



City of Fayetteville

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

Meeting Agenda - Final City Council Regular Meeting

Monday, February 12, 2024

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

7.0 CONSENT AGENDA

7.01 [24-3835](#) Approval of Meeting Minutes:
January 17, 2024 - Agenda Briefing
January 22, 2024 - Discussion of Agenda Items
January 22, 2024 - Regular
January 29, 2024 - Special
January 30, 2024 - Special
January 31, 2024 - Special

Attachments:

[011724 Agenda Briefing](#)
[012224 Discussion of Agenda Items](#)
[012224 REG](#)
[012924 Special - Strategic Planning](#)
[013024 Special - Strategic Planning](#)
[013124 - Special - Murchison & Farmer's Market](#)

- 7.02 [24-3837](#) SUP23-09 Order of Approval - Findings of Fact: Special Use Permit to allow Transitional Housing at 344, 348 352 Hawley Lane and unaddressed Plummers Lane (REID # 0437848219000, 0437848347000, 0437848464000, 0437849540000), and being the property of Cumberland County Board of Education, and Cumberland, represented by Jimmy Kizer, Moorman, Kizer & Reitzel, Inc. and Jermaine Walker, Cumberland County.
- Attachments:** [SUP23-09 Findings of Fact](#)
[Application](#)
[Aerial Notification Map](#)
[Zoning Map](#)
[Land Use Plan](#)
[Subject Property](#)
[Surrounding Properties](#)
[Hawley Lane Site Plan](#)
[PowerPoint Hawley Lane SUP](#)
[TRC Comment Letter](#)
- 7.03 [24-3780](#) Adoption of Capital Project Ordinance Amendment 2024-13 to Appropriate Additional Funding for the Purchase of a Replacement Aircraft Rescue and Firefighting Vehicle
- Attachments:** [PFC Amendment app 9](#)
[Fayetteville Striker Proposal 1.18.23](#)
[CPOA 2024-13](#)
- 7.04 [24-3803](#) Approval of Updated Liberty Springs Apartments Affordable Housing Rehabilitation Loan Commitment Letter
- Attachments:** [Liberty Springs Commitment Letter 2.12.2024](#)
- 7.05 [24-3836](#) Approval of the Transit 2024-2028 Equal Employment Opportunity Program
- Attachments:** [FINAL DRAFT EEO Program \(2024-2028\)](#)
- 7.06 [24-3822](#) PWC - Third Amendment to Lease of Suite 102 of R. C. Williams Building
- Attachments:** [Softact Solutions - 3rd Amendment to Lease 2024-DL-PE](#)
- 7.07 [24-3819](#) PWC - Sole Source Recommendation - Purchase and Installation of Cla-Val Pump Control Valve
- Attachments:** [Sole Source Request - Charles Underwood](#)

7.08 [24-3817](#) PWC - Bid Recommendation - Readvertisement of Design-Build Services - Line 54-Inch Outfall Research Drive to I-95 Project

Attachments:

[Bid Recommendation - Design-Build - 54 Inch Line - I-95](#)

[CITY Resolution Design Build \(002\)](#)

8.0 PUBLIC FORUM

9.0 ADMINISTRATIVE REPORTS

Administrative Reports on a Regular Meeting agenda are for City Council review/information only. Should it be the consensus of the collective City Council, Administrative Reports will be moved forward to be placed on the next Work Session agenda for further review and discussion.

- 9.01** [24-3821](#) Cool Spring Downtown District, Inc. Second Quarter Fiscal Year 2024 Report

Attachments: [CSDD Quarterly Report October 1, 2023- December 31, 2023](#)

9.0 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@ci.fay.nc.us or by calling 910-433-1312 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

February 12, 2024 - 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@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.



City of Fayetteville

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

City Council Action Memo

File Number: 24-3835

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.01

TO: Mayor and Members of City Council

THRU: Jeffrey Yates, Assistant City Manager

FROM: Pamela J. Megill, MMC, City Clerk

DATE: February 12, 2024

RE:

Approval of Meeting Minutes:

January 17, 2024 - Agenda Briefing

January 22, 2024 - Discussion of Agenda Items

January 22, 2024 - Regular

January 29, 2024 - Special

January 30, 2024 - Special

January 31, 2024 - Special

COUNCIL DISTRICT(S):

ALL

Relationship To Strategic Plan:

Develop and maintain strong community connections.

Executive Summary:

The Fayetteville City Council conducted meetings on the referenced date during which they considered items of business as presented in the draft.

Background:

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

Issues/Analysis:

N/A

Budget Impact:

N/A

Options:

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

Recommended Action:

Approve the draft minutes.

Attachments:

Draft minutes

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FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
ZOOM
JANUARY 17, 2024
5:00 P.M.

Present: Council Members Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8)

Absent: Mayor Mitch Colvin and Council Members Katherine K. Jensen (District 1); Derrick Thompson (District 6); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Byron Reeves, Assistant Public Works Director
Gerald Newton, Development Services Director
David Steinmetz, Development Services Assistant
Director
Will Deaton, Planning and Zoning Manager
Craig Harmon, Senior Planner
Heather Eckhardt, Planner II
Pamela Megill, City Clerk

1. CALL TO ORDER

Mr. Douglas Hewett, City Manager, asked staff to begin their presentations at 5:04 p.m.

2. AGENDA BRIEFING - Review of Items for the January 22, 2024, City Council Meeting

P23-52. Rezoning from Single-Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) located at 1319 Camden Road (REID # 0436163935000) totaling .54 acres ± and being the property of Darren and LaAdah Demus represented by Lori Epler of Larry King & Associates.

P23-55. Conditional rezoning from Community Commercial (CC) to Light Industrial Conditional Zoning (LI/CZ) located at 716 Whitfield Street (REID # 0436183799000) totaling 2.43 acres ± and being the property of Food Properties LLC.

P24-06. Rezoning from Single-Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) located at 201 Rosemary Drive (REID # 0428489415000) totaling 9.66 acres ± and being the property of Fayetteville Metropolitan Housing Authority, represented by Fred Ford of Stogner Architecture, PA.

PUBLIC HEARINGS (Public & Legislative Hearings)

P23-49. Conditional Rezoning of 1.42 acres ± from Mixed Residential 5 (MR-5) to Heavy Industrial (HI/CZ), located at 1009, 1015, and 0 North Street (REID #s 0438700243000, 0438700340000, and 0438609391000), and being the property of DRA LLC, represented by Thomas Lloyd of Franklin Johnson Commercial Real Estate.

P23-53. Rezoning from Single-Family Residential 10 (SF-10) to Single-Family Residential 6 (SF-6) located at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

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EVIDENTIARY HEARINGS

P24-01. Special Use Permit to locate a Duplex (two- to four-family dwelling) at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:52 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
011724

MITCH COLVIN
Mayor

DRAFT

FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD CONFERENCE ROOM, CITY HALL
JANUARY 22, 2024
6:00 P.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffery Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Kemberle Braden, Police Chief
Gerald Newton, Development Services Director
Sheila Thomas-Ambat, Public Services Director
Chris Cauley, Economic and Community Development Director
Loren Bymer, Marketing & Communications Director
Leslie Mozingo, Lobbyist
Pamela Megill, City Clerk
Members of the Press

Mayor Colvin called the meeting to order at 6:00 p.m.

Mayor Colvin asked the Council to review the regular agenda for the January 22, 2024, meeting.

Council Member Davis stated he intends to pull Items 9.01, 9.02, and 10.01 to table all as requested by the applicant.

Mr. Douglas Hewett, City Manager, stated Item 11.01, Murchison Choice Implementation Grant Application, needs to be tabled to the special meeting scheduled for January 31, 2024, at 5:00 p.m.

Ms. Leslie Mozingo, Lobbyist, provided an overview of Item 8.01, Federal Action Plan 2024.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:28 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
012224

MITCH COLVIN
Mayor

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**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JANUARY 22, 2024
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7) (via zoom); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Kemberle Braden, Police Chief
Gerald Newton, Development Services Director
Loren Bymer, Marketing & Communications Director
Chris Cauley, Economic and Community Development Director
Sheila, Thomas-Ambat, Public Services Director
Byron Reeves, Assistant Public Services Director
Lisa Harper, Senior Assistant City Attorney
Craig Harmon, Senior Planner
Leslie Mazingo, Lobbyist
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order.

2.0 INVOCATION

The invocation was offered by Pastor George Coney, House of Prayer.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Senator Val Applewhite presented the Order of the Long Leaf Pine award to Dr. Toney Coleman, retired Airport Director, for his more than 30 years of service.

Mayor Colvin extended an invitation to faith leaders and community partners to dialogue about the youth and other community concerns.

5.0 CITY MANAGER REPORT

Mr. Hewett thanked the Council members who attended the service awards for 104 employees who contributed 1,385 hours of service. Ms. Selena Washington, Athletic Program Coordination, Parks and Recreation, celebrated 40 years of service.

The City Council Annual Retreat is scheduled for January 29-30, 2024, at the Dorothy Gilmore Recreation Center.

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Mr. Hewett stated the City Manager newsletter is published weekly and residents can sign up to receive it via the City's website.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Thompson moved to approve the agenda.
SECOND: Mayor Pro Tem Jensen
VOTE: UNANIMOUS (10-0)

7.0 CONSENT AGENDA

MOTION: Council Member Thompson moved to approve the consent agenda.
SECOND: Mayor Pro Tem Jensen
VOTE: UNANIMOUS (10-0)

7.01 Approval of Meeting Minutes:

January 2, 2024 - Work Session
January 8, 2024 - Discussion of Agenda Items
January 8, 2024 - Regular

7.02 P23-52. Rezoning from Single-Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) located at 1319 Camden Road (REID # 0436163935000) totaling .54 acres ± and being the property of Darren and LaAdah Demus represented by Lori Epler of Larry King & Associates.

7.03 P23-55. Conditional rezoning from Community Commercial (CC) to Light Industrial Conditional Zoning (LI/CZ) located at 716 Whitfield Street (REID # 0436183799000) totaling 2.43 acres ± and being the property of Food Properties LLC.

7.04 P24-06. Rezoning from Single-Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) located at 201 Rosemary Drive (REID # 0428489415000) totaling 9.66 acres ± and being the property of Fayetteville Metropolitan Housing Authority, represented by Fred Ford of Stogner Architecture, PA.

7.05 Adoption of Capital Project Ordinance Amendments 2024-10 and 2024-11 for the Neville Street Drainage Improvements Project

Capital Project Ordinance Amendments (CPOA) 2024-11 to appropriate funding from the Stormwater Capital Fund in the amount of \$476,179.00 to cover the local match of \$326,927.00 and additional funding of \$149,252.00 needed in CPOA 2024-10 for the Neville Street Drainage Improvement Program.

CPOA 2024-10 to appropriate the funds that were transferred from CPOA 2024-11. CPOA 2024-10 appropriates the \$476,179.00 from CPOA 2024-11 and the \$966,524.00 PWC funds provided for the related utility improvements, as outlined in the attached reimbursable agreement. CPOA 2024-10 also reduces the FEMA grant funds by \$326,927.00 to represent the funding received by the FEMA grant.

7.06 Approval of Extension to Award Letter Expiration for Cliffmore Park Apartments

Approval of the six-month extension of the previous award letter for funding in the amount of \$683,968.00 for Cliffmore Park Apartments from the City's Rental Housing Development Program and allow the Director of Economic and Community Development to grant similar extensions for this project in the future.

7.07 Resolution Authorizing Condemnation of Permanent and Temporary Easements on the Property Needed for the Yadkin Road Phase III Sidewalk Project Located at 5030 Yadkin Road

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION OF PERMANENT AND

DRAFT

TEMPORARY EASEMENTS ON REMAINING PARCEL LOCATED AT 5030 YADKIN ROAD FOR THE YADKIN ROAD PHASE III SIDEWALK PROJECT. RESOLUTION NO. R2024-004

7.08 Approve the Addition of Builder's Risk Insurance to Terminal Renovations Phase III Construction Contract with Daniels & Daniels Construction Company, Inc.,

Approval of the addition of builder's risk insurance to the contract with Daniels & Daniels Construction Company, Inc., for the Terminal Renovations Phase III project. The cost of the insurance is \$5,600.00.

7.09 Catalyst Site 1 Memorandum of Understanding with Fayetteville State University - Six-Month Update

Fayetteville State University (FSU) has submitted their required six-month update on the three-year Memorandum of Understanding (MOU) for the Catalyst Site. City Council received the report.

7.010 Rose Lake Temporary Detention FEMA BRIC Grant Submittal

In FY 2019, City Council authorized a fee increase and directed staff to accelerate its watershed study program and related capital project program to help control stormwater runoff, reduce localized minor flooding, and improve our resiliency to major flooding. At the September 5, 2023, Council work session, staff presented an update on the Cross Creek Watershed Master Plan. This update focused on analysis of Cross Creek flooding through downtown Fayetteville and potential improvement concepts. Staff recommended Council provide approval to pursue funding sources for both the Channel Improvement and Rose Lake options, which Council approved.

Staff are now bringing an update on the Rose Lake temporary detention concept. Additional analyses have demonstrated that the temporary detention concept will reduce downstream structure flooding and reduce the depth and duration of Cross Creek overtopping downstream roadways. Further evaluation of the concept has also identified considerations related to property acquisition and long-term maintenance associated with the temporary detention concept. Council approval to submit a FEMA BRIC grant application to fund the detailed design and construction of the Rose Lake temporary detention concept.

7.011 PWC - Lease of Suite 301 of R.C. Williams Building

The Fayetteville Public Works Commission (PWC) negotiated a new lease with Movement Mortgage, LLC., for Suite 301 of the R.C. Williams Building for an annual rent of \$49,588.00 with an escalation of 3 percent yearly. Council approval of the lease with Lessee.

8.0 STAFF REPORTS

8.01 Federal Action Plan 2024

Ms. Jodi Phelps, Chief of Staff, introduced this item and stated the City of Fayetteville engages with the federal legislators and government agencies to support policy and funding opportunities that align with Council's identified priorities and objectives. These efforts ensure the protection and preservation of essential community assets and resources, expansion of critical services and infrastructure supporting residents, and initiatives that allow the City to thrive.

Ms. Leslie Mazingo, the City's federal lobbyist, briefed the City Council regarding the draft Federal Action Plan, to include the following: Economic Development, Military/Department of Defense, Public Infrastructure and Transportation, Public Safety, and Quality of Life.

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Discussion ensued.

MOTION: Council Member Thompson moved to formally adopt the Federal Action Plan 2024.
SECOND: Council Member Benavente
VOTE: UNANIMOUS (10-0)

9.0 PUBLIC HEARINGS (Public & Legislative Hearings)

9.01 P23-49. Conditional Rezoning of 1.42 acres ± from Mixed Residential 5 (MR-5) to Heavy Industrial (HI/CZ), located at 1009, 1015, and 0 North Street (REID #s 0438700243000, 0438700340000, and 0438609391000), and being the property of DRA LLC, represented by Thomas Lloyd of Franklin Johnson Commercial Real Estate.

MOTION: Council Member Davis moved to table this item to the February 12, 2024, City Council meeting agenda, as requested by the applicant.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

9.02 P23-53. Rezoning from Single-Family Residential 10 (SF-10) to Single-Family Residential 6 (SF-6) located at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

MOTION: Council Member Davis moved to table this item to the February 26, 2024, City Council meeting agenda, as requested by the applicant.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

10.0 EVIDENTIARY HEARINGS

10.01 P24-01. Special Use Permit to locate a Duplex (two- to four-family dwelling) at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

MOTION: Council Member Davis moved to table this item to the February 26, 2024, City Council meeting agenda, as requested by the applicant.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

11.0 OTHER ITEMS OF BUSINESS

11.01 Murchison Choice Implementation Grant Application - Partnership Certification and Leverage

MOTION: Council Member Haire moved to table this item to the January 31, 2024, special meeting.
SECOND: Council Member Hondros
VOTE: UNANIMOUS (10-0)

12.0 ADMINISTRATIVE REPORTS

12.01 FY 2024 2nd Qtr. City Council Scorecard

This item was for information only and was not presented.

12.02 Demolition Update for 901 Person Street and 4903 Murchison Road

This item was for information only and was not presented.

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13.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:38 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
012224

MITCH COLVIN
Mayor

DRAFT

FAYETTEVILLE CITY COUNCIL
STRATEGIC PLANNING RETREAT MINUTES
DOROTHY GILMORE THERAPEUTIC RECREATION CENTER
PURDUE DRIVE, FAYETTEVILLE
JANUARY 29, 2024
10:00 A.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Kemberle Braden, Police Chief
Moisbiell Alvarez, Interim Fire Chief
Gerald Newton, Development Services Director
Chris Cauley, Economic and Community Development Director
Sheila Thomas-Ambat, Public Services Director
Jerry Clipp, Human Resource Development Director
Michael Gibson, Parks, Recreation and Maintenance Director
Tyffany Neal, Transit Director
Rose Rasmussen, Internal Audit Director
Willie Johnson, Interim Chief Information Officer
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 10:00 a.m. and welcomed everyone in attendance.

2.0 INVOCATION

Council Member Haire offered the invocation.

3.0 ITEMS OF BUSINESS - FY 2023 STRATEGIC PLANNING RETREAT

Ms. Julie Brenman, Senior Consultant, Fountain Works, introduced herself and Ms. Laura Robinson, Learning and Development Manager. Ms. Brenman briefed the Council on the agenda for the next two days of the retreat, provided an orientation, and asked each Council member to come up with their two top priorities for the City. Ms. Brenman also went over the ground rules for the meetings. The first exercise was to celebrate the many accomplishments and recognize their successes.

The following item was addressed and discussed: build on Fayetteville Context Map.

Mayor Colvin recessed the meeting at 11:40 a.m. and reconvened the meeting at 12:30 p.m.

The retreat continued and the following items were discussed: Strategic Priorities, Consideration of roles identified, explore how to measure success, envision the future of Fayetteville, what it means to be strategic.

Discussion ensued.

4. ADJOURNMENT

DRAFT

There being no further business, the meeting adjourned at 3:30 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

012924

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FAYETTEVILLE CITY COUNCIL
STRATEGIC PLANNING RETREAT MINUTES
DOROTHY GILMORE THERAPEUTIC RECREATION CENTER
PURDUE DRIVE, FAYETTEVILLE
JANUARY 30, 2024
10:00 A.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Kemberle Braden, Police Chief
Moisbiell Alvarez, Interim Fire Chief
Gerald Newton, Development Services Director
Chris Cauley, Economic and Community Development Director
Sheila Thomas-Ambat, Public Services Director
Jerry Clipp, Human Resource Development Director
Michael Gibson, Parks, Recreation and Maintenance Director
Tyffany Neal, Transit Director
Rose Rasmussen, Internal Audit Director
Willie Johnson, Interim Chief Information Officer
Robert Van Geons, FCEDC President/CEO
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 10:00 a.m. and welcomed everyone in attendance.

2.0 INVOCATION

Council Member Thompson offered the invocation.

3.0 ITEMS OF BUSINESS - FY 2023 STRATEGIC PLANNING RETREAT

Mr. Robert Van Geons, FCEDC President/CEO, presented an Economic Update, and asked the City Council where they would like the FCEDC to focus our efforts on in 2024. Mr. Van Geons stated Fayetteville's centralized location on I-95 gives you easy and cost-effective access to your customers and supply. Mr. Van Geons provided a handout on statistics for Fayetteville that capture why it is a great place to live, work, and recreate, to open businesses, enter the workforce, and enroll in higher education.

Discussion ensued.

Mr. Jeffrey Yates, Assistant City Manager, gave a presentation on the FY 23-24 Budget challenges and opportunities.

Discussion ensued.

The retreat continued and the following items were discussed and addressed: review of strategic priorities, consideration of roles identified, sort and prioritize strategic priorities, explore how to measure success, create decision filters for emerging priorities.

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4.0 ADJOURNMENT

There being no further business, the meeting adjourned at 3:01 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

013024

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FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL, 433 HAY STREET, FAYETTEVILLE
JANUARY 31, 2024
5:00 P.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Brenda McNair (District 7) (via zoom); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Absent: Council Member Derrick Thompson (District 6)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Kelly Olivera, Assistant City Manager
Jeff Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Lisa Harper, Senior Assistant City Attorney
Chris Cauley, Economic and Community Development Director
Michael Gibson, Parks, Recreation and Maintenance Director
Kemberle Braden, Police Chief
Loren Bymer, Marketing & Communications Director
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Haire.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by City Council.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Benavente moved to approve the agenda.

SECOND: Council Member Banks-McLaughlin

VOTE: UNANIMOUS (9-0)

5.0 ITEMS OF BUSINESS

5.1 Murchison Choice Implementation Grant Application - Partnership Certification and Leverage

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated 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 with a strong commitment to diversity and inclusion. 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 percent of those housing units within the neighborhood as part of new mixed-income developments.

DRAFT

The Choice Implementation Grant was announced on September 6, 2023, and is due by February 13, 2024. 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. The following is 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.

In Fayetteville, the grant will propose to utilize approximately \$20 million to demolish Murchison Townhomes and develop 207 units of mixed-income housing at the Elliot Circle site. 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. A future affordable development consisting of approximately 88 units will be developed on the Murchison Townhomes site, outside of the Choice grant but potentially coinciding with the project schedule.

Multiple People and Neighborhood enhancements will also be funded by approximately \$4 and \$3 million 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.

USI was brought on board to assist with the development and execution of the People and Neighborhood plans while FMHA and JBS serve as co-developers of the Housing plan mentioned above.

DRAFT

The grant requires a legally binding agreement by and between all parties to implement their portion of the Murchison Choice Implementation grant and requires significant leverage from the community. A variety of government partners, nonprofits, and other institutions have submitted leverage letters to support the application.

Funding in the amount of approximately \$27 million (final housing projections may increase the grant amount marginally) will be made available through the HUD Choice Neighborhood Implementation Grant. However, additional funds are required to support the grant and provide financing for the Housing Plan. The City must commit at least \$1,500,000.00 of Community Development Block Grant funding to the Transformation Plan over the eight-year period. The City will pledge up to \$4.5 million in available HOME Investment Partnership funds to support the Housing Development.

The Housing Plan also requires local dollars to close projected financial gaps in the multi-family, residential façade improvements, and homebuyer portions of the plan. These efforts will require the City to fund up to \$6 million in local housing funds. The Housing Opportunity General Obligation Bond was approved by voters in 2022 and can be utilized for acquisition, construction, demolition, rehabilitation, and down payment assistance for qualified homebuyers. These funds will require a property tax rate increase, which is currently estimated to not exceed 0.275 cents per \$100.00 in property value. Prior to budget adoption, staff will be working to ensure the timing of these funds takes advantage of market conditions to keep the cost of borrowing low.

Discussion ensued.

MOTION: Council Member Haire moved to authorize the Mayor to sign a leverage letter and the City Manager to sign a Partnership Agreement substantially similar to the one presented.

SECOND: Council Member Benavente

VOTE: UNANIMOUS (9-0)

5.2 International Farmer's Market Partnership with Cumberland County

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, presented this item and stated Cumberland County Commissioner Jimmy Keefe gave a presentation to the Board recommending the County establish an International Farmers Market near Veterans Park at the intersection of Bragg Boulevard and West Rowan Street in Fayetteville. Commissioner Keefe presented a proposed site rendering that included space for street food and pop-up vendors, as well as amenities such as a main hall, farmer co-op, incubator kitchen, international market, admin building, food education area, restrooms, splash pad and a stage. He said the project could be a partnership between the County, City of Fayetteville, Cooperative Extension, USDA and others. He provided a cost estimate ranging between \$15 and \$23.7 million and suggested the County could pursue funding from grants and other sources, including the use of a portion of the County's American Rescue Plan Act (ARPA) funding.

Discussion ensued.

MOTION: Council Member Haire moved to state the City Council approves the partnership to work with Cumberland County on the International Farmers Market project, the Mayor and City Manager to be included in future discussions.

SECOND: Council Member Davis

VOTE: UNANIMOUS (9-0)

DRAFT

6.0 ADJOURNMENT

There being no further business, the meeting adjourned at 5:57 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
013124

MITCH COLVIN
Mayor



City of Fayetteville

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

City Council Action Memo

File Number: 24-3837

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.02

TO: Mayor and Members of City Council

**THRU: Kelly Olivera - Assistant City Manager
Dr. Gerald Newton, AICP - Development Services Director**

**FROM: Will Deaton, AICP - Planning & Zoning Division Manager
Craig Harmon, CZO, Senior Planner**

DATE: February 12, 2024

RE:

SUP23-09 Order of Approval - Findings of Fact: Special Use Permit to allow Transitional Housing at 344, 348 352 Hawley Lane and unaddressed Plummers Lane (REID # 0437848219000, 0437848347000, 0437848464000, 0437849540000), and being the property of Cumberland County Board of Education, and Cumberland, represented by Jimmy Kizer, Moorman, Kizer & Reitzel, Inc. and Jermaine Walker, Cumberland County.

COUNCIL DISTRICT(S):

2 - Malik Davis

Relationship To Strategic Plan:

Strategic Operating Plan FY 2022

Goals 2027

Goal I: Safe and Secure Community

- Objective 1.3 - To ensure low incidence of property and violent crime

Goal III: City Investment in Today and Tomorrow

- Objective 3.2 - To manage the City's future growth and strategic land use.
- Objective 3.3 - To sustain a favorable development and business climate through timely and accurate construction review and building inspection services

Goal IV: Desirable Place to Live, Work and Recreate

- Objective 4.5 - To ensure a place for people to live in great neighborhoods

Executive Summary:

Evidentiary Hearing:

During an Evidentiary Hearing, the burden of demonstrating that an application complies with applicable review and approval standards of this Ordinance is on the applicant, which shall be demonstrated by competent, material, and substantial evidence. The burden is not on the City or other parties to show that the standards have not been met by the applicant.

The proposed tenant is a Transitional Shelter Facility to be owned by Cumberland County. The Unified Development Ordinance (UDO) requires a Special Use Permit (SUP) in the DT-2 district to operate this type of use. As part of the Council's consent agenda is a request to rezone these properties to DT-2/CZ. The use in question is not allowed in the Current MR-5 - Mixed Residential 5 district.

On January 8, 2024, the City Council held an Evidentiary Hearing regarding this application. The Council voted 10-0 to approve.

Background:

Applicant: Jimmy Kizer, Moorman, Kizer & Reitzel, Inc

Owner: County of Cumberland, represented by Jermaine Walker

Requested Action: Conditional rezoning to DT-2/CZ

REID #: 0437848219000, 0437848347000, 0437848464000, 0437849540000

Council District: 2 - Shakeyla Ingram

Status of Property: 1 Single Family Structure at 348 Hawley Ln, remaining is vacant

Size: 1.86 acres

Adjoining Land Use & Zoning:

- North: MR-5, LC & CC - Vacant and Commercial
- South: DT-2 - Board of Education Property
- East: DT-2 & CC - Board of Education Property & Commercial
- West: MR-5 & LC - Vacant - Flood Zone

Annual Average Daily Traffic: "B" Street: 5,900 (2018)

Letters Mailed: 128

Additional Reviews: This project was reviewed by the Technical Review Committee and standard comments were provided (see attached).

Land Use Plans:

With the adoption of the 2040 Comprehensive Plan: Future Land Use Map & Plan on May 26, 2020, all properties within the city limits as well as properties identified as being in the Municipal Influence Area (MIA) are subject to this plan.

According to the Plan, it is recommended that this portion of the city should be developed as Official/Institutional (OI). The Official/Institutional designation calls for Medium-intensity nonresidential uses. Light industrial, office, flexspaces, warehouse, large schools/institutions. Businesses or buildings grouped, sometimes in business parks. This area also includes utilities and City services.

Issues/Analysis:

History:

The subject property and immediate area have been within the city limits of Fayetteville since the 1800s. Per Cumberland County GIS records, the subject properties were almost all developed by 1968. By 2008 only one house remained.

Surrounding Area:

The surrounding properties are a mix of residential, commercial and institutional in nature with many vacant lots and flood zone as well.

Special Use Permit Request:

The applicant is requesting a Special Use Permit to build and operate a Transitional Housing shelter on the properties in question.

According to the applicant Cumberland County, they would like to construct a transitional housing facility adjacent to the existing Cumberland County Schools Facility that is currently being used by FTCC for vocational training. The proposed facility would be used to temporarily house homeless citizens and provide them is services and assistance to help them transition back to a stable quality of life. The facility will be used 24/7, with a larger staff being present during weekly and daily working hours to assist residents. The facility will house staff at all time to help monitor and minimize the movement of residents during non-working hours.

The application is only to address the allowance of a Transitional Housing shelter. owever., The SUP must meet the following findings of facts:

- (1) The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
According to Section 30-4.C.2.b.6. Transitional Housing:

A transitional housing facility shall be located at least 2,640 feet (approximately one-half mile) from any other group home, therapeutic home, community reintegration center, or transitional housing if located in a residential zoning district. If located in a business zoning district, the 2,640-foot separation standard may be reduced or waived through the special use permit process based on mitigating circumstances which may include, but are not limited to, topographical or transportation facility barriers (such as rivers, railways, and major highways), degree or extent of separation from other such uses, and surrounding neighborhood characteristics (including proximity to social services and public transportation).

According to the State of North Carolina records, there are no group homes, therapeutic homes, community reintegration centers, or transitional housing facilities located within 2,640 feet of this proposed facility. And;

According to the application, The transitional housing will be built to all UDO standards for the zoning district. It complies with all special use UDO standards. The site will be complimentary to the existing FTCC facility which is used for training courses. The existing school sit provides a logical extension of a governmental facility used to better the services to citizens. The facility has a natural buffer of

Blounts Creek and is also in close proximity to Grove Street.

- (2) The special use will be in harmony with the area in which it is located;

According to the applicant "The special use accommodates the construction of an additional governmental facility that would leverage the training taking place at the existing school facility, so would be in harmony with area uses."

- (3) The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;

The applicant states "A majority of the surrounding properties are governmental therefore it is not anticipated to endanger public health or safety and aligns with adjacent properties."

- (4) The special use is in general conformity with the City's adopted land use plans and policies;

According to the applicant, the "This transitional housing is more than 2640 feet from any other transitional housing. It is surrounded by mostly governmental owned properties. Has a natural buffer of Blounts Creek and also a buffer of Grove Street."
And;

"It would provide services to house homeless citizens and provide them with services and assistance to help them to transition back into a stable quality of life. It would operate 24/7 with a larger staff during the week and daytime to assist residents. It would house staff at all times to help monitor and minimize the movements of residents during non-work hours."

- (5) The special use will not substantially injure the value of the abutting land, or the special use is a public necessity; and

According to the application, "The abutting land is also mostly governmental therefore will not injure the value. The special use provides a public necessity by providing transitional housing to the homeless and then in turn would be able to have a place to provide assistance and services to transition them back to a stable quality of life."

- (6) The special use complies with all other relevant City, State, and Federal laws and regulations.

The applicant states that they "will comply with all other relevant City, State, and Federal laws and regulations."

Note: The properties in question must first be rezoned to a commercial zoning district. In this case, the applicant has also applied for a conditional rezoning to DT-2/CZ - Downtown 2 Conditional. That rezoning appears on the Council's agenda as a consent

item. If the property is not rezoned to a commercial district, this SUP application is no longer valid.

Budget Impact:

The City would not be required to provide an increase in public services.

Options:

- 1) Approval of Findings as presented by the staff;
- 2) Approval of Finding with specific changes.

Recommended Action:

Staff recommends option #1 above.

Attachments:

1. SUP23-09 Findings of Fact
2. Application
3. Aerial Map
4. Zoning Map
5. Land Use Plan Map
6. Subject Property
7. Surrounding Properties
8. Site Plan
9. PowerPoint
10. TRC Comment Letter

CITY OF FAYETTEVILLE
STATE OF NORTH CAROLINA
ORDER TO APPROVE A SPECIAL USE PERMIT

The issuance of a Special Use Permit to allow Transitional Housing to be located in a Conditional Downtown 2 District (DT-2/CZ).

SUP 23-09

Property Address: 344, 348, and 352 Hawley Lane and unaddressed Plummers Lane
Tax Map Number: REID #s 0437848219000, 0437848347000, 0437848464000, and 0437849540000

Property Owners: Cumberland County Board of Education and Cumberland County

The City Council for the City of Fayetteville, NC, held an evidentiary hearing on January 8, 2024, after the item was tabled from the City Council's November 27, 2023, agenda, to consider a Special Use Permit request filed by Jimmy Kizer of Moorman, Kizer & Reitzel, Inc., and Jermaine Walker of Cumberland County ("Applicants"), on behalf of Cumberland County Board of Education and Cumberland County Government ("Property Owners"), to issue a Special Use Permit to allow Transitional Housing to be located on property at 344, 348, and 352 Hawley Lane and unaddressed Plummers Lane, Fayetteville, NC ("Subject Property"). The Subject Property is presently zoned as Conditional Downtown 2 District (DT-2/CZ).

On November 13, 2023, a notice of evidentiary hearing was mailed to the Property Owners and all the owners of property within 1,000 feet of the Subject Property. On November 17, 2023, a notice of evidentiary hearing sign was placed on the Subject Property. On November 17 and 24, 2023, a notice of evidentiary hearing advertisement was placed in the legal section of *The Fayetteville Observer*.

This item appeared on the City Council's November 27, 2023, agenda as an Evidentiary Hearing, Council Member Ingram moved to table the item until January 8, 2024. On January 8, 2024, the City Council held its Evidentiary Hearing regarding this case.

Having considered all of the sworn testimony, evidence, and oral arguments submitted at the hearing by the parties, the City Council makes the following FINDINGS OF FACT and CONCLUSIONS OF LAW:

Findings of Fact

1. Cumberland County Board of Education and Cumberland County Government are the Property Owners of property zoned Conditional Downtown 2 District (DT-2/CZ) located at 344, 348, and 352 Hawley Lane and unaddressed Plummers Lane, which contains approximately 1.86 acres in the City of Fayetteville, NC.

2. The Subject Property is currently zoned Conditional Downtown 2 District (DT-2/CZ) and is mostly vacant with one single-family structure.

3. The Property Owners/Applicants seek to build and operate a transitional housing facility on the Subject Property.

4. The Applicants filed a timely application for a Special Use Permit on behalf of the Property Owners on October 10, 2023.

5. The City of Fayetteville adopted the Unified Development Ordinance (UDO), codified under Chapter 30 of the City Code, to establish that “This Ordinance consolidates the City’s zoning and subdivision regulatory authority as authorized by the North Carolina General Statutes . . .”.

6. Chapter 30, Article 30-4, Section 30-4.C.2.b.6., Transitional Housing, allows for Transitional Housing to be operated in the Conditional Downtown 2 District (DT-2/CZ) with the approval of a Special Use Permit.

- a. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards, as the Property Owners seek to build a transitional housing facility on its property pursuant to Section 30-4.C.3.b. The proposed transitional housing use is compatible with the area neighborhood that currently contains a school and other residential-oriented uses such as single-family houses. The proposed structure will be built to all UDO standards for the zoning district. It complies with all special use UDO standards. The site will be complimentary to the existing Fayetteville Technical Community College facility which is used for training courses. The existing transitional housing site provides a logical extension of a governmental facility used to better the services to citizens. The facility has a natural buffer of Blounts Creek and is also near Grove Street.
- b. The special use will be in harmony with the area in which it is located, as the transitional housing shall be comparable with the residential and non-residential uses of the area that include an educational facility and single-family houses. The construction of an additional governmental facility would leverage the training taking place at the existing school facility, so it would be in harmony with area uses.
- c. The special use will not materially endanger public health or safety if located where proposed and developed according to the plan as submitted and approved. The transitional housing development shall comply with the pertinent regulations of the City and State as related to public health and safety. The development will not generate any toxic fumes. A majority of the surrounding properties are governmental; therefore, it is not anticipated to endanger public health or safety and align with adjacent properties.
- d. The special use is in general conformity with the City's adopted land use plans and policies as the UDO allows for transitional housing facilities in the Conditional Downtown 2 District (DT-2/CZ) as a special use. This

transitional housing is more than 2,640 feet from any other transitional housing. It is surrounded by mostly government-owned properties and has a natural buffer of Blounts Creek and also a buffer of Grove Street.

It will also provide services to house homeless citizens and provide them with services and assistance to help them transition back into a stable quality of life. It would operate 24/7 with a larger staff during the week and daytime to assist residents. It would house staff at all times to help monitor and minimize the movements of residents during non-work hours.

- e. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity, as the abutting land is also mostly governmental and therefore will not injure the value. The special use provides a public necessity by providing transitional housing to the homeless and then, in turn, would be able to have a place to provide assistance and services to transition them back to a stable quality of life.
- f. The special use complies with all other relevant City, State, and Federal laws and regulations since the Property Owners will be required to comply with all applicable laws and regulations.

7. The Special Use Permit applies to the entire Subject Property currently zoned Conditional Downtown 2 District (DT-2/CZ) located at 344, 348, and 352 Hawley Lane and unaddressed Plummers Lane.

8. The City's Unified Development Ordinance (UDO) requires that the Property Owners adhere to all City, State, and Federal requirements. Compliance with the required regulations will ensure that the surrounding properties are not harmed by this type of use.

9. An approved special use expires after 12 months if work has not commenced or permits have not been obtained or if the approved activity by the Special Use Permit is discontinued and not resumed for a period of one year.

Conclusions of Law

1. The City of Fayetteville adopted the Unified Development Ordinance (UDO), codified under Chapter 30 of the City Code, to consolidate the City's zoning and subdivision regulatory authority as authorized by the North Carolina General Statutes” See City Code, Chapter 30.

2. The application on behalf of the Cumberland County Board of Education and Cumberland County Government was timely, notice was properly given, and an evidentiary hearing was held by the City of Fayetteville's City Council in compliance with the laws of North Carolina.

3. The Property Owners shall adhere to all City, State, and Federal requirements.

4. All of the general and specific conditions precedent to the issuance of a Special Use Permit have been satisfied.

- a. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards;
- b. The special use will be in harmony with the area in which it is located;
- c. The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
- d. The special use is in general conformity with the City's adopted land use plans and policies;
- e. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity; and
- f. The special use complies with all other relevant City, State, and Federal laws and regulations.

5. The special use expires after 12 months if work has not commenced or permits have not been obtained or if the approved activity by the Special Use Permit is discontinued and not resumed for a period of one year.

WHEREFORE, BASED ON THE FOREGOING FINDINGS OF FACTS AND CONCLUSIONS OF LAW, it is ORDERED by the City of Fayetteville's City Council that the application for the issuance of a Special Use Permit is APPROVED.

VOTE: 10 to 0

This the 8th day of January, 2024.

MITCH COLVIN, Mayor

ATTACHMENTS

1. Application
2. Aerial Map
3. Zoning Map
4. Land Use Plan Map
5. Subject Property
6. Surrounding Properties
7. Site Plan
8. PowerPoint

9. TRC Comment Letter

Project Overview

#1143467

Project Title: Cumberland County Transitional Shelter Facility

Jurisdiction: City of Fayetteville

Application Type: 5.3) Special Use Plan Review

State: NC

Workflow: Staff Review

County: Cumberland

Notice Regarding Special Use Permit Procedural Process

Special Use Permit

Dear Applicants,

Thank you for applying for a Special Use Permit with the City of Fayetteville. Due to legislative changes, the procedural process for Special Use Permits have changed:

1. Special Use Permits are now considered Evidentiary Hearings. With an Evidentiary Hearing, it is incumbent upon the applicant to present evidence that supports the application. This evidence is required both in writing and verbally.
2. Since the written evidence comes mainly from the application, the eight (8) Findings of Fact are essential. The answers must be complete and accurate.
3. Applicants are required to make, at minimum, an oral presentation to the City Council that addresses the eight (8) Findings of Facts. The applicant has the option of doing a visual presentation as well, but this is not required.
4. Lastly, Special Use Permits no longer have to be reviewed by the Zoning Commission and will proceed directly to the City Council. The deadline dates for Special Use Permits have changed.

Expiration - Special Use Permit (SUP)

30-2.C.7.d.7.a.2 - Unless specified otherwise by the City Council, a Special Use Permit shall automatically expire if a Building Permit for the development authorized by the Special Use Permit is not obtained within one year after the date of issuance of the Special Use Permit, or if the development authorized by the Special Use Permit is discontinued and not resumed for a period of one year.

Again, thank you for your application. If you have any additional questions, please contact the Planning & Zoning Division at 910-433-1612 to speak with a Professional Planner.

If you would like a copy of the above text, you can [download a copy here](#).

Please enter your full name in the space below to confirm your acknowledgement of the above statement.

Enter Your Full Name Here: Cynthia M. Smith for Moorman, Kizer & Reitzel, Inc.

Project Location

Project Address or PIN:

- 0 PLUMMERS LN (0437849540000)
- 352 HAWLEY LN (0437848464000)
- 348 HAWLEY LN (0437848347000)
- 344 HAWLEY LN (0437848219000)
- 225 B ST (0437849172000)

Zip Code: 28301

GIS Verified Data

Property Owner: Parcel

- 0 PLUMMERS LN: KELLY, HELEN HEIRS
- 352 HAWLEY LN: CARPENTER, MICHAEL J
- 348 HAWLEY LN: CUMBERLAND COUNTY BOARD OF EDUCATION
- 344 HAWLEY LN: CUMBERLAND COUNTY BD OF ED
- 225 B ST: CUMBERLAND COUNTY BD OF ED

Acreage: Parcel

- 0 PLUMMERS LN: 0.25
- 352 HAWLEY LN: 0.5
- 348 HAWLEY LN: 0.47
- 344 HAWLEY LN: 0.64
- 225 B ST: 8.32

Zoning District: Zoning District

- 0 PLUMMERS LN: MR-5
- 352 HAWLEY LN: MR-5
- 348 HAWLEY LN: MR-5
- 344 HAWLEY LN: MR-5
- 225 B ST: MR-5

Subdivision Name:

Fire District:

Hospital Overlay District:

Cape Fear District:

Haymount Historic District:

100 Year Flood: <100YearFlood>

Watershed:

Airport Overlay District:

Coliseum Tourism District:

Downtown Historic District:

Floodway: FloodWay

- 225 B ST: AE

500 Year Flood: <500YearFlood>

Written Description of Special Use

Is the proposed project for a cell tower?: No

A) Provide a written description of the proposed special use, including summary of existing uses and the proposed use/activity in detail. Also include hours and days of operation, number of employees, number of clients, etc.:

Cumberland County would like to construct a transitional housing facility adjacent to the existing Cumberland County Schools Facility that is currently being used by FTCC for vocational training. The proposed facility would be used to temporarily house homeless citizens and provide them is services and assistance to help them transition back to a stable quality of life. The facility will be used 24/7, with a larger staff being present during weekly and daily working hours to assist residents. The facility will house staff at all time to help monitor and minimize the movement of residents during non-working hours.

B) Please provide a description of the Zoning District designations and existing uses on adjacent properties, including across the street.:

Part of the site that the existing school is on is zoned DT-2. The other portion has been submitted for rezoning for conditional DT-2.

Around the site to the north across Plummers Lane are MR-5 zoned vacant lots owned by the City of Fayetteville, to the south and east is the school facility which is zoned DT-2, to the west across Hawley Lane are MR-5 and LC zoned parcels owned by the City of Fayetteville. Extending further away from the site are additional DT-2 zoned parcels that contain single family homes or are vacant lots. There is also some additional MR-5 zoned land with single family homes or are vacant and CC zoned parcels with associated commercial uses.

Special Use Justification. Answer all questions on this and the following pages (upload additional sheets as needed).

Indicate how the special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards;:

The transitional housing will be built to all UDO standards for the zoning district. It complies with all special use UDO standards. The site will be complimentary to the existing FTCC facility which is used for training courses. The existing school sit provides a logical extension of a governmental facility used to better the services to citizens. The facility has a natural buffer of Blounts Creek and is also in close proximity to Grove Street.

This transitional housing follows the standards of not being within 2640 feet of another facility.

Describe how the special use will be in harmony with the area in which it is located;:

The special use accomodates the construction of an additioanl governmental facility that would leverage the training taking place at the existing school facility, so would be be in harmony with area uses.

Indicate how the special will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;:

A majority of the surrounding properites are governmental therefore it is not a anticipated to endanger public health or safety and aligns with adjacent properties.

Demonstrate how the special use is in general conformity with the City's adopted land use plans and policies;:

This transitional housing is more than 2640 feet from any other transitional housing. It is surrounded by mostly governmental owned properties. Has a natural buffer of Blounts Creek and also a buffer of Grove Street.

It would provide services to house homeless citizens and provide them with services and assistance to help them to transition back in to a stable quality of life. It would operate 24/7 with a larger staff during the the week and day time to assist residents. It would house staff at all times to help monitor and minimize the movements of residents during non-work hours.

Explain how the special us will not substantially injure the value of the abutting land, or the special use is a public necessity; and:

The abutting land is also mostly governmental therefore will not injure the value.

The special use provides a public necessity by providing transitional housing to the homeless and then in turn would be able to have a place to provide assistance and services to transition them back to a stable quality of life.

Will the special use comply with all other relevant City, State, and Federal laws and regulations?:

This special use would comply with all regulations

Primary Contact Information

Contractor's NC ID#:

Project Owner
Jermaine Walker
County of Cumberland

130 Gillespie Street, 214
Fayetteville, NC 28301
P:910-321-6602
jwalker@cumberlandcountync.gov

Project Contact - Agent/Representative

Cynthia Smith
Moorman, Kizer & Reitzel, Inc.
115 Broadfoot Avenue
Fayetteville, NC 28306
P:910-484-5191
csmith@mkrinc.com

Project Contact - Primary Point of Contact for Engineer

Jimmy Kizer
Moorman, Kizer & Reitzel, Inc.
115 Broadfoot Avenue
Fayetteville, NC 28305
P:910-484-5191
jkizerjr@mkrinc.com

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$30,000. :

NC State General Contractor's License Number:

NC State Mechanical Contractor's #1 License Number:

NC State Mechanical Contractor's #2 License Number:

NC State Mechanical Contractor's #3 License Number:

NC State Electrical Contractor #1 License Number:

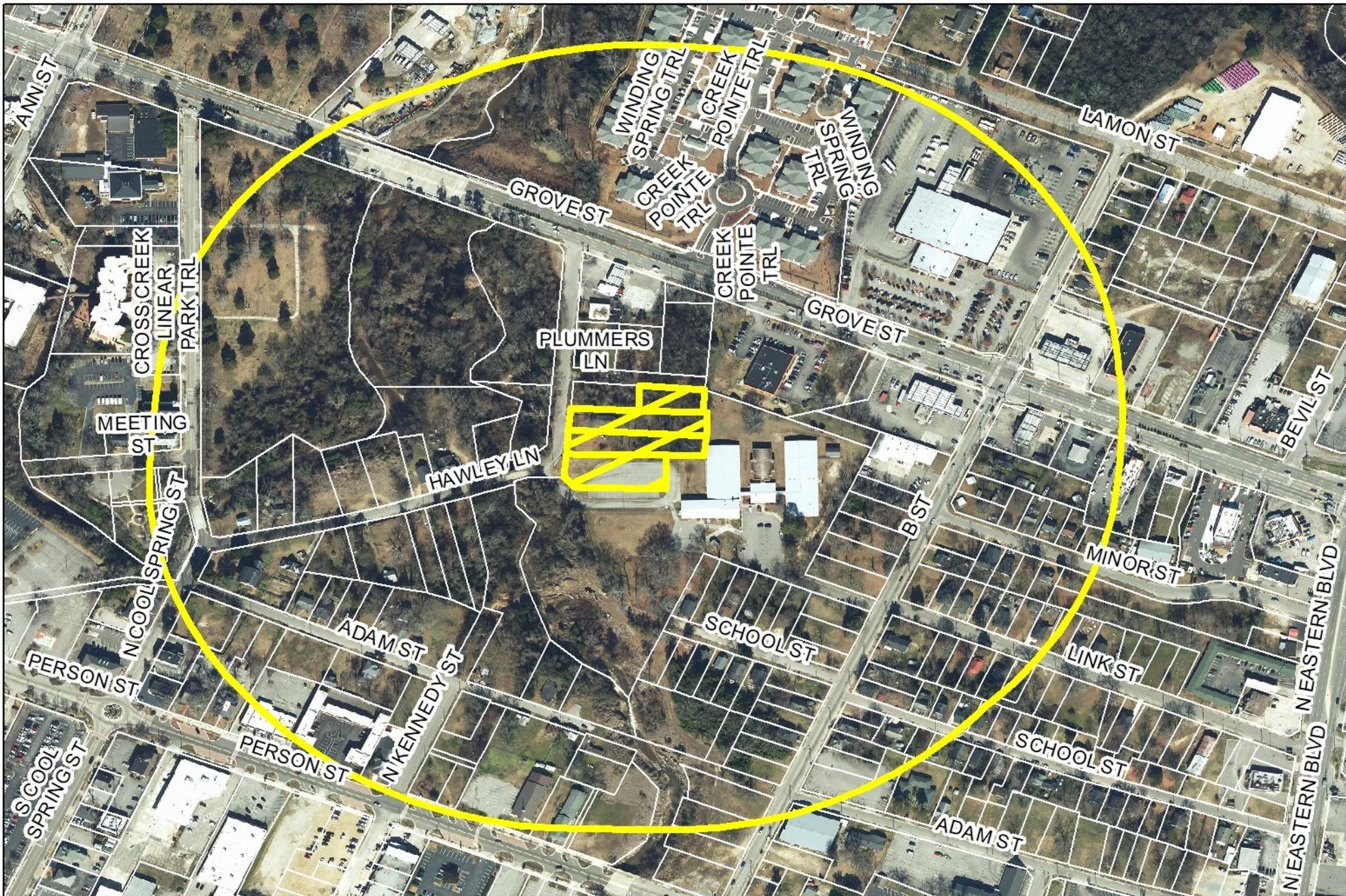
NC State Electrical Contractor #2 License Number:

NC State Electrical Contractor #3 License Number:

NC State 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: Engineer



Aerial Notification Map

Case #: SUP23-09

Request: SUP Transitional Housing

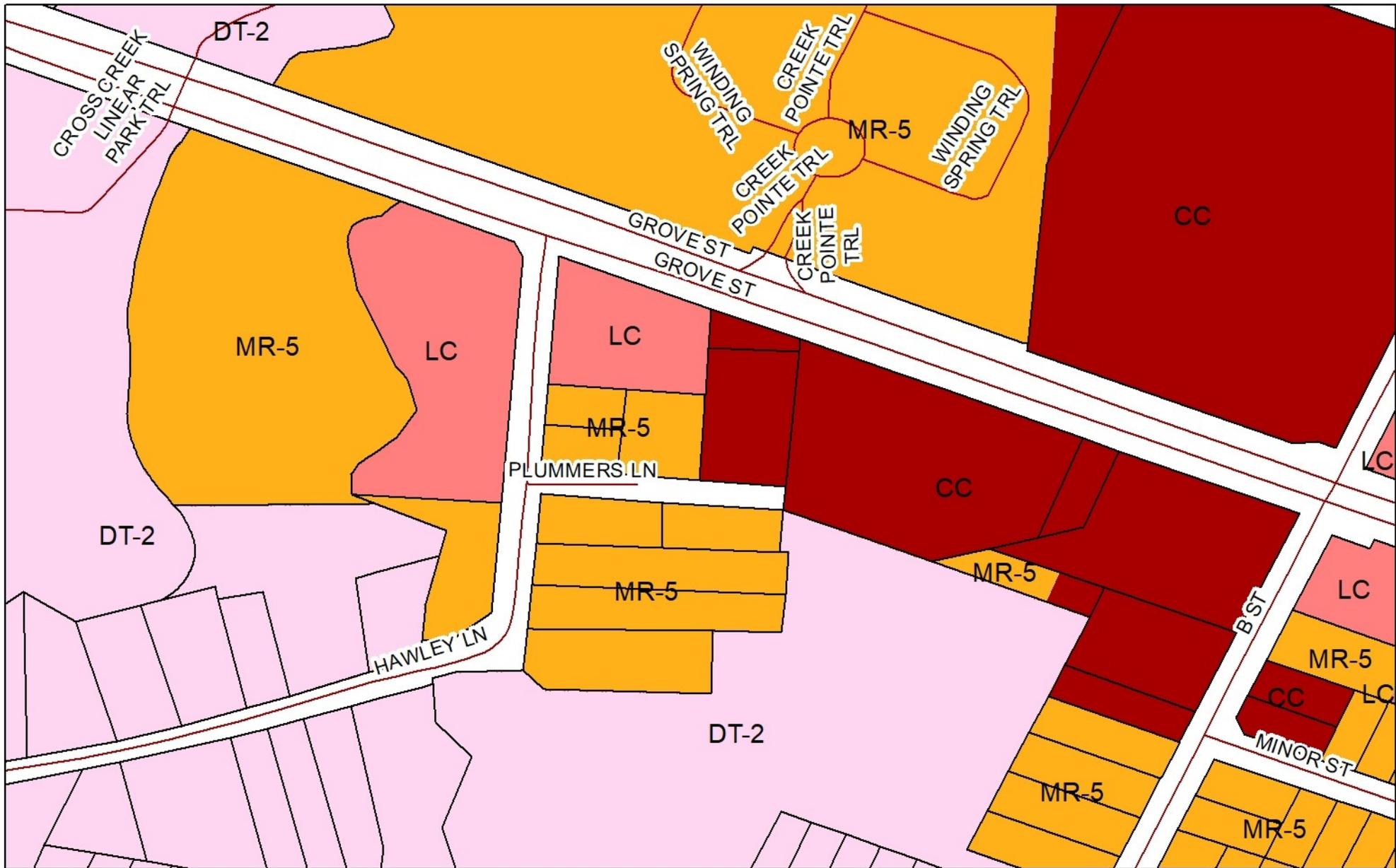
Location: 344, 348 352 Hawley Lane
and unaddressed Plummers Lane

Legend

-  Subject Properties
-  1,000' Notification Area



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.



Zoning Map

Case #: SUP23-09

Request: SUP Transitional Housing

Location: 344, 348 352 Hawley Lane and unaddressed Plummers Lane

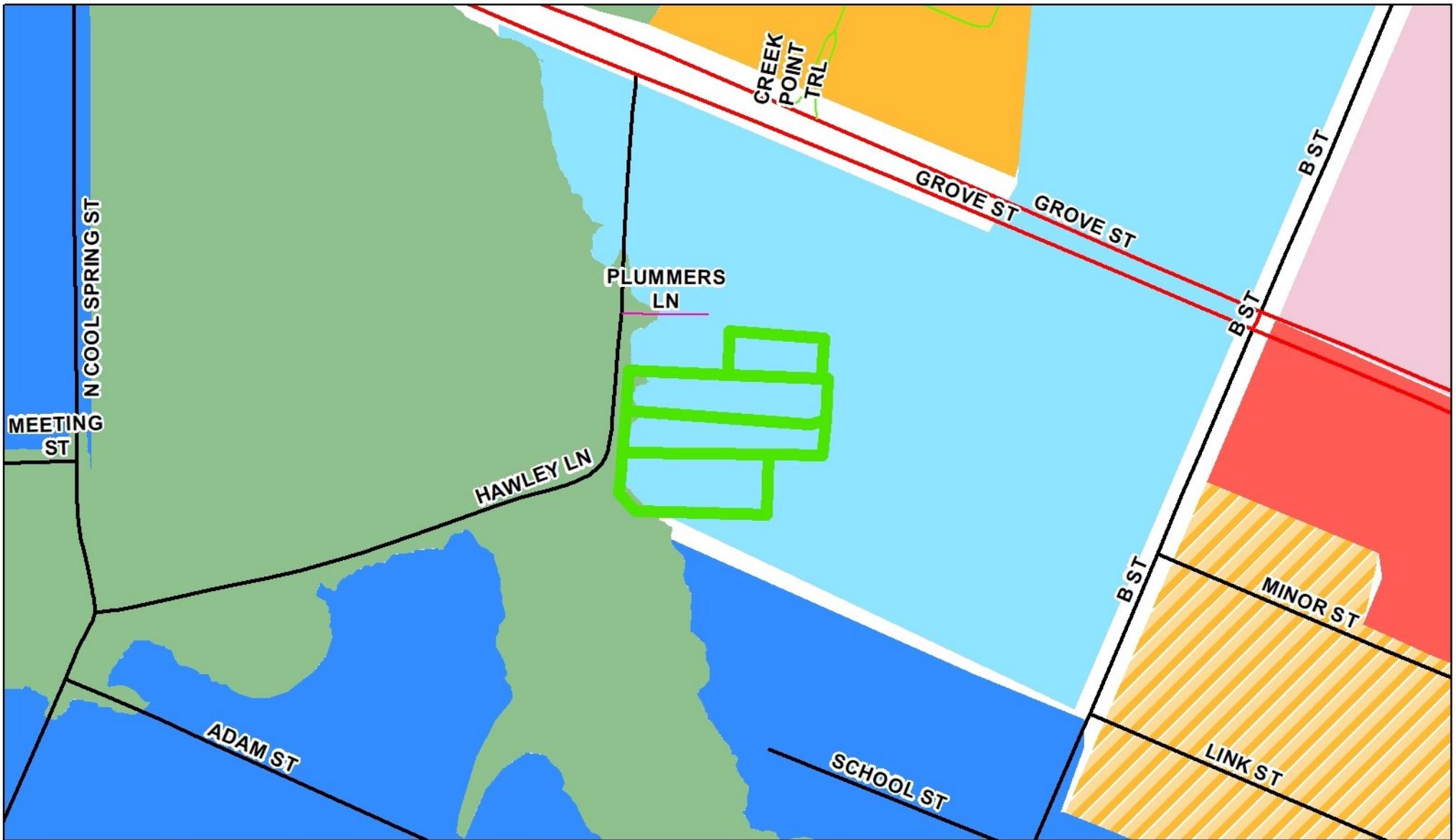
Legend

-  DT-2
-  CC - Community Commercial
-  LC - Limited Commercial
-  MR-5 - Mixed Residential 5



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.





Land Use Plan Map

Case #: SUP23-09

Request: SUP Transitional Housing

Location: 344, 348 352 Hawley Lane and unaddressed Plummers Lane

Legend

Future Land Use 2040

Character Areas

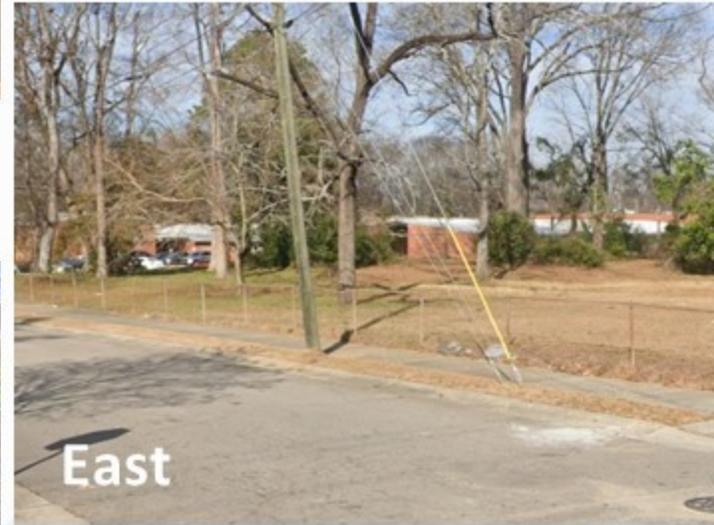
-  PARKOS - PARK / OPEN SPACE
-  NIR - NEIGHBORHOOD IMPROVEMENT
-  HDR - HIGH DENSITY RESIDENTIAL
-  NMU - NEIGHBORHOOD MIXED USE
-  DTMXU - DOWNTOWN
-  HC - HIGHWAY COMMERCIAL
-  OI - OFFICE / INSTITUTIONAL



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.









Fayetteville
PIN 0437845779000
Zoned LC5

Fayetteville
PIN 0437847663000
Zoned MR5

Eastridge, Pamela
PIN 0437848665000
Zoned MR5

Marsh Wheeling LLC
PIN 0437849678000
Zoned CC

Marsh Wheeling LLC
PIN 0437942601000
Zoned CC

Wilcohes LLC
PIN 0437944517000
Zoned CC

Wilcohes LLC
PIN 0437945438000
Zoned CC

Fayetteville
PIN 0437845495000
Zoned MR5

Cumberland County Transitional
Housing Facility
37,925 Sq Ft Building
(205' X 185')
96 Parking Spaces
(4 Handicap Spaces)

Cumberland County
PIN 0437849540000 (0.25 Ac);
0437848464000 (0.50 Ac);
0437848347000 (0.47 Ac);
0437848219000 (0.64 Ac)
Zoned MR5 to be rezoned to DT-2

Service Distributing Co Inc
PIN 0437943442000
Zoned CC/MR5

Veterans Empowering
Veterans
PIN 0437945301000
Zoned CC

Veterans Empowering Veterans
PIN 0437944273000
Zoned CC

Epic Impact LLC
PIN 0437944147000
Zoned MR5

Culbreth
PIN 0437944121000
Zoned MR5

Culbreth
PIN 0437943095000
Zoned MR5

Culbreth
PIN 0437933969000
Zoned MR5

Cumberland County Board of Education
PIN 0437849172000 (8.32 Ac)
PB 21 PG 67
DB 763 PG 34
Zoned DT-2

McMillan
PIN 0437835953000
Zoned DT2

Practical Leased Time LLC
PIN 0437930005000
Zoned DT2

Practical Leased Time LLC
PIN 0437930943000
Zoned DT2

Carpenter
PIN 0437930991000
Zoned DT2

McGrue
PIN 0437931940000
Zoned DT2

Carpenter
PIN 0437931888000
Zoned DT2

McGrue
PIN 0437932826000
Zoned DT2

McMillan
PIN 0437835953000
Zoned DT2

Titan Contractor
Services LLC
PIN 043783676000
Zoned DT2

Fayetteville
PIN 0437837672000
Zoned DT2

Practical Leased Time LLC
PIN 0437839715000
Zoned DT2

Billings
PIN 0437839567000
Zoned DT2

drawn by CMS
checked MKR
reviewed MKR
date OCTOBER 2023
job no. 11-1028-02

SPECIAL USE PERMIT
HAWLEY LANE
DEVELOPMENT BY
COUNTY OF CUMBERLAND
Fayetteville, NC

no.	revision	by	date

115 Broadfoot Ave.
P.O. Box 53774
Fayetteville, N.C., 28305
Phone 910-484-5191
License #: F-0106



scale 1"=50'
Field Book No. N/A
SHEET 1 OF 1

City Council



Special Use Permit

January 8, 2023



Owner: County of Cumberland, represented by Jermaine Walker

Applicant: Jimmy Kizer, Moorman, Kizer & Reitzel, Inc

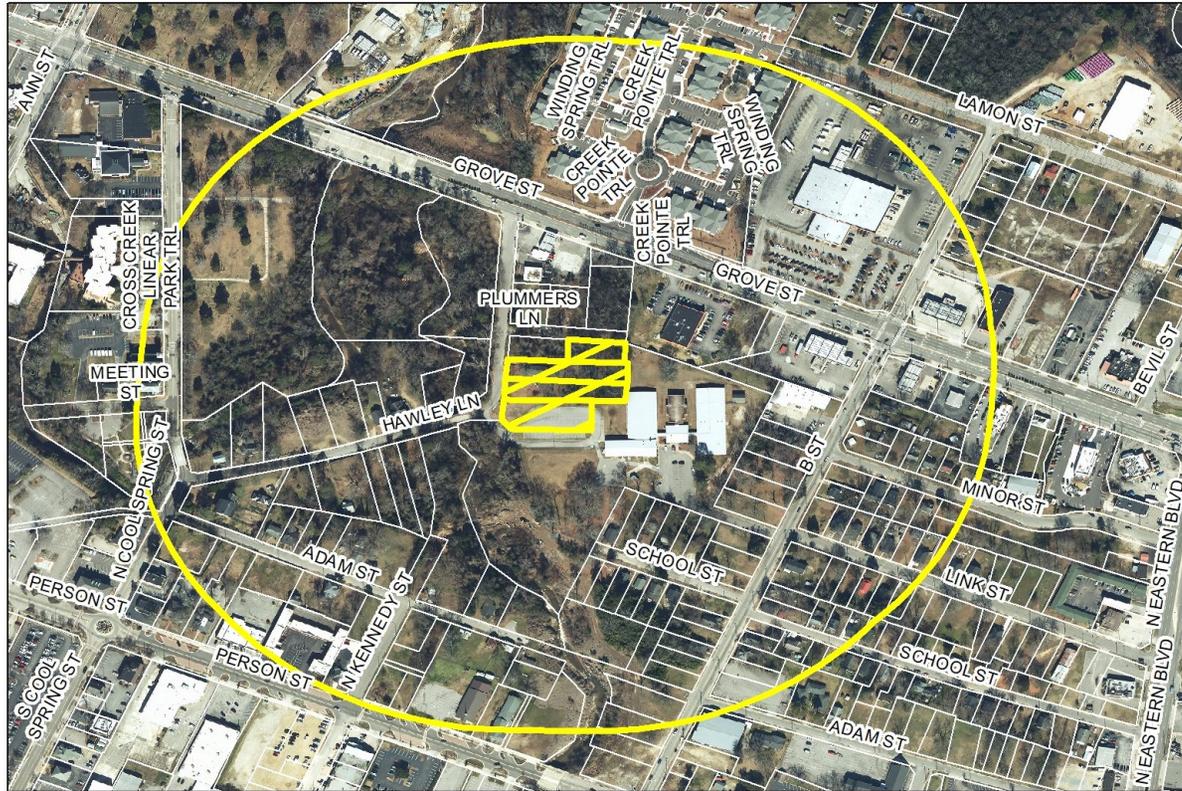
Request: SUP for Transitional Housing

Located: 344, 348, 352 Hawley Lane and unaddressed Plummers Lane

Acreage: 1.86 acres \pm

District: 2 – Malik Davis





Aerial Notification Map
Case #: P23-47

Request: Rezoning to DT-2/CZ

Location: 344, 348 352 Hawley Lane
and unaddressed Plummers Lane

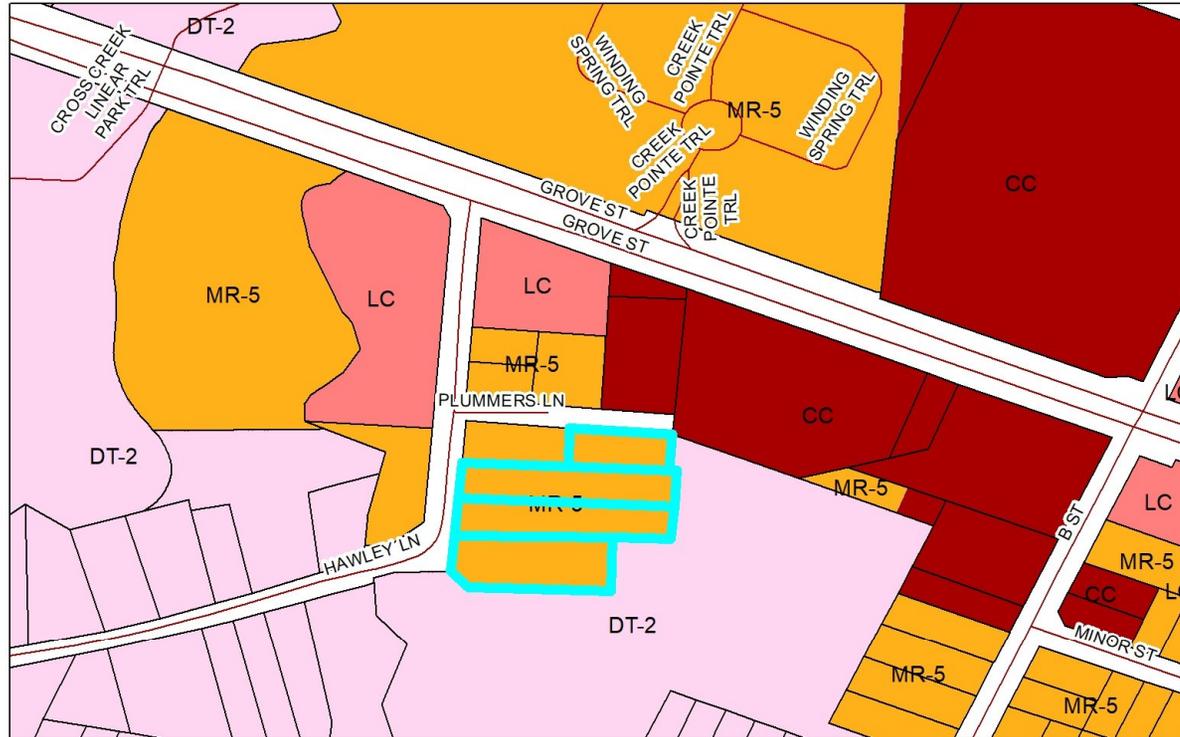
Legend

-  Subject Properties
-  1,000' Notification Area



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.





Zoning Map

Case #: P23-47

Request: Rezoning to DT-2/CZ

Location: 344, 348 352 Hawley Lane and unaddressed Plummers Lane

Legend

- DT-2
- CC - Community Commercial
- LC - Limited Commercial
- MR-5 - Mixed Residential 5



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.



Land Use Plan Map

Case #: P23-47

Request: Rezoning to DT-2/CZ

Location: 344, 348 352 Hawley Lane
and unaddressed Plummers Lane

Legend

Future Land Use 2040

Character Areas

-  PARKOS - PARK / OPEN SPACE
-  NIR - NEIGHBORHOOD IMPROVEMENT
-  HDR - HIGH DENSITY RESIDENTIAL
-  NMU - NEIGHBORHOOD MIXED USE
-  DTMXU - DOWNTOWN
-  HC - HIGHWAY COMMERCIAL
-  OI - OFFICE / INSTITUTIONAL



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.





Google

Surrounding Property



There are no proposed conditions associated with this SUP application.

The properties in question must first be rezoned to a commercial zoning district. In this case, the applicant has also applied for a conditional rezoning to DT-2/CZ – Downtown 2 Conditional. That item appears on the Council's agenda as a consent item. If the property is not rezoned to a commercial district, this SUP application is no longer valid.



- 1) Approval of SUP as requested by the applicant;
- 2) Approval of SUP with conditions;
- 3) Denial of the SUP request



For a motion to approve, all six findings below must be met:

- (1) The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards; [insert supporting facts]
- (2) The special use will be in harmony with the area in which it is located; [insert supporting facts]
- (3) The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved; [insert supporting facts]
- (4) The special use is in general conformity with the City's adopted land use plans and policies; [insert supporting facts].
- (5) The special use will not substantially injure the value of the abutting land, or the special use is a public necessity; and; [insert supporting facts]
- (6) The special use complies with all other relevant City, State, and Federal laws and regulations. [insert supporting facts].



 **FAYETTEVILLE** ^N_C
AMERICA'S CAN DO CITY

FayettevilleNC.gov

Technical Review Committee (TRC) Comments:

Development Name: **Cumberland County Transitional Shelter Facility**
Case Number:

Development Summary: **Cumberland County would like to construct a transitional housing facility to include services on land adjacent to an existing Cumberland County Schools Facility that is currently used by FTCC for vocational training. A new building is planned along with the associated parking, access, utility and landscaping improvements. The proposed facility would be used to temporarily house homeless citizens and provide them with services and assistance to help them to transition back to a stable quality of life. The facility will be used 24/7, with a larger staff being present during weekly and daily working hours to assist residents. The facility will house staff at all times to help monitor and minimize the movement of residents during non-working hours.**

Location:

- 0 PLUMMERS LN (0437849540000)
- 352 HAWLEY LN (0437848464000)
- 348 HAWLEY LN (0437848347000)
- 344 HAWLEY LN (0437848219000)
- 225 B ST (0437849172000)

Zoning: **Zoning District**

- 0 PLUMMERS LN: MR-5
- 352 HAWLEY LN: MR-5
- 348 HAWLEY LN: MR-5
- 344 HAWLEY LN: MR-5
- 225 B ST: MR-5

Reference:

Project Review Dates:

Pre-Application Conference: **10/25/2023 9:30 AM**
Preliminary:
Final Review:

Next Steps:

Application Type: **4.2) Major Site Plan (Preliminary)**

Development Services Contact: **Chester Green**
Phone: **910-433-1497**
Email: **cgreen@ci.fay.nc.us**

Emailed To: **Cynthia Smith**
Moorman, Kizer & Reitzel, Inc.
Fayetteville, NC 28305

E: csmith@mkrinc.com
P: 9104845191

Project Owner:

Review Status: **Submit application and fee. To receive final TRC/Site Plan approval a landscape, open space, elevation, and lighting plan shall be required.**

Additional Submittals That May Be Required:

- City Engineering (Development Application, Stormwater/Drainage, Street and Sidewalks Plans) – Approval Required prior to the issuance of building permits
- City Traffic Services and NCDOT (Driveway Permit Application and Roadway Improvements) – Approval Required prior to the issuance of building permits
- Public Works Commission (PWC) (Water, Sewer, and Electrical Applications and Plans, Fire Flow Data, Main Extensions when required)
- Army Corp of Engineers and/or NCDENR-DWQ – (when applicable) – Approval Required prior to land disturbance
- City Inspections (Construction Drawings for Building Permitting)

Ordinance: <http://www.online.encode-360.com/regs/fayetteville-nc/doc-viewer.aspx#secid-10498>

TRC Staff Comments: (Staff has compiled the various review agencies' comments for you as a courtesy. These should be used to supplement your notes from the TRC meeting you attended. Additionally, preliminary comments are emailed to those listed on the submittal application in draft form prior to the scheduled TRC meeting. As a courtesy, these comments are revised as needed based on the TRC meeting discussion and again emailed to those listed on the application.)

Open Issues: 13

1. Fire

General Issues

4. Site Specific Comments

City of Fayetteville
Jeff Olund
(910) 964-9841
jolund@ci.fay.nc.us

- Location of the FDC shall be away from the building and shall be approved by the Fire Dept. All water lines, type(s) of control valves and indication of where the utility company/fire department service ends/begins, in regards to the sprinkler system, shall be shown on plans. FDC detail plan shall be provided with TRC preliminary submittal and approved as part of the TRC final approval.
- Developments shall comply with the Fire Flow requirements of Appendix B of the N.C. Fire Code; higher standards may be required by the providing utility. A request for a Fire Flow test can be submitted to the Public Works Commission (PWC). Robert.turner@faypwc.com
- All new buildings shall have approved radio coverage for emergency responders.

2a. Chet Planning

General Issues

8. General Comments

City of Fayetteville
Chester Green
(910) 433-1497
CGreen@ci.fay.nc.us

1. In accordance with **Article 30-2.C.7** a **Special Use Permit** shall be required. The site shall be developed in accordance with the plan approved through the Special Use Permit process and with any conditions of that approval. The Special Use Permit will be void if a building permit is not issued prior to the one year Special Use Permit expiration date.
2. The site shall be developed in accordance with the plan approved through a **Map Amendment (rezoning)** process and with any conditions of that approval.
3. Street address numbers shall be assigned prior to building permits being issued. The builder shall post the address numbers (minimum 4") in full view of the street immediately upon beginning construction. (Please contact: Cumberland County Address Dept. 678-7666)
4. A commercial grade bike rack as required by **Article 30-5.A.9** shall be placed on a pad that is connected to the sidewalk system but shall not impede the sidewalk and shall be within 150 feet of an entrance. Indicate on the plan.
5. A recombination plat shall be required prior to the issuance of building permits. The owner's signature shall be on the plat.
6. A final plat shall be required. The plat shall be recorded in the County Register of Deeds office prior to building permit application for any structure or prior to the sale of any lot in this development. A Plat Activation Form is required by the County to update the parcel coverage. (There is a \$50.00 fee for each final plat approval.)
7. The owner(s) shall develop in accordance with the approved site plan, engineering plan, and utility plan. Deviation from the approved plan may result in additional submittals/approvals.
8. Revisions to plans shall require resubmission for review/approval).
9. Any future development shall be submitted for review/approval.
10. The developer shall be aware that subsequent application for zoning and building permits constitutes the developers understanding and acceptance of these Comments.
11. **Building orientation and elevation** information shall be required for Final Site Plan Approval. See **Article 30-5.I**: Commercial, Office, and Mixed Use Design Standards.
 - Submit colored elevations with dimensions – width and depth of features. Identify materials.
 - Indicate which 3 of the 6 design options are being met.
 - Flat roofs require a 3D cornice on all sides.
 - Roof equipment shall be screened from view.
 - Sloped roofs require an overhang with brackets.
 - All street facing and main entrance sides of buildings shall comply.

A sidewalk with approved handicap ramps and striping shall be required from the public sidewalk system to the development per **Article 30-5.F.9.b.8**.

9. General Comments

City of Fayetteville
Chester Green
(910) 433-1497
CGreen@ci.fay.nc.us

1. For Final Site Plan Approval an **Exterior Lighting plan** for all new exterior lighting shall be required. **See Article 30-5.E**
 - All exterior lights shall be full cut off fixtures.
 - The Lighting Plan shall indicate the pole height (max. 20 feet in residential districts and OI, NC, MU, and DT districts, and no greater than 30 feet in LC, CC, BP and industrial districts.)
 - Maximum illumination measured in foot-candles at ground level at a property line shall not exceed the standards in Table 30-5.E.5
 - Light poles shall be located at least 15 feet from canopy and 5 feet away from understory tree trunks.
 - Any adjustments in the field need to comply with this standard and be approved by City staff.

10. General Comments

City of Fayetteville
Chester Green
(910) 433-1497
CGreen@ci.fay.nc.us

1. Coordination with PWC for landscaping and lighting plans, to confirm no interference with easements will be required. PWC approval of these plans will be required prior to TRC approval.
2. A **Landscape Plan** prepared by someone knowledgeable of plant material and design is required. **See Article 30-5.B**
3. It is recommended that the landscape plan be included on a separate sheet. The plan shall include all applicable street trees, site and building landscaping, VUA (parking lot and drive aisle) landscaping, screening, property perimeter and/or street yard buffers.
[Recommended Plant Lists](#)
4. A planting legend summarizing quantity, size, type and spacing of plants should be included on plan.
5. Existing vegetation may be used to satisfy required buffers. Staff will determine if additional plantings are needed to satisfy this requirement.
6. Identify easement locations to ensure that there is no conflict between utilities and required landscaping.
7. Tree islands must meet minimum soil area requirements.
8. Canopy trees require 274 SF of uninterrupted soil area and min. width of 10'.
9. Understory trees require 180 SF of uninterrupted soil area and min. width of 7'.
10. Shrubbery to be a minimum of 2.5 feet from front end of the parking spaces to prevent damage from car overhang.
11. All shrubs installed as vehicular use screening are to be maintained as a continuous hedge at a minimum height of 36 inches.
 2. Please add the following notes to the plan for the installer:
 3. Shrubbery is to be planted at least 30" from curbing and from end of parking spaces to prevent damage from car overhang.
 4. Shrubs installed as vehicular use screening are to be maintained at a min. height of 36"; Min. installation height is 24".
 5. Site lighting plans require lights to be a min. of 15 feet from trees. Any adjustments in the field need to comply with this standard and be approved by staff.
 6. Each tree must be planted such that the root flare is visible at the top of the root ball. Trees where the root flare is not visible will be rejected. Do not cover the root flare with mulch.
 7. Do not place mulch in contact with the tree trunk. Keep mulch a min. of 4" away from the trunk base.
 8. Any changes to the proposed plant schedule must be approved by the designer of record and staff. In cases where the plant schedule only includes the plant

type and does not include the plant species, the contractor shall be required to submit to the City for approval, a detailed plant schedule and associated planting plan prepared by someone knowledgeable about plant material and design, prior to proceeding with installation.

9. Property Perimeter Buffer - In areas where existing vegetation is to be used to satisfy perimeter landscape buffer, the City may determine, after an on-site inspection, that additional planting is required to satisfy the required buffer.
3. In accordance with **Article 30-5.B.6. Tree Preservation** - Trees 30 inches or greater in diameter at breast height (4.5 feet) are considered Specimen Trees. The location of all specimen trees shall be noted on the plan along with their size. Removal of healthy specimen trees is discouraged and a fee-in-lieu of preservation is imposed (\$50 per caliper inch if removed or if the critical root zone is not protected during construction.)
4. **Article 30-2.C.9 Clear-Cutting Permit:** Do not remove any trees prior to final site plan approval. A Clear-Cutting Permit may be required if land clearing is to begin prior to site plan approval. If trees are improperly removed a fine and/or mitigation plan shall be required. A State Soil and Erosion Control Permit shall also be required prior to clearing the site.
5. **Article 30-5.B.7. Tree Preservation Incentives:** Saving existing trees may result in a reduction of open space dedication and/or may count toward required landscaping. A 300 percent credit for the preservation of the critical root zoned is available.
6. Tree protection areas based on a tree's critical root zone (one foot radius per one inch of tree diameter) shall be noted and drawn to scale on demolition, grading, erosion control, and landscaping plans. **Include the following information:**
7. PRIOR TO CONSTRUCTION:
The contractor shall install and maintain, for each protected tree or group of trees fencing that encircles the outer limits of the tree(s) critical root zone to protect them from construction activity. All fencing shall be in place prior to any site work and shall remain in place until all exterior work is completed.
PROTECTIVE FENCING:
Orange Vinyl construction fencing, chain link fencing, snow fencing or other similar fencing at least four feet high and supported at a maximum of ten-foot intervals, enough to keep the fence upright and in place. The fencing shall have a tree protection sign affixed every twenty feet and be clearly visible to the workers.

11. General Comments

City of Fayetteville
Chester Green
(910) 433-1497
CGreen@ci.fay.nc.us

1. **Open Space** Requirement: Residential sites (*greater than one acre to five acres*) - Ten percent of the site shall be dedicated as Open Space with at least 50% being usable for active or passive amenities and shall be planned and improved with those amenities. Indicate the location, square footage, and details of the area and the amenities on the plan. Payment-in-Lieu is not available. **See Article 30-5.C**
2. You may contact the County Tax Dept. regarding tax-exempt status of required open space areas – Michelle Faircloth or Jeff Benenhaley (910-678-7531 – 678-7559).

Open Space: Usable: Bus stop areas and Urban amenity areas count at 200% credit toward usable open space. Usable areas shall have access, shade, seating, and are required to be ADA compliant. Illustrate details of access, shade, seating, enclosures, and commercial-grade furnishings. Non-Usable: Open space areas are to be planted with a minimum of 24 trees per acre. Tree save areas and stormwater ponds may count toward open space. Reference: Bonus and Incentives **Section 30-5.C.4**. For Final Site Plan approval open space areas with details shall be required. Please include a table with open space calculations summarized for each area.

3. Zoning

General Issues

6. General Comments

City of Fayetteville
David Winstead
(910) 433-1062
dwinstead@ci.fay.nc.us

1. Needs to meet all dimensional standards for MR-5 (Mix Residential 5) and DT-2 (Downtown 2) zoning districts. Transitional Housing is not permitted in MR-5, so you will need to rezone the property to a zoning district that will allow for this use. This use in DT-2 will require a special use permit. Will need an approved recorded recombination plat, showing all the parcels are combined to one.
2. **Parking** shall be provided in accordance with the Code; parking counts are based on the type of use; for Transitional Housing is based on 1 parking space for each employee, plus one parking space for every 4 persons. Please provide the necessary information for staff to determine compliance. All parking stall shall be a minimum of 9' x 20' and if you need to reduce the number of required spaces an Alternative Parking Plan may be an option, if necessary. **See Article 30-5.A.**
3. This review is not approval of the location of signage, the location of signs shall not conflict with required landscaping. Signage requires the proper permit(s) and shall be obtained prior to the installation of any permanent signs. **See Article 30-5.L.**
4. Any development in the flood plain shall comply with the **Chapter 12 - Flood Damage Prevention of the Ordinance.**

5. Engineering

General Issues

5. General Comments

City of Fayetteville
Michael Monge
9104331329
michaelmonge@fayettevilleNC.gov

1. Your project requires an infrastructure permit, which requires a new application to be created. Please visit the link below to begin the application process.

[Begin Infrastructure Permit Application Process](#)

2. Stormwater management facilities must limit the one-year and ten-year developed peak discharge rates to predeveloped peak discharge rates or to the amount that can be accommodated by the receiving downstream drainage system, whichever is **more** restrictive. (Sec. 23-28 of the Stormwater Control Ordinance)

3. This site is greater than an acre and requires an Erosion Control Permit. Please coordinate with NCDEQ and submit an approved permit prior to any land disturbance or issuance of the Infrastructure Permit.

4. Your project is on a city street outside of designated truck routes and requires a Truck Route Bond. Please use the following link to fill out a Truck Route Application Permit and let us know which roads materials will be transported on:

<https://www.fayettevillenc.gov/city-services/public-services/engineering/development-review/permit-applications>

8. PWC Water

General Issues

2. General Comments

Fayetteville Public Works
Commission
Tiffany Faulk
9102234759
tiffany.faulk@faypwc.com

1. All projects are required to submit separately to PWC for review and/or approval. Submit required information through the PWC GeoCivix portal at <https://faypwc.geocivix.com/secure/>.
2. The Submittal Checklist and plans for the project are required to be included with the submittal to PWC. Additional documents that may be required are identified in the Submittal Checklist that is available at <https://www.faypwc.com/design-standards/>.
3. For projects requiring water and/or sewer main extensions, PWC has local delegated permitting authority from the State and may issue your water and sewer permits.
4. Water and sewer mains shall be extended in accordance with PWC's policies.
5. You may contact PWC for information on obtaining water and sewer services. (PWC – Water Resources Engineering, 910-223-4730)
6. No permanent structure(s) shall be permitted within any PWC utility easements.
7. Landscaping plan(s) shall be included in the submittal to PWC. No trees are allowed to be planted in PWC water and sewer utility easements. Non-invasive shrubs can be placed in the rear 5 feet of easements (if necessary). Chet Green can provide a list of vegetation allowed within easement areas. **Existing and proposed PWC easements must be shown on the landscaping plan in addition to being shown on the utility plan(s).**
8. Any existing water and/or sewer laterals that are not utilized on the project must be killed out at the main in accordance with PWC requirements.
9. A fire hydrant flow test may be required as determined by the fire marshal's office. As of July 1, 2019 the hydrant flow test fee is \$500. Application may be submitted through the PWC GeoCivix portal at <https://faypwc.geocivix.com/secure/>.
10. The application form is available at <https://www.faypwc.com/design-standards/>. Contact Robert Turner (910-223-4746, robert.turner@faypwc.com) at PWC with any questions.
11. A water permit is not required for fire lines of any size for projects submitted to PWC for review after January 01, 2017.
12. A hydraulic analysis (i.e. fire hydrant flow calculations) shall be submitted to PWC for review as determined by the fire marshal's office. These calculations shall demonstrate that the required fire flow may be supplied by the approved fire hydrant(s), as determined by the fire marshal's office, while maintaining 20 psi residual pressure on the PWC water system.
13. For projects in PWC's electric service area, a copy of the electrical panel schedule shall be included with the PWC submittal. For additional information, please contact PWC Electrical Engineering at 910-223-4514.

8a. PWC Electric

General Issues

1. General Comments

Fayetteville Public Works
Commission
Calvin Maykovich
9104831382
calvin.maykovich@faypwc.com

1. Utility Plans, Application and Fees shall be submitted directly to the Public Works Commission (PWC). You may contact PWC for information on obtaining electrical services. (PWC – Electrical Resources Engineering, 910- 818-2250) The link to the PWC electric service standards is: http://www.faypwc.com/wp-content/uploads/2014/03/electric_standards.pdf
2. A panel schedule shall be required.
3. Provide a landscape plan in auto-cad format to coordinate landscaping with utilities and easements.

Understory trees are allowed to be planted in PWC electrical utility easements. Canopy trees can be placed 15 feet off the center line of distribution lines and 25 feet off the center line of transmission lines if necessary. Chet Green, can provide a list of vegetation allowed within easement areas. **Existing and proposed PWC easements must be shown on the landscaping plan.**

9a. Traffic

General Issues

12. General Comments

City of Fayetteville
Virginia Small
9104331329
virginiasmall@fayettevillenc.gov

2. Submit the **City of Fayetteville Street and Driveway Access Permit Application** (<https://www.fayettevillenc.gov/home/showdocument?id=8424>) to the City Traffic Services Division online by visiting <https://fayetteville.idtplans.com/secure/>. Application will be created as a **separate submission** in IDT from the original TRC submission and will **need to include** PDFs of both the **permit application and site plan**. Approval of the permit will be conducted online through IDT from the City of Fayetteville. **Payments** to The City of Fayetteville will also be **made online through IDT (*preferred*)** or by check (please contact City of Fayetteville Traffic Services staff person prior if you must pay via this method). Please note, paying offline may significantly slow down approval of the driveway permit. Driveway permits also will **not be approved until TRC has approved the final site plan layout**. Reference Article 24-101. Fees are as follows

-\$200.00 (or \$400 if building square footage is > 75,000) payable to **City of Fayetteville** (Driveway Permit)

Steps For Submitting a Driveway Permit Online Have Been Provided In a Separate Comment/Issue in IDT. The City Will **ONLY** Accept Driveway Permits Online Now & The Process Has Changed Significantly, So Please Read Carefully.

3. **Minimum 20' radii** are required on all city access driveways. Driveway radii and driveway widths are to be labeled on the site plan. Reference Article 24-102 + NCDOT Policy on Street & Driveway Access Chapter 7 Section B
4. Any **existing curb cuts** and/or **driveway apron(s)** that are **no longer being used** or no longer allowed shall be removed and replaced with curb and gutter. This is to be depicted on the site plan in that manner.

5. Where any new driveway is constructed or an existing driveway reconstructed that requires a driveway permit, **a city standard sidewalk shall be constructed** along the entire length of the property served by such driveway. NOTE: Sidewalk installation may require curb drop(s) and curb ramp(s). Appropriate ramp type detail shall be provided with the driveway permit and labeled on the site plan. Reference Article 24-101

6. A **sidewalk** with approved handicap ramps, truncated domes, and a 5 foot landing (except with parallel handicapped ramps) shall be constructed along the property that abuts all public and private streets. Sidewalk must be 5' wide and 4" thick. Sidewalks across driveways shall be 5' wide and 6" thick. **All sidewalk details must be site specific and not a compilation of all the available sidewalk details.**

7. Future **sidewalk placement** will depend on pavement end treatment/conditions:
 - a. -If strip pavement is used, sidewalk improvements will require an easement.
 - b. -If rollback curb and gutter is used, sidewalk improvements require a 2' offset.
 - c. -If vertical curb and gutter is used, sidewalk improvements may be placed directly behind.

8. A **sidewalk easement** shall be required for sidewalk and ramps within the property lines. Sidewalk easements are to be labeled on the site plan.

9. Sidewalks within the right-of-way will be included in the driveway permit approval and a **three-party encroachment** agreement shall be required for all sidewalks within NCDOT maintained right-of-way. Reference:
<https://connect.ncdot.gov/municipalities/Utilities/Pages/Encroachment-Agreements.aspx>

10. Should **cross sections** of existing sidewalk at adjacent properties be greater than the minimum width, installation of new sidewalk should match the existing cross section width.

11. Sidewalks shall be constructed or a bond issued **prior to final plat approval** and/or issuance of a Certificate of Occupancy. Reference Article 24/102 + NCDOT Policy on Street & Driveway Access Chapter 2 Section A, Chapter 3 Section E

13. Appropriate **stacking distance** is required: (Measured from the edge of the street travel lane to the intersection of the driveway and parking area.) Reference Article 30-5.A.11
 1. -1-49 parking spaces requires 35 feet
 2. -50-249 parking spaces requires 45 feet

3. -250-499 parking spaces requires 100 feet
4. -500 or more requires 100 feet plus 15 feet for every additional 50 parking spaces

13. General Comments

City of Fayetteville
Virginia Small
9104331329
virginiasmall@fayettevillenc.gov

Guide For Submitting A Driveway Permit Online:

Please Note: The City Will Not Approve A Driveway Permit Until The Final Site Plan Has Been Approved By TRC (If Applicable). Also Note: If Submitting An NCDOT Driveway Permit Application, The Applicant Will Be First Required To Get City Approval.

Submittal Process Steps

1. Go To The **IDT Site** (May Need To Register)
<https://fayetteville.idtplans.com/secure/subscription/>
 - a. This Is The City's Electronic Development Review Software Website
2. Under The '**Projects**' tab, Click '**Submit A Project**'.
3. Click '**Submit A New Project**'.
4. Complete The '**Project Overview**' Section.
 - a. Application Category = '**Engineering Review**'
 - b. Application Type = **2.2) Driveway Permit**
 - c. **Project Name** = Preferably Same Name Used For TRC (If Applicable)
5. Click 'Save And Continue'
6. **Check Boxes** To Acknowledge Requirements Of Submittal
7. Click 'Save and Continue'
8. **Select Location** (Please Make This An **Address** If Possible)
9. Enter '**Primary Contact Information**'
10. Click 'Save and Continue'
11. Enter '**Project Information**'
 - a. Please Note: The 'Proposed Building Square Footage' Entered In This Section Will Affect The Fees Paid At The End Of The Application Submittal
 1. 'Less Than Or Equal To 75,000 SF' = \$200
 2. 'Greater Than 75,000 SF' = \$400
12. Enter '**Full Name**' To Acknowledge Terms
13. Click 'Save And Continue'
14. Review Application Submittal
15. Check Box At Bottom Of Page And Click '**Confirm**' If Information Is Correct
16. **Upload Files** And Click 'Save And Continue'
 - a. **Need To Submit At Least A PDF Of The Site Plan To Be Able To Begin Review Of The Application**
17. Complete '**Fees**' Section By Selecting:
 - a. '**Pay Online**' (***Preferred***)
 - b. Or 'Pay Offline' (Please Contact Brian McGill
BrianMcGill@FayettevilleNC.Gov If You Must Pay Via This Method
 1. Please Note: Paying Offline May Significantly Slow Down

The Approval Of The Driveway Permit.

18. Click '**Confirm And Submit For Review**' And Then 'Confirm'

What Happens Now?

1. Appropriate Parties Will Receive Notifications That A Permit Application Was Submitted
2. **Project Administrator** Will Evaluate The Submitted Materials To Ensure All Requirements For The Submittal Are Met
 - a. **If All Requirements Are Met**, The Project Administrator Will **Accept The Submittal Package**. An Email Will Be Sent Out To Inform The Applicant That The Submitted Project is '**Under Review**'. Also, The Permit Application Document Will Be Generated And Emailed To The Applicant If Not Submitted Initially With The Application (**CITY PERMITS ONLY**). **At This Point, The Applicant Will Be Required To:** Download The Permit Application Document, Finish Filling It Out, Obtain All Appropriate Signatures, And Upload The Document Back Into IDT. Where Signatures Are Required, Acceptable Signature Methods Include: Original Wet Signature (Scanned In Color), DocuSign Verified, And AdobePro Verified.
 - b. **If All Requirements Are Not Met**, The Project Administrator Will **Decline The Submittal Package**. An Email Will Be Sent Out To Inform The Applicant That The Submitted Project Was Declined And The Applicant Will **Need To Resubmit** With The Proper Requirements.
 1. Please Note: If Paying Offline, No Action Will Happen Until Payment Has Been Received
3. At This Time, Appropriate Parties Are Assigned To Review The Project
 - a. **Assigned Reviewers Will Make Comments** In The Form of 'Issues'
 1. '**Open Issues**' Are Comments That **Require Revisions**
 2. A Issue Becomes a 'Closed Issue' When The Issue Has Been Addressed
 3. **If Open Issues Require Resubmittal**, The **Project Administrator Will Decline The Review** And An Email And/Or Letter Will Be Generated To Inform The Applicant The Reasons Why The Review Was Declined
 1. The Applicant Will Then Need To Resubmit To Address The Issues

Once All Issues Have Been Addressed:

1. An Email Notification With Attached Letter Will Be Sent Out Stating That The Permit Has Been **Approved**.
2. The Applicant Will Be Able To Access The City Approved Documents By Simply Clicking The Links In The Letter (No IDT Login Required) Or Through IDT.
 - a. The Site Plan Will Typically Be Named 'City Stamped Site Plan'
 - b. The Permit Application Document Will Typically Be Named 'City Signed Permit'
3. At This Point If The Applicant Is Submitting A **City Permit**, The

Process Is Complete.

- a. The Applicant Will Need To Contact Jeffrey Riddle At jriddle@ci.fay.nc.us To Schedule A Pre-Construction Meeting As The Project Will Be Transferred Over To The City Of Fayetteville Construction Management Department.
- 4. However, If Submitting An **NCDOT Permit**, The Applicant Must Coordinate With NCDOT For Final Approval And Issuing Of The Permit Following City Approval.
 - a. The NCDOT Driveway Permit Point Of Contact Is Troy Baker tbaker@ncdot.gov
 - b. A Payment Of \$50 PER DRIVEWAY CONNECTION ON SITE (Payable By Check) Will Need To Be Sent Directly To NCDOT (The City Cannot Accept Any Payments Made To NCDOT)
 - c. Lastly, The Applicant Will Need To Send Both The City Stamped Site Plan And City Signed Permit To NCDOT
 - d. **IMPORTANT UPDATE:** As of 10/18/2021, following NCDOT approval, the **applicant will now be required to upload the NCDOT driveway permit approval package back into the City's IDT portal** under the previously submitted driveway permit project application. Thank you for understanding as this new requirement will significantly enhance coordination & may also help significantly expedite the approval process for your project.

14. Site Specific Comments

City of Fayetteville
Virginia Small
9104331329
virginiasmall@fayettevillenc.gov

Site Specific Comments Include:

Need **City** driveway permit. The driveway permit is to be submitted as a new separate project in IDT for City of Fayetteville for approval. Guidelines have been included in a separate comment on this case. Please be sure to attach a PDF of both the site plan and signed permit application document to your submittal.

Need to build sidewalk with appropriate wheelchair ramps and truncated domes.

Please label driveway width and radii on site plan.

9c. Transit

General Issues

3. General Comments

City of Fayetteville
Jaimie Walters
9104331329
jaimiewalters@fayettevillenc.gov

FAST currently has existing stops on B Street that are served by Routes 3 & 4. No new stop needed.



City of Fayetteville

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

City Council Action Memo

File Number: 24-3780

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.03

TO: Mayor and Members of City Council

**THRU: Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager**

**FROM: Deontae K. Watson, MBA, A.A.E., Interim Airport Director
Kimberly Leonard, CLGFO, CLGBO, CPA, MPA, Budget and
Evaluation Director**

DATE: February 12, 2024

RE:

**Adoption of Capital Project Ordinance Amendment 2024-13 to Appropriate
Additional Funding for the Purchase of a Replacement Aircraft Rescue and
Firefighting Vehicle**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal IV - Desirable Place to Live, Work and Recreate

4.1 - To maintain public transportation investments with high-quality transit and airport services.

Executive Summary:

City Council is asked to adopt Capital Project Ordinance Amendment (CPOA) 2024-13 to appropriate an additional \$299,999 of Airport Passenger Facility Charge (PFC) revenues for the purchase of a replacement Aircraft Rescue & Firefighting (ARFF) vehicle for Fire Station 10 at the Fayetteville Regional Airport. The appropriation of additional PFC revenues will allow for a reduction in the use of Airport operating funds for this project of \$71,327.

Background:

Airport firefighters require unique apparatuses to arrive and perform their initial mission to secure aircraft against all hazards, particularly fire, and increase the survivability of the passengers and crew on board. This special category of firefighting is called Aircraft Rescue and Firefighting. The new ARFF vehicle will replace the 22-year-old (1998) Emergency One ARFF vehicle, which requires constant maintenance with limited replacement parts.

City Council adopted Capital Project Ordinance 2023-12 appropriating \$1,071,326 for the project on January 9, 2023. The original appropriation included \$700,000 of PFC revenues and an Airport Operating Fund transfer of \$371,326. The Airport has received approval from the Federal Aviation Administration to collect and utilize an additional \$299,999 of PFC revenues for the purchase of the ARFF vehicle. The addition of PFC funding results in a reduction in the Airport operating transfer of \$71,327, making the total project budget \$1,299,998.

Issues/Analysis:

None

Budget Impact:

There is no impact to the General Fund as PFC airport revenues will provide the additional funding.

Options:

1. Adopt Capital Project Ordinance Amendment 2024-13 to purchase a replacement Aircraft Rescue and Firefighting vehicle.
2. Do not adopt Capital Project Ordinance Amendment 2024-13 and provide further direction to staff.

Recommended Action:

Staff recommends that Council move to adopt Capital Project Ordinance Amendment 2024-13 as presented to purchase a replacement Aircraft Rescue and Firefighting vehicle.

Attachments:

- Capital Project Ordinance Amendment 2024-13
- Oshkosh Striker Proposal
- Approved FAA PFC Amendment



U.S. Department
of Transportation
**Federal Aviation
Administration**

Airports Division
Southern Region
North Carolina, Kentucky, Tennessee

Federal Aviation Administration
Memphis Airports District Office
2600 Thousand Oaks Blvd., Suite 2250
Memphis, TN 38118
Phone (901) 332-8180
FAX: (901) 322-8195

December 17, 2023

Dr. Alvester "Toney" T Coleman, PhD, A.A.E.
Fayetteville Regional Airport/Grannis Field
Airport Director
400 Airport Rd Suite 1
Fayetteville, NC 28306

SUBJECT: Fayetteville Regional/Grannis Field
Fayetteville, NC
Amended PFC Application 21-09-C-01-FAY

Dear Dr. Coleman:

In accordance with Section 158.37(b)(1)(ii) of the Federal Aviation Regulation (14 CFR Part 158), the Federal Aviation Administration has reviewed your amendment request. Your notice, dated December 11, 2023, modifying the provisions of the approved application to impose a passenger facility charge (PFC) and use PFC revenue at Fayetteville Regional/Grannis Field airport (FAY) meets the requirements of the regulation. Please refer to this PFC Application, as noted above, in any future correspondence.

This amendment represents the following revisions:

Project	Previously Approved	Revised	Net Increase/ Decrease
Purchase ARFF Vehicle (001)			
Pay-As-You-Go	\$900,000	\$999,999	\$99,999
PFC Bond Capital	\$0	\$0	\$0
PFC Bond Financing & Interest	\$0	\$0	\$0
Total	\$900,000	\$999,999	\$99,999

New Charge Expiration Date: April 1, 2024. The total net effect of this amendment is an increase in the impose and use authority of \$99,999. Based on the information provided by the Fayetteville Regional Airport, the collection period will increase by two months.

The new revised date is:

Application	Charge Effective Date	Charge Expiration Date
21-09-C-01-FAY	08/01/2022	04/01/2024

Part 158.37(d) requires the City of Fayetteville to notify non-excluded carriers serving the airport of the amendment approval. Please provide a copy of your notice to:

**DOT/FAA Southern Region
Memphis Airports District Office
2600 Thousand Oaks Blvd, Suite 2250
Memphis, TN 38118**

If you have any questions or need any assistance, please call me at 901-322-8180.

Sincerely,

Tommy L. Dupree
Manager, Memphis Airports District Office

1515 County Road O
 Neenah, WI 54956



QUOTATION

Date: 1/18/23

Customer: Fayetteville Regional Airport
 Deontae Watson
 400 Airport Road - Suite 1
 Fayetteville, NC 28306

Sourcwell Contract # 113021-OKC

Quotation Number: 7676

QTY	DESCRIPTION	TOTAL PRICE
1	SG3-002 Oshkosh Striker 4x4 1500 Gallon ARFF Vehicle Meeting the requirements of Fayetteville Regional Airport	\$ 987,347.00
1	Auxiliary Equipment List Meeting the Requirements of Fayetteville Regional Airport	\$ 55,914.00
1	Freight	\$ 10,595.00
	OPTIONS:	
	Central Lube System	\$ 4,391.00
	LH Exhaust Exit with Plymovent Adapter	\$ 3,999.00
	Electronic Foam Proportioning System	\$ 9,080.00
	TOTAL	\$ 1,071,326.00

Delivery: 365 Days ARO

Terms: Net 30 Days

FOB: Fayetteville, NC

Quotation is valid for 90 days from date noted above.

by

Tim Donahue, Regional Sales Manager

1/18/23

Date

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2024-13 (CPO 2023-12)**

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

Section 1. The project change is to Capital Project Ordinance 2023-12, adopted January 9, 2023, for the funding of the replacement of the Aircraft Rescue and Firefighting (ARFF) Vehicle for Station 10 at the Fayetteville Regional Airport.

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

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

	Listed As	Amendment	Revised
Passenger Facility Charges	\$ 700,000	\$ 299,999	\$ 999,999
Airport Operating Fund Transfer	\$ 371,326	\$ (71,327)	\$ 299,999
	<u>\$ 1,071,326</u>	<u>\$ 228,672</u>	<u>\$ 1,299,998</u>

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

Project Expenditures	<u>\$ 1,071,326</u>	<u>\$ 228,672</u>	<u>\$ 1,299,998</u>
----------------------	---------------------	-------------------	---------------------

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

Section 6. The City Manager is hereby authorized and directed to take such action as he may deem necessary or appropriate to execute this ordinance.

Adopted this 12th day of February, 2024.



City of Fayetteville

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

City Council Action Memo

File Number: 24-3803

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.04

TO: Mayor and Members of City Council

THRU: Kelly Olivera, Assistant City Manager

FROM: Christopher Cauley, MPA - Economic & Community Development
Director
Jeffrey M. Morin - Housing Program Manager

DATE: February 12, 2024

RE:

**Approval of Updated Liberty Springs Apartments Affordable Housing
Rehabilitation Loan Commitment Letter**

COUNCIL DISTRICT(S):

District 2 - Council Member Malik Davis

Relationship To Strategic Plan:

GOAL IV: The City of Fayetteville will be a highly desirable place to live, work and recreate.

- 4.5: To ensure a place for people to live in great neighborhoods
- 4.6: To reduce poverty and homelessness

Executive Summary:

Liberty Springs Apartments is an 8 unit property located at 238 S. Cool Spring Street that has been vacant for several years. The proposed repayment terms are 1% interest rate, over a 15-year term. The loan will be amortized over 30-years, resulting in a final balloon payment. City Council is asked to authorize a loan commitment letter and subsequent loan documents, with adjusted terms, in the amount of \$380,500 from Home Investment Partnership Funds (HOME) to rehabilitate this property and activate 8 units of affordable efficiency and one-bedroom apartments. This commitment will be good until June 30, 2024, with a six-month extension allowed at the Economic and Community Development Director's discretion.

Background:

Incrementum Properties LLC. is a private developer producing 8 rental units by renovating an existing property. The property has previously been declared a nuisance property by the City and substantial rehabilitation is needed to bring up to current requirements. Funding in the amount of \$380,500 would come from the City's annual allocation of HOME funds, the development requires a 1% interest loan with a 15 year term in an amount that is fully amortized over 30 years. The borrower will be expected to pay a balloon payment at the 15th year or extend the affordability. On October 23, 2023, City Council approved funding for this project at 2% over 30 years.

Issues/Analysis:

The commitment letter, with adjusted terms, will be used to draft the legal documents to secure the City's investment. These documents will be executed at loan closing where the City will be represented by Banks Law Firm as outside legal counsel. The adjusted terms have been requested by the borrower due to concerns on long term affordability restrictions and the inflationary costs of operations. These terms are still within the Federal guidelines for investment in affordable housing.

Budget Impact:

No impact on the budget as funds for this project were previously approved on October 23, 2023, and are still available from the HOME Investment Partnership through the Department of Housing and Urban Development. Repayment of funds is treated as program income and revolved into the program to provide additional funding for future projects.

Options:

- Authorize a loan commitment letter and subsequent loan documents, with adjusted terms, in the amount of \$380,500 from HOME Funds to Liberty Springs Apartments.
- Do not authorize a loan commitment letter and subsequent loan documents, with adjusted terms, in the amount of \$380,500 from HOME Funds to Liberty Springs Apartments.
- Direct Staff to some other action.

Recommended Action:

Staff recommends that Council move to authorize a loan commitment letter, with adjusted terms, and subsequent loan documents in the amount of \$380,500 from HOME Funds to Liberty Springs Apartments.

Attachments:

Liberty Springs Apartments Commitment Letter 2.12.2024



February 12, 2024

Incrementum Properties LLC
Innovative Builds Inc.
1102 Waddell St
Fayetteville, NC 28301

Dear Mr. Bowley:

The City of Fayetteville is pleased to commit a loan ("Loan") to assist in financing the rehabilitation of an affordable housing development known as Liberty Springs Apartments, subject to the following terms:

Borrower: Incrementum Properties LLC.
The Borrower is not a Community Housing Development Organization as defined by the HOME Program.

Property: 238 S. Cool Spring Street, Fayetteville, North Carolina 28301
PIN: 0437-62-9473

Project: The rehabilitation of eight (8) affordable individual multifamily rental housing units to be known as "Liberty Springs Apartments" and located on the Property (the "Project").

Loan Amount: \$380,500.00

Source of Funds: HOME funds from the City of Fayetteville HOME Program

Affordability Period: Fifteen (15) years

Use of Funds: To assist in financing the rehabilitation of eight (8) fixed, HOME-assisted units ("HOME Units") of affordable, multifamily rental housing in Fayetteville, North Carolina as set forth below.

Low HOME Units. One (1) zero-bedroom unit and one (1) one-bedroom unit shall be rented exclusively to persons or households earning no greater than fifty percent (50%) of the Fayetteville area median income as determined from time to time by HUD (the "AMI"), and shall comply with the HOME Program's Low HOME rent and income requirements.

High HOME Units. Three (3) zero-bedroom units and three (3) one bedroom units shall be rented exclusively to persons or households earning no greater than sixty percent (60%) of the AMI, and shall comply with the HOME Program's High HOME rent and income requirements.

The HOME Units and their rent rates must comply with HUD's HOME Program and the rules and regulations promulgated pursuant thereto, in addition to the City's HOME Program (the "Requirements") for the entire Affordability Period.

Interest: One percent (1%) fixed rate, bearing simple interest.

Term/Payment: The Loan shall be for a 15-year term, amortized over 30 years, commencing on the date the Loan funds have been disbursed in full and maturing 15 years from such date ("Maturity Date").

During the term of the Loan, monthly payments shall be due and payable as set forth in the Loan's promissory note. All outstanding principal and interest shall be due and payable in full on the Maturity Date.



Collateral: The collateral shall consist of a first lien Deed of Trust encumbering the Property. The City of Fayetteville shall execute such subordination agreements as shall be required by senior lenders for the development.

Costs: All costs pertaining to closing the loan will be borne by the borrower, including recording fees and the legal fees incurred by the City of Fayetteville. There shall be no loan fees or prepayment penalties associated with this loan.

Requirements: Borrower agrees that Borrower and the Project shall meet the Requirements throughout the Affordability Period. In the event the Project or Borrower does not meet the Requirements throughout the Affordability Period, Borrower shall be required to repay the then-outstanding balance of the Loan.

Compliance Monitoring: During the Affordability Period, Borrower and Borrower's members shall be required to submit documents and records reasonably necessary to confirm Borrower and the Project's compliance with the Requirements, as well as any other items which may be reasonably required or requested by the City or its counsel.

Other Conditions: This Loan may be subject to additional conditions set forth in the Loan's documents.

Expiration: This commitment expires on June 30, 2024.

We look forward to working with you as you develop affordable housing for families in the City of Fayetteville, North Carolina.

Sincerely,

Christopher Cauley, MPA
Director of Economic and Community Development
City of Fayetteville, NC

Accepted and Agreed to by:

Incrementum Properties LLC,
a North Carolina limited liability company

By: _____

Name: _____

Title: _____



City of Fayetteville

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

City Council Action Memo

File Number: 24-3836

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.05

TO: Mayor and Members of City Council

THRU: Kelly Olivera, Assistant City Manager

FROM: Tyffany L. Neal, Transit Director

DATE: February 12, 2024

RE:

Approval of the Transit 2024-2028 Equal Employment Opportunity Program

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal 4: Desirable Place to Live, Work and Recreate

Objective D: To develop and maintain public transportation investments with high quality transit and airport services.

Executive Summary:

City Council is asked to approve the Transit 2024-2028 Equal Employment Opportunity (EEO) Program and authorize submittal of the Program to the Federal Transit Administration (FTA).

An EEO program is a detailed set of procedures and employment information designed to ensure entities meet federal EEO requirements. As an FTA recipient who employs more than fifty (50) transit-related employees and requested or received capital or operating assistance in excess of \$1 million (or planning assistance in excess of \$250,000) in the previous federal fiscal year, Fayetteville Area System of Transit (FAST) is required to submit an EEO program every four (4) years and implement all of the EEO program elements.

The attached EEO program for FAST has been developed to ensure compliance with

FTA requirements.

Background:

The Federal Transit Laws, 49 U.S.C. 5332(b), provide that “no person in the United States shall on the grounds of race, color, religion, national origin, sex, or age be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any project, program or activity founded in whole or in part through financial assistance under this Act.” This applies to employment and business opportunities and is considered to be in addition to the provisions of the Title VI of the Civil Rights Act of 1964.

The analysis of the FAST workforce from March 1, 2020, through June 30, 2023, showed that minorities composed of 87.4% of the workforce. Caucasians represented 20.5% of the FAST workforce. African Americans are highly represented (70.5%) in FAST’s workforce. Throughout the department in various EEO-4 job categories, African Americans were most highly represented in the Service Maintenance category (83%), Paraprofessional category (83.3%) and Administrative Support category (68.7%).

To ensure compliance with FTA expectations, FAST has set annual goals (as detailed within the plan), for each of these underutilized areas, to decrease the underutilization rates in each of these categories. FAST will actively work with the City’s Human Resource Development (HRD) Department to intentionally and creatively find ways to meet FAST’s utilization goals.

The awareness of underutilization within FAST’s workforce (as identified in the EEO Program) is not a basis for predetermining employment of candidates in particular job categories. Placement goals, as indicated on the utilization analysis, are determined as a result of the breakdown of job category, ethnicity and gender, where utilization occurred and the number of persons needed to eliminate such. A candidate’s employment status is not determined or affected by the candidate’s race, color, religion, sex, age, disability, veteran status or national origin. In all employment decisions, FAST makes selections in a nondiscriminatory manner. FAST also does not hire a less qualified candidate in preference to a more qualified candidate as FAST believes that, by making a good faith effort ensuring all aspects of our EEO program are implemented, we will achieve our placement goals.

The EEO program also reviewed data related to employment practices. These include hiring promotions, training, terminations and discipline. In addition, the program recognizes FAST’s commitment to fair and compliant employment practices.

We would like to call to Council’s attention that the adoption of the program will permit FAST the ability to continue to apply for and potentially receive federal funding as the program is required by FTA.

Issues/Analysis:

There are no significant issues identified in the review of FAST's EEO program. The program identified Yamile Nazar, Human Relations Director, as the EEO Officer. FTA requires that the official be an individual that is independent of the management and personnel functions of the Transit Department.

Budget Impact:

The program is included in the Transit Department's annual operating budget. No additional funding is required.

Options:

1. Approve the EEO program and authorize transmittal to FTA
2. Reject the proposed EEO program and provide direction for staff.

Recommended Action:

Staff recommends that Council move to approve the program and authorize transmittal to FTA.

Attachments:

FAST's 2024-2028 EEO program



CITY OF FAYETTEVILLE
FAYETTEVILLE AREA SYSTEM OF TRANSIT
EQUAL EMPLOYMENT OPPORTUNITY (EEO)
PROGRAM

MARCH 1, 2024 - FEBRUARY 29, 2028



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FACILITY IDENTIFICATION STATEMENT

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

FOR

City of Fayetteville
Fayetteville Area System of Transit (FAST)
505 Franklin Street
Fayetteville, NC 28301

CITY OF FAYETTEVILLE DUN & BRADSTREET NUMBER: **040-03-1700**

INCLUSIVE DATES OF THE EEO: MARCH 1, 2020 - JUNE 30, 2023

EEO Officer: Yamile Nazar

Title: Human Relations Director

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E-mail Address: yamilenazar@fayettevillenc.gov

Read and approved by:

CHIEF EXECUTIVE: Douglas Hewett, ICMA-CM

TITLE: City Manager, City of Fayetteville

INTRODUCTION

This report outlines the Equal Employment Opportunity (EEO) Plan of the Fayetteville Area System of Transit (FAST), a department of the City of Fayetteville (COF), developed in accordance with the Federal Transit Administration (FTA) Circular 4704.1A effective October 31, 2016 (Rev. 1, April 20, 2017) (“Circular”). This report is provided as documentation of compliance with the Title VII Civil Rights Act of 1964, as amended, which prohibits employment discrimination on the basis of:

- Race
- Color
- Sex (Including Pregnancy)
- National Origin
- Creed
- Religion
- Retaliation

EEO PROGRAM PURPOSE

The EEO Program is a detailed, results-oriented set of procedures designed to achieve prompt and full utilization of minorities and women at all levels and in all parts of the organization’s workforce. FAST is required to submit this document to FTA every four (4) years.

The purpose of the EEO is to:

- Establish strong company policy and commitment to EEO.
- Assign responsibility and authority for the program to top company officials.
- Analyze present workforce to identify jobs and departments where minorities and females are underrepresented.
- Set specific measurable hiring and promotion goals with target dates in each area of underutilization.
- Make every manager and supervisor responsible and accountable for helping to meet these goals.
- Re-evaluate job descriptions and hiring criteria to ensure that they include only actual job needs.
- Find minorities and females who qualify or can become qualified to fill goals.

HOW TO FILE A COMPLAINT

If you believe you have been discriminated against under the Title VII Civil Rights Act based on EEO, you have a right to file a complaint up to one-hundred and eighty (180) days from the date

of the alleged discrimination. The complaint must be in writing and shall include, at minimum, the following information:

- Name, address and contact information (i.e. telephone number, mailing address, email address, etc.).
- Details of how, when, where and why you believe you were discriminated against.
- Name and contact information of any witnesses.

A Title VII complaint form is available on www.RideFAST.net, or can be requested by calling (910) 433-1747. A complaint may be sent by mail to:

Fayetteville Area System of Transit
EEO Coordinator
505 Franklin Street
Fayetteville, NC 28301

You may also send this information by email to FAST@fayettevillenc.gov. Please indicate “Attention EEO Coordinator” in the subject line.

In addition to filing a Title VII complaint with FAST, complainants may also file a Title VII complaint with the following agencies:

City of Fayetteville
Human Relations Director / EEO Officer
433 Hay Street
Fayetteville, NC 28301

North Carolina Department of Transportation
Office of Equal Opportunity & Workforce Services
External Services Section
1511 Mail Service Center
Raleigh, NC 27699

Federal Transit Administration
Office of Civil Rights
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

The U.S. Equal Employment Opportunity Commission
Raleigh Field Office
434 Fayetteville Street, Suite 700
Raleigh, NC 27601-1701

Title VII complaints are investigated by the City's Human Relations Department in accordance with the City's discrimination complaint procedures.

NOTICE:

Complainants are encouraged to send all written correspondence through the U.S. Postal Service via certified mail in order to ensure that documents are easily tracked. If complainants choose to submit complaints by facsimile and/or email, an original, signed copy of the complaint must be mailed to the EEO Coordinator, as soon as possible, but no later than 180 days from the alleged date of discrimination.

PROGRAM REQUIREMENTS

The program requirements of this report contain EEO/AA plan components as required in Chapter II of FTA Circular 4704.1A. This section includes the following required program components:

- I. Statement of Policy**
- II. Dissemination Plan**
- III. Designation of Personnel Responsibility**
- IV. Utilization Analysis**
- V. Goals and Timetables**
- VI. Assessment of Employment Practices**
- VII. Monitoring and Reporting**

STATEMENT OF POLICY

Fayetteville Area System of Transit's (FAST) mission is to improve the quality of life by connecting Fayetteville's residents, workers, visitors, and places with a highly-valued safe, efficient, reliable and innovative transportation. We strive to create a professional environment reflecting the Fayetteville community in which we serve. FAST is committed to ensuring that no person is excluded from participation in, or denied the benefits of, employment opportunities (including but not limited to, recruitment, hiring, selection for training, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation) based on race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class.

FAST does not tolerate retaliation or adverse action against employees or candidates who file a charge or complaint against FAST for alleged discrimination. Charges or complaints including, but not limited to, participation in an employment discrimination proceeding (such as an investigation or lawsuit) or otherwise engagement in protected activity will be thoroughly investigated.

FAST is committed to providing reasonable accommodations to candidates and employees who need them because of a disability or to practice or observe their religion, absent undue hardship. The success of FAST's EEO Program is the responsibility of all FAST employees. To ensure this all FAST staff will be responsible for the specific portions of this plan to assure compliance is achieved. Our managers and supervisors all understand that their contribution to this plan will be measured in the same manner that other city and department goals are evaluated.

In an effort to be compliant with all state and federal requirements, FAST is committed to developing a written, nondiscriminatory, EEO Program that includes goals and timetables which align with our overall goals. The guidelines and objectives contained in this plan are designed to assist FAST and all of its employees adhering to this policy.

As I am the overseer for FAST's EEO Policy and Program, my overall responsibility and accountability is to ensure that our EEO Officer and EEO Coordinators both have direct access to me and acts with my authority on all levels. Both our EEO Officer, Yamile Nazar (yamilenazar@fayettevillenc.gov) \ (910) 433-1697 and EEO Coordinator, Tiera Daugherty (tieradaugherty@fayettevillenc.gov) \ (910) 433-1157, will ensure the day-to-day management, including EEO program preparation, monitoring and complaint investigation.

We pride ourselves in being an attractive, culturally diverse, and inclusive city that is safe, prosperous, innovative, and unified. In order for us to ensure a positive environment within our organization and community, we will hire and provide advancement opportunities for candidates and employees within the above identified classifications and minimize or eliminate impediments which may deny advancement to those individuals.

This program will be updated as necessary and in compliance with state and federal requirements and those specifically of the Federal Transit Administration (FTA)

Douglas Hewett

Date

City Manager, ICMA-CM

I. DISSEMINATION

FAST has established various channels of communication to ensure that employees and the community are aware of its commitment to FAST's EEO Program by educating persons responsible for its administration, employees, recruitment sources, subcontractors, vendors, suppliers, and the community. FAST widely publicizes and disseminates its EEO Policy Statement and associated documents in both print and electronic formats.

Internal Dissemination

1. FAST's EEO Statement of Policy, signed by the Chief Executive, is disseminated throughout the organization in both print and electronic formats.
2. FAST's EEO Statement of Policy, along with federal and state labor law notices, are conspicuously displayed in common workspaces throughout FAST facilities.
3. FAST's EEO Statement of Policy is included in the employee handbook, personnel manual and reports.
4. FAST's EEO Statement of Policy and Plan is available on the CoF intranet and posted on FAST website.
5. The EEO Coordinator will meet with FAST's Leadership Team at least quarterly to discuss the EEO Program and its implementation.
6. An annual EEO refresher training will be held for all FAST employees to seek input on the programs implementation. All employees will sign an EEO training acknowledgement form indicating they have been trained on FAST's EEO Program.
7. FAST ensures that all new supervisors and managers are trained within 90 days of their appointment.

External Dissemination

FAST is committed to utilizing whatever means necessary to convey the organizations commitment to equal opportunity employment. The dissemination of FAST's EEO Program includes, but is not limited to:

1. Recruitment and employment agencies, educational institutions and community organizations that refer candidates to FAST.
2. All recruitment advertisements, to include printed/electronic media and online jobs postings indicating FAST "is an equal opportunity employer."
3. Accessibility on FAST's website.

II. DESIGNATION OF PERSONNEL RESPONSIBILITY

FAST believes that Equal Employment is an organizational responsibility, therefore, implementing and ensuring the compliance of this program is a collaborative effort between

several departments. The importance FAST places on the EEO Program is reflected by our Chief Executive Doug Hewett's commitment as indicated in FAST's EEO Statement of Policy.

Chief Executive – Doug Hewett, City Manager, is responsible for overseeing and ensuring FAST's EEO Program is adhered to and receives the highest level of priority. The Chief Executive's responsibilities include, but are not limited to:

1. Total commitment to FAST's EEO Program goals and objectives.
2. Appointing the EEO Officer who will administer and adhere to the provisions of FAST's EEO Program.
3. Delegating the responsibility of the EEO Program to ensure all designated personnel comply accordingly.
4. Overseeing periodic audits to ensure all aspects of employment as a means to identify and remove barriers obstructing the achievement of specified goals and objectives.

EEO Officer – Yamile Nazar, Human Relations Director, has been appointed by the Chief Executive as FAST's EEO Officer and has the primary responsibility to ensure full compliance of the programs goals and objectives. The responsibilities of the EEO Officer include, but are not limited to:

1. Total commitment to FAST's EEO Program goals and objectives.
2. Advising and conducting EEO training and professional development opportunities for all employees.
3. Designing, implementing and maintaining an internal audit and reporting system that will 1.) measure the effectiveness of FAST's programs; 2.) determine where progress has been made; 3.) identify the need for corrective action; 4.) ensure compliance information is posted and up-to-date.
4. Serving as a liaison between FAST; Federal, state, county and local governments, regulatory agencies, community groups representing minorities, women, persons with disabilities and others.
5. Investigating employment discrimination complaints.

EEO Coordinator – Tiera Daugherty, Civil Rights Program Analyst, serves as FAST's EEO Coordinator and has the primary responsibility to ensure compliance of the programs goals and objectives. The responsibilities of the EEO Coordinator include, but are not limited to:

1. Total commitment to FAST's EEO Program goals and objectives.
2. Creating and administering FAST's EEO Statement of Policy and Program.
3. Assisting in identifying potential problem areas to establish agency and unit goals and objectives.
4. Reviewing FAST's nondiscrimination plan with all managers and supervisors to ensure the policy is understood.
5. Assisting management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals.
6. Reporting semi-annually to the Chief Executive on the goals and progress of the EEO Program.

7. Providing direction to the Human Resource Development regarding: 1.) recruitment and promotions; 2.) complaint policies; 3.) reasonable accommodation policies; 4.) performance evaluations; 5.) grievance procedures and; 6.) concurring in all employment practices policies.
8. Assuring that current legal information affecting EEO is disseminated to responsible officials.

Human Resource Development Director - Sherman Clipp, oversees, but is not limited to:

1. Employment discrimination complaints received by the Human Resources Consultants and notification to the EEO Officer of all discrimination complaints received.
2. Ensuring that no barriers exist which preclude equal opportunity in hiring, promotion, training and career growth opportunities.
3. Orientation of new employees where they are provided and read the EEO Statement of Policy during New Employee Orientation.

Agency EEO Responsibilities

All FAST supervisors, managers and City officials are responsible for ensuring the implementation of FAST's EEO Program and assuring that discrimination, of any kind (based on a protected class) is eliminated. The responsibilities of these personnel include, but is not limited to:

1. Participating in periodic audits of all aspects of employment and remove barriers obstructing the achievement of specified goals and objectives.
2. Maintaining a reporting database of personnel records and meeting with employees and City officials regularly to ensure personnel have a clear understanding of FAST's policies and procedures.
3. Participating in the review and/or investigation of complaints alleging discrimination.
4. Conducting/Supporting career advancement opportunities for all employees.

III. UTILIZATION ANALYSIS

As part of the EEO Program requirements, FAST conducted a Utilization Analysis to identify job categories where there is underutilization and/or overconcentration of certain demographic groups within FAST's workforce in comparison to their availability in the relevant labor market. It is also used to establish a set of goals and timetables to address any underutilization and/or overconcentration.

FAST's Utilization Analysis consists of a workforce analysis and an availability analysis. The workforce analysis provides a statistical breakdown of FAST's workforce by EEO-4 job categories, cross-referenced by gender and race/ethnicity. The availability analysis draws from US Bureau statistics on the demographics of the availability workforce, primarily in the Cumberland County area, for each specified job category. Based on a comparison between the demographic profile of FAST's workforce and the available workforce in the Cumberland County area, this analysis identified areas of underutilization and overconcentration. These figures were used as a baseline from which the timetables were developed.

Job Group	EEO Job Category	Total Number of FAST Employees per EEO Job Category
1	Officials and Administrators	3
2	Professionals	6
3	Technicians	0
4	Protective Service Workers	0
5	Paraprofessionals	13
6	Administrative Support Workers	16
7	Skilled Craft Workers	18
8	Service Maintenance Workers	124

Workforce Analysis

FAST’s workforce data is a compilation of all full-time, part-time, permanent and temporary FAST employees captured in the dataset for this Utilization Analysis. Contractors, including security personnel, are not included in this data. The CoF assigns similar or related job titles to job groups that mirror the EEO-4 job categories for reporting purposes.

Availability Analysis

FAST’s Availability Analysis (APPENDIX A) utilized availability data from the US Census Bureau’s 2014-2018, American Community Survey. The analysis employs the EEO State and Local Government Job Groups by gender and race/ethnicity for Worksite Geography data tables. This is the most recent source of EEO tabulation data by State and Local Government job groups. FAST selected to use the entire United States as the appropriate labor market for the Officials and Administrative job categories. The CoF sources candidates from throughout the US for its executive management positions due to relatively small pools of people who qualify to take on these senior management roles.

The availability data is input into the Utilization Analysis and required for all job categories as well as the racial/ethnic subcategories for men and women. The results of the analysis will identify any underutilization or over-concentrated subcategories in specific job classes.

Findings

Total Workforce and Availability Analysis

FAST's total workforce, from March 1, 2020, through June 30, 2023, comprised of 180 employees. This figure includes all full-time, part-time, permanent and temporary employees. Of the total workforce, 89 employees were male, composing of 49.4% of FAST's workforce. 91 employees were female, representing 50.4% of the workforce. 143 employees were minorities, composing of 79.4% of the workforce. 37 employees were Caucasian, representing 20.5% of the workforce (Figure 1 and Figure 2).

Composing a total of 70.5% of FAST's workforce, African Americans (127) are highly represented throughout the department in various EEO-4 job categories. African Americans were most highly represented in the Service Maintenance category (83%). Administrative Support category (68.7%) and Paraprofessional category (83.3%).

Seven (7) Hispanic/Latino males/females worked at FAST during the reporting period. Combined, Hispanic and Latinos made up (3.8%) of the department's workforce. Hispanic/Latino males were underutilized in one Job Category.

Employees of Two or More Races represented 3.3% of the workforce and were underutilized in the Service Maintenance category (-1%). During the reporting period, FAST only had one (1) Asian or Pacific Islander employee and two (2) American Indian/Alaskan Native employees (1.1% of total workforce). Since these groups make up a very small percentage of the available workforce in the Cumberland County area, none of these groups were underrepresented in FAST's workforce.

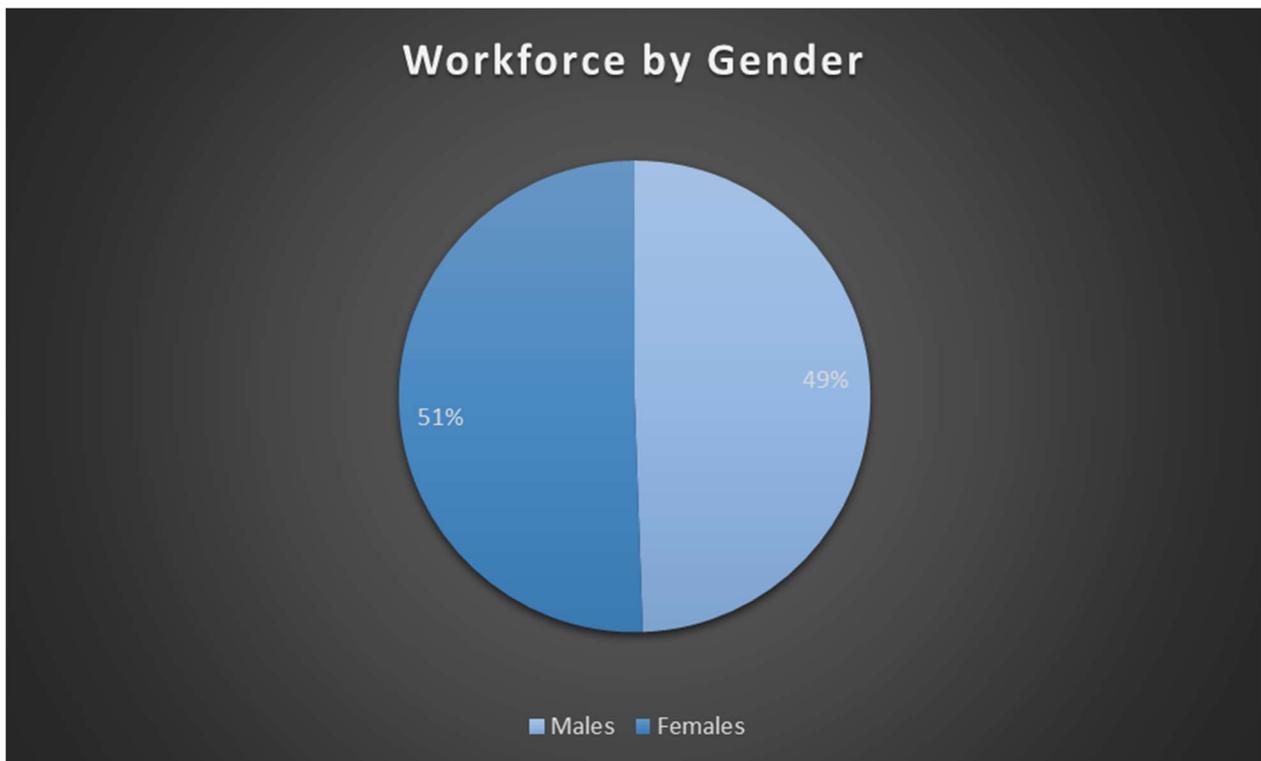


Fig. 1 FAST Snapshot from March 1, 2020- June 30, 2023

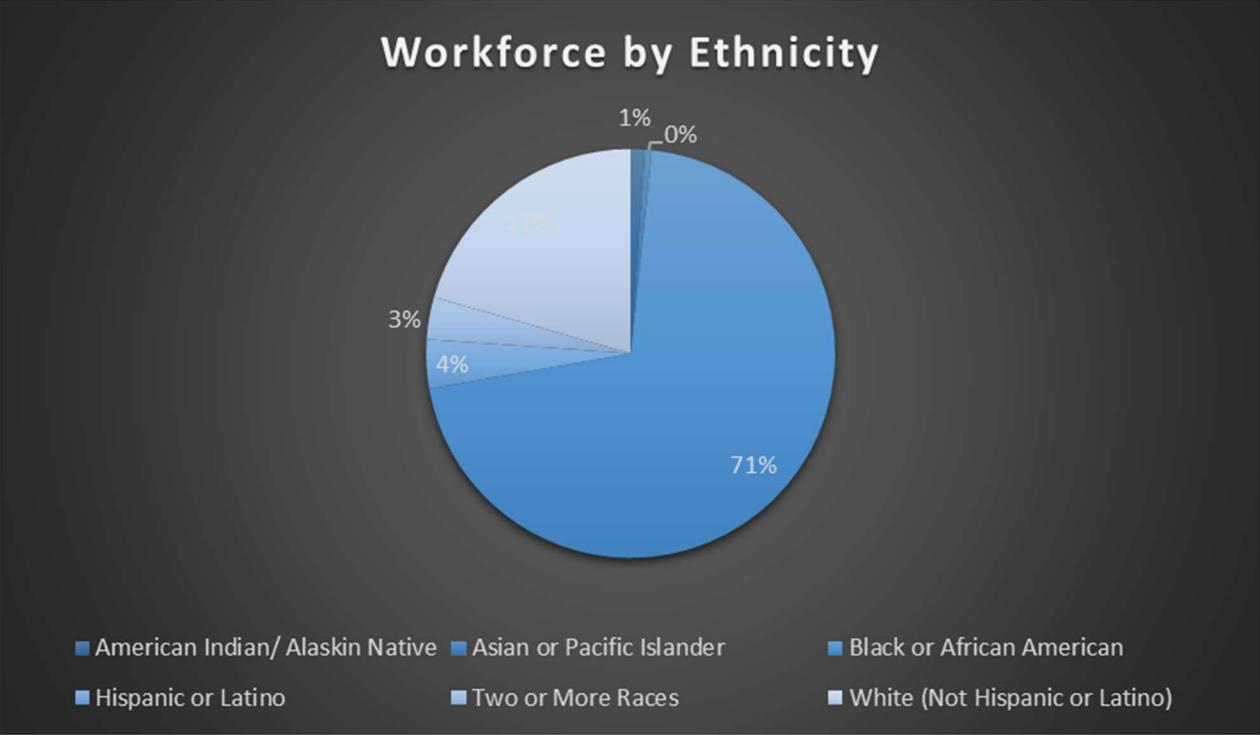


Fig. 2 Workforce Snapshot from March 1, 2020- June 30, 2023

Job Category 1 - Officials and Administrators

The Officials and Administrators job category consists of three (3) employees with annual salaries ranging from approximately \$71,000 to \$130,000. Of these three (3) employees, one (1) (33.3%) is male and two (2) (66.6%) are female. All three (3) (100%) are minorities.

There are no underutilized groups in the Officials and Administrators job category.

Job Category 2 - Professionals

The Professionals job category consists of five (5) employees with annual salaries ranging from approximately \$52,000 to \$71,000. Of these five (5) employees, one (1) (20%) is male and four (4) (80%) are female. One (1) (20%) is a minority and four (4) (80%) are Caucasian.

There are no underutilized groups in the Professionals job category.

Job Category 3 - Technicians

No data to report for this job category.

Job Category 4 - Protective Services

No data to report for this job category.

Job Category 5 - Paraprofessionals

The Paraprofessionals category consists of 12 employees with annual salaries ranging from approximately \$52,000 to \$71,000. Of these employees, four (4) (33.3%) are male and eight (8) (66.6%) are female. Nine (9) (75%) are minorities and three (3) (25%) are Caucasian.

There are no underutilized groups in the Paraprofessionals job category.

Job Category 6 - Administrative Support

The Administrative Support category consists of 16 employees with annual salaries ranging from approximately \$37,000 to \$50,000. Of these 16 employees, two (2) (12.5%) are male and 14 (87.5%) are female. 13 (81.2%) are minorities and six (6) (23%) are Caucasian.

There are no underutilized groups in the Administrative Support job category.

Job Category 7 - Skilled Craft

The Skilled Craft category consists of 17 FAST employees with annual salaries ranging from approximately \$36,000 to \$83,000. All 17 (100%) are male. 10 (58.8%) are minorities and seven (7) (41.2%) are Caucasian.

There are no underutilized groups in the Skilled Craft job category.

Job Category 8 - Service Maintenance

The Service Maintenance consists of 124 employees with annual salaries ranging from approximately \$36,000 to \$83,500. Of these seven (7) employees, 60 (48.4%) are male and 64 (52.6%) are female. 105 are minorities and 18 (14.5%) are Caucasian.

There are six (6) protected class groups underutilized in the Service Maintenance category. These include Hispanic/Latino Males (-15%), Asian Males (-2%), Two or More Races Males (-8%), Caucasian Females (-17%), Hispanic/Latino Females (-10%) and Asian Females (-1%).

Demographic	Underutilization
Hispanic/Latino Males	15%
Asian Males	2%
Two or More Races Males	8%
Hispanic/Latino Females	10%
Caucasian Females	17%
Asian Females	1%

IV. GOALS AND TIMETABLES

FAST's EEO efforts are directed toward achieving gender and minority representation in all job categories which is equivalent to the available workforce in Cumberland County. Goals and

timetables are excellent management tools that assist in optimum utilization of human capital. Specific and detailed percentages and numerical goals, with timetables, must be set to correct any underutilization of specific affected classes of persons identified in FAST’s Utilization Analysis. In establishing placement goals, FAST applied the following principles:

1. When the percentage of minorities or women employed in a job category was less than would reasonably be expected given the availability percentage in that job category, FAST established a percentage placement goal using statistically significant methods (the Whole-Person Rule). This goal considers the availability of qualified persons in the local labor market and the anticipated employment opportunities with FAST.
2. The awareness of underutilization within FAST’s workforce (as identified in the EEO Program) is not a basis for pre-determining employment of candidates in particular job categories. Placement goals, as indicated on the Utilization Analysis, are determined as a result of the breakdown of job category, ethnicity and gender, where underutilization occurred and the number of persons needed to eliminate such.
3. A candidate’s employment status is not determined or affected by the candidate’s race, color, religion, sex, age, disability, veteran status or national origin. In all employment decisions, FAST makes selections in a nondiscriminatory manner as placement goals do not provide a justification to extend a preference to/selection of any candidate in a discriminatory manner.
4. FAST does not utilize placement goals as a determining factor to select candidates in specific job categories nor are they intended to achieve proportional representation or equal results. FAST also does not hire a less qualified candidate in preference to a more qualified candidate as FAST believes that, by making a good faith effort ensuring all aspects of our EEO Program are implemented, we will achieve our placement goals. FAST’s placement goals remain attainable given intentional recruitment efforts, marketing and outreach targeted towards action-oriented programs which will, in turn, increase a diverse pool of qualified candidates.

2020 EEO Program Progress Against Goals

FAST’s Workforce Overview			
Year	Total Workforce	Males	Females
2020	225	105	120
2023	180	89	91

FAST Workforce by Race and Ethnicity		
	2020	2023
African American	76.4%	70.5%
Caucasian	16.4%	20.5%
Hispanic and Latino	0.4%	3.8%
Asian	0.4%	0.5%
American Indian	0.4%	1.1%
Native Hawaiian and Other Pacific Islanders	0.0%	0.0%
Two or More Races	2.2%	3.3%

Short-Term Placement Goals

FAST’s Short-Term Placement Goals are established to address the immediate actions required to achieve our Long-Term Placement Goals. The Short-Term Goals are set in increments of one (1) year and aligned with FAST’s fiscal year objective setting process. These objectives include but are not limited to the following:

- Internal in-depth organizational review and assessment of all departmental policies, programs, practices, processes and systems to identify potential impediments to a highly effective EEO Program and identification of root cause issues and solutions.
- Identifying and implementing systems and processes that support sustainable plans and changes.

FAST has established short-term and long-term efforts to correct the areas of individual gender and racial and ethnic underutilization in our EEO job categories and additionally increase diversity in our candidate pool. Our commitment to EEO efforts is continuous.

Long-Term Placement Goals

These long-term goals are established for achievement in each of the specified job categories in a four-year period:

1. Officials and Administrators

A. Based on the analysis, there is no underutilization of statistical significance in this job category.

2. Professionals

A. Based on the analysis, there is no underutilization of statistical significance in this job category.

3. Technicians

A. No data to report for this job category.

4. Protective Service

A. No data to report for this job category.

5. Paraprofessionals

A. Based on the analysis, there is no underutilization of statistical significance in this job category.

6. Administrative Support

A. Based on the analysis, there is no underutilization of statistical significance in this job category.

7. Skilled Craft

A. Based on the analysis, there is no underutilization of statistical significance.

8. Service Maintenance

A. Hispanic/Latino males were underutilized by 15% within this job category. An additional 18 Hispanic/Latino males would be needed to reach parity with the available workforce in Cumberland County. FAST has set a goal to decrease the underutilization rate in this category by 6% over the next four years (a 1% decrease in underutilization over the next two years, and a 2% increase in the following two years), resulting in the addition of 18 Caucasian females in this period.

B. Asian males were underutilized by 2% within this job category. An additional two (2) Asian males would be needed to reach parity with the available workforce in Cumberland County. FAST has set a goal to decrease the underutilization rate in this category by 2% over the next four years (a 1% decrease in underutilization for each of the next four years), resulting in the addition of two (2) Asian males during this period.

C. Two or More Races males were underutilized by 8% within this job category. An additional nine (9) Two or More Races males would be needed to reach parity with the available workforce in Cumberland County. FAST has set a goal to decrease the underutilization rate in this category by 4% over the next four years (a 1% decrease in underutilization for each of the next four years), resulting in the addition of nine (9) Two or More Races males during this period.

D. Asian females were underutilized by 1% within this job category. An additional one (1) Asian female would be needed to reach parity with the available workforce in Cumberland County. FAST has set a goal to decrease the underutilization rate in this category by 2% over the next four years (a 1% decrease in underutilization for each of the next four years), resulting in the addition of three (1) Asian female during this period.

E. Caucasian females were underutilized by 17% within this job category. An additional twenty-one (21) Caucasian females would be needed to reach parity with the available workforce in Cumberland County. FAST has set a goal to decrease the underutilization rate

in this category by 12% over the next four years (a 3% decrease in underutilization for each of the next four years), resulting in the addition of twenty-one (21) Caucasian females during this period.

V. STATISTICAL IMPACT OF EMPLOYMENT PRACTICES

Data Sources and Methodology

All tables used for the Employment Practices Analysis (APPENDIX B) analyses are based on the sample charts provided by the FTA. While some minor changes have been made to the labeling and formatting of the sample charts, all formulas and calculations provided in the sample charts have been left intact.

The Promotions, Training, Terminations and Discipline tables use Total Workforce figures as a baseline for this analysis. The data in the Total Workforce row captures a snapshot of FAST's workforce, including all new hires during the reporting period. The total Workforce figures account for all employees who worked at FAST at any time during the reporting period.

For all tables, a selection rate for each demographic group is determined by dividing the number of people selected (promoted, trained etc.) by a total pool of candidate or employees. For all tables, and impact ratio is determined by comparing the selection rate for each group with that of the highest group (by dividing the selection rate for a group by the selection rate for the highest group). Potential adverse impact is flagged for any group that has a selection rate that is less than 80% of the selection rate for the highest group.

In accordance with the FTA regulations, an analysis for any demographic groups that constitute less than two percent of the applicable workforce is not required. Selection rates, ratios to highest rate and potential adverse impacts are not calculated in the table for groups that constitute less than two percent of the applicable job category.

For Hires and Promotions, the total number of candidates and selected employees who self-identified as veterans are included in the calculations. The hire and promotion rates for self-identified veterans are summarized by gender and ethnicity and not broken down by individual employment categories.

Statistical data on employees and candidates who self-identified as having a disability are unavailable. Data on persons with disabilities was not captured in the data from the HRD, therefore, is excluded from this report. Currently, the CoF permits applicants to voluntarily self-disclose personal data regarding veteran/disability status.

Hires

The Hires table accounts for all candidates in all positions (full-time and part-time permanent positions) at FAST during the reporting period. The Number Applied row captures all individual candidates for these positions and the Total Hires row captures all new hires at FAST during the reporting period.

Training

Statistical data on employee training is reliably and consistently tracked by the CoF's Organizational Development and Training (OD&T) division within the HRD department. Data in the Total Trained row captures the total number of FAST employees who received training that fosters promotion at any time during the reporting period. The training rates are derived by dividing the Total Trained row by the Total Workforce row.

Promotions

The Total Workforce data (Appendix B) is used as the baseline figure in the Promotions table and the Total Promotions row captures all job actions that FAST deemed as advancements during the reporting period. These job actions include promotions, progressions and part-time to full-time status changes.

Discipline

FAST currently consistently and reliably tracks data on disciplinary actions resulting from Oral Counseling to Consideration of Dismissal (COD). Data on demotions is provided by HRD. The disciplinary data captures all employees reprimanded during the reporting period including those employed who may have received multiple levels of discipline during the reporting period. The Discipline rate is derived by dividing each specific discipline level (Oral Counseling, Written Reprimand, Suspension without Pay, COD) row by the Total Workforce row. As per the FTA sample tables, Potential Adverse Impact is flagged only if substantial disparities are shown in both the Discipline Rate and the Non-Discipline Rate.

Terminations

The total number of employees involuntarily terminated during the reporting period are captured in the Total Involuntary Terminations row. The involuntary Termination rate is derived by dividing the Total Involuntary Terminations row by the Total Workforce row. As per the FTA sample tables, Potential Adverse Impact is flagged only if substantial disparities are shown in both the Retention Rate and Involuntary Termination Rate.

Findings

Hires

A total of 2240 applications were received. 1041 males and 1193 females applied for positions at FAST during the reporting period. Six (6) individuals opted out of disclosing their sexual orientation. 109 males and 134 females were hired at FAST during this period, representing a 10.5% hiring rate for males and a 11.2% hiring rate for females.

Note: Individuals could have submitted applications multiple times.

FAST hired 33 out of 218 Caucasian male candidates and 17 out of 18 Caucasian female candidates. The department hired 74 out of 830 minority male candidates and 64 out of 1,001 minority female candidates.

Officials and Administrators

Within this job category, FAST hired zero (0) out of 33 female candidates and one (1) out of 57 males. No potential adverse impacts were flagged for males or females within this job category.

The demographic group hired at the highest rate is African American males (3.8% selection rate). Considering this figure, calculations show potential adverse impact for nine (9) demographic groups. These include Caucasian males (0% selection rate), Caucasian females (0% selection rate), Hispanic/Latino /Latino males (0% selection rate), Hispanic/Latino /Latino females (0% selection rate), American Indian males (0% selection rate), Asian females (0% selection rate), African American males (0% selection rate), Two or More Races males (0% selection rate) and Two or More Races females (0% selection rate).

Professionals

Within this job category, FAST hired four (4) out of 20 female candidates and zero (0) out of 30 males. No potential adverse impacts were flagged for males or females within this job category.

The demographic group hired at the highest rate is Caucasian females (75% selection rate). Considering this figure, calculations show potential adverse impact for eight (8) demographic groups. These include Caucasian males (0% selection rate), American Indian females (0% selection rate), Hispanic/Latino /Latino males (0% selection rate), Hispanic/Latino females (0% selection rate), Asian males (0% selection rate), Asian females (0% selection rate), African American males (0% selection rate) and Two or More Races females (0% selection rate).

Technicians

No data to report on this job category.

Protective Services

No data to report on this job category.

Paraprofessionals

Within this job category, FAST hired one (1) out of 56 female candidates and two (2) out of 69 males. There may be a potential adverse impact for females in this category (1.8% selection rate).

The demographic group hired at the highest rate is African American females (4.0% selection rate). Considering this figure, calculations show potential adverse impact for four (4) demographic groups. These include Caucasian males (0% selection rate), Caucasian females (0% selection rate), Hispanic/Latino males (0% selection rate) and Two or More Races females (0% selection rate).

Administrative Support

Within this job category, FAST hired 14 out of 494 female candidates and one (1) out of 104 males. There may be a potential adverse impact for males in this category (1.0% selection rate).

The demographic group hired at the highest rate is Caucasian males (3.8% selection rate). Considering this figure, calculations show potential adverse impact for four (4) demographic

groups. These include Caucasian females (2.8% selection rate), African American males (0% selection rate), Hispanic/Latino females (0% selection rate) and Two or More Races females (0% selection rate).

Skilled Craft

Within this job category, FAST hired zero (0) out of three (3) female candidates and 16 out of 72 males. No potential adverse impacts were flagged for males or females within this job category.

The demographic group hired at the highest rate is Hispanic/Latino males (57.1% selection rate). Considering this figure, calculations show potential adverse impact for four (4) demographic groups. These include Caucasian males (33.3% selection rate), Caucasian females (0% selection rate), African American males (12.9% selection rate) and Two or More Races males (0% selection rate).

Service Maintenance

Within this job category, FAST hired 106 out of 579 female candidates and 87 out of 715 males. There may be a potential adverse impact for males in this category (12.2% selection rate).

The demographic group hired at the highest rate is Caucasian females (25.0% selection rate). Considering this figure, calculations show potential adverse impact for five (5) demographic groups. These include African American females (10.5% selection rate), Hispanic/Latino males (19% selection rate), Hispanic/Latino females (9.3% selection rate), Two or More Races males (4.2% selection rate and Two or More Races females (2.9% selection rate).

Veterans

27 self-identified male veterans and 14 self-identified female veterans applied for positions at FAST during this reporting period.

Promotions

A total of 80 males and 91 females were employed at FAST during the reporting period.

Officials and Administrators

Within this category, FAST promoted two (2) out of 32 female candidates. No males were promoted in this category. No potential adverse impacts are flagged for males and females within this category.

Professionals

Within this category, FAST promoted one (1) out of 20 female candidates. No males were promoted in this category. No potential adverse impacts are flagged for males and females within this category.

The demographic group promoted at the highest rate is Caucasian females (25% promotion rate). Considering this figure, calculations show potential adverse impact for nine (9) demographic groups. These include Caucasian males (0%), American Indian males (0%), African American males (0%), African American females (0%), Hispanic/Latino /Latino males (0%),

Hispanic/Latino /Latino females (0%), Asian females (0%), Asian males (0%), and Two or More Races females (0%).

Technicians

No data to report on this job category.

Protective Services

No data to report on this job category.

Paraprofessionals

Within this category, FAST promoted two (2) out of 56 female candidates and three (3) out of 69 males. No potential adverse impacts are flagged for males and females within this category.

The demographic group promoted at the highest rate is African American males (6.3% promotion rate). Considering this figure, calculations show potential adverse impact for six (6) demographic groups. These include Caucasian males (4.2%), Caucasian females (0%), African American males (6.3%), Hispanic/Latino males (0%), Two or More Races males (0%) and Two or More Races females (0%).

Administrative Support

Within this category, FAST promoted four (4) out of 494 female candidates and one (1) out of 104 males. No potential adverse impacts are flagged for males and females within this category.

The demographic group promoted at the highest rate is Caucasian males (3.8% promotion rate). Considering this figure, calculations show potential adverse impact for five (5) demographic groups. These include Caucasian females (0.9%), African American males (0%), African American females (1%), Hispanic/Latino /Latino females (0%) and Two or More Races females (0%).

Skilled Craft

Within this category, FAST promoted four (4) out of 72 males. No females were promoted in this category. No potential adverse impacts are flagged for males and females within this category.

The demographic group promoted at the highest rate is Hispanic/Latino /Latino males (14.3% promotion rate). Considering this figure, calculations show potential adverse impact for three (3) demographic groups. These include Caucasian females (0%), African American males (3.2%) and Two or More Races males (0%).

Service Maintenance

Within this category, FAST promoted one (1) out of 715 males. No males were promoted in this category. No potential adverse impacts are flagged for males and females within this category.

The demographic group promoted at the highest rate is African American males (0.2% promotion rate). Considering this figure, calculations show potential adverse impact for five (5) demographic

groups. These include Caucasian males (0%), Caucasian females (0%), African American females (0%), Hispanic/Latino /Latino males (0%) and Two or More Races females (0%).

Discipline

A total of # males and # females were employed at FAST during the reporting period of 3/1/2020 through 6/30/2023. 67 males and 78 females received a form of disciplinary action at FAST during this period.

Note: Some employees may have received multiple levels of discipline during the reporting period.

Administrative Support

Within this job category, discipline was issued 27 times amongst seven (7) males; Oral Counselling (1), Written Reprimand (4), Suspension without pay (3), Dismissal (1) and COD (1). Discipline was issued a total of 17 times amongst eight (8) females; Oral Counseling (12), Written Reprimand (1) and Suspension without pay (4).

Officials and Administrators

Within this job category, discipline was issued a total of two (2) times amongst one (1) male; Oral Counseling (1) and COD (1).

The demographic group disciplines at the highest rate are African American males (100%) in two (2) discipline categories.

Professionals

Within this category, discipline was issued a total of three (3) times amongst (2) females; Oral Counseling (2).

The demographic group disciplined at the highest rate are Caucasian females (100%) in one (1) discipline category.

Technicians

Within this job category, no discipline was issued. No potential adverse impacts were flagged for males or females within this job category.

Protective Service

Within this job category, no discipline was issued. No potential adverse impacts were flagged for males or females within this job category.

Paraprofessionals

Within this category, discipline was issued a total of (21) times amongst four (4) males; Oral Counseling (8), Written Reprimand (2), Suspension without pay (7) and COD (1). Discipline was issued a total of (25) times amongst five (5) females; Oral Counseling (11), Written Reprimand (2), Suspension without pay (12).

Service Maintenance

Within this category, discipline was issued a total of (204) times amongst (50) males; Oral Counseling (42), Written Reprimand (42), Suspension without pay (102), COD (11) and Dismissal (7). Discipline was issued a total of (331) times amongst (64) females; Oral Counseling (108), Written Reprimand (66), Suspension without pay (129), COD (12) and Dismissal (16).

Skilled Craft Workers

Within this category, discipline was issued a total of (24) times amongst nine (9) males; Oral Counseling (4), Written Reprimand (6), Suspension without pay (12), COD (1) and Dismissal (1).

VI. ASSESSMENT OF EMPLOYMENT PRACTICES

A thorough analysis and assessment of FAST employment practices has been conducted to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization. The assessment and identification of problem areas evaluates the impact of all employment practices on all employment patterns including recruitment, selection, promotion, termination, transfer, disciplinary action, compensation, benefits and training. FAST has conducted an in-depth analysis of our total employment process, including workforce by organizational unit and job group, personnel activity, compensation, and other personnel procedures to determine whether (and where) impediments to EEO may exist.

Recruitment and Selection

The CoF defines its recruitment and selection process in the Recruitment and Selection Manual (APPENDIX C). The CoF is an Equal Opportunity Employer and affirms that no candidate or employee shall be deprived of employment opportunities because of such individual's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.

The CoF's recruitment and selection processes will be administered consistent with EEO laws. All departments/hiring managers are expected to ensure success and compliance with all aspects of the recruitment and selection process.

Each department within the City understands its role during recruitment to assist with expediting the hiring process. HRD will work closely with departments to ensure all necessary steps are being followed, as noted below.

Human Resource Development (HRD) is responsible for:

1. Reviewing requisitions and creating job postings.
2. Administering/proctoring skills testing when applicable.
3. Narrowing the candidate pool, if requested by the department, by providing the department the top candidates based on scoring of the supplemental question responses.
4. Providing oversight and guidance for the process.

Hiring Managers (SMEs) are responsible for:

1. Reviewing/developing the job description prior to the requisition being created and submitting job description changes to the HRD Compensation/Classification Consultant for review and final approval before proceeding with a requisition for posting.
2. Establishing the recruitment plan which includes developing supplemental questions for the posting, determining/selecting interview questions for the interview, serving as a selection process lead, identifying the interview panel, and identifying any other testing that may be included. **NOTE:** *All interview panels should be ethnically and gender diverse*
3. Appropriately status candidates.
4. Coordinating/scheduling interviews.

Department Director is responsible for:

1. Ensuring EEO requirements are considered in the recommendation of candidates selected to participate in the interview process.
2. Final approval of the selected candidate.

Testing

FAST's hiring manager(s) will work with HRD to determine if skills testing will be included in the selection process and to identify the suitable tests for the position. Skills testing cannot be used to screen out candidates but should be considered as part of the overall assessment of a candidate.

Hiring managers can choose from the following:

1. Software Skills Testing (Basic or Intermediate)

- a. Microsoft Outlook, Word, Excel, PowerPoint, and/or Access

2. Keyboarding Speed & Accuracy Testing

- a. Keyboarding
- b. 10-key Speed & Accuracy
- c. Data Entry Speed & Accuracy

3. Clerical Skills Testing

- a. Letter Formatting
- b. Proofreading
- c. Spelling
- d. Reading Comprehension
- e. Transcription (Dictation)
- f. Alphabetic Filing and Numeric Filing
- g. Minutes Composition
- h. Sentence Clarity

4. Customer Service Skills Testing

- a. Telephone Customer Service
- b. Telephone Order Entry

5. Financial Skills Testing

- a. Math
- b. Petty Cash
- c. Bank Deposit
- d. Bank Reconciliation

All tests are validated and will be administered/proctored through HRD.

Promotion and Transfer

1. All EEO guidelines will be recognized in promotion processes like regular recruitment and selection processes.
2. Promotion opportunities are administered like regular recruitment and selection processes (i.e. application process, interview, skills testing, successful completion of any required pre-employment screenings, etc.).
3. As with regular recruitment and selection processes, those considered for promotion must possess the requisite education/experience, knowledge, skills, abilities, competencies and achievements essential to a position. Additional considerations are the potential for the employee to perform satisfactorily at a higher level as well as the employee's historical conduct, performance, attitude, longevity and training.
4. Employees selected for promotion will have their date in position adjusted to coincide with the promotion and will receive a pay increase consistent with the applicable promotion information in the Compensation/Classification Manual.
5. The supervisors/departments impacted by an employee transitioning as a result of a promotion to a different department should collaborate on a reasonable transition date.

A lateral transfer is defined as the movement of an employee from one position to another position in the same pay grade in the same department or a different department.

Lateral Transfer Process

1. Lateral transfers may be the result of a regular recruitment and selection process when an internal employee applies for a vacancy or may be a result of a departmental reassignment.
2. Lateral transfers may be administered like regular recruitment and selection processes (i.e. application process, interview, skills testing, successful completion of any required pre-employment screenings, etc.).
3. As with regular recruitment and selection processes, those considered for a position that would be a lateral transfer must possess the requisite education/experience, knowledge skills, abilities, competencies and achievements essential to a position. Additional considerations are the potential for the employee to perform satisfactorily in the lateral position as well as the employee's historical conduct, performance, attitude, longevity and training.

4. Employees selected for lateral transfer receive no adjustment to their compensation.\
5. Employees selected for lateral transfer may have their date in position adjusted, may receive new job results, and may be placed in a new one-year probationary period depending on the new position/department assigned. Employees should review the Compensation/Classification Manual for applicable information.
6. The supervisors/departments impacted by an employee transitioning as a result of a lateral transfer should collaborate on a reasonable transition date.

Seniority Practices

FAST currently does not have seniority practices or provisions in place. Open positions are posted for all employees to see and to apply. Any qualified candidate who applies for a position is interviewed and provided the same opportunity to prove their capability of being the best candidate for the open position.

Training

FAST conducts formal training for all hires and internal promotions. Trainings are held routinely for all employees during monthly mandatory All Employee Meetings (AEM). FAST's Safety & Training Coordinator holds annual refresher training for all employees to improve skills in areas of need to help avoid potential incidents and infractions. Additionally, the CoF offers on-the-job training designed to acquire/improve employee skillsets necessary for the qualifications of an advanced position within FAST.

Compensation and Benefits

Each year prior to the adoption of the annual budget, Human Resource Development (HRD) shall secure information concerning the general level of salaries and wages paid in the marketplace, the salaries paid to comparable local government employees and any change in the cost of living in the area during the fiscal year and shall report the findings to the City Manager.

The detailed Compensation Plan can be found in the CoF's Compensation/Classification Manual (APPENDIX D)

1. The City compensates all employees in accordance with the federal Fair Labor Standards Act (FLSA). If any inconsistencies exist between this Compensation Plan and the FLSA, they are resolved in favor of the FLSA. In addition, any compensation not specifically covered in this compensation plan will conform to FLSA standards.
2. For purposes of compensation, the City workforce is divided into categories. These categories are reflected in subsequent sections of this Compensation Plan:
 - a. **Non-Exempt** – refers to positions that are subject to the compensation requirements of the FLSA. Employees are typically paid hourly.
 - b. **Exempt** – refers to positions that meet established criteria for exemption of the provisions of the FLSA. Employees are typically salaried.
3. An executive pay band (EPB) and senior executive pay band (EPBSR) has been established for department director level and higher positions.

4. For all other positions, an open range compensation structure with midpoints set to market has been established.

Market Maintenance

1. The pay ranges will be updated to reflect changes in market conditions. Periodic updates to the pay ranges will be based on surveys to maintain plan competitiveness with the labor market.
2. Employees whose current rate of pay exceeds the maximum of a revised range will be frozen until such time as the pay range maximums are increased past the current rate of pay.
3. Employees whose current rate of pay is lower than the pay plan minimum of a revised range will have their rate of pay increased to the new pay range minimum unless they are in designated trainee status.

Benefits

The CoF's Benefits Manual, published annually in a separate document, provides information regarding eligibility, requirements, and procedures. FAST reviews all benefits and conditions of employment to ensure they are equally available to all FAST employees.

Disciplinary Procedures and Termination Practices

The CoF's Employee Relations Policy/Procedure Manual (APPENDIX E) was created to set forth regulations and expectations to establish a fair and uniform system of human resource administration, to include, but not limited to, the disciplinary process for all FAST employees. Department directors and supervisors are responsible for running a safe, efficient and effective delivery of services for the residents of Fayetteville. To ensure these responsibilities are met, they have the authority to recommend employees be disciplined for improper conduct, performance deficiencies, and/or violations of policies/procedures.

1. Department directors are responsible for the uniform and equitable administration of all disciplinary actions when employees violate the General or Departmental Rules, Code of Conduct, Code of Ethics, or any other established policy, rule or regulation.
2. FAST uses a progressive disciplinary process when appropriate. It is not necessary for employees to violate the same rule before they progress to the next step in the process. Depending on the seriousness of the violation, steps may be skipped in the process. Additionally, depending upon the seriousness of the violation, the disciplinary process can be started at any step, up to and including a COD.
3. Disciplinary action is taken in an attempt to correct conduct, performance, or deficiencies. Supervisors recommend the lowest level of discipline they believe is necessary to correct the issue. These recommendations are taken in consideration by the department director prior to any disciplinary action being issued.
4. Department directors are required to sign all disciplinary actions before issuance.

Considerations of Dismissal

COD letters are notices to an employee that the department director is considering dismissing the employee. A FAST divisional manager, or the FAST Director in the absence of a divisional

manager, may issue a COD letter to employees for the following reasons, which are representative but not exclusive reasons for dismissal. A) continued violations of rules; and/or B) continued performance deficiencies; and/or C) a serious or flagrant violation.

1. Employees may be issued a COD letter without prior disciplinary actions.
2. COD letters will include the grounds upon which the consideration to dismiss is based, the specific rules violated, list prior disciplinary actions if applicable, and provide the employee with the specific requirements and deadline for appealing the COD. COD letters detail the rights of employees at appeal hearings.
3. COD letters advise employees they are placed on suspension without pay, effective with the issuance of the letter, until a final decision is rendered.
4. In no event shall a final decision of dismissal take place for at least seven (7) calendar days after the date the COD letter is hand-delivered to the employee or ten (10) calendar days after the COD letter is sent/post-marked, whichever comes first. If hand delivered to an employee, the employee should receive a copy.

VII. MONITORING AND REPORTING SYSTEM

FAST will develop and implement enhanced monitoring and reporting systems that ensure the effectiveness of our EEO Program through routine monitoring and measurement. While not all the EEO categories show that FAST met all the labor market standards, Fayetteville Area System of Transit is committed to making good faith efforts to achieve our goals. An important part of FAST's successful EEO/AA Plan is the establishment, by the EEO Officer, of an effective and workable internal monitoring and reporting system. FAST views the monitoring activities that are listed below as critical to the success of our EEO Program.

- A. The Human Resources Department is responsible for maintaining data to track recruitments, candidate flow, hires, promotions and transfers, training, discipline, and terminations. The EEO Officer, or his/her designee, periodically reviews reports generated from this personnel data collection, and reports possible problem areas to the appropriate levels of management.
- B. The EEO Officer and Human Resources staff will issue semi-annual workforce population status reports to FAST's EEO Coordinator. These reports provide the gender and minority composition of the FAST workforce.
- C. On a semi-annual basis, summary statistics are collected; sex/minority reports for candidate flow are issued; hires, promotions and transfers, training, discipline and employment terminations are analyzed; and progress toward meeting future goals and timetables is reviewed and measured semi-annually and the EEO Officer will discuss the status with the EEO Coordinator, FAST leadership and the City Manager.
- D. The EEO Officer, in conjunction with the EEO Coordinator, completes/submits reports as required per federal guidelines.
- E. Data on employee demographic information, hires, promotions and transfers, and terminations is maintained through the current Enterprise Resource Planning (ERP) system which is a JD Edwards (Oracle) based module.
- F. Data on discipline and training for all employees is maintained by the Human Resources Department through a FAST-built database of which Human Resources staff has access to review and run reports.

- G. Data on recruitments and candidate flow is maintained through NeoGov, which is a web-hosted job-candidate tracking system.
- H. EEO discrimination complaints are maintained through a Microsoft Excel spreadsheet and paper files.
- I. Periodic review and monitoring of EEO discrimination complaints are managed by the Human Relations Department, the City Attorney, HRD staff and City Manager.

This structure and system is designed to serve the following basic purposes:

- Enabling FAST to evaluate the EEO Program during the year and to take necessary corrective action regarding the development and execution of programs or goals and timetables.
- Assessing and measuring EEO Program accomplishments.
- Identifying those units where improved results toward the achievement of EEO Program goals is required.
- Providing a precise and factual database for future projection.

Should this analysis reveal any indication of disparate treatment, the EEO Officer, in conjunction with the EEO Coordinator and the Human Relations Department, will confer with the City Attorney and City Manager to develop remedial actions. Additionally, Human Relations Department staff will review report results on a continuing basis with the appropriate levels of management. FAST's management staff will be consulted regarding recommendations, changes, and problem areas related to EEO Program goals and objectives.

Subcontractor Monitoring

FAST is committed to ensuring that our subcontractors carry out the EEO provisions outlined in FTA CFR 4704.1 regarding EEO Program Guidelines for Grant Recipients. FAST's Civil Rights Program Analyst is responsible for subcontractor compliance and will ensure an enhanced EEO Program monitoring program which includes the following:

1. A thorough review of the subcontractor's EEO/Affirmative Action Program. If FAST finds deficiencies in the subcontractor's EEO program, based on our interpretation of Circular 4704.1, FAST will inform the subcontractor of the deficiencies in writing and provide a time frame and a due date for the subcontractor to remedy the deficiency.
2. Site visit of the subcontractors' worksites to ensure compliance with EEO Statement of Policy and other antidiscrimination and anti-harassment policies, posting requirements.
3. Documentation of subcontractor's compliance with Circular 4704.1. 38 The department has and will continue to provide subcontractors with technical assistance in the form of direct guidance in addition to supplemental resources, such as sample documents (copies of FAST's EEO Statement of Policy and Sample EEO/Affirmative Action Plans).

CONCLUSION

The recognition of the value of a sound and effective EEO Program and any associated goals are of continuing importance to FAST. This EEO Program is designed to specifically address the requirements of Executive Order 11246, and the implementing rules as set forth in FTA Circular 4704.1A. There is an unequivocal expectation by FAST that all members of management are committed to the realization of these objectives.

FAST is dedicated to this EEO Program and will continue to strive for its successful implementation.

LIST OF APPENDICES

- A. Utilization /Availability Analysis
- B. Employment Practices Analysis
 - Hires
 - Promotions
 - Trainings
 - Terminations
 - Discipline
- C. CoF's Recruitment & Selection Manual
- D. CoF's Compensation Plan
- E. CoF's Employee Relations Policy/Procedure Manual

LIST OF ATTACHMENTS

- I.** City Manager EEO Letter
- II.** EEO Policy Statement
- III.** Employment Application EEO Statement
- IV.** CoF ADA Policy
- V.** FAST 2023 Organizational Chart



City of Fayetteville

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

City Council Action Memo

File Number: 24-3822

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.06

TO: Mayor and Members of City Council

THRU: Timothy L. Bryant, CEO/General Manager
Fayetteville Public Works Commission

FROM: Fayetteville Public Works Commission

DATE: February 12, 2024

RE:

PWC - Third Amendment to Lease of Suite 102 of R. C. Williams Building

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

The Fayetteville Public Works Commission (PWC) negotiated a Third Amendment to Lease with Softact Solutions, LLC for Suite 102 of the R.C. Williams Building for an annual rent of \$36,743.52.

Background:

The PWC CEO/General Manager has approved the Third Amendment to Lease of Suite 102 of the R.C. Williams Building to Softact Solutions, LLC ("Lessee"). The Lease amendment is for one (1) year. Lessee has agreed to an annual rent rate of \$36,743.52.

Issues/Analysis:

N/A

Budget Impact:

N/A

Options:

N/A

Recommended Action:

PWC recommends the Fayetteville City Council approve the lease with Lessee.

Attachments:

Proposed Lease with Softact Solutions, LLC

NORTH CAROLINA

**THIRD AMENDMENT TO
COMMERCIAL LEASE AGREEMENT**

CUMBERLAND COUNTY

THIS THIRD AMENDMENT TO COMMERCIAL LEASE AGREEMENT (“Agreement”) is made and entered into as of the ___ day of January, 2024, by and between THE CITY OF FAYETTEVILLE (“Landlord”), by and through the FAYETTEVILLE PUBLIC WORKS COMMISSION (“Landlord”), a North Carolina public authority, and SOFTACT SOLUTIONS, LLC, a Florida limited liability company (“Tenant”).

RECITALS:

A. Landlord, as “Landlord”, and Tenant, as “Tenant”, entered into that certain Commercial Lease Agreement dated as of March 1, 2021, as the same has been amended by that certain First Amendment to Commercial Lease Agreement dated January 31, 2022, and as further amended by that certain Second Amendment to Commercial Lease Agreement dated as of November __, 2022 (as amended, the “Lease”), under the terms of which Landlord leased to Tenant certain premises commonly known as 201 Hay Street, Suite 102, Fayetteville, North Carolina.

B. The parties hereto desire to so amend certain provisions of the Lease as set forth herein.

NOW, THEREFORE, in consideration of the promises and conditions provided for herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The parties agree that the term of the Lease shall be extended through February 28, 2025 (such that the term expiration date as set forth in Section 2 is hereby amended to read February 28, 2025).

2. The base rent, as such term is defined in Section 3 of the Lease, as it pertains to the period beginning March 1, 2024 and ending on February 28, 2025, is hereby amended as follows:

RENT SCHEDULE:	Monthly Rent
March 2024 – February, 2025	\$3,061.96

3. Tenant acknowledges and agrees that Tenant is the “Tenant” under the Lease; the Lease is in full force and effect and has not been modified or amended except as provided herein; Tenant has no lien and claims no lien against, charge, claim of offset or deduction from the rentals and other sums due and becoming due under the Lease; and, to the best of Tenant’s knowledge, there exist no uncured defaults by Landlord under the Lease, nor event that with the passage of time or giving of notice or both would be a default under the Lease.

4. Terms not defined herein shall have the meanings set forth in the Lease.

5. This Agreement shall be binding upon, and shall inure to the benefit of Landlord, Tenant and their respective successors and assigns. Each party represents and warrants that all consents or approvals required of third parties for the execution, delivery and performance of this Agreement have been obtained and each party has the right and authority to enter into and perform its covenants contained in this Agreement.

6. This Agreement represents the final agreement between Landlord and Tenant regarding the subject matter hereof and may not be contradicted by evidence of prior, subsequent or contemporaneous oral agreements of the parties. No amendment or modification hereto shall be valid and binding unless expressed in writing and executed by both parties hereto.

7. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all such counterparts shall constitute one and the same instrument.

8. The Recitals are deemed to be an integral part of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed the foregoing Agreement the day and year first above written.

LANDLORD:

**THE CITY OF FAYETTEVILLE
BY AND THROUGH THE
FAYETTEVILLE PUBLIC WORKS COMMISSION**

BY: _____ [Seal]
Timothy Bryant, CEO/General Manager

TENANT:

SOFTACT SOLUTIONS, LLC


By: Daron Long
Its: Director of Business Operations



City of Fayetteville

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

City Council Action Memo

File Number: 24-3819

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.07

TO: Mayor and Members of City Council

**THRU: Timothy L. Bryant, CEO/General Manager
Fayetteville Public Works Commission**

FROM: Fayetteville Public Works Commission

DATE: February 12, 2024

RE:

**PWC - Sole Source Recommendation - Purchase and Installation of Cla-Val Pump
Control Valve**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

Sole Source Recommendation to purchase and install (1) one new 24" Cla-Val pump control valve manufactured by Cla-Val and distributed by Charles R. Underwood, Inc., Sanford, NC in the total amount of \$123,120.00.

Background:

The Fayetteville Public Works Commission, during their meeting on January 24, 2024, approved the sole source recommendation from the Water Resources Department in the amount of \$123,120.00 to Charles R. Underwood, Inc., Sanford, NC for the purchase and installation of one (1) new 24" Cla-Val pump control valve on service pump # 8 at the P. O. Hoffer Water Treatment Plant.

N.C.G.S. 143-129(e)(6) allows an exception to the bidding requirements 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.

Issues/Analysis:

Currently, 76% of the Service Pump control valves have been converted to Cla-Val brand when the previous valves reached the end of their service life. This process has been ongoing for approximately 12 years. With this standardization, PWC reduces staff learning curves as well as operating and maintenance costs by reducing the need for multiple types for inventory and replacement parts. Cla-Val has confirmed that Charles R. Underwood, Inc., is the only service and sale representative in our region available to furnish our needs.

Budget Impact:

Funding for this purchase and installation is provided in account 002.0630.0802.240276-01.323000..2406304708.

Options:

N/A

Recommended Action:

The Fayetteville Public Works Commission recommends the Fayetteville City Council approve the Sole Source Recommendation for the purchase and installation of one (1) new 24" Cla-Val pump control valve on service pump #8 at the P. O. Hoffer Water Treatment Plant to Charles R. Underwood, Inc., Sanford, NC., and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase and construction.

Attachments:

Sole Source Request - Charles Underwood

**FAYETTEVILLE PUBLIC WORKS COMMISSION
SOLE SOURCE REQUEST**

TO: Timothy L. Bryant, CEO/General Manager

DATE: January 16, 2024

FROM: Tracy Dowd, Water/Wastewater Facility Manager

.....

PWC’s Water Resources 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 provide and install a (1) one new 24” Cla-Val pump control valve manufactured by Cla-Val and distributed by Charles R. Underwood, Inc. A quote for \$123,120.00 for the pump control valve, stainless steel trim, EDPM diaphragm, and disc, epoxy coated ID and OD, speed control, flow reversal, (2) solenoid valves, Victaulic x flange with tap, and fabricated pipe support. The Procurement Department and Water/Waste Water Facility Department has knowledge of the products and market, and support this request based on the overriding consideration of standardization and compatibility with the equipment at the Water Resources Department located at the PO Hoffer Water Treatment Plant. It is in the best interest of PWC to standardize the equipment for the following reasons:

- Thirteen (13) of Seventeen (17) (76%) of our High Service Pump control valves have been converted to Cla-Val brand when the previous valves reached the end of their service life.
- The Cla-Val control valves provide the required means to bring our High Service water delivery pumps on and offline without injecting water hammer or significant changes in system pressure.
- PWC has been implementing the Cla-Val control valves into our pumping systems for approximately 12 years.
- 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.

Cla-Val has provided email establishing that Charles R. Underwood is the exclusive supplier of the required equipment in North Carolina. The department has provided a letter to further justify this sole source request. Therefore, the Water Resources Department seeks approval to purchase and install new 24" Cla-Val pump control valve from Charles R. Underwood 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: 24-3817

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Consent

Agenda Number: 7.08

TO: Mayor and Members of City Council

**THRU: Timothy L. Bryant, CEO/General Manager
Fayetteville Public Works Commission**

FROM: Fayetteville Public Works Commission

DATE: February 12, 2024

RE:

**PWC - Bid Recommendation - Readvertisement of Design-Build Services - Line
54-Inch Outfall Research Drive to I-95 Project**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

High Quality Built Environment

Executive Summary:

Bids were received for the Readvertisement of Design-Build Services - Line 54-Inch Outfall Research Drive to I-95 Project. The highest ranked design-build team is T. A. Loving Company, Goldsboro, NC and McKim & Creed, Inc., Raleigh, NC. The projected cost for Phase I is \$2,046,832.84.

Background:

The Fayetteville Public Works Commission, during their meeting on January 24, 2024, approved the bid recommendation to award the contract for the Readvertisement of Design-Build Services - Line 54-Inch Outfall Research Drive to I-95 Project to T. A. Loving Company, Goldsboro, NC, and McKim & Creed, Inc., Raleigh, NC, the highest ranked design-build team. The projected cost for Phase I is \$2,046,832.84. The Commission also approved for this design-build recommendation to be forwarded to City Council for approval.

Design Build Respondents

CONTRACTOR

ENGINEERING FIRM

T. A. Loving Company, Goldsboro, NC
Sanford Contractors, Inc., Sanford, NC

McKim & Creed, Inc., Raleigh, NC
W K. Dickson & Co., Inc., Raleigh, NC

Issues/Analysis:

The Water Engineering Department previously determined that a progressive design-build approach combining the design and construction phases into a single contract would result in faster project delivery, greater cost savings, and greater accountability.

In contrast to a conventional design-build contract, a progressive design-build contract involves the parties entering into the agreement at an early stage of the design process, allowing for substantial input from both sides. The determination of the final contract price, particularly the construction cost, is postponed until the design is well-developed, and both parties have sufficient information to establish a fair and accurate final price. Phase I of the contract focuses on sixty percent (60%) of the preliminary design, while Phase II addresses the final design and construction. The projected cost for Phase I is \$2,046,832.84, representing eleven percent (11%) of the total estimated project price.

As a progressive design-build project, the request is being made in accordance with Resolution No. PWC2022.019 - Resolution Establishing Design-Build Criteria, including the pre-approval of a design-build approach by the Chief Executive Officer pursuant to that certain Memorandum dated September 26, 2022. As the cost of Phase I of the project is expected to exceed \$500,000.00, approval of the Commission is required.

Budget Impact:

The Line 54-Inch Outfall, Research Drive to I-95 Project (Phase I) is a budgeted item (budgeted amount of 2,046,832.84).

Options:

N/A

Recommended Action:

The Fayetteville Public Works Commission recommends the Fayetteville City Council adopt the attached resolution approving the recommendation to award the contract for the Readvertisement of Design-Build Services - Line 54-Inch Outfall Research Drive to I-95

Project to T. A. Loving Company, Goldsboro, NC, and McKim & Creed, Inc., Raleigh, NC, the highest ranked design-build team, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its construction. The projected cost for Phase I is \$2,046,832.84.

Attachments:

Attachments: City Resolution - Design Build; Bid Recommendation - Design-Build - 54
Inch Line - I-95

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Timothy Bryant, CEO/General Manager

DATE: January 11, 2024

FROM: Candice S. Kirtz, Director of Supply Chain

.....

ACTION REQUESTED: Approve award for the Readvertisement Design-Build Services Line 54-Inch Outfall Research to I-95 Project (PWC2223039)

BID/PROJECT NAME: Line 54-Inch Outfall, Research Drive to I-95 Project

BID DATE: March 30, 2023

DEPARTMENT: Water Engineering

BUDGET INFORMATION: Funding for this project will come from FY2024 CIP, CPR1000194. Phase 1 of the project will cost \$2,046,832.84.

.....

DESIGN-BUILD RESPONDENTS

CONTRACTOR

ENGINEERING FIRM

TA Loving Company
Goldsboro, NC

McKim & Creed, Inc.
Raleigh, NC

Sanford Contractors, Inc.
Sanford, NC

W.K. Dickson & Co., Inc.
Raleigh, NC

.....

CONTRACT RECOMMENDED TO: TA Loving Company and McKim & Creed, Inc.

BASIS OF CONTRACT: Highest-ranked design-build team.

COMMENTS: The Commission is asked to approve the execution by PWC of a Progressive Design-Build Contract with the design-build team of TA Loving Company and McKim & Creed, Inc. in connection with the PWC2223039 Line 54-Inch Outfall, Research Drive to I-95 project. The Water Engineering Department previously determined that a progressive design-build approach combining the design and construction phases into a single contract would result in faster project delivery, greater cost savings, and greater accountability.

In contrast to a conventional design-build contract, a progressive design-build contract involves the parties entering into the agreement at an early stage of the design process, allowing for substantial input from both sides. The determination of the final contract price, particularly the construction cost, is postponed until the design is well-developed, and both parties have sufficient information to establish a fair and accurate final price. Phase I of the contract focuses on sixty percent (60%) of the preliminary design, while Phase II addresses the final design and construction. The projected cost for Phase I is \$2,046,832.84, representing eleven percent (11%) of the total estimated project price.

As a progressive design-build project, the request is being made in accordance with Resolution No. PWC2022.019 – Resolution Establishing Design-Build Criteria, including the pre-approval of a design-build approach by the Chief Executive Officer pursuant to that certain Memorandum dated September 26, 2022. As the cost of Phase I of the project is expected to exceed \$500,000.00, approval of the Commission is required.

A notice of a request for statements of qualifications (RFQs) was advertised through PWC’s normal channels on February 8, 2023, with a response deadline of March 30, 2023. PWC received two (2) responses to the RFQ. After evaluation of the responses and their prior performances, by the Water Engineering Department, the design-build team of TA Loving and McKim & Creed, Inc. was determined to be the most qualified respondent to the RFQ. Accordingly, with the agreement of the Water Engineering Department, PWC staff recommends that the Commission approve contracting with the design-build team noted above for the project pursuant to a progressive design-build contract.

.....

ACTION BY COMMISSION
APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL
APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY

PWC2223039 LINE 54-INCH OUTFALL, RESEARCH DRIVE TO I-95 PROJECT

BID DATE: March 30, 2023

Advertisement

1. PWC Website 02/08/23 through 03/30/23

**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

MWDBE / SLS Participation

TA Loving Company is a firm based in Goldsboro, NC that also has a local office in Fayetteville. TA loving also pays Cumberland County taxes. McKim & Creed, Inc. is not a local business and is not classified as a MWDBE or SLS.

**A RESOLUTION APPROVING THE USE OF THE
DESIGN-BUILD CONSTRUCTION METHOD FOR
THE LINE 54-INCH OUTFALL RESEARCH TO I-95 PROJECT**

WHEREAS, the Fayetteville Public Works Commission, hereinafter referred to as the Commission, has determined that the use of the progressive design-build construction method authorized in G.S. 143-128.1A is preferred over other delivery methods provided for under G.S. 143-128 for construction of the PWC2223039 Line 54-Inch Outfall, Research Drive to I-95 project; and

WHEREAS, such determination was made in recognition that the design-build construction method will provide faster project delivery, greater cost savings and greater accountability; and

WHEREAS, a notice of a request for statements of qualifications (RFQ) was advertised through the Commission's normal channels on February 8, 2023, with a response deadline of March 30, 2023; and

WHEREAS, the Commission received two responses to the RFQ and, after evaluation of the responses and the prior performances of the respondents, the design-build team of T.A. Loving Company and McKim & Creed, Inc. was determined to be the most qualified respondent; and

WHEREAS, the Commission has approved contracting with the design-build team of TA Loving and McKim & Creed, Inc. for the project pursuant to a progressive design-build contract, contingent on approval by the City Council of the City of Fayetteville, North Carolina.

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

the City Council hereby approves the use of the progressive design-build method of construction for the Line 54-Inch Outfall, Research Drive to I-95 Project.

ADOPTED this ____ day of January, 2024, by the City Council of the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE, NORTH CAROLINA

By: _____
MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk



City of Fayetteville

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

City Council Action Memo

File Number: 24-3821

Agenda Date: 2/12/2024

Version: 1

Status: Agenda Ready

In Control: City Council Regular Meeting

File Type: Administrative Reports

Agenda Number: 9.01

TO: Mayor and Members of City Council

THRU: Kelly Olivera, Assistant City Manager

FROM: Christopher Cauley, MPA - Economic & Community Development Director
Derrick McArthur - Economic Development Manager

DATE: February 12, 2024

RE:

Cool Spring Downtown District, Inc. Second Quarter Fiscal Year 2024 Report

COUNCIL DISTRICT(S):

District 2 - Council Member Malik Davis

Relationship To Strategic Plan:

Goal II: Responsive City Government Supporting a Diverse and Viable Economy.

- Strategic Objective 2.1: Ensure a diverse City tax base.
- Strategic Objective 2.2: Invest in community places to ensure revitalization and increase the quality of life.
- Strategic Objective 2.4: Sustain a favorable development climate to encourage business growth.

Goal IV: Desirable Place to Live, Work, and Recreate

- Strategic Objective 4.5: Ensure a place for people to live in great neighborhoods.

Goal VI: Collaborative Citizen and Business Engagement.

- Strategic Objective 6.2: Ensure trust and confidence in City government through transparency and high-quality customer service.
- Strategic Objective 6.3: Inform and educate about local government by enhancing public outreach and increasing community dialog, collaboration, and empowerment.

Executive Summary:

In accordance with the agreement between the City of Fayetteville (City) and Cool Spring Downtown District (CSDD), CSDD has submitted its Quarterly Report for review.

Background:

On July 1, 2023, the City and CSDD entered into an agreement to provide Enhanced Services for an Arts and Entertainment Focused Downtown Municipal Service District (MSD). The Enhanced Services for an Arts and Entertainment Focused Downtown MSD contains five service elements: Economic Vitality and Development; Art and Design Enhancements; Promotion and Marketing; Special Events and Programming and Partnership, along with Organizational Support and Conflict Resolution.

Issues/Analysis:

Several key items to note are present in the Quarterly Report:

- Five (5) new businesses for a total of 11 created to date.
- Over 1,000,000 gross square footage of ongoing business expansions and infill projects.
- 245 planned new residential units.
- Almost \$500 million in public and private investment planned.

Budget Impact:

There is no impact on the budget as funds for this project were approved for the 2023 fiscal year from the revenues generated by the MSD property tax rate and a transfer from the general fund. Funds are still available.

Options:

1. Accept the Quarterly Report on the MSD from CSDD.
2. Direct the City Manager to bring this item back to a future City Council Work Session.

Recommended Action:

No action required.

Attachments:

CSDD Quarterly Report October 1, 2023 - December 31, 2023



Cool Spring Downtown District, Inc.
222 Hay Street, Fayetteville, NC 28301
Info@CoolSpringfay.org

QUARTERLY REPORT – THIRD QUARTER

October 1, 2023 – December 31, 2023

SUMMARY

Our Goals align with the City of Fayetteville Goals in the following way:

CSDD Goals

1. Economic Vitality and Development
2. Art and Design Enhancements
3. Promotion and Marketing
4. Special Events and Programming
5. Partnership & Conflict Resolution

City of Fayetteville Goals

- Goal II – Diverse and Viable Economy
- Goal III – High Quality Built Environment
- Goal IV - Desirable Place to Live, Work & Recreate
- Goal IV – Desirable Place to Live, Work & Recreate
- Goal V – Sustainable Organizational Capacity
- Goal VI – Citizen Engagement & Partnerships

QUARTERLY HIGHLIGHTS:

Economic Development: In the THIRD quarter, the district welcomed **five (5) new businesses** for a total of 11 new businesses this fiscal year. Additionally, we expect a total of 10 new street level businesses to open before year end.

The district celebrates several ongoing expansions and new infill projects representing over 1,000,000 GSF of new or adaptive reuse construction, 245 planned new residential units and nearly **½ Billion Dollars in public and private investment** as highlighted in this development tracking form below.

CSDD continues to liaison between private property owners and potential investors. Often, we link investors to little known available properties and help future business owners navigate the permitting/grant process.

Additionally, the organization partnered the City of Fayetteville Office of Community and Economic Development and the Fayetteville-Cumberland County Economic Development Corporation to engage REVPAR International to complete a **hotel feasibility study** for downtown Fayetteville.

Policy and Advocacy: The District has a keen interest in seeing the Banner policy expanded. Recently, the City's Parks and Recreation Department requested that CSDD provide suggested edits to the existing policy. Our team will provide a thorough review of policies throughout the state with the aim of diversifying the use of banners and flags in the district. Also, the City approached CSDD to garner quotes for a **Safety and Architectural Lighting Initiative**. We are excited to see these proposals be presented to council in the coming weeks.

Design and Placemaking: CSDD added a few Placemaking initiatives this quarter. They include the following:

- New Holiday Décor:
 - o JOY SIGN- Franklin Street
 - o Holiday Ball Stack – Market Square
- Architectural Mapping Self Help Building (November – December)
- Augmented Reality (November – December)

Events and Marketing: In the THIRD quarter of the FY23/24 fiscal year, the Cool Spring Downtown District hosted **35 events that welcomed over 45,000 people**. We had the distinct pleasure of hosting the 3rd annual Night Circus: A District New Year's Eve Spectacular. Despite the cold, the event drew an estimated 20,000 people, ten vendors and hired nearly 50 artists to perform. Additionally, our **website welcomed 70,000+ visitors, a 450%** this quarter.

1. ECONOMIC VITALITY & DEVELOPMENT

NEW BUSINESSES

1. Hay Street Kitchen and Grill – Kress Building (Restaurant)
2. Cru –114 Gillespie Street, (Restaurant)
3. Bees and Boards -325 Green Street (Restaurant)
4. Blanc Coffee Roasters- 103 Person Street (Coffee Bar)
5. Stadium Events- 421 Maiden Lane (Event Center)
6. Dream Made Reality - Anderson Street (Professional Services)

NEW THIS QUARTER

7. The Salad Box – 132 Person Street (Restaurant)
8. Harm's Way Ink – 7 Market Square (Tattoo Parlor)
9. Veteran's Lending – 159 Maxwell Street (Lender)
10. Juniper and Fern – 107 Gillespie Street (Tattoo Parlor)
11. The Office – 110 Gillespie Street (Coworking Space)

RELOCATED WITHIN THE MSD

1. 219 Group- 219 Hay St (Creative Services)

CLOSED

1. Array Magazine – 219 Hay Street (Creative Services)
2. Southern Alternative – 417 Hay Street (Retailer)
3. Bragg Mutual Federal Credit Union -200 Hay Street (Financial Services)

OPENING SOON

1. Taste of West Africa – 116 Person Street (Restaurant)
2. Southern Pines Brewery – 123 Hay Street (Taproom and music venue)
3. Our Place – 106 Hay Street – (Restaurant)
4. Samel’s Boutique – Former Yellow Crayons Location (Full Service Salon)
5. The Livery Event Space AKA “The Warehouse” – 226 Donaldson Street (Event Space)
6. Sol’s Arcade and Taproom – 421 Maiden Lane (Bar)
7. J. Co Salon – (Expanding next door, 417 Hay Street) – Full Service Salon

NEW THIS QUARTER

8. Curative Mind Health, PLLC (Dr. Tim Newsome) – Person Street (Behavioral Health)
9. The Salt Cave -311 Hay Street (Wellness Studio)
10. Bloom Community Farm – Gillespie Street (Farmers Market)

NEW INVESTMENTS AND PHYSICAL IMPROVEMENTS CURRENTLY UNDERWAY/COMPLETE

Project Name	Investment	GSF	Status
Segra Stadium	\$43,000,000	55,000	Complete
The Residence at Prince Charles	\$18,500,000	75,000	Complete
Hay Street Parking Deck	\$19,000,000	200,000	Complete
Kress Open Spaces LLC	\$2,400,000	10,000	Complete
Downtown Redevelopment Pad	\$2,100,000	10,000	Complete
Systel Building Improvements	\$600,000	110,000	Complete
100 -block Tyson Investment	\$500,000	79,000	Complete
Capitol Encore Academy	\$2,000,000	39,000	Complete
Crown Complex	\$145,000,000	123,000	Planned
Phase Two, Above Garage	\$167,000,000	80,000	Planned
Festival Park Plaza	\$7,100,000	43000	Underway
Ammons Infill Development	\$2,000,000	9,000	Underway
Capitol Encore Academy	\$7,500,000	32,000	Underway
Southern Pines Brewery	\$2,100,000	13,400	Underway
Adams Street Condominiums	\$5,000,000	50,000	Underway
County Parking Deck	\$33,000,000	50,000	Planned
AIT Building	\$1,000,000	68,000	Underway
Kress Building Condos	\$2,000,000	20,000	Underway
Total Investment	\$459,800,000	1,066,400	

COSTAR REAL ESTATE ANALYTICS SPECIFIC TO THE MUNICIPAL SERVICE DISTRICT

Search Analytics

INVENTORY SF 2M +0% Prior Period 2M	UNDER CONSTRUCTION SF 0 - Prior Period 0	12 MO NET ABSORPTION SF (43.3K) -147.2% Prior Period 91.8K	VACANCY RATE 9.8% +2.2% Prior Period 7.6%	MARKET RENT/SF \$18.86 +2.5% Prior Period \$18.39	MARKET SALE PRICE/SF \$153 -1.3% Prior Period \$155	MARKET CAP RATE 8.3% +0.3% Prior Period 8.0%
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Key Metrics

Availability		Inventory	
Vacant SF	193K ↑	Existing Buildings	230 ↓
Sublet SF	1.2K ↑	Under Construction Avg SF	-
Availability Rate	12.7% ↑	12 Mo Demolished SF	0 ↓
Available SF Total	251K ↑	12 Mo Occupancy % at Delivery	-
Available Asking Rent/SF	\$19.54 ↑	12 Mo Construction Starts SF	0 ↓
Occupancy Rate	90.2% ↓	12 Mo Delivered SF	0 ↓
Percent Leased Rate	90.3% ↓	12 Mo Avg Delivered SF	-
Sales Past Year		Demand	
Asking Price Per SF	\$55 ↓	12 Mo Net Absorp % of Inventory	-2.2% ↓
Sale to Asking Price Differential	-41.6% ↓	12 Mo Leased SF	54.5K ↑
Sales Volume	\$6.4M ↓	Months on Market	24.3 ↑
Properties Sold	12 ↑	Months to Lease	13.8 ↑
Months to Sale	8.5 ↑	Months Vacant	14.0 ↑
For Sale Listings	12 ↑	24 Mo Lease Renewal Rate	64.4%
Total For Sale SF	175K ↑	Population Growth 5 Yrs	1.3%

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51639711 9/21/2023
CoStar Page 1

Development and Redevelopment.

- Collaborations. Staff actively collaborates with fellow economic development intermediaries including The Fayetteville-Cumberland County EDC, the Greater Fayetteville Chamber of Commerce and the Convention and Visitors Bureau. Staff have forged a strong partnership with the office of Community and Economic Development Department and as of recently has partnered with the Downtown Alliance, a business-to-business organization, on bringing the business and residential communities together. Our first joint meeting, held in July, had over 60+ attendees.

Retention and Support. Cool Spring Downtown District continues to work creating resources for new and existing businesses.

- Recruitment and Retention: As the district's economy thrives, this organization works to build on the momentum to further strengthen the commercial core through assisting in business recruitment and retention efforts. Our efforts include leasing assistance (connecting property owners to potential tenants), conducting surveys, and disseminating downtown research and information, promoting available local, state and federal resources, and working in tandem with our partners to drive pro-urban policy. Some businesses CSDD has recruited include: A Friends Table, Vagabond Coffee, and Pan Sandwiches.
- Downtown Gift Card Program: Since its inception, CSDD has sold over 400 gift cards valued at \$32,000. Over 35 businesses participate in the districtwide, all digital gift card.

- Social Districts: HB890 is a bill lobbied for by the NC Retail Merchants Association in the spirit of driving business to retailers in urban cores and expanding a community's the sense of livability. The bill, adopted into law in the fall of 2021, allows Cities and Counties to create "Social Districts" and provides them the opportunity to ease open-container laws.

Metrics.

1. Vitality Overview

Vitality Quarterly Overview	Q3	TYD
Total new Businesses	5	11
Total Business closures	0	1
Total Expansions or relocations within MSD	0	3
Expected new businesses	8	10

2. ART AND DESIGN ENHANCEMENTS

CSDD added a few Placemaking initiatives this quarter. They include the following:

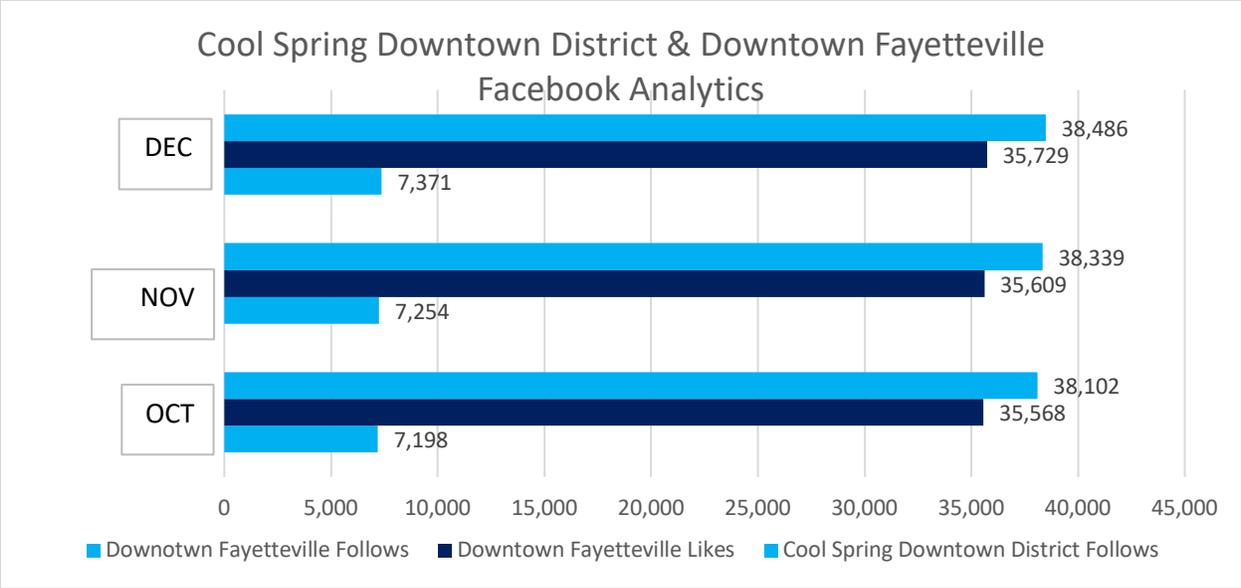
- New Holiday Décor:
 - o JOY SIGN- Franklin Street
 - o Holiday Ball Stack – Market Square
- Architectural Mapping Self Help Building (November – December)
- Augmented Reality (November – December)

3. MARKETING AND EVENTS

Number of monthly social media followers and likes (Facebook, Twitter, and Instagram) at the end of the quarter December 31, 2023.

Facebook:

- Downtown Fayetteville
 - o Like: 35, 729, an increase of 0.80% from 35,442 last quarter
 - o Followers: 38,486, an increase. 1.51% from 37,912, last quarter
- Cool Spring Downtown District
 - o Likes: N/A
 - o Followers: 7,371, an increase of 4.46% from 7,056 last quarter

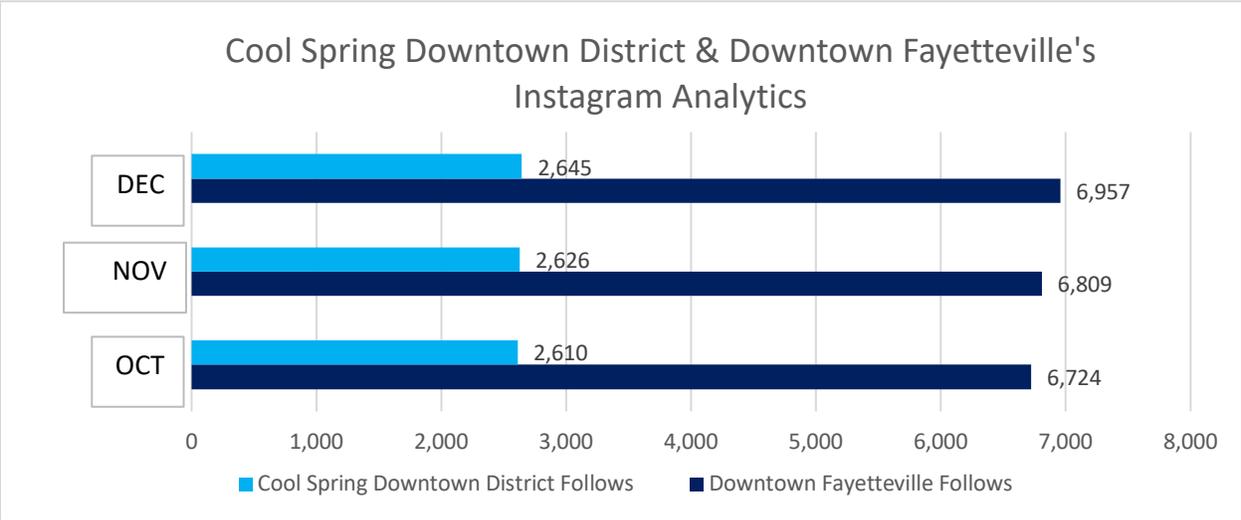


X (Twitter):

- Downtown Fayetteville
 - Followers: 4,732, a decrease of .60% from 4,761 last quarter
- Cool Spring Downtown District
 - No Twitter information

Instagram:

- Downtown Fayetteville
 - Followers: 6,957, an increase of 4.39% from 6,664 last quarter
- Cool Spring Downtown District
 - Followers: 2,645, an increase of 2.47% from 2,581 last quarter



Email Newsletter:

- Subscribers:
 - 5,614 Subscribers, an increase of 2.67% from the 5,468 last quarter.
- Open Rate:
 - 41% open rate average, a decrease of 4.65% from 43% last quarter

Google:

- 1,526 people found Downtown Fayetteville/Cool Spring Downtown District through Google Business, a decrease of 24.26% from 2,015 people last quarter.
- 201 people visited the website through Google, an increase of 27.21% from 158 last quarter.

Website:

- 70,701 users visited the Cool Spring Downtown District website, an increase of 452.82% from 12,789 users last quarter.
- 72,067 new users visited the Cool Spring Downtown District website, an increase of 481.09% from 12,402 last quarter.

Cool Spring Downtown District's Events

Date	Event	People Attended (Average)
10/7/23	District Trolley	20
10/8/23	District Trolley	20
10/14/23	District Trolley	20
10/15/23	District Trolley	20
10/21/23	District Trolley	20
10/22/23	District Trolley	20
10/27/23	Zombie Walk	18,000
10/27/23	Rocky Horror Singalong Trolley	60
10/28/23	District Trolley	20
10/29/23	District Trolley	20
10/31/23	Trick or Treat	4,000
11/4/23	District Trolley	20
11/5/23	District Trolley	20
11/11/23	District Trolley	20

11/12/23	District Trolley	20
11/18/23	District Trolley	20
11/19/23	District Trolley	20
11/24/23	Holiday Carriage Rides	68
11/25/23	District Trolley	20
11/26/23	District Trolley	20
12/1/23-12/31/23	Letters to Santa	79
12/1/23-12/31/23	Light Up the City	2,000
12/2/23	District Trolley	20
12/3/23	District Trolley	20
12/7/23-12/8/23	Holly Jolly Singalong Trolley	120
12/9/23	District Trolley	20
12/10/23	District Trolley	20
12/16/23	Sip N Sleigh Downtown Fay	1,000
12/16/23	District Trolley	20
12/17/23	District Trolley	20
11/23/23	District Trolley	20
11/30/23	District Trolley	20
12/31/23	Night Circus: A New Year's Eve Spectacular	20,000
	Quarterly Attendance	45,807

"Can Do" Coldwell Banker Private Trolley Rentals

DAY	EVENT
10/21/23	Wedding
10/28/23	Givens Wedding
10/28/23	FSO Shuttle
11/24/23	A Dickens Holiday/Downtown Alliance
12/2/23	McFadyen Wedding
12/9/23	FSO Shuttle
12/16/23	Hurley Trolley Rental
12/30/23	Schaffer Wedding

Events Hosted in the Cool Spring Downtown District Stats

Date	Event	Organizer	People Attended (Average)
10/1/23	Paint 🍷 and Sip	The Sip Room	7
10/3/23	Dried Floral Pumpkin Workshop	Downtown Market of Fayetteville	72
10/5/23	6th Annual Home Is Where the HeArt Is Art Auction	Kidspace	76
10/6/23	Art Meets Life: Ode to Hip Hop Edition feat Skye Redd	Poetry N Motion & The Sweet Palette	62
10/7/23	Electric Vehicle Car Show	The Downtown Makrket of Fayetteville	193
10/7/23	Meet the Author - Lynn Pryer - THE GILBERT THEATER STORY	City Center Gallery and Books	27
10/7/23	Latin Social at the Arts Council of Fayetteville	Arts Council of Fayetteville/Cumberland County	56
10/7/23	Meet the Author - Lynn Pryer - THE GILBERT THEATER STORY	City Center Gallery and Books	27
10/7/23	NC Birth & Baby Expo 2023	LATCH Breastfeeding and Postpartum Wellness Center	347
10/11/23	Libra Birthday Celebration	Shop Cursive	16
10/11/23	Deep Breathing Meditation	Prima Elements Holistic Wellness Center	6
10/11/23	Mindfulness and Self Worth Meditation	Prima Elements Holistic Wellness Center	5
10/13/23	Vegan Cooking Class- Learn to cook Vegan Hibachi	Prima Elements Holistic Wellness Center	9
10/13/23	Friday the 13th Block Party	A Bit of Carolina	262
10/13/23	Bell's Seed Store Yard Sale - Clearance Event!	Bell's Seed Store	767
10/14/23	Healing Dakota at the Capitol	The Capitol Encore Academy	14
10/14/23	The Red Creek Sessions at the Capitol	The Capitol Encore Academy	10
10/14/23	Indigo Moon Film Festival	Indigo Moon Film Festival	2,000
10/14/23	A Dickens Holiday - Costume Workshop	Downtown Alliance	13
10/14/23	CANCER/EVOLUTION at the Capitol	The Capitol Encore Academy	10
10/14/23	Adult Night	Greg's Pottery	10

10/14/23	The Seven Ages Speakeasy: A One-Night Only Sweet Tea Shakespeare Showcase	Sweet Tea Shakespeare	164
10/18/23	Bilingual Story Time`	Fascinate-U Childrens Museum	2
10/19/23	Witches Night Out	Downtown Alliance	295
10/20/23	Downtown Pumpkin Trail	Downtown Alliance	122
10/20/23	Fayetteville Dogwood Fall Festival - Friday	Fayetteville Dogwood Festival	1,698
10/21/23	Fayetteville Dogwood Fall Festival - Saturday	Fayetteville Dogwood Festival	885
10/21/23	Book Signing at City Market at the Museum	Fayetteville History Museum	37
10/22/23	Green Tea's The Merry Wives of Windsor	The Capitol Encore Academy	16
10/22/23	The Rocky Horror Show!	Gilbert Theater	320
10/22/23	Sensory Friendly Morning	Fascinate-U Childrens Museum	8
10/22/23	Fayetteville Dogwood Fall Festival - Sunday	Fayetteville Dogwood Festival	513
10/22/23	Kids Costume Contest at the Dogwood Fall Festival	Fayetteville Dogwood Festival	22
10/22/23	Pet Costume Parade at the Dogwood Fall Festival	Fayetteville Dogwood Festival	44
10/24/23	Sweet and Spicy Butter Board Workshop	Downtown Market of Fayetteville	24
10/26/23	Fang Tastic Feast Charcuterie Workshop	Downtown Market of Fayetteville	66
10/27/23	Zombie Book Event	City Center Gallery and Books	13
10/27/23	Zombie Walk	Cool Spring Downtown District	15,000
10/27/23	Rocky Horror Singalong Trolley	Cool Spring Downtown District	60
10/27/23	Boo Bash Halloween Party	Fascinate-U Childrens Museum	165
10/28/23	7th Annual Halloween at the Light!!	Bright Light Brewing Company	101
10/29/21	PARANORMAL NORTH CAROLINA BOOK EVENT	City Center Gallery and Books	15
10/29/23	Sunday Brunch!	Huske Hardware Restaurant	67
10/31/23	Trick or Treat	Cool Spring Downtown District	2,500
10/31/23	Tuesday Trivia @ Gaston Brewing Company	Gaston Brewing Company	21
11/2/23	Holiday Open House	Downtown Alliance	82
11/2/23	Holiday Open House	A Bit of Carolina	51

11/3/23	Downtown Holiday Open House	Shop Cursive	15
11/3/23	Art Meets Life: 8th Anniversary Show feat. L.B.	Poetry N Motion & The Sweet Palette	84
11/4/23	Story Time with Miss Ally	City Center Gallery and Books	10
11/4/23	Ladies Night	Greg's Pottery	9
11/8/23	Scorpio Birthday Celebration	Shop Cursive	3
11/9/23	Dickens Costume Workshop	Downtown Alliance	13
11/10/23	Still Here, Still Native Exhibition Opening Reception	Arts Council of Fayetteville/Cumberland County	141
11/11/23	Fall into PEACE with a Sound Bath	Prima Elements Holistic Wellness Center	18
11/11/23	Book Signing at Rude Awakening Coffee House	Rude Awakening Coffee House	26
11/11/23	Adult Night	Greg's Pottery	11
11/11/23	Christmas Open House	Bell's Seed Store	103
11/15/23	Bilingual Story Time	Fascinate-U Childrens Museum	3
11/17/23	Thanksgiving Butter churning for beginners	Downtown Market of Fayetteville	
11/18/23	Let's paint crystal glaze ornaments	Greg's Pottery	27
11/18/23	Christmas Tree Painting	Greg's Pottery	33
11/19/23	Dr. Suzanne Cross Lecture on Residential Schools	Arts Council of Fayetteville/Cumberland County	9
11/19/23	Corn Husk Doll Make and Takes	Arts Council of Fayetteville/Cumberland County	37
11/21/23	Toddler Tuesday	FAscinate-U Childrens Museum	3
11/23/23	7th Annual Hoppy Friendsgiving	Bright Light Brewing Company	35
11/24/23	A Dickens Holiday at Cursive	Shop Cursive	8
11/24/23	Holiday Carriage Rides	Cool Spring Downtown District	68
11/24/23	A Dickens Holiday Gingerbread House Contest • A Dickens Holiday Event	The Capitol Encore Academy	26
11/24/23	Ghost of Christmas Past • A Dickens Holiday Event	Fayetteville History Museum	85
11/24/23	Making Spirits Bright • A Dickens Holiday Event	Skyview on Hay	30
11/24/23	A Royal Tea & Tour - Sandford House, Oval Ballroom & More • A Dickens Holiday Event	Downtown Alliance	42

11/24/23	Candlelight Procession & Tree Lighting • A Dickens Holiday Event	Downtown Alliance	144
11/24/23	Dickens After Dark • A Dickens Holiday Event	Downtown Alliance	134
11/24/23	Vegan Friendsgiving	Prima Elements Holistic Wellness Center	13
11/24/23	Ghost of Christmas Past • A Dickens Holiday Event	Downtown Alliance	85
11/24/23	Christmas Movie Enchantment • A Dickens Holiday Event	Downtown Alliance	30
11/24/23	A Dickens Holiday in Downtown Fayetteville NC	Downtown Alliance	18,000
11/25/23	Make your own Bath soaks workshop	Downtown Market of Fayetteville	138
11/25/23	Finklepott's Fairy Hair with Fairy Melody	Greg's Pottery	17
11/25/23	Planting and English Bulb Garden	Bell's Seed Store	42
11/28/23	Toddler Tuesday	Fascinate-U Childrens Museum	15
11/29/23	Wine & Wordz Poetry Night	The Sip Room	7
12/1/23- 12/31/23	Letters to Santa	Cool Spring Downtown District	79
12/1/23- 12/31/23	Light Up the City	Cool Spring Downtown District	2,000
12/7/23- 12/8/23	Holly Jolly Singalong Trolley	Cool Spring Downtown District	120
12/1/23	Art Meets Life: End of the Year Edition feat. LIFE	Poetry N Motion & The Sweet Palette	66
12/2/23	Story Time with Miss Ally	City Center Gallery and Books	2
12/2/23	Last Ladies Night of 2023	Greg's Pottery	25
12/2/23	Latin/Kizomba Social at the Arts Council Fayetteville	Arts Council of Fayetteville	89
12/8/23	Fayetteville Holiday Lights 2023	Segra Stadium	829
12/8/23	AUDITIONS: In the Blood	Gilbert Theater	14
12/9/23	The Green Grump Who Stole Foo-Ville	Downtown Alliance	578
12/9/23	The Green Grump At Cursive	Shop Cursive	9
12/9/23	Breakfast With Santa	Fascinate-U Childrens Museum	98
12/9/23	The Grinch Stole Our Icing!	The Sweet Palette	45
12/9/23	Breakfast with Santa in Historic Downtown Fayetteville!	Huske	55

12/9/23	Chunky Blanket Workshop	Wine & Design	11
12/10/23	Acrylic Pour Workshop	Wine & Design	10
12/13/23	Sagittarius Birthday Celebration	Shop Cursive	44
12/13/23	Holiday Lights Mixer	Fayetteville Woodpeckers	95
12/13/23	Downtown Alliance Social Cookies & Cocoa	Downtown Alliance	17
12/15/23	Ugly Sweater Crawl Downtown Fayetteville	Downtown Alliance	113
12/15/23	Cultural Fusion: Teen Jewelry Multicultural Workshop	Fascinate-U Childrens Museum	3
12/15/23	Ugly Sweater Contest At Cursive	Shop Cursive	8
12/15/23	TCEA Christmas Pop-up Market	The Capitol Encore Academy	32
12/15/23	Fayetteville Holiday Lights - Movie Night featuring "The Santa Clause"	Segra Stadium	1,129
12/15/23	Night Market at Turner Lane	Turner Lane	43
12/16/23	Sandra Whittemore's Indigenous Dress Tour	Arts Council of Fayetteville	83
12/16/23	Holiday Open House	Reverie Goods and Gifts	9
12/16/23	Sip N Sleigh Downtown Fay	Cool Spring Downtown District	1,000
12/17/23	Black Light Paint Your Pet	Wine & Design	13
12/20/23	Bilingual Story Time	Fascinate-U Childrens Museum	2
12/21/23	S'mores Charcuterie for Beginners	Downtown Market of Fayetteville	108
12/21/23	TAP on Thursday Presents: Game Night	Poetry N Motion & The Sweet Palette	49
12/23/23	Fayetteville Holiday Lights - Finale!	Segra Stadium	1,640
12/24/23	Christmas Eve Holiday Family Open Studio	Wine & Design	11
12/29/23	Harry Potter Paint & Trivia Night	Wine & Design	31
12/30/23	A Night Circus At Cursive	Shop Cursive	44
12/31/23	New Year's at Noon	Fascinate-U Childrens Museum	102
12/31/23	NEW YEAR'S EVE Club Night Out!	Huske Hardware Restaurant	113
12/31/23	Let's Glow New Year's Eve	Bright Light Brewing Company	130
12/31/23	Night Circus: A New Years Eve Spectacular	Cool Spring Downtown District	20,000
		Quarterly total attendance	74,000

4. PARTNERSHIPS, ORGANIZATIONAL SUPPORT AND CONFLICT RESOLUTION

Advocating and Facilitating Solutions for Property Owners and Tenants

Clean Streets Program - This program provides fee-based waste management services to the business community. The Clean Streets program offers the following sanitation services:

- Vertipak Trash Compactor (Franklin Street)
- Card Board Recycling (Franklin Street)
- Two Dumpster (Maxwell Street, glass recycling)

If a business does not have localized sanitation services, they are invited to participate in the Clean Streets program. At the time of this report, the organization provides commercial sanitation services for 23 businesses. Additionally, the program is looking to expand down Person Street and facilitated a long-term easement between the owners of 116 Person Street and the City to create a new dumpster pad for the existing and future businesses along Person Street’s corridor.

Estimated Total Waste Collected

Type of Canister	Estimated Waste	Number of Weekly Pickups	Number of Weeks	Estimated Impact of waste removed
Vertipak (8 yards)	Estimated 80 lbs/yd	3x weekly	12	23,040 lbs
Cardboard (8 yards) (x 2 receptacles)	75 lbs/yd	2x weekly	12	14,400 lbs x 2 = 28,800lbs
Dumpster (8 yards)	1600 lbs	3x weekly	12	57,600 lbs
Estimated Total Waste Removed This Quarter				109,440 lbs



- **Property Database. Ongoing** - Cool Spring staff maintains a database to provide current listings of available properties, as well as tracking business and residential population within the MSD. This database of available properties is provided by CoStar by the Fayetteville-Cumberland County Economic Development Corporation (FCEDC).

Liaison between Downtown stakeholders and local government

- **Construction.** Cool Spring will continue to liaison between the City and Downtown Stakeholders to mitigate effects of road closures during public and private construction efforts.
- **Small businesses and City service staff.** Cool Spring continues to serve as the liaison and information conduit between downtown stakeholders and City staff to facilitate better relationships, more understanding, and increased effectiveness for both City and businesses. To this end, we participate in Parks and Recreation's Special Events Committee, Parking Committee. We also work closely with Traffic Engineering, Parks & Recreation, and Construction employees to ensure that stakeholders are made aware of planned activities which may impact them, and to help City departments identify the best times to perform these projects with the least impact to businesses. CSDD also receives committee updates from the Planning Commission, Zoning Commission, Historic Resource Commission, and the Technical Review Committee.

Metrics

1. *Percentage of downtown merchants satisfied with support provided by Cool Spring Downtown District. Note: NO survey was conducted this quarter.*
2. *Number of direct interactions provided to downtown district to resolve issues or complaints: Estimated 30 +*
 - Cool Spring often fields complaints related to parking, construction, road closures, and politics. Staff is available daily to hear the concerns of both merchants, property owners and visitors. We believe our efforts to mitigate the challenging effects of revitalization are helpful and provide a safe place for the community to express itself.

Cool Spring Downtown District Investors FY23/24

Corporate Donors:

- ABC11/Disney
- MetroNet
- Healy Wholesale
- Ray, O'Connor, Coleman & Halverson, PLLC
- Coldwell Banker
- Rude Awakening and Cursive
- Systel
- Callahan and Rice
- Turner Lane
- Lumbee Guaranty
- H & H Holmes
- Blue Ridge Power
- Blashfield Signs
- Truist
- The Rogers Law Firm, PLLC
- LaFayette Ford
- MoPar Car Club

Media Partners:

- ABC11
- Beasley Broadcasting
- City View
- Fayetteville Business Journal
- 104.9
- WIDU

Public Donors:

- City of Fayetteville and contributors to the Municipal Service District
- PWC
- Arts Council of Fayetteville Cumberland County
- Anonymous Private Foundation
- Cumberland Community Foundation
- The Downtown Alliance
- Latinos United
- Distinctly Fayetteville
- FTCC
- Methodist University
- Fayetteville State University

AMBASSADOR UPDATE:

Since launching the program in March, 2023 the following has been accomplished:

Two Ambassadors work in the Municipal Service District averaging about 40 hours collectively. Their accomplishments include the following:

Physical Environment:

- 80 Hurley pots and Street Poles have been repainted.
- 12 New Recycling bins sited and installed.
- Over 2000 LBS of cedar mulch placed in tree beds and raised planters.
- 100 new plants planted in the hurley pots.
- Increased plant watering (we purchased a mobile watering device).
- Daily litter street sweeps.
- Weekly dumpster maintenance.

Homelessness/Panhandling/Illegal Activity

- Regularly engage with homeless population to redirect them to services.
- Filed two police reports for stolen property downtown.
- Redirected over 15 people panhandling.
- Work with downtown merchants to ease concerns about indecent exposure, street preaching, littering, panhandling.
- Met with Homelessness and Mental Health Officers from Fayetteville Police Department to better understand services offered.
- Interact with Downtown Police presence to ensure the public's safety.

Meetings/Events:

- Attended Monthly merchant stakeholder group meeting.
- Attended bi-monthly Community Watch meeting.
- Provided event support for the following events:
 - o ALL 4th Friday events
 - o Juneteenth, New Years Eve
 - o 4th of July