, NC 27701
P: 919-560-4366, ext. 36437

Chat with me on Teams

** CAUTION: External email. Do not click links or open attachments unless sender is verified. Send all suspicious email as an attachment to ITSecurity@fayettevillenc.gov **

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Resident Request for “No Parking” in Neighborhoods



January 26, 2026

FAYETTEVILLE NC

“No Parking” Example

✓ ELIGIBLE

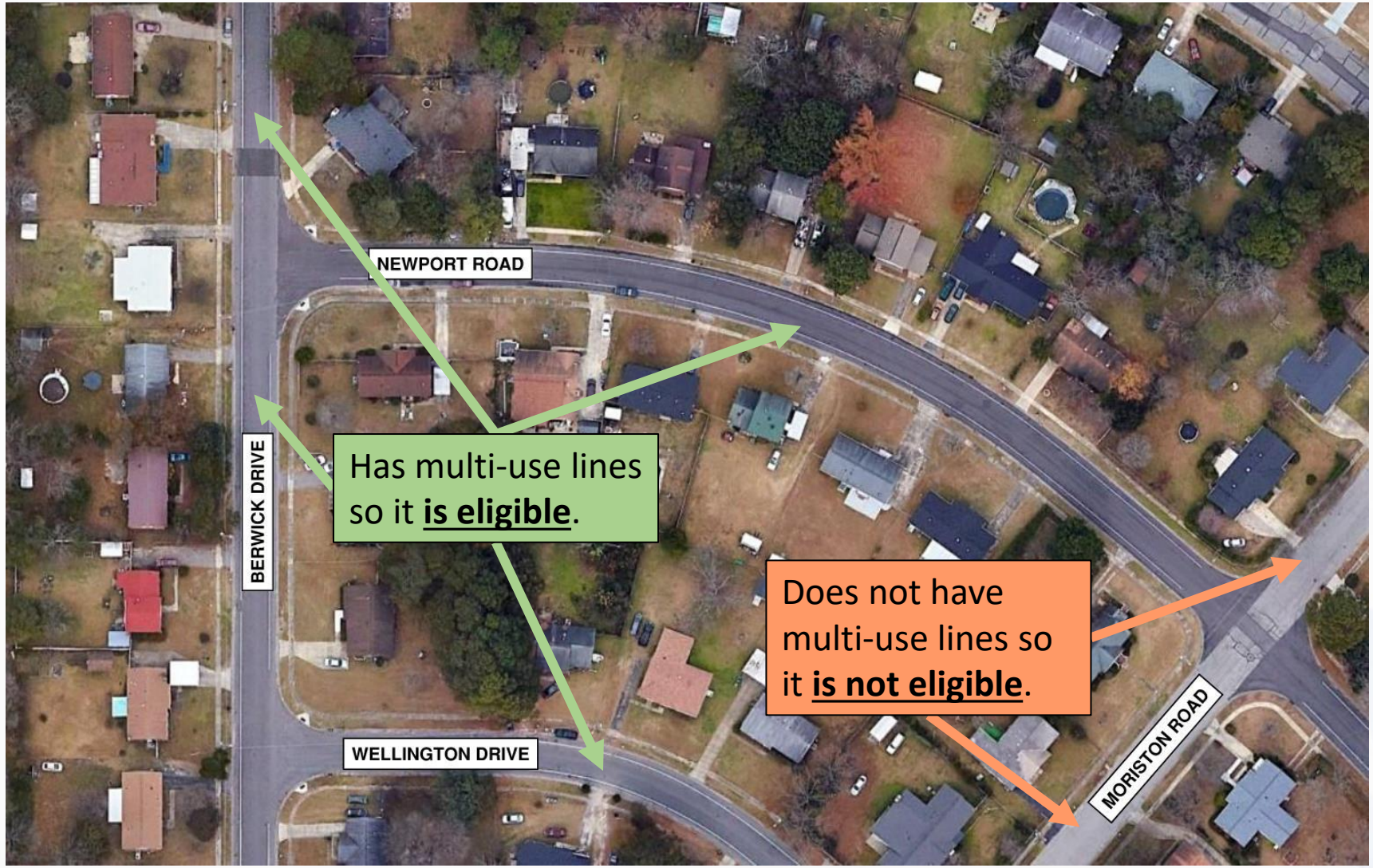
X NOT ELIGIBLE



“No Parking” Example

✓ ELIGIBLE

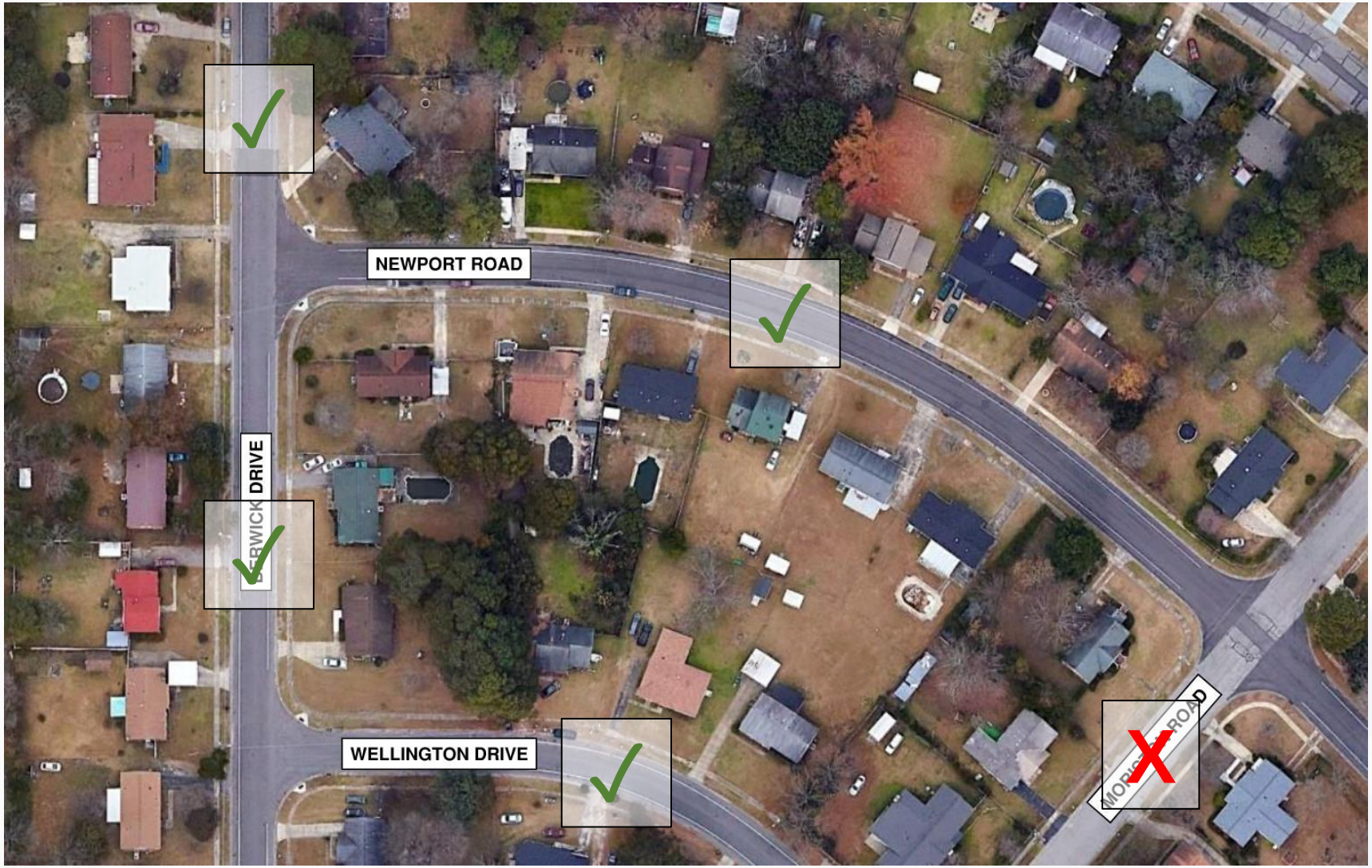
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“No Parking” Example

✓ ELIGIBLE

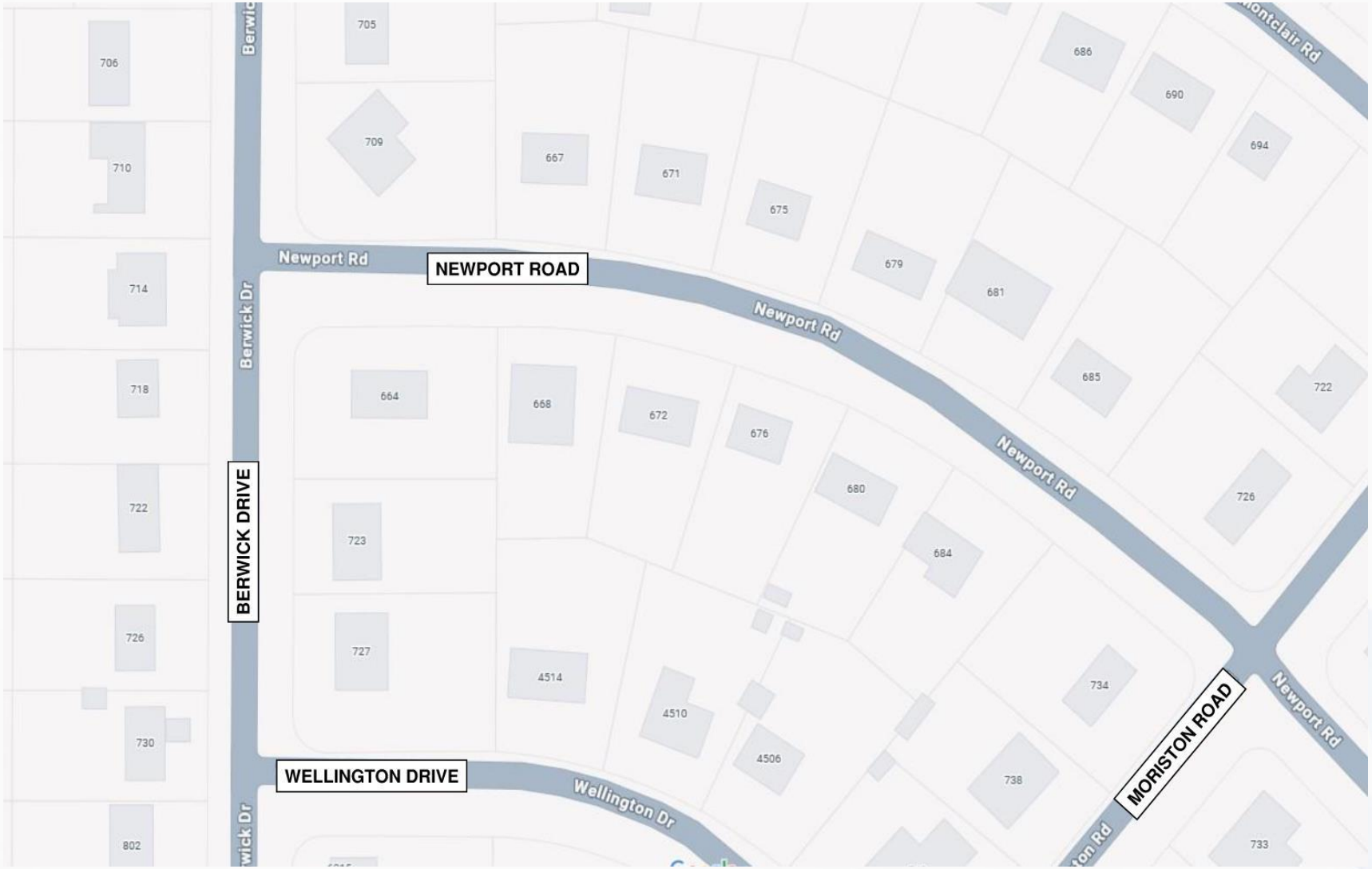
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“No Parking” Example – Both Sides of Road

✓ SIGNS

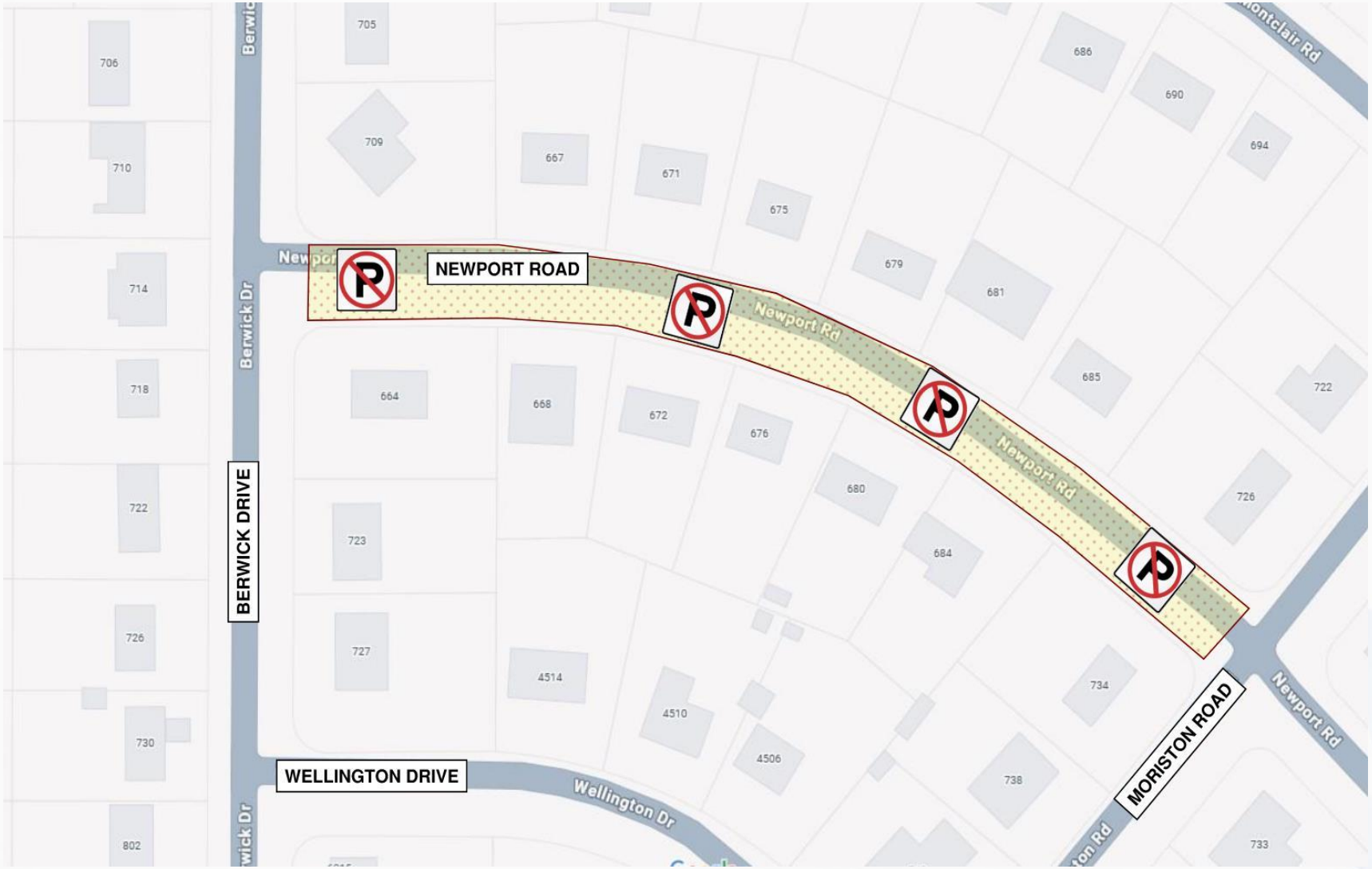
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“No Parking” Example – Both Sides of Road

✓ SIGNS

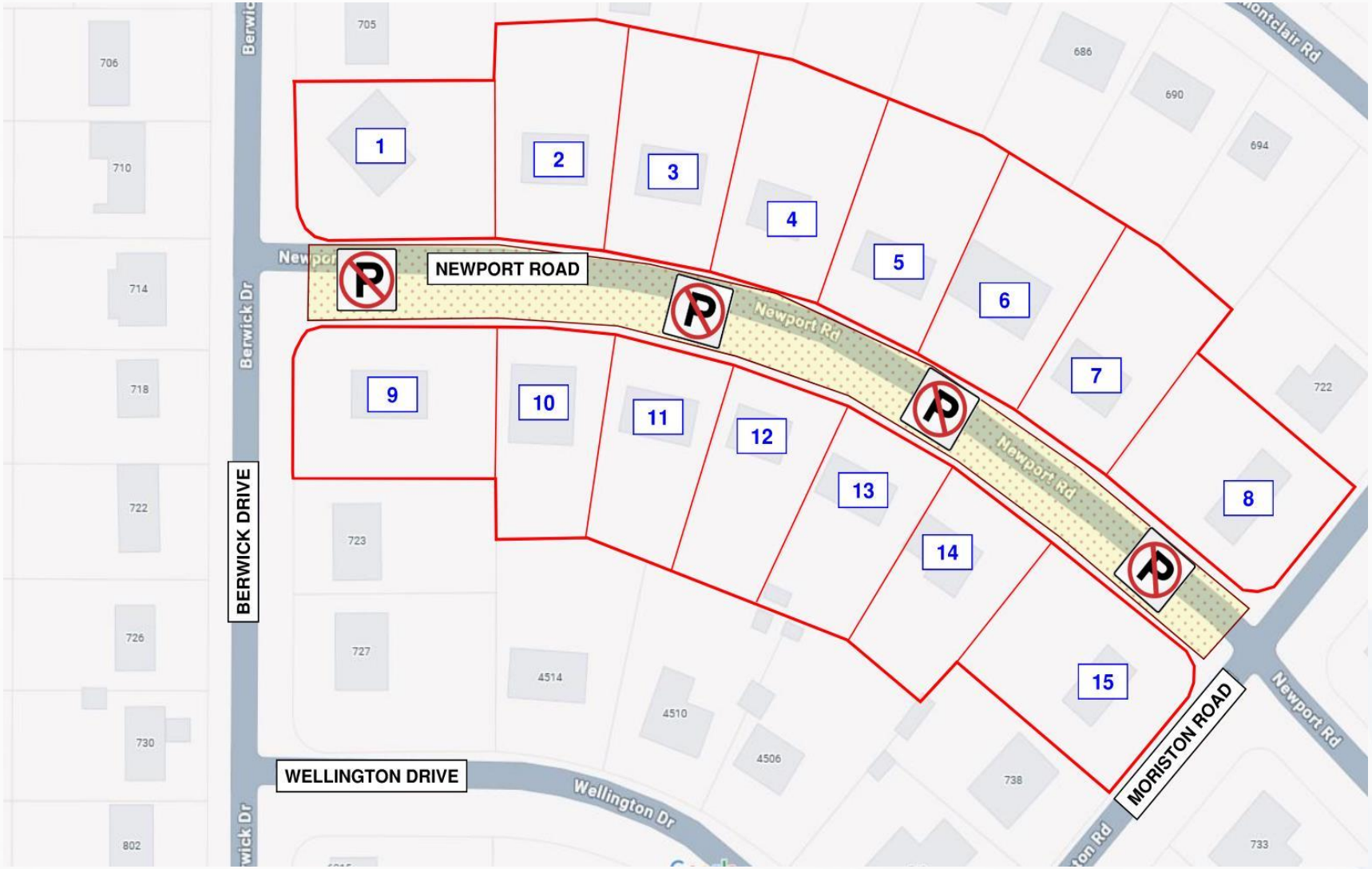
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“No Parking” Example – Both Sides of Road

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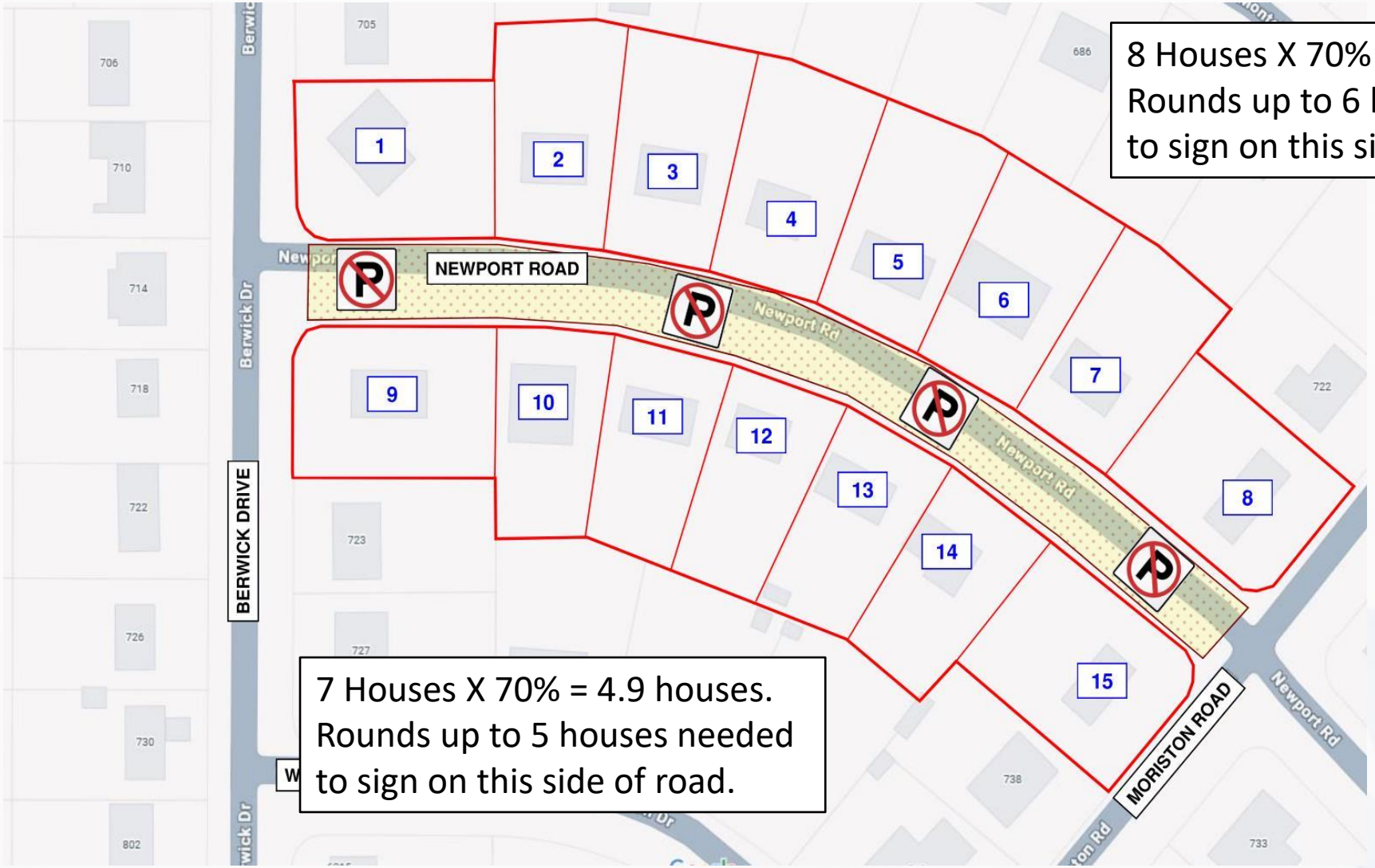
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“No Parking” Example – Both Sides of Road

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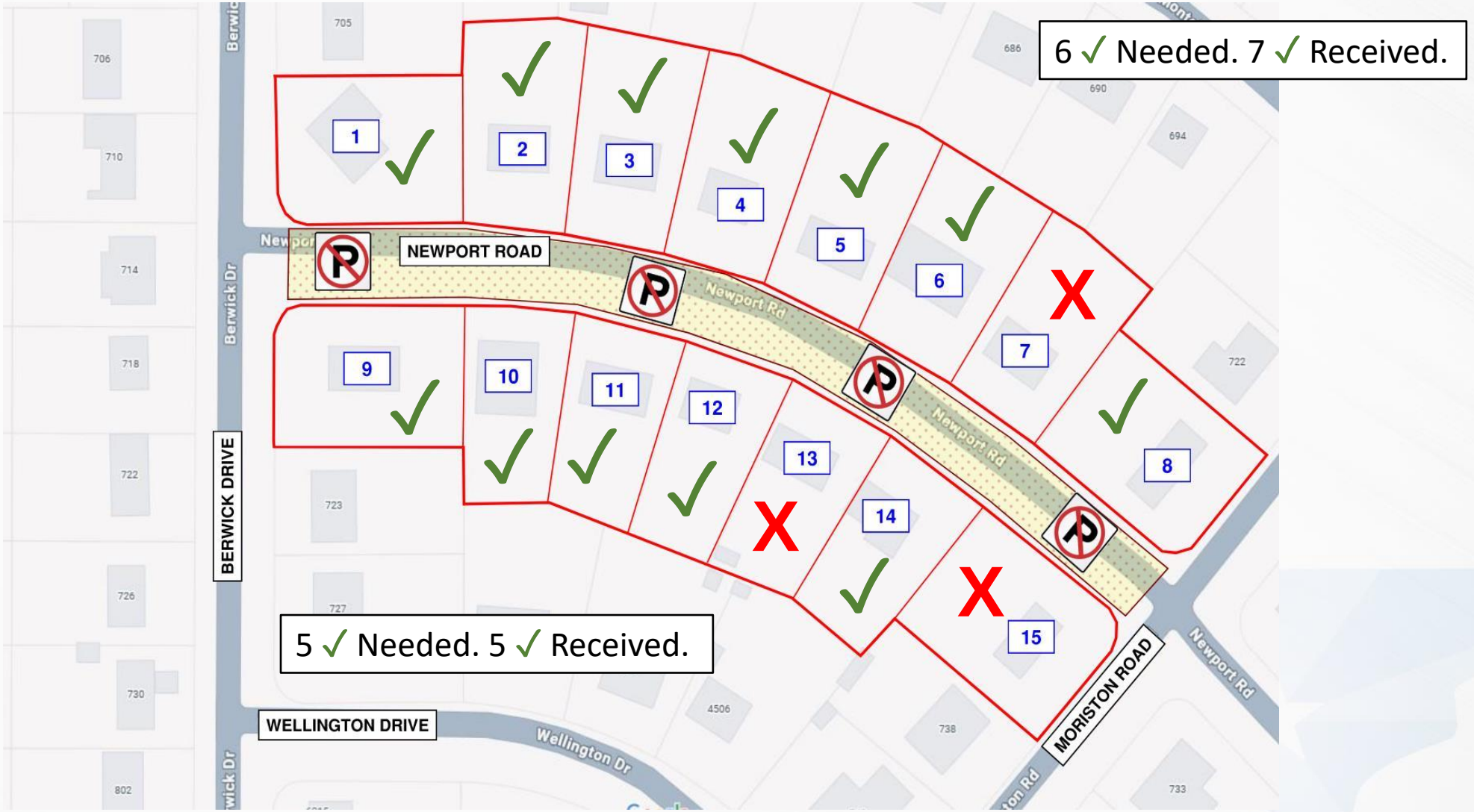
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“No Parking” Example – Both Sides of Road

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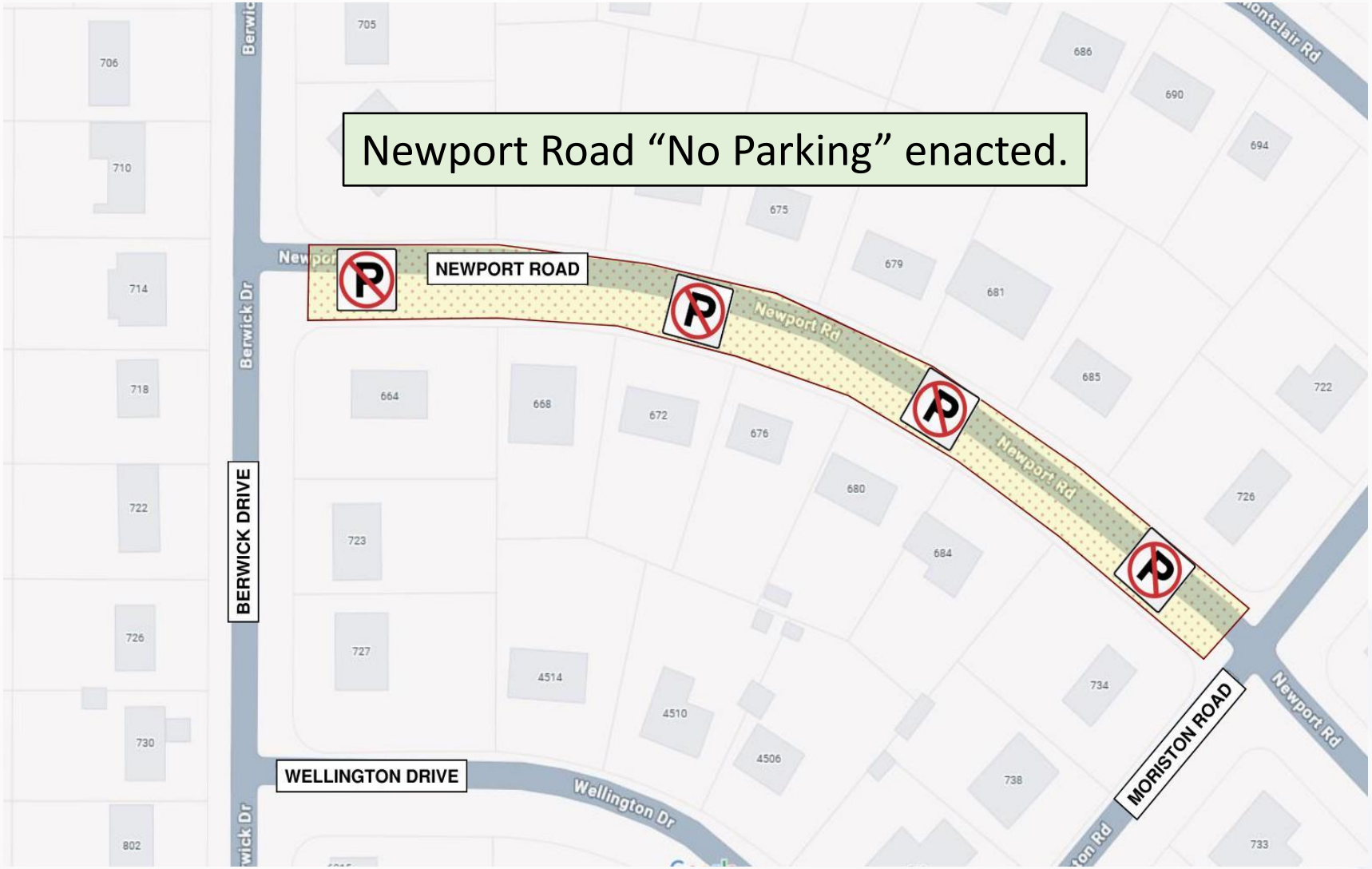
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“No Parking” Example – Both Sides of Road

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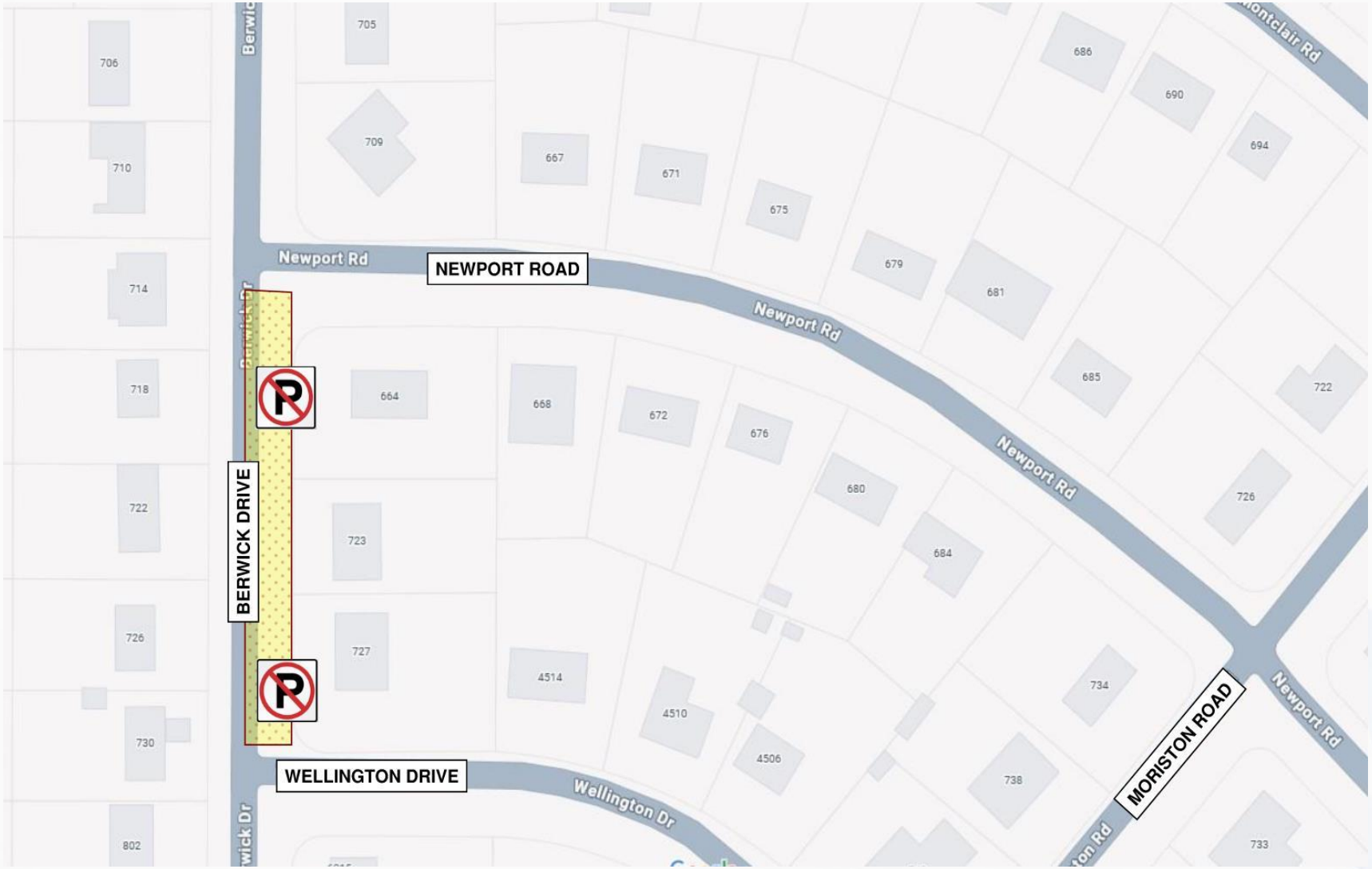
X DOESN’T SIGN



“No Parking” Example – One Side of Road

✓ SIGNS

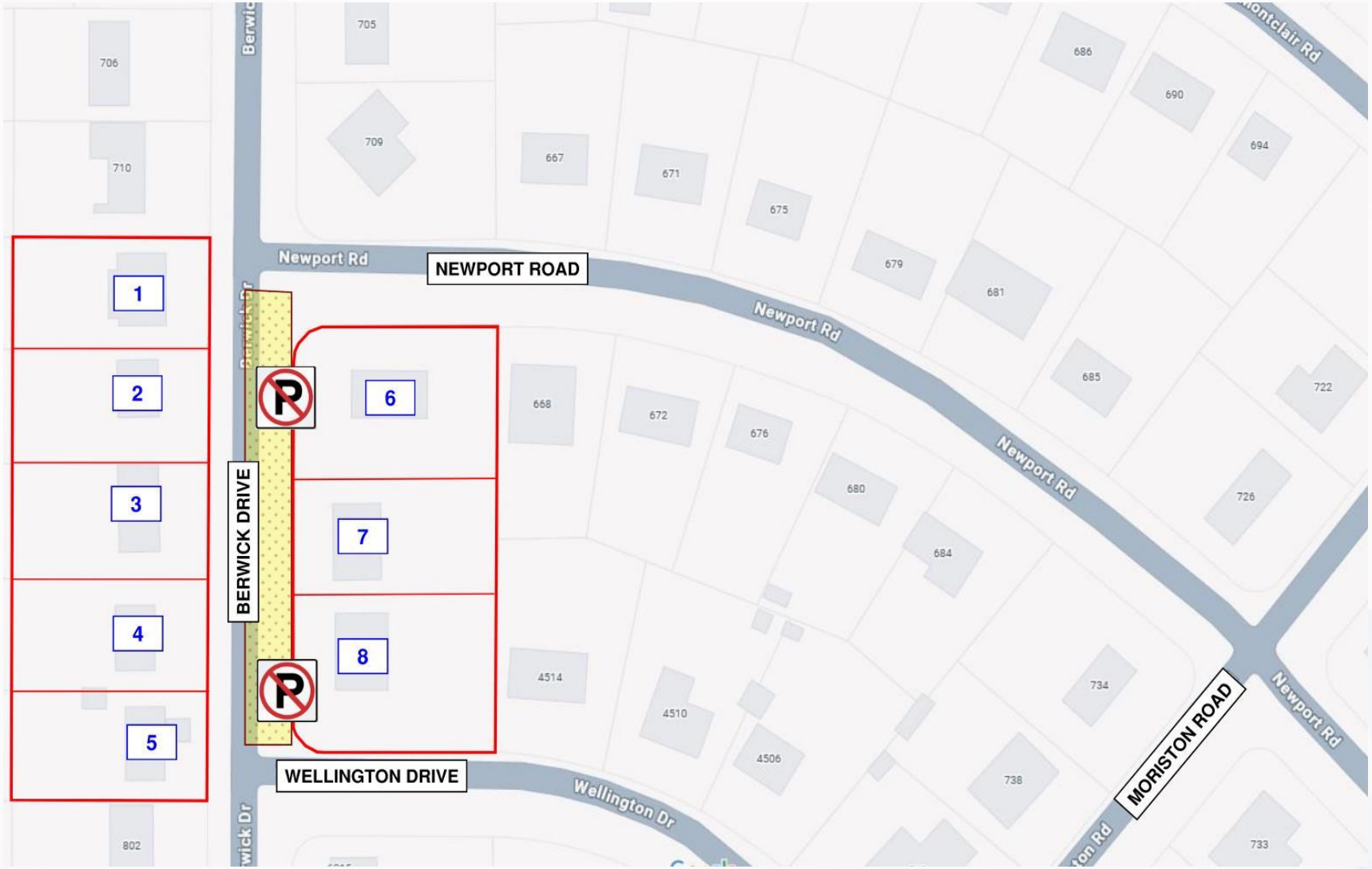
X DOESN’T SIGN



“No Parking” Example – One Side of Road

✓ SIGNS

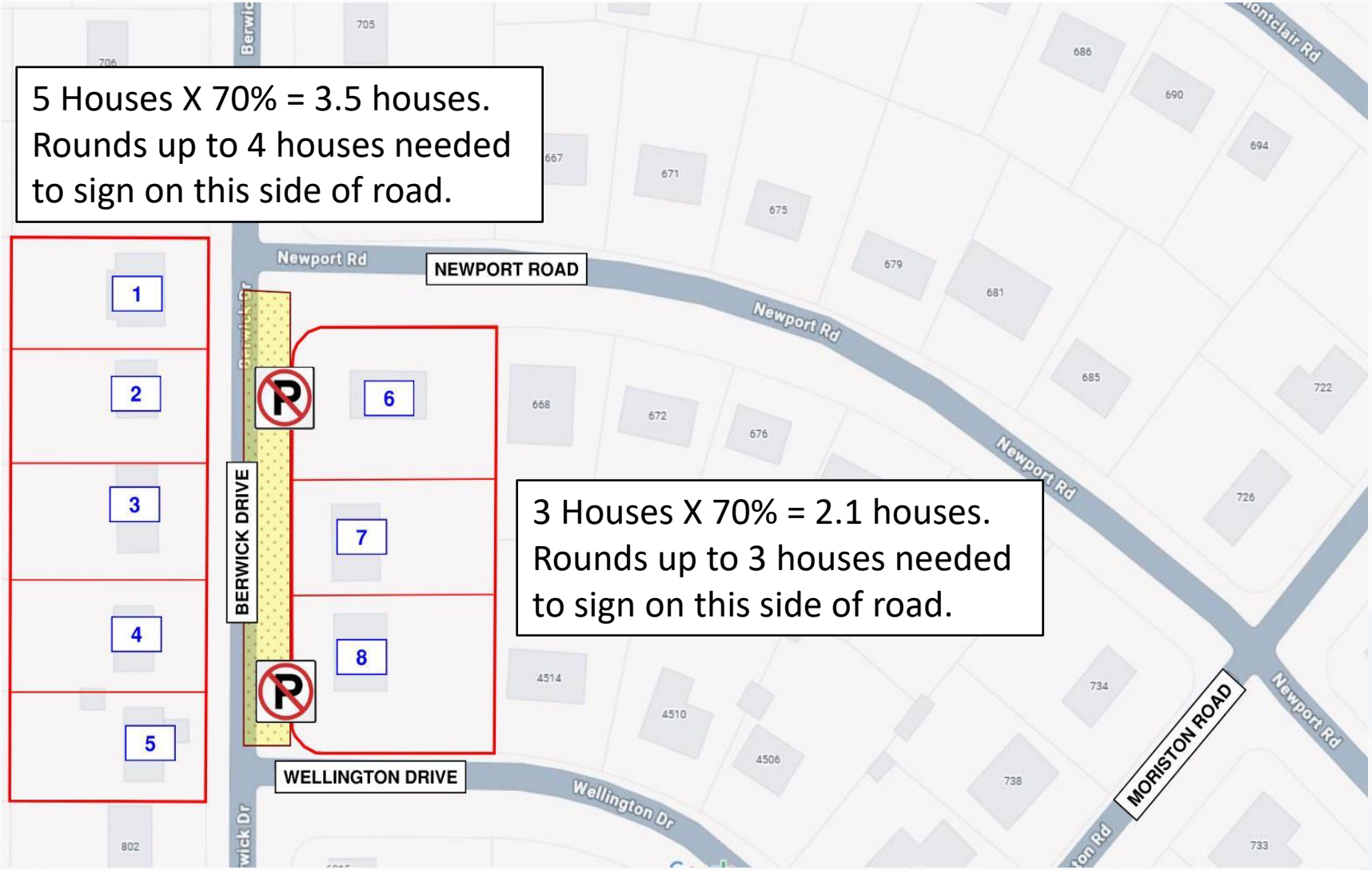
X DOESN’T SIGN



“No Parking” Example – One Side of Road

✓ SIGNS

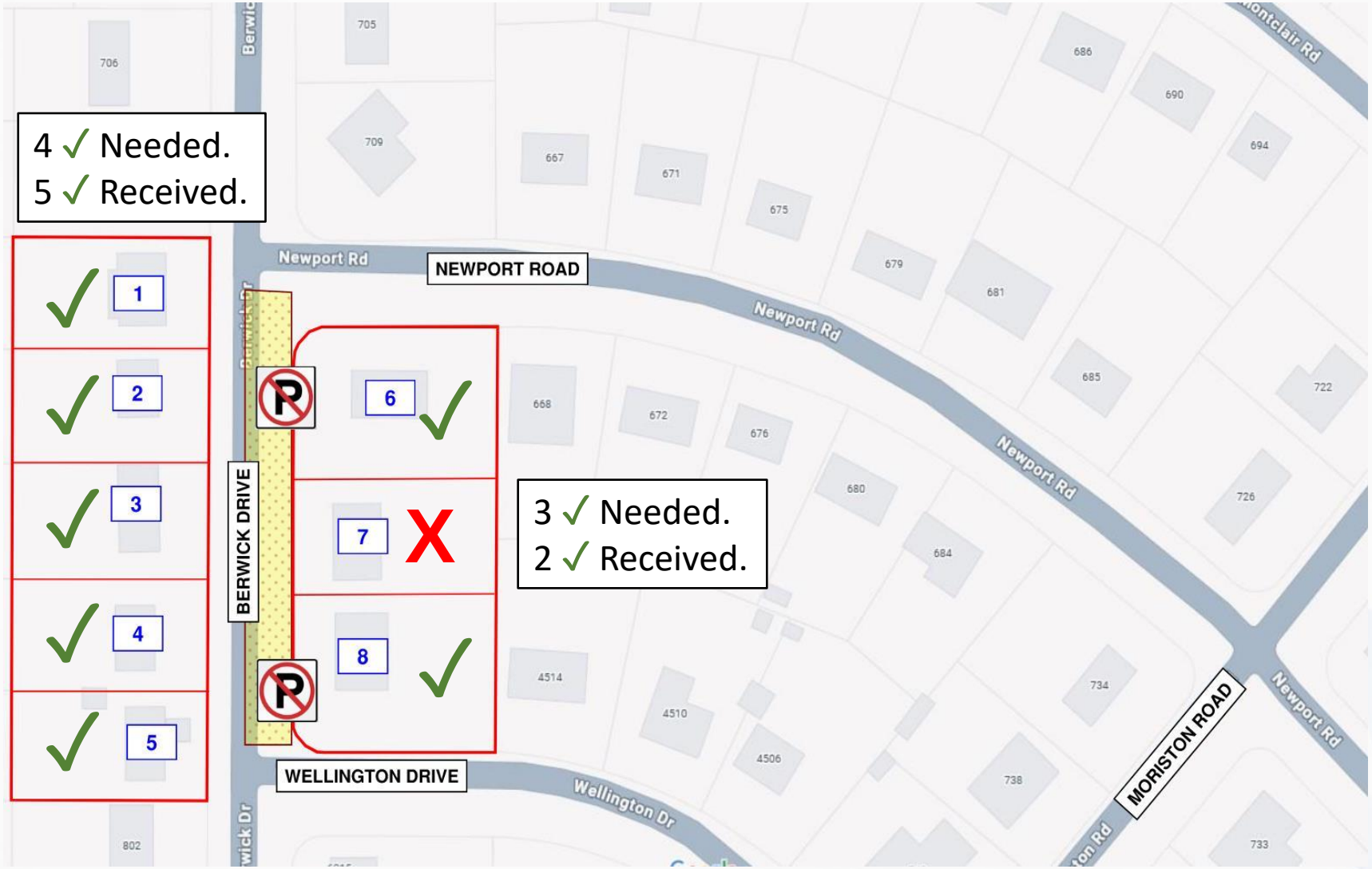
X DOESN’T SIGN



“No Parking” Example – One Side of Road

✓ SIGNS

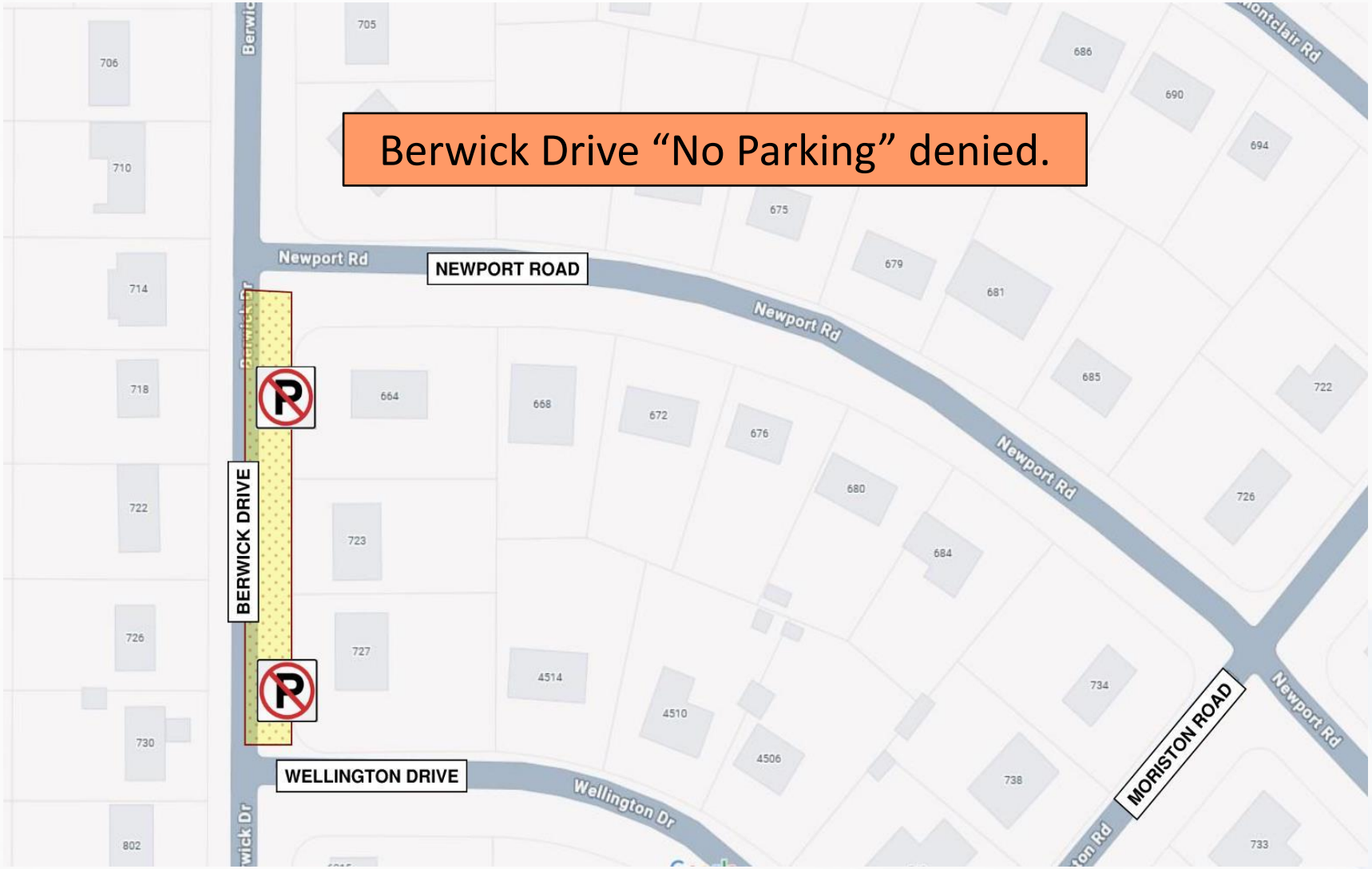
X DOESN’T SIGN



“No Parking” Example – One Side of Road

✓ SIGNS

X DOESN’T SIGN





FAYETTEVILLE NC

AMERICA'S CAN DO CITY

FayettevilleNC.gov

City of Fayetteville

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Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0036

Agenda Date: 1/26/2026 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Other Items of Business

Agenda Number: 9.01

TO: **Mayor and Members of City Council**

THRU: **Douglas J. Hewett, ICMA-CM, City Manager**

FROM: **John Jones, Office of Community Safety Director**
Nichelle Gaines, Office of Community Safety Manager

DATE: **January 26, 2026**

RE:
Receive Presentation on the Cost of Gun Violence Study

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
Goal I: The City of Fayetteville will be a safe and secure community

Executive Summary:
This item provides a briefing on the UNC Charlotte Urban Institute final findings from the Cost of Gun Violence Study. The study was conducted in Fayetteville to evaluate the costs associated with gun violence over a four-year period from 2021-2024.

Background:
During the February 6, 2023, City Council Work Session, Former Council Member Benavente requested a cost of gun violence study to help quantify the economic and societal costs associated with gun violence. Consensus of Council was to move the request forward and ensure the study included input from health care providers, schools, and courts.

Issues/Analysis:
The UNC Charlotte Urban Institute team will provide a brief presentation and respond to questions from Council. The full report has been included in the agenda packet.

Budget Impact:
There is no new budgetary impact associated with the presentation. The study was previously authorized and funded.

Options:
Receive the presentation.
Do not receive the presentation and provide staff with direction.

Recommended Action:
Receive the presentation.

Attachments:

UNC Charlotte Urban Institute “Foundations of Violence Prevention in Fayetteville, North Carolina” final report



FOUNDATIONS OF

VIOLENCE PREVENTION

in Fayetteville, North Carolina

URBAN INSTITUTE

ACKNOWLEDGEMENTS

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Lori Thomas, PhD, Executive Director, UNC Charlotte Urban Institute & Charlotte Regional Data Trust

ACKNOWLEDGEMENTS *(continued)*

Commissioned by:
The City of Fayetteville

Prepared by:
The **UNC Charlotte Urban Institute** is our region's applied research and community outreach center. We seek solutions to the complex social, economic and environmental challenges facing our communities.

Family Resiliency Center is a transdisciplinary, participatory, translational research center at the University of Illinois Urbana-Champaign committed to addressing wicked problems and making thriving the norm™.

Community support from:
thegrouptheory, Inc., focuses on bridging generations and transforming lives by providing education, mentorship, and creative outreach programs. Our mission is to create lasting solutions for today's challenges, ensuring a safer and brighter future for all.

Special Thanks to:
City of Fayetteville Partners: Jeffrey Yates, Brook Redding, Kimberly Richards, John Jones, Fayetteville Police Department, and the Office of Community Safety

URBAN INSTITUTE

Family Resiliency Center
UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN

FAYETTEVILLE NC
AMERICA'S CAN DO CITY

EXECUTIVE SUMMARY

The UNC Charlotte Urban Institute assessed the comparative level of gun violence in Fayetteville using a mixed-methods approach that collated data from crime incidents and focus groups of community members in ShotSpotter neighborhoods.

KEY FINDINGS



Unearned Perception: While ShotSpotter neighborhoods report higher gun violence rates compared to the city overall, statistical analysis and resident feedback illustrate these differences are often minor and not statistically significant compared to similar areas in Fayetteville.

$466M **Estimated Cost:** Using proxies to account for the criminal justice system, employment, healthcare and diminished quality of life, gun incidents cost Fayetteville an estimated $466 million in 2024.



The Age (Old) Question: Youth and young adults (ages 18 to 24) have a higher involvement in gun violence between 2021 and 2024. Resident perceptions suggest that pressures on youth drive them to gun violence. The findings also highlight concerns about easy access to guns among youth.

RECOMMENDATIONS

1. **Recording and categorizing data to:**
   - Account for whether the incident was intentional and;
   - Capture the relationship between victim and offender.
2. **Expand prevention strategies in and outside ShotSpotter** areas by seeking the support of local organizations focused on gun violence reduction.
3. **Invest in local programs that focus on early prevention** (youth up to age 18) by building skills, employment pathways, mentorship, and safe spaces.
4. **Offer gun safety courses, hands-on demonstrations, and** resources on best practices to empower individuals to take responsibility for their firearms.
5. **Reframe the conversation around gun violence to provide** more context to help people understand the systemic factors, such as disinvestment in communities, that could be contributing to violence.

CONTENTS

01 Introduction

02 Landscape Analysis

07 Cost Analysis

11 Community Perspectives

21 Synthesis of Findings

22 Integrated Findings

24 Recommendations

28 Conclusion

33 Appendices

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- 36 Appendix C
- 37 Appendix D
- 38 Appendix E

INTRODUCTION

Gun violence has drawn increasing national attention for its wide-ranging public health, economic, and community impacts. As of 2023, firearms accounted for approximately 18% of all deaths for children and teens (those under 20 years of age) in the United States. This is higher than motor vehicle or traffic accidents (16%), and has been the most common cause of death for this age group since 2020 (Centers for Disease Control and Prevention, n.d.). Overall, 46,728 people died from gun-related injuries in 2023, with 58% (27,300) of these deaths resulting from suicide and 38% (17,927) involving homicide (CDC, n.d.).

Death is only one of the many consequences of gun violence. Other negative impacts on communities include trauma and mental health harm, medical spending, lost productivity, and neighborhood disinvestment. Annual societal costs are estimated to reach hundreds of billions of dollars. (Cook & Ludwig, J., 2002; Everytown Research & Policy, n.d.).

In 2024, the UNC Charlotte Urban Institute (UI) was contracted by the City of Fayetteville for the purpose of gaining a deeper understanding of gun violence and to recommend feasible and relevant prevention strategies to the City. To assess the landscape of gun violence in Fayetteville, the UI research team employed a mixed-methods approach that integrates both quantitative and qualitative data. (Creswell & Clark, 2017). This project leveraged administrative and publicly available crime incident data from the Fayetteville Police Department (FPD), focus group data with community members, and existing literature on the costs associated with gun violence.

18% Of all deaths among children and teens (those under age 20) in the United States in 2023 were caused by firearms (CDC, n.d.).

The data was examined for both the City of Fayetteville and neighborhoods where 'ShotSpotter' gun detection technology has been installed. **This report does not constitute an evaluation of ShotSpotter.** Instead, we seek to understand how recent levels of gun violence differ between these areas and similar areas in Fayetteville, as well as hear community members' perspectives on gun violence.

Gun violence: *an incident (see definition below) where a firearm is involved.*

Violent crime: any firearm-involved incident where the offense description includes the following: homicide, sex-related offenses, robbery, and aggravated assault.

Non-violent crime: any firearm-related incident that does not meet the criteria of a violent gun offense.

Incident: an occurrence for which law enforcement files a report. An incident can include multiple offenses.

Offense: a distinct violation recorded within an incident (e.g., burglary, motor vehicle theft, assault). Offenses describe the nature of the criminal activity that occurred.

ShotSpotter: a gunfire detection technology used in communities to enhance police response; implemented in three 'zones' in Fayetteville in October 2023.

ShotSpotter neighborhoods: Three distinct neighborhoods identified by the police department as having a high level of gun fire, and where Shotspotter gun detection technology has been installed.

LANDSCAPE ANALYSIS

SECTION QUESTIONS

Q1. What are the most common forms of gun violence in Fayetteville?
Q2. What are the characteristics of offenders involved in the various forms of gun violence?
Q3. How do rates of gun violence in Fayetteville change over time?

Offenses involving a firearm

Q1 To better assess gun violence in Fayetteville, we began by examining the most common offenses associated with **non-violent** and **violent** crimes in Fayetteville, using publicly available and administrative crime data from the Fayetteville Police Department (Fayetteville Police Department, 2025a, 2025b, 2025c). Please refer to Appendix A for detailed information on how these datasets were cleaned and joined together to obtain the final dataset used to answer questions for both the Landscape and Cost Analyses.

Table 1 presents the number of occurrences involving guns for the years 2021 to 2024, summarizing the most frequent offenses overall (the total number of occurrences between 2021 and 2024) before examining the number of offenses by year.

Possession of a weapon, vandalism, and narcotics violations were the most common charges over the four years for **non-violent** offenses. While both possession of a weapon and drug violations increased over this time period, vandalism offenses decreased approximately 240% from 2021 to 2024. Aggravated assaults, a combined indicator for robbery, and criminal homicide represent the most common charges of **violent** offenses where a gun was used. Contrary to the **non-violent** crimes of possession and narcotics violations, aggravated assaults (27%), robberies (26%), and homicides (56%) have seen a steady decrease over this period of time.

Characteristics of offenders

Q2 The second research question asks about the characteristics of offenders involved in various

Table 1 – Incidents of gun violence between 2021 and 2024 in Fayetteville

YEARS	Overall	2021	2022	2023	2024
Non-Violent					
Possession/Concealment	955	157	211	325	262
Vandalism (Damage To Property)	612	235	193	115	69
Narcotic Violations	572	112	142	176	142
Violent					
Aggravated Assault	401	116	113	87	85
Robbery (Business & Individual)	391	107	107	98	79
Criminal Homicide	113	39	27	30	17

forms of gun violence. Offenders are considered any individual identified from the victim(s), witness(s), and/or from investigative evidence, such as security or surveillance footage or forensic evidence. However, these descriptions and classifications can be unreliable and can, therefore, provide an inaccurate assessment as to who is involved in gun violence (Wells & Olson, 2003; Meissner et al., 2014).

We instead focused on arrestees as these are individuals detained by law enforcement under suspicion of committing a specific offense. These descriptions are more accurate as they are based on self-reported information or official verification. Due to small sample sizes, we only report on

> **Arrestee:** *refers to an individual who has been detained by law enforcement under suspicion of committing a specific incident. This could include individuals who were present at the crime or were found to be involved, even if they were not physically present at the scene of the crime.*

the age groups of arrestees for **non-violent** and **violent** gun offenses below.

The 25-34 age group is the most common arrested for **non-violent** gun offenses in Fayetteville (Figure 1). The group ranges from a high of 46% of arrestees in 2021 to a low of 33% in 2023. In 2023, the 18-24 age group was the most common arrested for **non-violent** crime. The least likely age group to be charged for these types of offenses is individuals 45 and over, as they never represent more than 10% of arrestees.

Figure 2 provides a similar story when examining **violent** gun offenses. Individuals between 25 and 34 remained the most common age group to be charged for these types of offenses until 2023, when they were surpassed by young adults (18 to 24). Young adults were the most prominent age group of individuals charged with a **violent** crime that involved a gun in 2023 and 2024

Figure 1 – Arrestees by Age Group for **Non-Violent** Gun Offenses

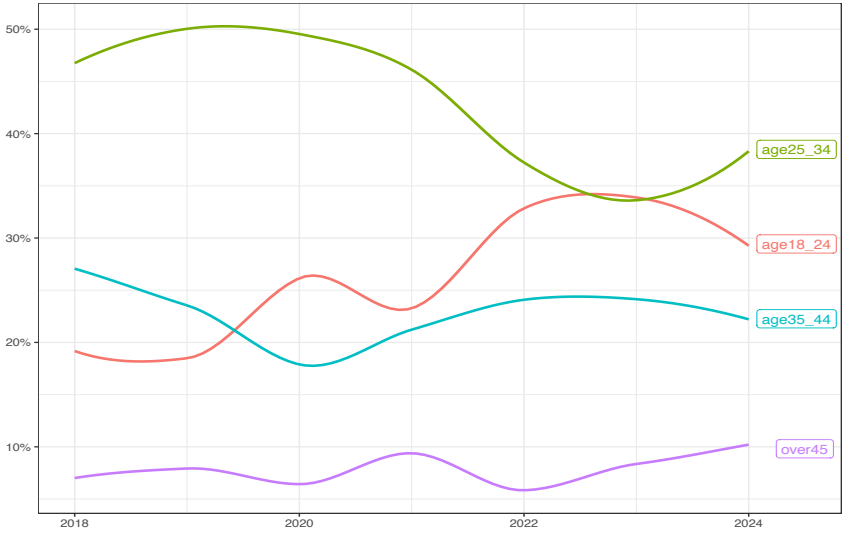
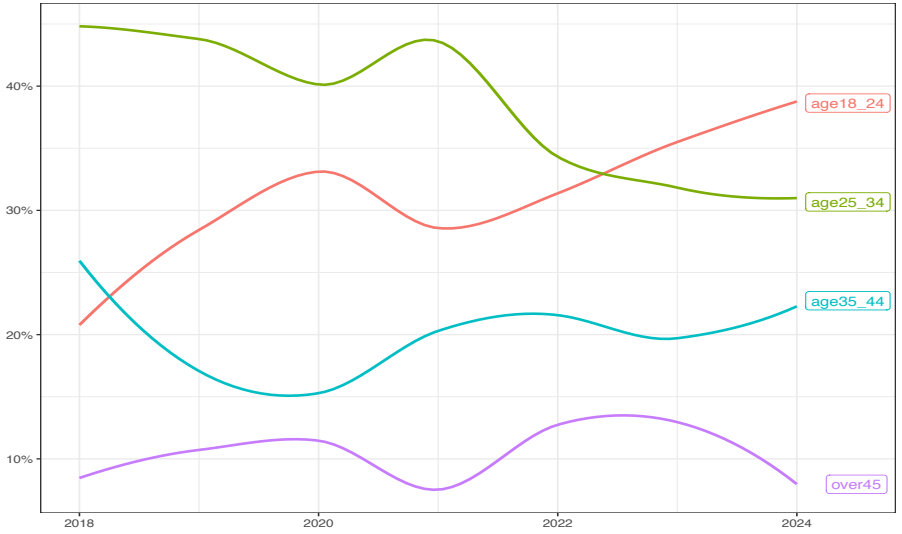


Figure 2 – Arrestees by Age Group for **Violent** Gun Offenses



LANDSCAPE ANALYSIS

Trends in gun violence

Q3 The final component of the landscape analysis that we reviewed was gun violence trends. We focused on the following questions:

- *How has gun violence changed in Fayetteville?*
- *How do Fayetteville rates of gun violence compare to rates in similar cities, like Greensboro?*[1]
- *How does gun violence in ShotSpotter neighborhoods compare to similar neighborhoods in Fayetteville?*

To determine whether trends change over time and to compare cities and neighborhoods, we analyzed population data in relation to the rate of gun violence.[2]

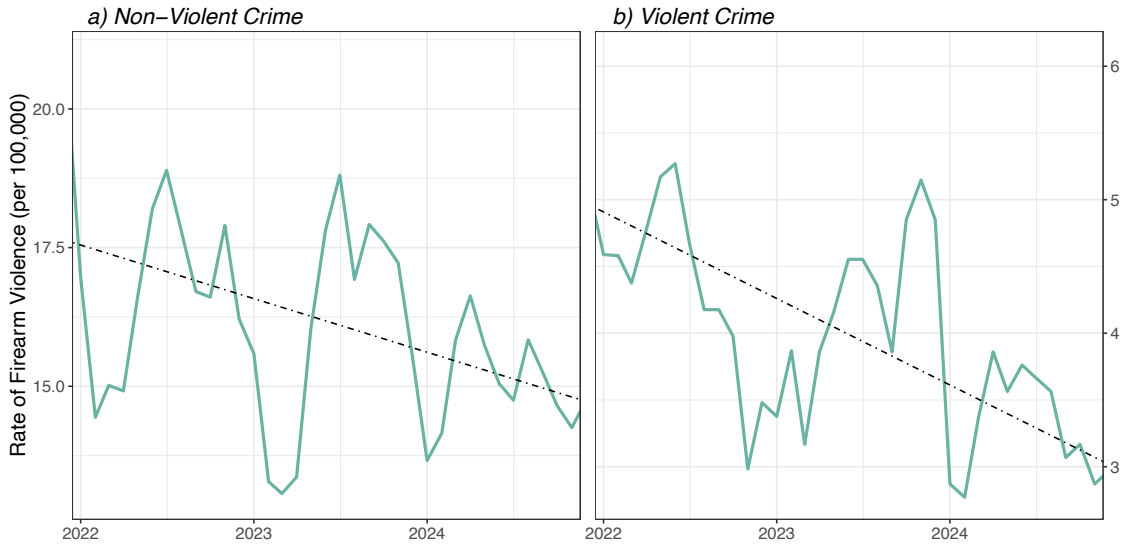


Figure 3 – Gun violence has decreased in Fayetteville over the last three years

Gun violence in Fayetteville

Figure 3 illustrates the monthly rate of gun violence in the Fayetteville Metro area between January 2022 and December 2024, including a linear trend line and a 3-month simple moving average (SMA) to smooth short-term fluctuations in the data. It should be noted that whenever the report mentions **non-violent** and **violent** crimes, we are only focusing on those crimes that involved a firearm in any capacity.

Both figures illustrate that gun violence in Fayetteville has, in general, decreased over the nearly 36-month period. **Non-violent** crime decreased from 17.5 incidents per month per 100,000 residents to just under 15. Violent crime decreased from approximately five incidents per month per 100,000 residents to three incidents.

The overall trend line, however, does not negate the fact that both figures show a level of volatility. **Non-violent** crime increased during the the first part of 2022, then hit a monthly low during the first part of 2023, before increasing again in the middle of 2023 to approximately 19 incidents per month per 100,000 residents. A similar pattern is seen for **violent** offenses, though the increase for these crimes was more consistent throughout 2023 before falling sharply at the start of 2024.

[1]Greensboro was agreed upon between the research team at UI and the City Manager's office in Fayetteville due to the similarity of the two cities on various socio-economic characteristics. Greensboro also provides crime data that is detailed enough to compare with the data provided from the Fayetteville Police Department.

[2]This study utilizes two different rates when looking at firearm violence. The number of incidents per 100,000 residents for the first two questions (city/metro level) before shifting to the number of incidents per 1,000 residents when comparing violence at the neighborhood level. The reason for this change is that the neighborhoods, based on Census Tracts, average between 4,000 and 8,000 people; these numbers make it impossible to utilize the original metric as it would provide results that are implausible.

Comparing trends in gun violence between Fayetteville and Greensboro

The next step in assessing gun violence in Fayetteville is to compare crime rates with those of a similar or representative city. Greensboro was selected as the comparison city due to its similarity to Fayetteville in terms of socioeconomic characteristics, such as race and median household income (U.S. Census Bureau, 2022). In addition, Greensboro remains one of the few jurisdictions that identifies whether an incident/offense includes the use of a firearm, making the comparison with Fayetteville possible.

Examining **non-violent** crime rates, Fayetteville saw a mild decline over the four-year period (6% decrease from 2021 to 2024), culminating in its lowest level in 2024. Greensboro witnessed a different trend: **non-violent** crimes dipped sharply in 2022 before rebounding by the end of 2024 to roughly where they started at around 13 incidents per month per 100,000 residents. The difference in the non-violent crime rate between the two cities narrowed slightly by 2024, though Fayetteville has consistently had higher rates of **non-violent** crime over the last four years.

Table 2 – Monthly **Violent** and **Non-violent** Crime Rates in Fayetteville and Greensboro involving a Firearm

	Non-Violent Crime		Violent Crime	
	Fayetteville	Greensboro	Fayetteville	Greensboro
2021	16.1	13.1	4.85	11
2022	16.5	11.2	4.33	10.1
2023	16.1	11.5	4.11	10.7
2024	15.2	13.2	3.29	10.2

Note: Monthly rates are calculated as the number of incidents per 100,000 residents

The rate of **violent** offenses declined in both cities since 2021. Fayetteville experienced a 32% reduction over the four-year period while Greensboro experienced a decline just under 8%. Although **violent** crime fell in both cities, Greensboro's violent crime rate remained roughly three times that of Fayetteville's by the end of 2024 and the gap between them continued to widen in the past two years.

Gun violence in ShotSpotter and comparison neighborhoods

To begin evaluating potential differences in gun violence between ShotSpotter and comparison areas, a regression analysis was conducted using neighborhood-level data on crime rates (incidents per 1,000 residents). To make this comparison valid, however, the neighborhoods that were selected as a comparison group needed to be as similar to the ShotSpotter neighborhoods as possible. To achieve this, we employed a statistical technique known as propensity score matching to align ShotSpotter and non-ShotSpotter neighborhoods based on a series of variables, including race, age, and veteran status. *A more detailed description of the matching technique is provided in Appendix A.*

Looking at Figure 4a, **non-violent** crime rates in ShotSpotter neighborhoods increased steadily each year, from just over 30 incidents per 1,000 residents in 2022 to just under 40 incidents per 1,000 residents in 2024. Rates in comparison neighborhoods also increased, going from around 23 incidents per 1,000 residents in 2022 to around 31 incidents per 1,000 residents in 2024. While ShotSpotter neighborhoods consistently have higher rates of crime than comparison neighborhoods in all years, none of the differences are considered statistically significant.

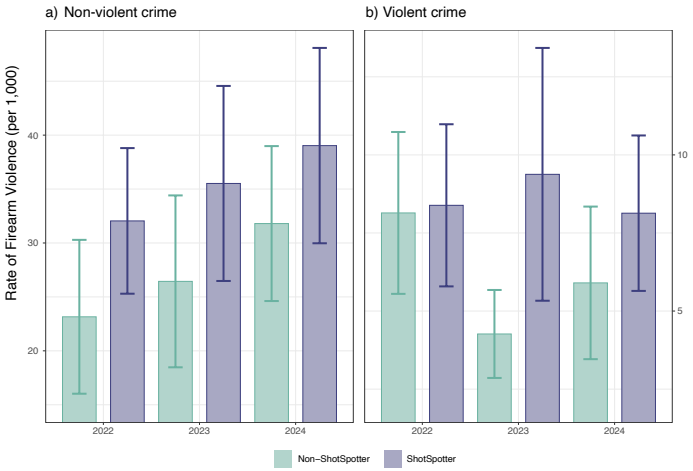


Figure 4 – ShotSpotter neighborhoods do not have significantly higher levels of gun violence compared to similar neighborhoods

Note: the bar graphs represent the crime rate within the respective neighborhoods (ShotSpotter or comparison); the attached bars represent the confidence intervals for the estimated crime rate. Note: ShotSpotter areas are identified by the color purple, while the control neighborhoods are green.

KEY TAKEAWAYS

Since 2023, the most common **non-violent** offenses with a firearm included possession/concealment, vandalism and drug violations in Fayetteville. For **violent** offenses involving a firearm, aggravated assault and robbery were most common. Young adults (ages 18-24) constitute the **highest percentage of arrestees** for **violent** crimes utilizing a firearm, surpassing 25-34 year olds in 2023.

Gun violence, overall, has declined in Fayetteville since 2022; similar to trends seen at both the national and North Carolina level (BJS, n.d). There are, however, variations in the level of gun violence at the neighborhood level in Fayetteville.

Gun violence in **ShotSpotter neighborhoods is higher**, on average, than other neighborhoods in Fayetteville. Compared to areas with comparable characteristics, however, **violent** and **non-violent** crime rates are not significantly different. In other words, **these areas are not "outliers" in their level of gun violence** as neighborhoods.

Figure 4b shows that **violent** crime rates are similar between ShotSpotter and comparison neighborhoods in 2022 with around 8 **violent** offenses with a firearm per 1,000 residents. The ShotSpotter neighborhoods experienced an increase in **violent** crime rates, reaching just over 9 per 1,000 residents, while the comparison neighborhoods saw a sharp decline to around 4 **violent** firearm offenses per 1,000 residents in 2023. This difference decreased to approximately 2 incidents per 1,000 in 2024, with rates increasing in control neighborhoods and decreasing in ShotSpotter areas. Despite the observed differences in **violent** crime rates between neighborhoods (especially in 2023), the overlapping confidence intervals suggest that these differences could be due to random variation rather than a systematic difference in these neighborhoods.

Confidence intervals: *a range of possible values that reflect the uncertainty of the estimate. A wider interval suggests greater uncertainty while a narrower range suggest more precision (Dekking et al., 2005)*

COST ANALYSIS

SECTION QUESTIONS

Q4. What are the estimated direct (indirect) costs of gun violence related to the criminal justice system and health costs?

In recent years, cities and states have become interested in understanding the direct and human costs associated with gun violence in their communities. The human cost is often visible from the injuries and loss of life incurred by the victims, although the loss can be less visible in the form of ongoing mental health challenges and permanent changes to how an individual lives. As for the direct cost, gunshots can have a ripple effect that leads to immediate costs like police efforts, crime scene cleanup, and hospital emergency department (ED) expenses, as well as later costs like prison incarceration and ongoing health costs.

When determining the total economic cost of gun violence, we include direct costs as well as human cost, or intangible costs, that are referred to as "Quality of life" costs. Table 3 provides an overview of the types and categories of costs associated with gun violence included in this study. *See Appendix B for a more detailed description of costs and the associated articles we relied upon.*

Table 3 – Direct and intangible categories of cost

Categories	Brief Description
Police*	Labor costs of responding to and investigating a crime such as controlling a crime scene, conducting interrogations and arrests, and appearing in court *(direct costs)*
Criminal Justice*	Court administration, and public defenders and prosecutors *(direct costs)*
Incarceration*	Costs related to housing of individuals convicted of crimes. *(direct costs)*
Medical	Medical costs associated with an injury for a year following the initial event such as outpatient procedures, office visits, ED visits, inpatient care, mental health visits, and pharmacy services. Medical transport and coroner's fees (for fatal injuries only) are also included *(direct costs)*
Employer	Loss of productivity for employers as a result of absenteeism due to a gun injury *(direct costs)*
Quality of Life	A cost valuation of the loss of function that brought meaning or satisfaction to the life of an individual who was directly impacted (intangible costs)

**These costs are collectively considered Criminal Justice System costs.*

This report examined the economic costs for gun violence in 2024, the most recent complete year of crime data. Costs of gun violence included (when possible) costs to individuals, taxpayers, and communities. The cost analysis relied on nationwide and state cost estimates as proxies for local costs in Fayetteville. Publicly available crime data combined with data provided by the

COST ANALYSIS

Fayetteville Police Department provided the basis for the calculation of the actual number of gun incidents, arrests, and victims in Fayetteville. All costs are provided in 2024 dollars. *See Appendix B for methods on choosing the cost proxies.*

To perform a gun-violence cost analysis, we use the number of incidents, arrests and victims. Not every incident has an arrest, while some may have multiple arrests. For victims, we are assessing costs for those who were involved in an assault or a homicide (collectively referred to as 'victims who incurred bodily harm'). Similar to arrests, an incident may have no victims who incurred bodily harm, or may have multiple victims with some form of bodily harm *(see Figure 5)*.

Economic Costs

Q4 In terms of economic costs to society, the estimated cost of gun violence in the Fayetteville metro area for 2024 was $466 million. The largest contributor to total costs were fatal injuries, or deaths *(see Table 4)*.

This estimate includes a variety of costs, but there are areas where costs were not available or data was out of date. Therefore, the estimate is an underestimate of the true cost of gun violence in Fayetteville. *For information on cost not represented in the estimate see Appendix B.* In addition, as discussed in the landscape section, 2024 represents a low point for both violent and non-violent gun incidents over the last four years, so the estimated total cost for 2024 likely represents a low point as well.

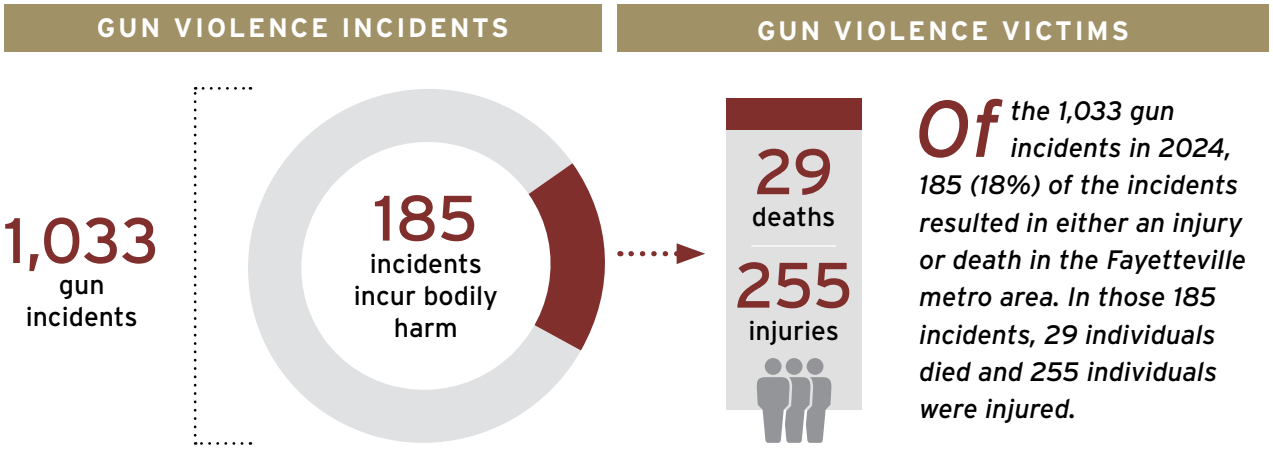
Table 4 – Economic cost by type of injury (2024 dollars)

Type of Injury	Economic cost
Incidents/ No Bodily Harm	$19,432,523 (4.2%)
Non-fatal Injuries	$30,464,742 (6.5%)
Fatal Injuries	$416,004,952 (89.3%)
Total	$465,902,217 (100%)

Driving costs higher for both incidents where the victim incurred an injury or died are intangible costs associated with decreased quality of life, or almost 90% of the costs by cost category *(see Table 5)*. As mentioned above, Quality of life costs are intangible costs associated with an injury or death, and account for how a life is permanently changed as a result of a physical injury or being unexpectedly cut short (Miller et al., 2022).

Quality of life (for Costs): *a way of assigning a value to how a person's life is changed as a result of an injury both in terms of quality and longevity of a life (Prieto & Sacristán, 2003).*

Figure 5 – Gun Incidents resulting in bodily harm in 2024



Of the 1,033 gun incidents in 2024, 185 (18%) of the incidents resulted in either an injury or death in the Fayetteville metro area. In those 185 incidents, 29 individuals died and 255 individuals were injured.

COST ANALYSIS

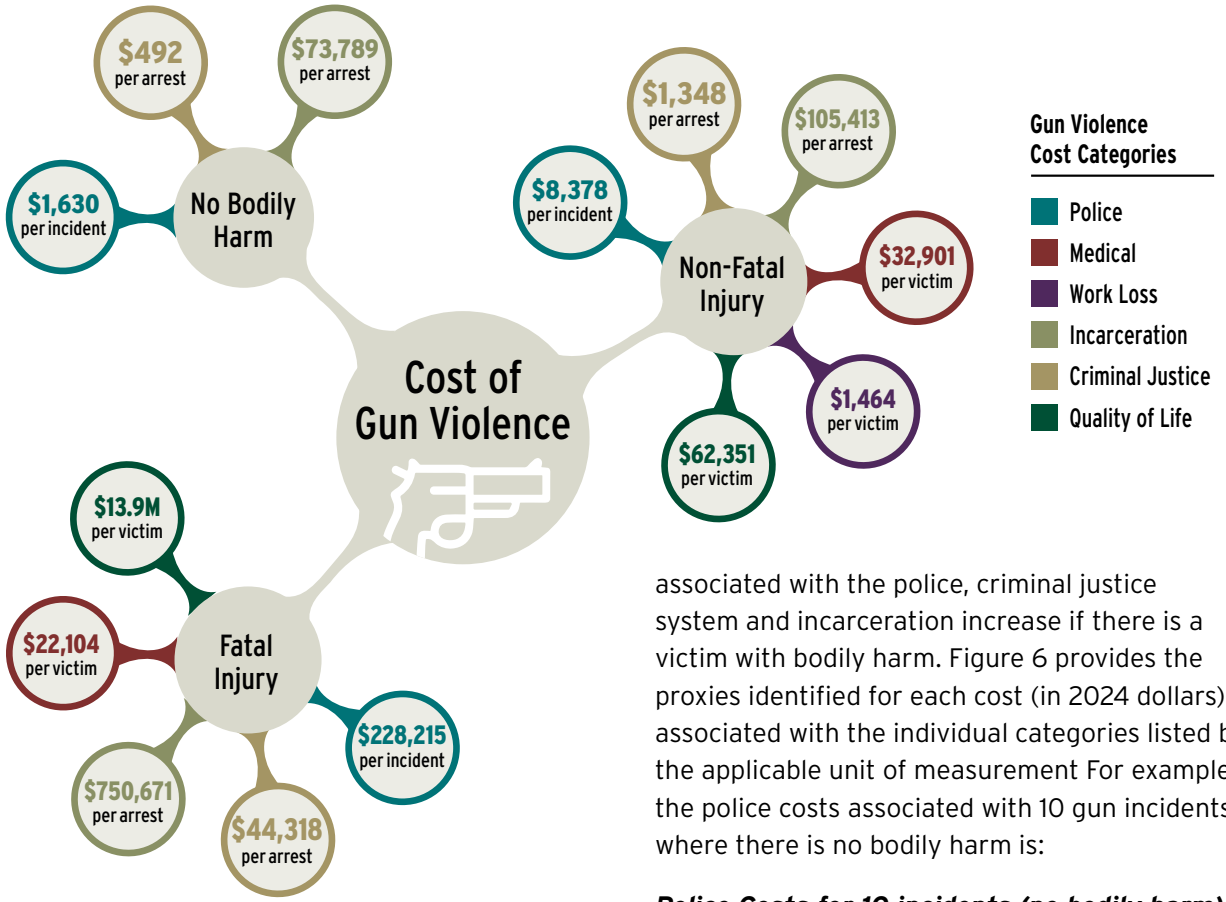
In terms of expenses related to the county, specifically the criminal justice system, the total was $37 million. Costs related to the criminal justice system in 2024 are split between incidents with no bodily harm ($19.4 million or 52.3% of criminal justice system costs), and those where a victim incurred bodily harm ($17.7 million or 47.7% of criminal justice costs). While the criminal justice system costs are higher for the 185 incidents that included bodily harm, the large number of incidents with no bodily harm (n=848) makes a significant contribution to the total cost.

Table 5 – Economic cost by cost category (2024 dollars)

Cost category	Economic cost
Criminal Justice System	$ 37,153,534 (8.0%)
Medical Costs	$ 9,030,771 (1.9%)
Productivity Loss	$ 284,016 (0.1%)
Quality of Life	$ 419,433,896 (90.0%)
Total	$465,902,217 (100%)

The total cost number helps to understand the magnitude of gun violence, however, at times it is easier to digest the cost of one incident or a series of incidents. In these cases, it is helpful to examine the cost of the individual components, or proxies we identified for and used for the overall costs.

Figure 6 – Cost proxies identified by arrest, victim or incidents



Costs are calculated based on the data available from the crime data, or whether each incident had any arrests associated with it, and whether there was a victim with bodily harm. Costs associated with the police, criminal justice system and incarceration increase if there is a victim with bodily harm. Figure 6 provides the proxies identified for each cost (in 2024 dollars) associated with the individual categories listed by the applicable unit of measurement For example, the police costs associated with 10 gun incidents where there is no bodily harm is:

Police Costs for 10 incidents (no bodily harm) = 10 (# of incidents) x $1,063 (police costs for incidents w/ no bodily harm) = $10,630

Depending on the number of individuals arrested the cost would increase (based on Chein, 2020, it is assumed 65% of arrests result in a conviction).

COST ANALYSIS

KEY TAKEAWAYS

Total estimated costs for gun incidents for Fayetteville was $466 million in 2024. **Costs associated with gun violence affect everyone.** Costs affect taxpayers through tax dollars spent on the criminal justice system, employers in the form of lost work time, and most importantly for the victims through healthcare costs and diminished quality of life. The economic cost of gun violence supports the funding of prevention programming alongside programs aimed at responding to and deterring gun crimes.

Although the number of victims of homicides (n=29 victims) are eclipsed by the number of gun incidents with no bodily harm (n=848 incidents) and victims of assaults (n=255 victims), the intangible cost due to the loss of life (estimated average cost for a loss of one life: $13.9 million) **make homicides the largest contributor to the economic cost** associated with gun incidents. In addition, higher costs associated with police, criminal justice and incarceration contribute to the higher costs of homicides.

COMMUNITY PERSPECTIVES

SECTION QUESTIONS

Q5. How do residents describe the risk and protective factors considered most relevant in their neighborhoods?

Q6. How do community residents in areas identified as high-risk describe community needs and assets related to violence prevention?

This section reports findings from the pre-discussion survey *(see Appendix C)* and focus groups. Focus group findings are organized by key theme, and do not directly answer the research questions. *For themes related to the research questions see Appendix D.* The purposes of the focus groups were to learn from community members about their perceptions and experiences with gun violence, risk and protective factors related to gun violence, and opportunities for prevention.

Focus Group Protocol

Prior to each focus group, all participants (n=29) completed an online survey. The survey included questions to capture demographic information, community strengths and challenges perceived as preventing or causing gun violence, and attitudes related to gun violence. This survey was conducted in order to better understand the participants.

Focus group participants could join either in person or virtually. Each focus group followed the same protocol. Questions about perceptions and experiences related to community strengths and challenges (e.g., "What's your favorite part of this community?"), causes of gun violence (e.g., "What have you heard or seen as causes of gun violence in this area?"), and strategies to prevent gun violence (e.g., "What do you think the community could do to prevent violence in this area?") were asked. Participants also reacted to a description of ShotSpotter. *See Appendix E for additional information on the qualitative research methods used.*

Focus Group Participants

A total of 29 community members from the Cliffdale, Murchison, and Massey Hill neighborhoods participated in 7 focus groups (range: 3-7 per group). Fifty-five percent of participants were women, and 90% identified as Black or African American. Fifty-two percent held a bachelor's degree or higher. The average age of participants was 42 years (SD* = 14.9; Min = 18, Max = 70), with a range spanning over 50 years. They lived in or visited the focus area for an average of 23.4 years (SD = 14.4). Several participants held a job at some point that may have required gun training. We are unable to report further or more detailed information on the demographics or backgrounds of the focus group participants due to the small sample sizes within these groups. *See Appendix C for demographic questions and related response options included on the pre-focus group survey.*

In response to the questions on the pre-focus group survey, most participants indicated gun violence was a problem, and most believed access to guns was a problem in the focus area. A gun presence measurement scale showed reported presence, with an average of 4.9 (SD = 1.5) on a scale from one (strongly disagree) to seven (strongly agree).[3] These findings were used to contextualize focus group findings by showing the beliefs of the sample and should not be generalized to Fayetteville as a whole.

[3]An example of a scale item is "If I carried/when I carry a gun, I am less likely to be hurt from an attack."

*SD stands for Standard Deviation.

COMMUNITY PERSPECTIVES

Focus Group Themes

Five major takeaways, or "themes," were identified in the focus group data. Each of these major themes had multiple sub-themes. *(See Table 6 for list of themes and sub-themes.)*

Theme 1: Negative perceptions of neighborhoods contribute to disinvestment, which may create an environment that facilitates gun violence

Focus group participants discussed the strengths and challenges of their neighborhoods. In terms of strengths, many participants cited neighborhood historical components, and some highlighted existing resources, such as schools, parks, and

Gun culture: *"encompasses how both individuals and institutions consciously and unconsciously interact with guns, through beliefs, thoughts, behaviors, social and legal norms, as well as the social structures they project onto them. It includes the social interactions elicited or transformed by the existence of firearms, as well as the reciprocal influences between individuals, groups, and institutions in regards to gun ownership and use" (Boine et al., 2020, p. 2). It is important to note that here, "gun culture" is specific to the study's focus groups discussion of gun violence in Shotspotter areas and does not aim to comprehensively capture the full range of gun dynamics in Fayetteville.*

Table 6 – Focus group themes and sub-themes

Theme	Subthemes
Negative perceptions of neighborhoods contribute to disinvestment, which may create an environment that facilitates gun violence.	• Stereotypes and perceptions don't always align with realities or recognize the strengths of neighborhoods. • Disinvestment decreases resources and opportunities to meet basic needs and enable thriving.
Gun culture and exposure contribute to an environment that presents opportunities for unsafe gun-related activities.	• There is easy access to guns and inadequate knowledge about safe gun use. • Exposure to guns and gunfire may normalize gun violence or increase its acceptability.
The community has concerns about the return on investment for ShotSpotter and wants more information.	• People feel they need more information about the effectiveness of ShotSpotter before they can state an opinion. • There is concern about return on investment for ShotSpotter and a potential for unintended consequences.
Youth developmental factors drive gun violence and are opportunities for prevention.	• Underdeveloped social emotional skills combined with youth social dynamics and peer pressures can lead to gun violence. • Youth may lack guidance from present and positive adult role models to move beyond survival mode. • Restorative practices and hope for the future are needed.
Consistent community engagement is needed within communities and across sectors to support prevention of gun violence.	• Current policing practices are not perceived as community-oriented, which may perpetuate cycles of distrust. • There were mixed reports of experiences with neighborhood engagement and cohesion among community members. • Preventing gun violence will "take a village."

community-oriented local businesses. Some also noted growth through housing and businesses, depending on the neighborhood. However, many also noted a lack of resources in general to meet basic needs and community-level support for youth, in addition to the run-down appearance of historical spaces. Overall, focus group participants felt that their communities were misrepresented in the media and by reputation, ultimately shaping disinvestment. The following subthemes reflect these ideas and how lack of opportunities may contribute to gun violence as discussed by participants.

Subtheme: Stereotypes and perceptions don't always align with realities or recognize the strengths of neighborhoods.

Although many participants noted exposure to guns and other crimes, most felt the neighborhoods discussed were perceived by outsiders as more dangerous than other communities that may experience similar challenges. Participants perceived that their neighborhoods are not what their reputations may lead people to believe. When asked how their neighborhood compares to others in Fayetteville with respect to guns, overall, most felt that there were no major differences; ***"gun violence can be anywhere."***

Participants noted that disproportionate media coverage of crime or negative events contributes to misperceptions of communities. One participant shared:

> ***I think it's [gun issues] comparable, but I think what happens is that we make the media quicker than any other area because it's [neighborhood].[4] Back in the day, it wasn't always the best to be from [neighborhood], and I think that stigma still sort of has a life unto itself. And I wish that life cycle would end because there's nothing wrong with being from [neighborhood].***

Some participants for one of the selected neighborhoods did sense that gun violence, among other forms of crime, was worse when compared to other neighborhoods.

Outside perceptions of certain neighborhoods have negatively influenced the trajectory of growth and investment. For example, one participant noted:

> ***Back in the day, [neighborhood] was always on the blacklist for the military… When you're talking about that, that to me is like a systemic issue. It's been planted. And so when you hear people talking about [neighborhood], they always go to a negative connotation first or a negative thought. It's not anything positive.***

Systemic issues such as racial profiling and the lasting effects of race-related policies (e.g., redlining) also emerged when discussing neighborhood contexts.

Subtheme: Disinvestment decreases resources and opportunities available to meet basic needs and enable thriving.

Participants described neighborhoods lacking resources, bringing up issues such as food deserts, lack of employment opportunities, and lack of affordable recreational opportunities for youth. Lack of resources was ultimately linked with the potential for gun violence and other undesirable activities. One participant explained the link between disinvestment and lack of opportunities:

> ***You would like for it to look the part or becoming of the setting or what type of growth and development we are projecting, like in this setting. But when you come up in [neighborhood] and other neighborhoods similar, and you have rundown buildings and they are old, there are less activities to do.***

Participants linked lack of opportunities to gun violence in two main ways. First, participants discussed an alternative economy to meet basic needs (i.e., engaging in dangerous activities to bring in income); ***"…the things that I did in***

[4]Neighborhood names have been removed to maintain anonymity.

the streets is what paid all the bills in the household." Second, and sometimes also related to money or income, was youth developmental contexts (i.e., engaging in dangerous activities because there aren't positive activities available). A backdrop of unmet mental health needs was also discussed. One participant tied some of these ideas together:

> ***Mental health. Especially with our young boys' misplaced hate, misplaced frustration. A lack of culturally competent things to do...A lot of times I got into things as a young kid where it was nothing serious, but just nothing to do with being around each other all day would kind of spark into something that wasn't even supposed to be nothing. Sometimes you got to have an outlet for some of this energy to go somewhere.***

Participants often discussed gun violence in the context of other risky activities, such as drug trafficking and gang involvement.

Theme 2: Gun culture and exposure contribute to an environment that presents opportunities for unsafe gun-related activities.

Gun-related beliefs and practices were discussed in the focus groups. Focus group data highlighted the prevalence of guns, access to those guns, and desensitization or normalization of gunfire. One pre-focus group survey included the response, ***"with young people today, carrying a gun is like carrying a phone. Everybody has one."***

Subtheme: There is easy access to guns and inadequate knowledge about safe gun use.

Access to guns and lack of knowledge about guns, including appropriate use and storage, were discussed during focus groups. Participants shared that youth and others obtain guns from home burglaries, local military, illegal gun sales, and 3-D printing. Easy access was illustrated by the following quote:

> ***Kids are able to get to weapons right now more than ever before. Whether they're getting guns from family members, from their neighbors, they're in the schools with them, whether it's broadcast or not, they have a free hand at this.***

Safe gun storage was highlighted as a problem. Participants in several discussions described a lack of "gun IQ," where many members of the community don't know or use best practices in handling guns. The need for education around safe use was emphasized, as exemplified by the following quote:

> ***I'm talking about the kids, honestly. People teach their kids at a young age how to clean guns and how to use guns. People do it for recreational purposes. So it's okay once they're at an age appropriate level to teach them how to use them and about them and the pros and cons of them. I'm not saying teach them to walk around the street with the guns. No, but I'm saying teach them like, "This is how they work and this is when you shouldn't use them and this is how you should use them and these are people you can use them and be safe with."***

Education about different types of guns was also discussed in the context of individuals not understanding that high-powered rifles are not needed for home protection.

In summary, guns are prevalent, but knowledge or practice related to how to use and store them is not. Participant recommendations for increased "gun IQ" are particularly salient given gun accessibility

Subtheme: Exposure to guns and gunfire may normalize gun violence or increase its acceptability.

Normalization of gunfire and gun violence has occurred through neighborhood and social media exposure, leading to desensitization and

behavioral adaptations. Several participants noted personal experiences with in-person exposure to gunfire or hearing gunfire. For example, one participant said:

> ***I hear gunshots a lot when I'm walking my dog or just going out for a run myself and that's scary. And so those things are what are concerning me about the area right now. It's like it's normal to feel unsafe when you're stepping outside.***

Overall, participants shared heightened vigilance of their surroundings, choosing to avoid walking late at night or ***"knowing where to go or not to go."***

For youth specifically, participants noted media exposure (video games, social media, etc.) to gun violence and how it may glorify some components of gun violence but not show its consequences. As described by one participant, "on social media, it's made to seem like it is acceptable." Peer pressure related to social media and violent video games also emerged in conversation.

Theme 3: The community has concerns about the return on investment for ShotSpotter and wants more information.

Q6 During focus groups, the facilitator presented a definition of ShotSpotter then probed for perceptions of ShotSpotter. Overall, there was varied awareness, and participants wanted more information about its effects. Many participants questioned return on investment and possible unintended consequences. Some participants felt it was a positive resource, but with caveats related to potential unintended consequences.

Subtheme: People feel they need more information about the effectiveness of ShotSpotter before they can state an opinion.

Most focus groups included participants who had never heard of ShotSpotter. Some participants were familiar with the name "ShotSpotter" due to exposure in Fayetteville or another city that implements the technology, but few had additional information. Relatedly, many participants wanted additional information on ShotSpotter as well as its effects. One person in particular noted the importance of evidence-gathering before sharing opinions of ShotSpotter. For example, a participant posed several questions: ***"Has it solved any crimes? Has it deterred the shooting? Is it still happening as frequently as it has been before y'all put it there?"*** Others were concerned about the wrong people being identified by police following a notification. In summary, participants wanted to have questions answered about its operations and effectiveness before drawing conclusions about ShotSpotter.

Subtheme: There is concern about return on investment for ShotSpotter and potential for unintended consequences.

Many participants felt the funding for ShotSpotter would be better used elsewhere given potential unintended consequences and limitations of the technology. One participant noted that resources would be wasted if shots were fired for hunting or recreation without first notifying the police. More commonly, others discussed how the financial investment was not worth it and could instead be spent on proactive efforts to prevent gun violence (i.e., primary prevention), as exemplified by the following quote:

> ***That [ShotSpotter funding] could be a gateway for some of those things that we discussed here today, earlier on in the session. For those activities or those programs, let's give my man $8 or $10 an hour to come in and work.***

Additionally, some participants noted potential unintended effects of having ShotSpotter in their neighborhood, such as (a) crime displacement to locations without ShotSpotter, (b) enhancing negative perceptions of communities via awareness that certain neighborhoods were targeted for having gun violence, or (c) negative police associations rather than positive police-community engagement.

> ***...this negative piece that we have now associated with police–put them in our community, being a part of the community, spending time in the community so that there's a deterrent that we have this presence here and not...that ShotSpotter, whatever it is. I'm more about the face-to-face, the people thing, the community thing.***

Some of the participants who were supportive of ShotSpotter voiced the concern of crime displacement and thought that ShotSpotter should actually be spread to additional areas in Fayetteville.

Finally, some participants did share positive sentiments about ShotSpotter ***"adding that extra sense of protection"*** and feeling the resource should be further distributed.

Theme 4: Youth developmental factors drive gun violence and are opportunities for prevention.

All focus groups discussed child and youth development, often in the context of complex family and neighborhood environments. Children living in disinvested neighborhoods often face trauma and are not emotionally equipped to handle the pressures they face. Participants noted challenges related to peer pressure, role models, parenting, and other social dynamics. Participants often recognized the need for credible mentors, already embedded in their communities, who can guide youth through the difficulties of development and offer hopeful perspectives for the future.

Subtheme: Underdeveloped social-emotional skills combined with youth social dynamics and peer pressures can lead to gun violence.

Modifiable individual-level characteristics such as attitudes, skills, and behaviors related to problem solving and emotional regulation were discussed as contributors to gun violence: ***"It's rejection and being able to handle life...All of that stuff needs to be brought into their life at an early age."*** Participants noted that youth may act aggressively in response to a problem because they have not yet developed emotional intelligence or healthy coping skills. This discussion also described the need for youth to have healthy outlets and safe spaces, like counseling settings and programs. As noted previously, participants felt these communities are lacking those sorts of healthy outlets or spaces.

Participants described how lack of social-emotional skills may result in violence during social situations, where potentially minor disputes may lead someone to use a gun as a method of problem solving. For example, one participant reflected:

> ***...when I was in high school, I liked to go out. I liked to go to parties, but I stopped doing that and my parents stopped me from doing that just because it was so much violence out there. Even after the parties, just so much shooting. People getting into fights, disagreements.***

Some participants also described a broader unhealthy social environment that places youth in survival mode. One person described the impact of peers and unhealthy peer environments:

> ***A lot of peer pressure. A lot of kids feel like they're in fight or flight. They either got to hang with these people or they get beat up by these people or they got to fight for their life or they got to be the one killing to survive. And I hate that these kids have to experience this and I don't wish it on them but it's their reality sometimes or what they believe is their reality.***

And again returning to challenges related to under-resourced communities, participants discussed how unmet basic needs at home may lead to "fight mode" at school (e.g., inability to maintain good hygiene and bullying).

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The combination of gun accessibility and underdeveloped social-emotional skills is a risk factor for gun violence. Participants emphasized the value of social emotional development for violence prevention.

Subtheme: Youth may lack guidance from present and positive adult role models to move beyond survival mode.

When asked about causes of gun violence, participants in all focus groups brought up parenting challenges (e.g., ***"Kids are raising kids. That's the problem."***) or lack of positive adult models in the lives of youth. As described by one participant, ***"...it's like people just going in the community, just trying to be survivor mode. They don't know no better, stuff like that, because they don't have no guidance, you know what I'm saying?"*** Participants discussed a lack of guidance for youth, noting parental roles and the need for positive and relatable mentors to support youth development.

Specific to parenting discussions, parent-related challenges were often described as being nested within other challenges, such as struggling to meet basic needs: ***"Knowing this person is working three, four jobs and this young man is home pretty much raising himself. So also, not understanding, my mama got to work, put food on the table, but he also feels neglected."*** This quote speaks to challenges faced by families living with limited resources and potential consequences for children. Relatedly, participants talked about parent absence and intergenerational transmission of risk factors for gun violence, such as gang involvement.

Participants also discussed the need for positive messaging from models beyond parents, noting unique challenges faced during adolescence:

> ***When I was younger, I needed a me. When I was 16, my mama couldn't do nothing with me...she had to wash her hands with me and let the system deal with it, and the system dealt with it. Just to be truthful. However, the same thing that I needed then, this is what these young people need now today, which is more positive male influence. And who is winning that battle right now are these rappers.***

The role of non-parental role models is important, especially given participants also talked about how some youth grow up in supportive homes and still go on to engage in undesirable activities. Several participants noted the importance of youth hearing guidance from adults with lived experience:

> ***It takes a team, it takes the community, it takes mentors. It takes people who have experienced gun violence coming back and talking to these kids. It takes family members being like, "I wish I never did that." And putting their pride aside and actually talking about how it affected their mental health to go to prison, to go to jail, to take an innocent person's life away by accident. It takes everybody.***

Additionally, participants emphasized that guidance needs to come from multiple sources, not community mentors or family members alone.

Subtheme: Restorative practices and hope for the future are needed.

Although less explicitly discussed across focus groups, restorative practices and hope for the future emerged as a subtheme related to youth development. One participant noted, ***"they're not telling those kids, you could be what you want to be."*** The need for hope for the future was also discussed in relation to the justice system; for example, one person said:

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> ***...no matter what the age, once they figure out they're here [incarcerated], this amount of time, that's all they hear. So that light turns off like, "Well, I'm going to continue to be doing what I'm doing here because I'm not going to get out."***

This quote reflects a potential effect of justice involvement. Several participants described a need for restorative practices, exemplified by the following quote:

> ***So, I would like to deal with restorative justice, practice where we restore the thoughts of young men, for the juvenile that's doing time, we'll facilitate re-entry workshops, where we're dealing with restoring their self-concept and their self-esteem about themselves.***

These ideas are reinforced by discussions' focused on community-driven prevention and youth development.

Theme 5: Consistent community engagement is needed within communities and across sectors to support prevention of gun violence.

Throughout all of the focus groups, the need for community engagement and community-oriented approaches to gun violence prevention emerged. Three subthemes focused on community-oriented policing, the mixed experiences of community engagement and cohesion among community members, and the idea that prevention will "take a village."

Subtheme: Current policing practices are not perceived as community-oriented, which may perpetuate cycles of distrust.

The need for presence and engagement in these communities extended to multiple groups, including law enforcement. Discussions related to community-oriented policing emerged in all but one focus group, against a backdrop of acknowledging trust-related issues. The overall sentiment was that police will show up when called, but they aren't otherwise involved with the community, so trust is not established. One participant shared, ***"I only see police over there whenever something's going on,"*** while another said, ***"We want you to live down the street, so we want to get to know you. We want you to be present in our community and raise your kids in our community, where we raise our children."***

Some participants noted that engagement challenges go both ways; for example, ***"...they [the police] have had activities in our community. But people, the turnout is so low."*** There was also discussion more generally about community members' lack of engagement with police and other emergency services, such as 911.

Building a culture of trust and positive relationships between neighborhood residents and law enforcement could have a positive impact. Police may receive more information about local activities, and communities may benefit from perceptions that police are there to build relationships instead of only attending to criminal activity. The idea of community perceptions emerged again here, with one participant reflecting:

> ***...if I was coming over there, if I was coming to buy a house in that neighborhood and I seen outright police presence where it's going down then, yeah, that's going to be a problem with me wanting to invest in that community. But if I'm astute to my environment and I can see that this police officer is engaging with the community, talking with the kids, I can tell the difference between the two.***

Participants talked about consistent effort to build trust, where community members and law enforcement officers "meet halfway" to reduce tensions when police are present.

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Subtheme: There were mixed reports of experiences with neighborhood engagement and cohesion among community members.

Discussion of community trust and engagement extended beyond conversations related to law enforcement, revealing a spectrum of perceptions related to engagement and a sense of togetherness. When talking about their neighborhoods, participants shared descriptions ranging from ***"We're close-knit"*** to ***"There is no community. It's every man for himself."*** Some participants described packed high school sports events, while others discussed lack of recreation center use. For those whose experiences demonstrated cohesion or connectedness, it was a point of pride and belief in the community: ***"And as a community, when it's time for rallying folks together, to come together to have conversations, people will come out."*** Being close knit was connected to issues of perceptions of threats (e.g., ***"if they don't know you, they may not embrace you"*** regarding being out late) or knowing who may be carrying a gun.

On the other hand, participants talked about community members not attending community events, such as neighborhood watch meetings, or youth not playing outside anymore (e.g., basketball). Relatedly, one participant discussed how youth join gangs so they can have a sense of belonging.

Some of these disconnects were ascribed to limited opportunities for connection as well as potential weariness of inaction. For example, participants discussed communication as a challenge:

> ***...it's like nobody really knows what's going on. So even when it comes down to mentoring, nobody even goes to the rec centers anymore. We used to have basketball games every weekend, so you kind of knew what was going on in the community. Nobody really knows about anything. So I guess the lack of communication in that side of town.***

Related to weariness of inaction, one participant said, ***"I think, as a community, we do a terrible job of just rushing certain things, putting it out there in the atmosphere and not coming back and not following through."***

Comments indicated that a lack of engagement or cohesion may have emerged over time; for example, one participant added, ***"We used to talk to one another, but we don't talk now."*** Participants highlighted the need for increased engagement, such as attending community events and then taking it a step further to shift from conversations to action. Participants talked about the need for consistent on-the-ground efforts for engagement to move from ***"a lot of talk"*** to actual change.

Subtheme: Preventing gun violence will "take a village."

Participants offered rich discussion related to approaches to gun violence prevention. The sentiment "it takes a village" was echoed across focus groups. This idea applied to individual child development: ***"it is easy for us to say what the parent is not doing, but it takes a village to communicate to one child,"*** as well as developing unified coalitions: ***"even if you had a face of that community from one person, city officials, local government, police department, general population, I think everybody needs to be involved to prevent violence and gun violence."***

Participants suggested all parties have a role to play, with examples including: parents and mentors teaching children about guns and life skills, and then those youth teaching their friends (using social networks); police teaching about 911 use and build community relationships; city officials listening to community members and creating infrastructure to support prevention.
The sentiment of all groups working together was reflected in the following quote:

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> ***We need the schools, the churches,*** *nonprofit organizations, we need the local businesses…The councilmen and stuff. It needs to happen. It takes a village to kind of raise a child…Everybody going to play a unique part …Unity in the community is missing. It's unity in the word community for a reason. So we can come together…share our resources, our network and our support systems and tie that together in unity. We ain't going. That's what community's for, right?*

Participants spoke to the need for on-the-ground engagement, such as door knocking, as well as a participatory community-driven approach to prevention. This included the use of and investment in already existing resources (community strengths) in these communities, such as schools, churches, nonprofits, businesses, and neighborhood watch groups.

Participants emphasized internal community leadership but also recognized the potential value of an outside perspective. Related to the need for internal mechanisms, one participant said,

> ***And so we have to get the people who are*** *in the community to actually step up and be a part of this conversation. And I do agree a peer support mentor or specialist is someone who could be instrumental in being solution focused, but with the people who reside in the community. If you living outside the community, you standing up and you advocate and you don't even reside in the community, I'm not sure your voice is going to be as strong if you are presenting to the ones who can make things happen versus the people who actually live within the community.*

KEY TAKEAWAYS

In summary, focus group participants with extensive knowledge of Fayetteville communities offered rich contextual information about the nature of gun violence and its related contexts in these areas. Findings show the multi-layered web of factors that can influence violence, ranging from relationships with families, mentors and the broader community to societal issues that contribute to shaping the individual. Prevention will need to address all of these layers and may gain the most optimal levels of local buy-in if the community is directly involved in guiding prevention planning and implementation.

SYNTHESIS OF FINDINGS

SECTION INTRODUCTION

Before integrating the findings and providing overall takeaways for the report, we will restate the key findings from our landscape, cost, and focus group analyses. This initial step highlights the trends, economic costs, and community perspectives on gun violence that were previously discussed before assessing the collective scale and impact of this type of violence in Fayetteville.

An overview of previous sections

The landscape quantitative analysis indicates that gun violence, overall, has declined in Fayetteville since 2022, though certain neighborhoods, like the ones in the ShotSpotter zones, experience disproportionately high levels of violence. Yet, the analysis also found that ShotSpotter neighborhoods are not "outliers" when compared to similar neighborhoods.

The cost analysis estimates that gun violence cost taxpayers, employers, and victims approximately $466 million in 2024. Homicides represent the largest contributor to total costs due to combining the value of a lost life with higher criminal justice expenditures.

Drawing from the focus groups, the qualitative analysis distilled five recurring, meaningful themes from focus group participants:

1. Stigmatizing perceptions of certain neighborhoods fuel disinvestment, which can create conditions that facilitate gun violence.
2. Gun culture and exposure normalize risk and increase opportunities for unsafe gun-related behavior.
3. Residents have questions about ShotSpotter, expressing skepticism about its return on investment and asking for clearer information and accountability.
4. Youth developmental factors—such as unstructured time, limited positive mentorship, and exposure to trauma—both elevate risk and present actionable points for prevention.
5. Participants emphasized the need for consistent, multi-directional community engagement across agencies, organizations, and residents to sustain prevention efforts and build trust.

Qualitative analysis: *the in-depth interpretation of non-numerical data to understand meanings, experiences, and contexts.*

Quantitative analysis: *the systematic examination of numerical data to identify patterns, test hypotheses, and estimate relationships using statistics.*

INTEGRATED FINDINGS

SECTION INTRODUCTION

This section brings the strands from the previous sections together to generate integrated findings—insights that leverage results across the various methods of this study. Here, we align the cost and trend estimates with community perspectives to produce a more complete, credible, and useful understanding than either the quantitative analysis or community narratives can deliver on their own.

Data and residents' experience show comparable levels of gun violence across peer neighborhoods

According to focus group participants, the neighborhoods within the ShotSpotter zones carry a negative reputation that exceeds what the best available comparative data support. Residents feel their neighborhoods are stigmatized as uniquely dangerous, driven in part by disproportionate media attention, though their neighborhoods are not markedly different from other parts of the city with similar challenges, as noted in the following quote:

> ***Gun violence can be anywhere [but] when you hear people talking about [neighborhood], they always go to a negative connotation.***

This disconnect aligns with the data from the landscape analysis. While rates of gun violence in ShotSpotter neighborhoods exhibit higher crime rates than their matched peers in some years, the differences are small and statistically insignificant. In other words, neighborhoods outside of the ShotSpotter zones are also in need of resources and preventative measures/programs.

While the level of gun violence in ShotSpotter neighborhoods may not constitute an anomaly, these areas do experience higher levels of gun violence compared to the City overall.[5] Focus group respondents highlighted how gun violence was just a part of their "normal," stating ***"I hear gunshots a lot when I'm [out]... It's like it's normal to feel unsafe when you're stepping outside."*** While Fayetteville, in general, experienced declining rates of violent and nonviolent gun crimes, the increasing (or stagnant) level in these neighborhoods since 2022 confirms these neighborhoods experience higher-than-average gun violence, but they are not unique in this regard.

Young adults (ages 18 to 24) and gun violence are often tied together

A disproportionate amount of focus, both locally and nationally, has recently been aimed at young adults (18-24) when discussing gun violence. This is not surprising from a statistical standpoint as data going back to the 1980s shows how this age group is disproportionately more likely to be involved in violent crime. To the point where this phenomenon (known as the age-crime curve) became a theoretical expectation in criminology and criminal justice literature (Kim & Bushway, 2018; Kazemian, 2021).

[5]Scholars have frequently noted the importance of macro-level factors when studying crime, specifically the influence of resource deprivation/affluence measures (particularly income inequality) and social cohesion (Land et al., 1990; Kawachi et al., 1999; McCall et al., 2008). These works point to the structural, rather than the individual, as the primary influence in how crime rates shift over time.

INTEGRATED FINDINGS

The landscape analysis also showed increasing involvement of young adults (18-24) in violent gun crimes. This group constituted the highest percentage of arrestees for violent crimes using a firearm, beginning in 2023. They were the second largest percentage of arrestees for non-violent firearm offenses between 2021 and 2024.

The prominence of this age group in relation to gun-related offenses appeared in the qualitative findings as well, with respondents (primarily adults) providing their perceptions about why youth and young adults become involved with gun violence. Specifically, there was discussion about how youth are put at a disadvantage:

> ***A lot of kids feel like they're in fight or flight. They either got to hang with these people or they get beat up by these people or they got to fight for their life or they got to be the one killing to survive.***

Perceived widespread firearm access seen as a significant issue

Easy access to guns was discussed during the focus groups. Participants describe youth and others accessing guns through various methods including burglaries and from family members. Young people were specifically mentioned in terms of the ubiquity of guns: ***"with young people today, carrying a gun is like carrying a phone. Everybody has one."***

The perception of gun accessibility appears to be consistent with gun-violence trends within the ShotSpotter neighborhoods (as discussed in the initial integrated findings). While (non-)violent gun violence has seen a decline in Fayetteville, overall, rates of non-violent gun crime in ShotSpotter neighborhoods increased just under 17% from 2022 to 2024 and the violent gun crimes remained consistent over this time period.

This notion of increased accessibility of firearms, at least in certain areas of Fayetteville, comes as North Carolina considers eliminating the requirement to obtain a permit in order to carry a concealed handgun (Freedom to Carry NC, n.d.). Recent literature finds that permissive gun laws such as the ones the state has recently implemented lead to a statistically significant increase in the level of violent crime, even after accounting for various socioeconomic, criminal, and demographic factors (Donohue, Aneja, and Weber, 2019; Donohue, 2022).

Finally, perceptions of gun accessibility in communities could be related to increases in gun purchases during the COVID pandemic. Nationally there was a spike in gun purchases during COVID that was apparent throughout the US (Lang & Lang, 2021; Miller et al., 202). An increase in guns often leads to greater gun violence (Laquer et al., 2019; Schliemer et al., 2020).

RECOMMENDATIONS

The widespread effects of gun violence, evident from the cost analysis, argue for a public health approach, or moving interventions upstream to address disinvestment, overall exposure to guns, the need for social-emotional skills development prior to exposure to gun violence, and engaging with communities (Hemenway & Miller, 2013). Focus group members spoke to greater upstream prevention strategies particularly in terms of providing youth and young adults with mentors and support, as well as calling for more partnership between the community and local government leaders. These types of interventions can work alongside existing response and deterrence interventions.

The City of Fayetteville has already begun to pursue these efforts with the creation of the Office of Community Safety (Weisblat, 2025). This section is an effort to provide additional guidance and assistance to the programs and initiatives already in place based on research conducted for this project and elsewhere. While this should not be considered an exhaustive list of recommendations, we believe these recommendations in conjunction with the study recently completed by the Wilson Center will provide the City with a good foundation for understanding and tackling gun violence from a more nuanced and actionable perspective.



...We believe these recommendations in conjunction with the study recently completed by the Wilson Center will provide the City with a good foundation for understanding and tackling gun violence from a more nuanced and actionable perspective.

We begin this section by discussing the general rationale behind the type of recommendation before listing specific programs and policies in table 7 at the end.

Classifications within policing data

The police and/or the City provide a great deal of information, specifically related to the use of a weapon (firearm) and the types of injuries victims sustain, within their publicly available and administrative datasets. Having said that, we noticed a few instances over the course of the study where additional information/context would be instrumental in assisting with the study of gun violence.

To begin, we recommend recording and categorizing the intentionality of the recorded incident (if possible). This can include distinguishing between:

1. Intentional, e.g., targeted assault;
2. Unintentional/accidental;
3. Self-inflicted (suicide attempt); or
4. Undetermined cases.

The rationale for this distinction is relatively straightforward: intent matters and can fundamentally alter prevention and response strategies. Suicide prevention and safe-storage campaigns require very different interventions than targeted criminal-justice responses, and accidental discharges point to storage education needs.

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Second, investigate ways to capture the relationship between victim and offender, such as classifying incidents as intimate partner/domestic, known acquaintance/friend, family, stranger, gang/conflict-related, or unknown. Similar to the rationale discussed above, correctly differentiating the relationship between the victim(s) and offender(s) of gun-related incidents is essential due to the distinct risk dynamics and prevention strategies for each type of offense. Together, these additions will make Fayetteville's data far more useful for targeting interventions and allocating resources to programs that are tailored to meet the specific needs of different forms of violence.

Broadening prevention efforts and intervention strategies

Another recommendation is for the City to implement their prevention strategies not only in ShotSpotter zones, but also in other neighborhoods that the data show face similar levels of risk. While ShotSpotter areas consistently register high activity of gun violence, the landscape analysis indicates they are not statistical outliers—other neighborhoods exhibit comparable concentrations of shootings and underlying risk factors—so limiting resources only to sensor zones would miss numerous high-need places. One possible approach is for the City to pilot interventions in several areas that are comparable to neighborhoods within the ShotSpotter zones.

As part of any community-based intervention, it is important to be able to understand the success of the program. Offering support for local organizations focused on gun violence reduction in creating data-oriented evaluations can help program leaders gain the skills necessary for improvement and measuring success. Fayetteville's Office of Community Safety initiated micro-grants to local organizations focusing on crime reduction, including gun violence (FayettevilleNC, n.d). As part of the grant process, local organizations take part in workshops to support the organizations. One workshop could assist organizations in creating logic models to help identify how programs intend to provide support to those with the highest risk, facilitating the collection of data to track outcomes and impact, and identifying locations/places they feel would benefit from a particular intervention program. Evaluation of programs should emphasize program improvement and support.

Placed-based improvements to support crime and violent crime reduction

Disinvestment in communities was a theme from the focus groups, with community members talking about how the appearance of their neighborhoods affected the community. Efforts to improve the physical environment to support changes in behaviors and perceptions are in line with a public health approach.

Investment in vacant lots through the clearing of debris and mowing are positively associated with

> ***Communities that have required minimal improvements to abandoned buildings in the form of replacing windows and doors, or demolition of abandoned buildings have seen declines in crime including firearm violence (Branas et al., 2016; Gobaud et al., 2022; Stacy, 2018).***

reduced violent crime (Gong et al., 2022; Heinze et al., 2018). In particular, when community members are involved with maintenance, it creates social cohesion and a busier environment that helps deter criminal activity (Gong et al., 2022).

Requiring improvements to abandoned buildings, or demolishing the buildings, can have a similar effect as greening vacant lots. Buildings in disrepair can offer a hiding place for crime or give the appearance that disorder is acceptable (Schnell et al., 2019). Communities that have required minimal improvements to abandoned buildings in the form of replacing windows and doors, or demolition of abandoned buildings have seen declines in crime including firearm violence (Branas et al., 2016; Gobaud et al., 2022; Stacy, 2018).

Increase awareness about best practices related to media coverage of gun violence

Focus group members felt their communities were often portrayed as more dangerous than other similar communities. In addition, there was discussion about how residents felt gun fire was a normal occurrence. Local media coverage around gun violence can play a role in how people

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perceive gun violence in their own community and other communities. The media can also influence what the community wants to prioritize. News media can bring extra focus to certain types of gun violence such as homicides and child involved gun violence, while other gun violence such as domestic violence is overlooked (Beard et al., 2024a; Esposti et al., 2025).

There has been a recent push for an increased public health framing in the media of gun violence. This means news stories that provide more context to the event to help people understand the systemic factors such as disinvestment in communities that could be contributing to violence. Public health framing also discusses solutions so readers do not become fatalistic about gun violence. News content that emphasizes the people involved, information and resources can help reduce trauma to victims and increase community knowledge of public health solutions (Beard et al, 2024b).

Local community organizations could collaborate with local media to discuss ways to provide more context to stories addressing violence to minimize unintentional harm to communities. Resources can be found at "Better Gun Violence Reporting: A Toolkit for Minimizing Harm" (Frameworks Institute, 2025). Sharing free resources around best practices can help support a public health framing of gun violence.

Emphasize early and family interventions

Given the landscape analysis and feedback from the focus groups, we recommend that the ongoing violence prevention strategy must place young people at its center. This means investing in accessible, local programs that build skills, employment pathways, mentorship, and safe spaces where youth already gather, and by prioritizing early prevention beginning well before age 18. There has been success in deterring youth involvement in gangs through school-based programs involving presentations from law enforcement (Mellgren et al., 2024), and hand-gun use through the Communities That Care program (Rowhani-Rahbar et al., 2023). Developmental prevention programs, which help youth manage aggressive behaviors, have been successfully used in many settings such as schools, family training and clinics (Farrington et al., 2017).

Research shows that patterns of offending and risk-taking often emerge in early adolescence. This is when youths' general attitudes change. They form peer networks and disengage from school. They become more exposed to community disorder. Whereas programs that reach preteens and young teens can interrupt trajectories that might lead to violence in late-teen and young-adult years (Willoughby et al., 2021). Given that 18–24-year-olds commonly represent the highest share of violent offenders using firearms, combining early-stage supports with targeted interventions for older teens and emerging adults creates a continuum of prevention that addresses

Given that 18–24-year-olds commonly represent the highest share of violent offenders using firearms, combining early-stage supports with targeted interventions for older teens and emerging adults creates a continuum of prevention that addresses both root causes and immediate risks.





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potential risks. For example, Cure Violence is a selective program which aims to have community-based 'violence interrupters' intervene to stop violence by working with high-risk youth and young adults (Butts et al., 2015).

Focus on programs and interventions promoting best practices for gun safety

North Carolina's gun laws are, comparatively, more permissive than other states, according to the Giffords Law Center and Everytown for Gun Safety Gun (Everytown Research & Policy, 2025; North Carolina Gun Laws, 2024). This level of permissiveness, combined with the legal prohibition of localities creating their own gun policy, means that a legislative or policy solution is not feasible. There are, however, alternative measures to prevent and/or reduce gun violence.

Proper gun safety practices—such as safe storage, responsible handling, and regular maintenance—have been found to represent a key component of reducing firearm injuries (Rowhani-Rahbar et al., 2016; Anestis et al., 2023). Training programs that educate gun owners about these fundamentals have been shown to reduce both unintentional injuries and suicides, making them a powerful tool for community well-being even in the absence of stricter legislation (Smart et al., 2023; Carter & Cunningham, 2024). There has also been some success in promoting gun safety through health clinics particularly when safe storage devices are provided as part of the counseling (Rowhani-Rahbar et al., 2016).

Coordination between the police department and community organizations can be instrumental in promoting a culture of safety. By offering gun safety courses, hands-on demonstrations, and resources on best practices, these groups can empower individuals to take responsibility for their firearms. Community-led initiatives also foster dialogue and trust, helping to build a shared commitment to reducing gun violence. While changing laws may be difficult, changing attitudes and behaviors through education and outreach is a practical and effective way to make communities safer for everyone.

Table 7 – List of targeted issues and suggested programs

Targeted issue	Program	Source
Investment in place-based improvements	Greening vacant lots	Gong et al., 2023; Heinz et al., 2018
Misperceptions from Media	Toolkit for better gun violence reporting	Beard et al., 2024
Youth involvement in gun violence	School-based deterrence programs; Fostered deterrence	Mellgren et al., 2024
Youth hand-gun use	Communities That Care	Rowhani-Rahbar et al., 2023
Youth behaviors	Developmental prevention	Farrington et al., 2017
Targeting Older Teens	Cure Violence	Butts et al., 2015
Gun safety	Training programs	Smart et al., 2023; Carter & Cunningham, 2024
Gun safety	Counseling offered in medical clinics	Rowhani-Rahbar et al., 2016
Safe gun storage	Credible messengers	Anestis et al., 2021

CONCLUSION

This report offers research findings specific to Fayetteville and neighborhoods identified by the City of Fayetteville as having heightened levels of gun violence. The report also offers recommendations for prevention planning based on best-available evidence in research literature and the context of Fayetteville. Moving forward with violence prevention planning, it is important to recognize that researchers and communities are still working to identify specific underlying causes of violence (that would allow more targeted prevention work). While living in neighborhoods with high levels of poverty is linked to community gun violence (Barrett et al., 2022; Kravitz-Wirtz et al., 2022; Schleimer et al., 2021), the underlying mechanisms of that relationship are not fully understood (Ludwig, 2025). For example, there is increasing research on potential violence reduction through built components, such as building remediation (Branas et al., 2016; Gobaud et al., 2022) and greenspace (Gong et al., 2023; Heinze et al., 2018). As such, staying informed of the latest evidence will support increasingly effective efforts to reduce gun violence and other forms of crime.

On another note, what has been found to be effective in one city may not be effective in another. Ongoing conversations with those involved in implementation (e.g., grassroots organizations, police officers, city officials, initiative recipients) will be crucial for identifying facilitators and barriers to implementing evidence-based practices and programs. Further, implementing the "core components" (Blase & Fixsen, 2013) or active ingredients, according to protocols is important. However, methods of implementation may need to shift to be more locally relevant.

Lastly, people (and their modifiable skills, knowledge, and behavior) are nested within their neighborhood, city, state, and country. The policies, practices, and norms that are communicated across these contexts influence individuals' behavior. Comprehensive and sustainable violence prevention requires addressing each of these levels in addition to an individual's development.



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APPENDIX A

QUANTITATIVE METHODOLOGY

Crime Datasets

The research team imported the three publicly available datasets (crimes against society, persons, and property), transforming them into a consistent coordinate system (EPSG 4326), combining them into a single dataset, and then removing offenses with invalid or unfounded statuses. One thing to note about the Fayetteville data is that the incidents list all associated offenses rather than reporting the highest-rated offense (according to the Uniform Crime Reports), which is common in other datasets. This issue was mitigated by grouping offenses by case number (incident) and date, and linking offense descriptions into a single string.

We then imported the administrative crime dataset provided by the Fayetteville Police Department, which includes information on individuals involved in crimes, such as offenders, victims, and others, as well as the type of weapon used in an incident. The dataset was aggregated, i.e., summarized, by month to tally the number of offenders, victims (demarcated by whether the victim was injured or fatally wounded), and whether the incident involved any firearm. Finally, all charges associated with each incident were combined into a single string.

Geographic Boundaries and Matching

In QGIS, three shapefiles—the metro-area boundary, the county census tracts, and the ShotSpotter neighborhoods—were employed to ensure the final dataset focuses on incidents within the city limits of Fayetteville. We filtered the census tracts to only include those within the metropolitan boundary. To estimate "ShotSpotter Neighborhoods", we then conducted a spatial join where we selected the Tracts that "intersect" the ShotSpotter layer before creating a new variable to denote whether a tract is selected (1 to imply it is considered a ShotSpotter neighborhood) or not (0 means it is outside the ShotSpotter area).

Matching neighborhoods is a crucial step in quasi-experimental research, especially when random assignment isn't possible. By matching neighborhoods with and without ShotSpotter on factors such as previous crime rates and demographics, the comparisons, and consequently the results, are more fair and valid. By minimizing differences between groups, the research team can appropriately assess whether the neighborhoods selected for ShotSpotter monitoring were truly higher risk or if other factors influenced placement.

The MatchIt library in R was used to match neighborhoods based on several important factors, including:

1. Violent crime rate (per 1,000 residents)
2. Crimes involving a firearm rate (per 1,000 residents)
3. Demographics: race, gender, and age (under 25)
4. Economics: percent below the poverty line, veteran status, and Gini index of the neighborhood

The matching specification utilized the "optimal" distance to minimize the differences between units on the previously listed variables. Overall, these settings help ensure that the comparison is fair and that the results are reliable and meaningful in relation to the study's goals.

COST METHODOLOGY & DESCRIPTION OF COSTS METHODS

Methods

The research team completed an extensive review of the literature to locate current nationwide, and where possible state specific, estimates of the various costs. For medical costs, which typically rely on administrative data such as hospital and insurance claims data, there was a fair amount of current literature available. However, when it comes to police and criminal justice costs, where there are no market prices, cost estimates were more limited. Articles were chosen based on methods used, recency of data, and inclusion in other reputable sources or models (i.e. PIRE injury model, CDC WISQARS, Everytown's report on the cost of gun violence). Table 1 presents the estimates in 2024 dollars.

Table 1 – Cost estimates based on cost category, type of injury and unit of measurement

Cost Categories	Costs/Unit (2024 dollars)		
	No-Bodily Harm	Non-fatal Injury	Fatal Injury
Police Costs *(per incident)*	$1,630	$8,378	$228,215
Criminal Justice costs *(per arrest)*	$492	$1,348	$44,318
Incarceration* *(per arrest)*	$73,789	$105,413	$750,671
Medical costs** *(per victim)*	N/A	$32,901	$22,104
Work loss/ Productivity*** *(per victim, ages 18 to 64)*	N/A	$1,464	N/A
Loss of quality of life**** *(per victim)*	N/A	$62,351	$13,914,979

*Assumes the average time spent in prison for an assault is 2.5 years and 17.8 years for a homicide (Kaeble, 2021). In addition, it is assumed 65% of arrests result in a conviction (Chien, 2020).

** For fatal injuries, assume 26.7% die in an inpatient setting and 73.3% die in the ED (Miller et al, 2024).

*** Assumes the average number of work days lost is 11.3 days (Peterson, Xu & Barnett, 2021).

****For non-fatal quality of life it is assumed 55% of injuries are treated in ED and 45% are treated in an inpatient setting (Miller et al., 2024).

Description of Costs

Police costs: If a firearm violence incident is reported, the local police respond. Police costs include the labor costs of responding to and investigating a crime such as controlling a crime scene, conducting interrogations and arrests, and appearing in court. In addition, there is the cost of the equipment involved, including police vehicles, weapons, communication systems and information technology (P. E. Hunt et al., 2019). For police costs, we relied on Hunt et al., (2019) which is frequently cited in gun violence cost analysis (Everytown Research & Policy, 2022; T. R. Miller et al., 2021; Santa Clara County Public Health, 2022). Hunt et al., (2019) examined average variable costs based on police expenditure data and incorporated studies examining the amount of time spent for different types of crimes (Houston Police Department: Operational Staffing Model, 2014; Schlueter et al., 2011). Cost estimates are provided for the nation and by state.

Criminal Justice costs: Once there is an arrest, the costs associated with the legal system become involved. For this report, criminal justice costs include court administration, and public defenders and prosecutors. Hunt et al., (2017) takes a similar approach to the methods they included in the development of police costs - examining variable costs and incorporating the proportion of time spent by crime type. Cost estimates are provided for the nation and by state.

Incarceration costs: Once convicted, an offender is sent to prison. Costs associated with incarceration are typically based on state budgets for prisons, divided by the number of individuals imprisoned. USA Facts provides data from 2021 on the cost of prisons by state (USAFacts, 2024). Average time served is based on data from the US Dept of Justice from 2018 indicating the average time served for a homicide is 17.8 years, and 2.5 years for an assault (Kaeble, 2021). Since we do not have conviction data, the research team assumed that 65% of cases result in a conviction based on state data included in 'America's Paper Prisons: The Second Chance Gap' (Chien, 2020). We do not separately account for costs of jail time (time spent in the county jail while

COST METHODOLOGY & DESCRIPTION OF COSTS METHODS

awaiting trial). We assumed that jail time would be incorporated into the final sentence and actual time spent in prison.

Medical Costs: For victims of firearm violence who sustain non-fatal or fatal injuries there are the initial hospital costs associated with the event. Victims enter the hospital system through the emergency department (ED), and, if necessary, are then admitted into inpatient care. In addition, our model includes costs associated with the injury for a year following the initial event such as outpatient procedures, office visits, ED visits, mental health visits, and pharmacy services. Medical transport and coroner's fees (for fatal injuries only) are also included. For both fatal and non-fatal injuries we relied on Peterson et al., (2021) as they provided a one-year time frame and use data from both the Healthcare Cost and Utilization Project (hospital data) and Insurance claims data (outpatient data). The CDC also relies on Peterson et al., (2021) for calculation of medical costs associated with various types of injuries, including injuries from firearms (WISQARS cost of Injury). For fatal injuries, individuals may die in the ED, or after being admitted to, higher cost, inpatient care. We assume approximately 74% of fatal injuries only use ED services with the balance being admitted to inpatient care (G. F. Miller et al., 2024).

Mental health: The trauma of being a victim of firearm violence can be long lasting, as well as impacting family members. For this analysis, mental health visits for the victim, but not family members, are incorporated into the estimation of medical costs from Peterson et al., (2021).

Employer productivity loss: Work/productivity loss includes the loss of productivity due to a firearm injury. For these costs, wages represent the dollar estimate of lost productivity from missed days at work. Based on existing literature (Peterson, Xu, & Barnett, 2021), the average number of days lost due to injuries that are initially treated in the ED is 11.3 days, and the average income for an individual in Fayetteville is $142 per day (US Census, 2024). This cost was applied to victims who were of working age (18 to 64).

Quality of life: Quality of life is a way of assigning a value to how a person's life is changed as a result of an injury both in terms of quality and longevity of a life and is commonly used to evaluate medical treatments and interventions (Prieto & Sacristán, 2003). We rely on values determined in G.F. Miller et al., (2022) which incorporated the assessments of an expert panel of physicians to determine the impairment from an injury from a gun based on the location of injury and the Value of Statistical Life (VSL) - based on the amount people are willing to pay to save a life as well as other valuation methods (Peterson, 2021). These Quality of life valuations are consistent with what the CDC uses for their calculation of costs associated with injuries.

Unrepresented costs: The costs presented here are not all inclusive of the costs associated with firearm violence. Firearm violence can have wide and long-lasting effects that may not be represented in these cost estimates. While mental health costs related to the victim are included (part of medical costs), mental health costs related to family members and community members are not included. In terms of medical costs, the largest jump in costs tends to occur right after the event happens (Song et al., 2022). The initial medical costs and those through the first year are estimated and included, however, firearm victims may be reliant on ongoing medical care beyond the first year which are not included here. We could not identify a good, current proxy for lost wages, so while we include the employer's productivity loss we do not have lost wages (which would require estimating disability pay) for the victim.

In addition, there are costs that are not directly related to the incidents that are not included. There are many prevention and intervention programs that have been established to minimize firearm violence that are not accounted for in these estimates. We do not consider work-loss for perpetrators. Support programs for victims and their family, and programming to support offenders when they complete their sentences are not included. Lastly, there are unmet needs of survivors for resources which are not accounted for. Some victims may face barriers to treatment, particularly mental health treatment, such as stigma, lack of available resources and financial constraints (Everytown Research & Policy, 2024; Magee et al., 2023).

PRE-FOCUS GROUP SURVEY – DEMOGRAPHIC QUESTIONS

1. Are you 18 years or older?
    i. Yes
    ii. No

2. Which area below do you live in, or where do you spend a lot of time?
    i. Cliffdale
    ii. Murchson
    iii. Massey Hill
    iv. None of the above

3. How long have you lived in or been visiting [area]?
   Please write the number instead of the word (i.e., 1 instead of one).
    i. _____ years
    ii. _____ months

4. What state do you currently live in? [text box]

5. What is your zip code? [require numerical answer]

6. What is your gender?
    i. Woman
    ii. Man
    iii. Trans man/masculine
    iv. Trans woman/feminine
    v. Nonbinary/Genderqueer/Agender
    vi. Another gender not listed:

7. What is your race? [Select all that apply]
    i. American Indian or Alaska Native
    ii. Asian
    iii. Black or African American
    iv. Middle Eastern/Arab
    v. Native Hawaiian or Other Pacific Islander
    vi. White
    vii. Hispanic or Latino/a/e
    viii. Self describe:

8. Do you or have you formerly worked in any of the following professions (please check all that apply)?
    i. Military
    ii. Law enforcement
    iii. Prisons or jails
    iv. Private security
    v. Hunting/sporting/outdoors professions that may involve firearms.
    vi. None of the above

9. What is your date of birth?
    i. Month
    ii. Day
    iii. Year

10. What is the highest level of education you finished?
    i. Less than high school
    ii. High school/GED
    iii. Some college
    iv. Associates degree (2 year equivalent)
    v. Bachelor degree (4 year equivalent)
    vi. More than bachelor degree

TABLE OF FOCUS GROUP THEMES BY RESEARCH QUESTION

	Reported as current context of community	Reported as something that needs to be addressed/ facilitated	Context
Risk Factors & Community Challenges			
Negative neighborhood perceptions	X	X	Relates to disinvestment, ignores neighborhood strengths.
Neighborhood historical disinvestment	X	X	Limitations in resources for good quality of life.
Easy gun access & exposure	X	X	Youth can access guns without appropriate training or social-emotional skills.
Age (youth)	X	X	Youth drive gun violence (and is influenced by various individual and community factors).
Protective Factors & Community Strengths			
Credible & positive role models	X	X	The community has potential role models that could be connected with youth.
Social-emotional (SE) skills		X	Quick and over-reactions plus guns can lead to lethal outcomes.
Community cohesion	X	X	Some focus groups reported strong cohesion, some reported it as lacking.
Neighborhood historical roots	X		Historical elements were a point of pride.
Restorative practices		X	Some noted the need for holistic re-entry and approaches.
Current resources and growth	X	X	Participants highlighted current resources, like parks and schools.
Community policing practices		X	There's a desire for more community-oriented policing.

APPENDIX E

QUALITATIVE METHODOLOGY

In partnership with members of thegrouptheory, Inc. team, a Fayetteville-based community outreach organization, seven focus group discussions were conducted — two discussions per neighborhood area and an additional focus group of young adults (ages 18 to 24) across all neighborhoods. Participants were recruited at local public spaces (e.g, recreation centers) and in-person events, as well as through flyer distribution, listservs, and word of mouth. Discussions took place between December 2024 and July 2025. Participants also completed pre-discussion questionnaires to describe our qualitative sample.

Pre-Discussion Questionnaire

The pre-discussion questionnaire asked demographic questions as well as questions related to firearm attitudes and beliefs.

Two concepts from a research measure of gun-related beliefs were included, specifically: (a) neighborhood factors/concerns, referring to frequency and perceived need of guns, and (b) gun presence, referring to the presence of gun owners (Wamser-Nanney et al., 2020). Response options for questions on this measure ranged from one (strongly disagree) to seven (strongly agree). Higher scores indicate higher support/positivity towards guns.

Focus Group Discussion Content

Each focus group followed the same protocol. Questions about perceptions and experiences related to community strengths and challenges (e.g., "What's your favorite part of this community?"), causes of violence (e.g., "What have you heard or seen as causes of gun violence in this area?"), and strategies to prevent violence (e.g., "What do you think the community could do to prevent violence in this area?") were asked. Participants also reacted to the description of ShotSpotter.

Focus Group Analysis

Focus groups were recorded and transcribed word for word. The research team conducted inductive thematic analysis. First, transcripts were open-coded – words and phrases were assigned to transcript segments that summarized the data. A draft codebook – a set of these codes and how they connect to one another – was developed. The team then applied the draft codebook to three transcripts and further revised the codebook. The team began to draft and discuss the key ideas in the data at this point. Then, the transcripts were uploaded to Dedoose (Version 9.0.107), a qualitative analysis software that allows teams to code transcripts. After two team members coded each transcript, each team member drafted themes based on their coded data. These themes were discussed and refined into the results reported here by RJG with review from FRC and JM.

Limitations

It is important to understand that any finding or takeaway from the Community Perspective section should be taken with the following considerations in mind:

- Qualitative studies are not designed to produce data that can be generalized across communities. The rich information described here is used to situate recommendations for prevention within the local context.
- While community perceptions and experiences offer invaluable information for shaping community planning, perceptions should be cross-checked across varied forms of data to shape decision making.
- The average age of the focus group participants was 42. This is important context for reading findings related to youth development and, while some participants in the 18-24 range also participated in focus groups, the relative skew of our focus group members could have influenced the particular assumptions and prevention plans.



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City Council Action Memo

File Number: 26-0003

Agenda Date: 1/26/2026 **Version:** 4 **Status:** Agenda Ready

In Control: City Council Regular Meeting **File Type:** Other Items of Business

Agenda Number: 9.02

TO: **Mayor Colvin and Members of City Council**

THRU: **N/A**

FROM: **Lachelle H. Pulliam, City Attorney**

DATE: **January 26, 2026**

RE:
Receive Fire Station #4 Construction Defect Assessment Report from ABS

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:
Goal I: Safe and Secure Community
Priority I: Ongoing Commitment to a Comprehensive Approach to Community Safety

Executive Summary:
As part of the litigation, the City retained Applied Building Sciences (ABS) to conduct destructive testing on the partially constructed Fire Station #4 after the City terminated its contract with W.B. Brawley due to deficient construction. Mr. Steve Moore of ABS will present the results of the testing, the firm's final report, and its professional recommendations to City Council.

Background:
In June 2022, the City contracted with W.B. Brawley to construct fire station #4. Brawley did not construct the building according to the architectural plans and specifications. Brawley's work was insured by surety bonds issued by Travelers Casualty and Surety Company of America (Travelers). Travelers failed to honor the bonds, refusing to complete the construction or pay the City to complete the project. The City sued Brawley and Travelers. Because Brawley and Travelers failed to perform under the associated contracts and bonds, the City must complete the project. The City elected to perform destructive testing on the building to confirm deficiencies as identified by the project architect and City staff during construction. The goal of the testing was to determine whether the building was constructed according to the architectural plans and specifications, as well as document the condition of the building for the upcoming legal proceedings.

Issues/Analysis:
The City hired Applied Building Sciences (ABS), an independent engineering firm, to conduct destructive testing and assess the condition of the partially constructed Fire Station #4 after the construction contract was terminated. The purpose of this work was to determine whether the building was constructed in accordance with the approved plans and specifications and to document its condition.

The ABS report is being presented directly to City Council to ensure full transparency on this public project, which has generated significant public interest. Council's role at this stage is to receive the independent findings, ask questions of the consultant, and provide direction on how to move forward.

Budget Impact:

The original contract price was $9M and about half of that has been spent on the project to date, including additional costs related to the breaches of Brawley and Travelers. Projected completion costs as of today are unknown but estimated to exceed $9M.

Options:

1. Receive the ABS report and presentation, ask questions of the consultant, and provide direction to staff regarding next steps based on the findings and recommendations presented.
2. Receive the ABS report and presentation and direct staff to undertake additional analysis or return with alternative options for Council consideration.

Recommended Action:

Staff recommends that Council receive the ABS report and presentation, ask questions of the consultant, and provide direction to staff regarding next steps based on the findings and recommendations presented.

Attachments: