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**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE CONFERENCE ROOM
AUGUST 6, 2018
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (arrived at 5:07 p.m.); Tisha W. Waddell (District 3) (arrived at 5:13 p.m.); D. J. Haire (District 4); Johnny Dawkins (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8)

Absent: Council Member James W. Arp (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Jay Reinstein, Assistant City Manager
Gina Hawkins, Police Chief
Ben Major, Fire Chief
Jerry Newton, Development Services Director
Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director
Kevin Arata, Corporate Communications Director
Jay Toland, Interim Chief Financial Officer
Kecia Parker, Real Estate Manager
Lee Jernigan, Traffic Engineer
John Larch, Assistant City Engineer/Stormwater Manager
Mark Brown, PWC Customer Services 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 Crisp.

PLEDGE OF ALLEGIANCE

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

3.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Mohn moved to approve the agenda.
SECOND: Council Member Dawkins
VOTE: UNANIMOUS (6-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 Consulting Contract with Horne LLP for Implementation of Community Development Block Grant - Disaster Recovery and Hazard Mitigation Grant Program (CDBG-DR)

MOTION: Council Member Haire moved to suspend the rules for voting on this item.
SECOND: Council Member Crisp
VOTE: UNANIMOUS (7-0)

Mr. Jay Reinstein, Assistant City Manager, presented this item and stated the State of North Carolina was awarded \$198 million of CDBG-DR funds from the Department of Housing and Urban Development as a result of damage caused by Hurricane Matthew. Cumberland County is

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to receive \$34,945,328.00 as a sub-recipient of these funds over a three-year period. The State will release two-thirds of the funding to Cumberland County for a two-year period in the amount of \$23,260,000.00, with the remaining \$11,685,328.00 to be released in the third year. Of that funding, the City will receive \$15,325,000.00 as a sub-recipient of the County for the first two years and \$8,042,500.00 in the third year to carry out the various programs. This Housing Recovery Program provides assistance to low- and moderate-income homeowners and businesses who experienced major to severe damage to their homes and businesses and have remaining unmet needs, after subtracting benefits from Federal Emergency Management Association (FEMA), Small Business Administration (SBA), and private insurance. This program includes reconstruction activities, acquisition and construction of new homes, and insurance subsidies to eligible low- and moderate-income families. Affordable housing is the State's number one priority associated with the CDBG-DR program. City staff worked with Cumberland County to develop a proposal to carry out a variety of housing and recovery programs, City Council approved submission of the grant application to the State on August 28, 2017. The proposal included a Homeowner Recovery Program, Small Rental Repair Program, Multi-family Rental Housing, and a Community Recovery Program that will include a day center and a homeless shelter. Businesses will have to apply directly to the North Carolina Department of Commerce for available funding. Over 300 applications have been accepted to date at our intake center during the process. The City will carry out the following CDBG-DR activities:

- Activity #1 Housing Recovery: The City will undertake housing activities to include single-family homeownership rehabilitation, single-family homeownership reconstruction, mobile home repair, housing repair reimbursement, small rental repair, and provide affordable single-family ownership in the Oakridge Estates Community in Fayetteville.
- Activity #2 Multi-Family Rental Housing: The City and the County will jointly choose a consultant to guide the parties in selecting an experienced individual that demonstrates the capacity and ability to carry out the activities in accordance with HUD's guidelines and contractual obligations.
- Activity #3 Economic Development (Small Business Recovery): The NC Department of Commerce will oversee this activity.
- Activity #4 Community Recovery: The City jointly with the County will collaborate as a part of the homelessness initiative in the development of a day facility to provide supportive services and shelter to homeless individuals and families.

Mr. Reinstein stated the larger projects such as the affordable housing developments and the homeless shelter/day will come back to City Council for further consideration. The City of Fayetteville received three Hazard Mitigation Grant Program (HMGP) awards for acquisition, reconstruction, and elevation of single-family residences in the amount of \$4,554,593.00. While the award originally identified 32 eligible properties, the funding is now to be allocated for 28 homes as some homeowners chose not to move forward or the homes no longer met eligibility requirements. The qualified homeowners were mailed letters regarding the selection of their property under the program. Funding for this program will be available effective August 2018. An additional \$63 million of CDBG-DR funding is to be awarded to North Carolina for grants for acquisition, elevation, or reconstruction similar to HMGP. It is anticipated that Fayetteville and/or Cumberland County will receive approximately \$6.1 million of this funding in coming months. Residents must be low to moderate income to be considered for this funding.

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Mr. Reinstein further stated an Request for Proposals (RFP) for Professional Project Management Services for Disaster Recover Programs was issued on September 1, 2017. Only two proposals (Horne LLP and Threadcraft Engineering, Inc.) met the requirements and were evaluated and ranked, with Horne LLP finishing first. Unfortunately, the State of NC made changes to the project scope requiring another RFP to be reissued on April 20, 2018, with the same two companies providing proposals. Threadcraft Engineering, Inc., once again finished second to Horne LLP as a result of the evaluation. Horne LLP, founded in 1962, employs over 500 and has a strong history in recovery efforts that have served state, county, and municipal entities from across the country. Horne LLP has supported compliance management on over \$24 billion in federal awards in eight states. Their primary role will be focused on project management, mitigation, and program administration on CDBG-DR and HMGP projects. The City of Fayetteville is currently a sub-sub-recipient to Cumberland County for all CDBG-DR related projects. Cumberland County must reimburse the City, per the Memorandum of Agreement, prior to being reimbursed by the State of North Carolina. All CDBG-DR projects have experienced considerable delays due to the State of North Carolina environmental review backlog. This backlog will delay the flow of dollars and resources to our residents. The City is a direct sub-recipient to the State and will be reimbursed directly by the State and not Cumberland County. The projects for the 28 qualified residences have been delayed due to several process changes initiated by North Carolina Emergency Manage (NCEM). The projects will kick-off 30 days after the consultant has been hired. Additional dollars may be allocated by the General Assembly in the coming weeks. There is no impact to the General Fund as the contracted consulting services are eligible expenditures under both the CDBG-DR and HMGP programs.

Discussion ensued.

MOTION: Council Member Haire moved to authorize the City Manager to execute a contract with Horne LLP for project management, mitigation, and program administration for CDBG-DR and HMGP projects to execute a contract with Horne LLP not to exceed \$1.2 million for these services without the expressed written consent of the parties to the agreement.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (7-0)

4.02 Stormwater Program Review

Mr. John Larch, Assistant City Engineer/Stormwater Manager, introduced this item and stated City Council expressed concerns over the development review process as it pertains to meeting the requirements of Chapter 23 of the Fayetteville City Code, commonly referred to as the City Stormwater Ordinance. In order to address these concerns, the City retained Raftelis, a public sector advisory firm, to review the City's Stormwater Program. The first phase of this review examines the process used to ensure new development in the City is in compliance with stormwater regulations. Raftelis will present their findings to the City Council. Per Chapter 23 of the City Ordinance, known as the Stormwater Ordinance, new developments within the City of Fayetteville must undergo a review process to ensure compliance with stormwater quantity requirements. Similar processes take place in many communities within the Region. Raftelis has examined the City's process, conducted interviews, and gathered data to see how Fayetteville compares to other communities. Recommendations for potential improvements are provided in the report. Mr. Larch introduced Mr. Keith Reading, Consultant, Raftelis.

Mr. Reading presented the report with the aid of a PowerPoint presentation. Mr. Reading presented the project overview, observations of the Stormwater Program, observation of the Plans Review process, Stormwater Treatment requirements, and recommendations for the Development Review Process.

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Discussion ensued.

Consensus of Council was to direct staff to bring this report back to Council at a regular meeting to officially accept the report.

4.03 Economic Development Site Inventory Update - Military Business Park

Mr. Robert Van Geons, President/CEO, FCEDC, presented this item and stated the Military Business Park was originally approximately 250 acres. Today, it is 112.13 acres with a 30,500 square foot speculative building. There has been a substantial amount of traffic on the speculative building, and we have a potential transaction. Currently we have 62 active projects. We have submitted the Military Business Park for several major projects in 2018. Fayetteville-Cumberland County Economic Development Corporation (FCEDC) is actively looking for new sites for future development; we are in need of more commercial and industrial buildings. Mr. Van Geons listed the external and internal factors: I-295 Construction, Infrastructure costs and per acre impacts, competition from existing buildings and business park, demand and activity, and uncertainty regarding the property's fate.

Discussion ensued.

This item was for information only.

4.04 Economic Development - Branding Update

Mr. Robert Van Geons, President/CEO, FCEDC, presented this item with the aid of a PowerPoint presentation and stated in January 2018, FCEDC and City staff provided an update regarding a working group that was formed to discuss collaborative marketing among several organizations which was evolving to become the Fayetteville-Cumberland Collaborative Branding Committee (FCCBC). Participants include the City of Fayetteville, Cumberland County, the Tourism Development Authority, Crown Complex, Greater Fayetteville Chamber of Commerce, Fayetteville-Cumberland County Arts Council, Fayetteville Area Convention & Visitors Bureau, Vision 2026, Cool Spring Downtown District and Fayetteville-Cumberland County Economic Development Corporation (FCEDC). As previously proposed, the group is pursuing the development of a community-wide branding strategy in order to (1) establish a clear and common brand that encapsulates and leverages the community's strengths, assets, diversity, vision, and potential; and (2) develop a common branding platform that all partners may incorporate and expand upon in their individual promotion, messaging, and marketing strategies. The creation of this centralized messaging and brand identity is intended to (1) aggressively promote Fayetteville and Cumberland County as a superior destination in which to live, work, visit, explore, create, or grow a business; (2) differentiate our community from others, separating ourselves from others with similar names and demographics; and (3) demonstrate the unity and collaboration that exists between our public, private, and non-profit partners to the local community and external audiences.

Mr. Van Geons stated the Committee developed a Request for Proposals (RFP) for brand development services and sought solicitations this summer from highly-qualified agencies, with relevant experience, to develop a community-wide branding strategy for the City of Fayetteville, Cumberland County, and community branding partners. This collaborative branding platform will establish a clear and common brand that highlights and leverages the community's strengths, assets, diversity, vision, and potential. The RFP generated nine proposals from agencies across the nation. The FCCBC is in the process of selecting an agency based on ten criteria. The firm selected will advise FCCBC during all stages of the project and at a minimum will (1) review/analyze all data and research that has been previously compiled; (2) conduct research among community

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stakeholders and external audiences to identify existing assets, advantages, perceptions, opportunities, and challenges regarding our area’s image; (3) create a common brand guide and resource/promotional content library; (4) facilitate brand implementation, promotion, and stakeholder engagement; and (5) recommend long-term implementation and evaluation methods. The Committee is looking for innovative, creative proposals for a brand that all partners may incorporate and expand upon in their individual branding, promotion, messaging, and marketing strategies. FCEDC staff have facilitated the meetings and the RFP process, which anticipates interviewing finalists later this month. The proposed budget of the project is from \$150,000.00 to \$200,000.00. Funding for the collaborative community branding project has not been finalized. It is anticipated that the branding partners would participate in the cost-sharing of the project, with two initial partners having committed \$25,000.00 each.

Discussion ensued.

4.05 Update on Catalyst Site 1 Activities

Mr. Douglas Hewett, City Manager, presented this item and stated in January 2013, the City began acquiring property in Catalyst Site 1 of the Murchison Road Development Plan area. The acquisition of property is complete. In November 2016, an Economic and Business Development Strategic Action Plan was completed by Red Rock Global. The Plan identifies four pathways, four focus areas, and action steps as listed below.

Four Pathways:

- 1. Quality Education/Schools
- 2. Large Scale, High Quality Active Recreational spaces
- 3. Drive More People Downtown
- 4. Focus Development, Marketing and Public Spending

Focus Areas	Status	Activities
1. Upper Murchison Road (I-295 to Country Club Drive, Bragg Boulevard to Ramsey Street)		
a. Large scale master planned development with retail, a sports complex, and hospitality.	Partially Complete / In Process	FCEDC is working with private property owners, the City, County, and Mayor’s coalition to identify and bring to market new development opportunities. 135 acres have completed due diligence and 750+ acres have been identified as potential sites for development, with interested property owners.
2. Lower Murchison Road (Country Club Dr., to intersection of Bragg Blvd and Rowan Street)	Ongoing	Property Acquisition Complete on Catalyst Site 1. Reviewed other options for land acquisition on surrounding sites. Issued a RFP for consultant expertise in validating community interest, site limitations and developer interest to move towards siting a catalytic project.
a. Creation and Branding of a recreation and entertainment area Downtown that focuses on families and fans.	Ongoing	Cool Spring in partnership with the Arts Council and the City are working to stand up an Arts & Entertainment District.
b. Integrate the numerous existing natural features, parks and museums.	Ongoing	RFP issued for design assistance for Veterans Park II that will be constructed once the old Rowan Street Bridge is removed. Funds available for an urban trail from downtown up Murchison Road corridor towards FSU. Money provided as part of the Parks and Recreation Bond for further

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Focus Areas	Status	Activities
		development of the MLK Jr. Park.
c. A collegiate age recreational areas centered on Washington Park, FSU and Cat Site 1.	Ongoing	The City and FSU are finalizing a feasibility study for the development of a joint Wellness Center in the Murchison Road-Filter Plant Road area.
d. Fan based experience center. Fun Zone type of Fan experience. Maybe a huge Ferris wheel.	Not started	No direct activity yet on this recommendation.
e. Family based experience focused on children, anchored along Hay and Gillespie.	Ongoing	Ongoing activities being pursued with Cool Springs to stand up the Arts & Entertainment District and continued work by the Arts Council and City on public art displays. Will increase when baseball stadium is complete.
f. Creative Training and Employment Center at the current Fayetteville State University Business Center.	Ongoing	FSU opened the Construction Resource Office (CRO) in April. The CRO is designed to increase access to bid documents and eliminate the costs associated with acquiring documents for contractors. The CRO provides full access to estimating and bidding software, scaled copies of plans, copies of specs, access to the internet and access to general office equipment.
3. Center City Action Park (intersection of Blount St. and Gillespie)	Ongoing	Property Acquisition Near Completion
a. Contemporary and cool community of small live/work urban loft offices intertwined with green space and food truck pads.	Ongoing	With funding support from the General Assembly an Urban Plan and a Parking Plan are underway. Both plans will inform the Council on how best to position the City for growth in the downtown and lower Murchison Road areas.

Mr. Hewett stated the desired outcome of the action plan was to attract a developer. An RFP was issued in June 2018. No developers responded to the RFP. Funding is currently budgeted for Catalyst Sites 1 and 1A only.

Discussion ensued.

Consensus of Council was to direct staff to bring this item back to the October 2018 work session, along with plans and options.

4.06 Update on the Broadwell Property - Southside of Elliot Farm Road

Mr. Jerry Newton, Development Services Director, presented this item with the aid of a PowerPoint presentation and stated at the February 5, 2018, work session, staff provided information about Broadwell Land Company’s plan to develop a large, mixed-use project north of the City. The project continues as a full annexation request meeting the City’s regulations. He stated the process has now moved beyond discussion to specific activities occurring over the next three months. All the technical items are worked out over the next ten weeks according to the actionable plan. Since February 5, 2018, City and PWC staff members have met with the property owner and his agents of the Broadwell Land Company several times. Difficult conversations have occurred. Work is now proceeding toward a project on the northernmost portion of the City’s Municipal Influence Area. The current plan is for Broadwell to use PWC sewer and water for its proposed development project rather than Harnett County utilities. Since the property is in the Fayetteville Municipal Influence Area (MIA), Broadwell’s use of PWC sewer will require that the property be annexed, per City Council Policy 150.2. The process will involve three major tracks: the establishment of a development agreement, the

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initial zoning of the property, and the annexation of the property. These three tracks will start when Broadwell submits the required applications and documents for each track. City staff will assist Broadwell in completing the applications. Staff expects that all three of these tracks will come together at a future City Council meeting, probably in October. A critical assumption underlying these three tracks is that Broadwell will ask for annexation for all of its property at one time. Map 1 shows the proposed map for annexation. The property owner has indicated that the entire site will be requested as one project. A development agreement is a document that North Carolina law authorizes for long-term, large-scale developments, much like Broadwell is proposing. Since Broadwell has already submitted a development plan that has been approved by the County, provisions of the County-approved plan will be included in the development agreement with the City. The City's Unified Development Ordinance (UDO) includes procedures and standards for establishing a development agreement. Broadwell has already prepared a draft agreement that the City staff has reviewed. City and PWC staff met with Broadwell officials on July 16, 2018, to discuss the current status of the development agreement. The development agreement track will officially start when Broadwell submits the proposed development agreement to the City. According to the procedures in the UDO, staff will need to prepare a report on the agreement and present it to the Planning Commission for review. Staff currently expects that the Planning Commission will be able to review the development agreement at its September 18, 2018, meeting and then make a recommendation as to whether the City should enter into it. The City Council will then need to hold a public hearing on the development agreement. Staff expects that the development agreement public hearing can be scheduled for the October 22, 2018, City Council meeting. After holding the public hearing, the City Council will then decide on whether to enter into it. It should be noted that Broadwell is also in the process of establishing separate agreements with PWC regarding the provision of utilities. According to the PWC staff, they are preparing a term sheet summarizing their agreement. This sheet will be shared with Broadwell and it is expected that Broadwell will give its concurrence prior to the August work session. PWC will use the term sheet to create the agreement. PWC plans to have a signed agreement with Broadwell before the City items come to City Council. The initial zoning track will start when Broadwell submits the required zoning application. The Zoning Commission will need to hold a public hearing and make a recommendation to City Council. Staff currently expects that the Zoning Commission will be able to hold the public hearing at its September 11, 2018, meeting. After holding the public hearing, the Zoning Commission will be able to make a recommendation to City Council on the initial zoning. This recommendation will be contingent upon the development agreement being approved by the Planning Commission and the area being annexed by the City Council. Staff expects that the initial zoning case can be scheduled for the October 22, 2018, City Council meeting. The annexation track will start when Broadwell submits an annexation petition. Staff has already prepared an annexation map and a legal description for inclusion in the petition; the map and legal description assume that Broadwell will be asking that all of its property be annexed at one time. See Map 1. The City Real Estate staff will then need to review the petition to be sure that Broadwell still owns each parcel. City operating departments will be asked to review the area from the standpoint of service provision and costs. All of this information will be compiled into the CCAM for City Council's consideration. Following public notice, an annexation public hearing will be scheduled. Staff expects that the annexation public hearing can be scheduled for the October 22, 2018, City Council meeting. It is expected that the three tracks (the development agreement, the initial zoning, and the annexation) will come together at a future City Council meeting. Staff expects that all three tracks can be finalized at the October 22, 2018, City Council meeting. The Planning Commission will review the development agreement on September 18, 2018, after the Zoning Commission has considered the initial zoning case on September 11, 2018. Although staff recognizes that it might be preferable for the Planning Commission to review the development

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agreement before the initial zoning case goes to the Zoning Commission, staff believes that either sequence will work. The Zoning Commission normally meets on the second Tuesday of each month. The Planning Commission normally meets on the third Tuesday of each month. The City Council normally considers development-related items (such as zoning and annexation) on the fourth Monday of each month, and due to public notice requirements, it is often desirable for City Council action to be scheduled about six weeks following a Zoning Commission meeting. Unless there is a significant issue, the next time this item will be in front of the City Council is at their preparatory meetings in October 2018. Various issues will continue to be discussed and worked through at the staff level and on a technical basis through all three of the tracks presented above. It is anticipated that with the full annexation approved that the PWC utility work will begin. Timing for seeing any new vertical construction at the site will likely be July 2019 at the earliest. The implication is that all items of public services will be resolved through the process and subsequent yearlong site and utility construction.

Discussion ensued.

Mr. Newton stated he expects to bring this item back to Council for further updates in October 2018.

4.07 Discussion on Traffic Calming Strategies

Mr. Lee Jernigan, Traffic Engineer, presented this item and stated this is an informational item about traffic calming strategies on City-maintained streets in residential areas. The infrastructure strategies typically used by Traffic Services for traffic calming include speed humps, traffic circles, and multi-use lane pavement markings. Speed humps are the most common type of request for traffic calming infrastructure and are installed based on guidelines in the City's Residential Traffic Calming Program (RTMP). Traffic circles can also be used in situations where it may be difficult to find locations to install speed humps or if there is a correctable accident history at an intersection within the area of concern. Multi-use lane pavement markings are installed mainly to delineate the areas of travel for motorists, bicycles, pedestrians and parked cars. Although this is the primary function of multi-use lane pavement marking, they can also provide a traffic calming element by visually narrowing the vehicle travel lane compared to an unmarked roadway. Lastly, enforcement from the Police Department can be an effective traffic calming strategy on a short-term basis or in a targeted area. The Traffic Services Division typically utilizes three different infrastructure strategies for traffic calming within residential areas. Those strategies are speed humps, traffic circles, and multi-use lane pavement markings. Staff typically receives requests for speed humps and makes recommendations in accordance with the guidelines adopted in the Residential Traffic Management Program (RTMP). Staff can also recommend other strategies such as traffic circles, multi-use lane pavement markings, or enforcement as alternative strategies to speed humps, or to supplement speed hump installations. The adopted FY 19 operating budget includes \$25,000.00 for the installation of traffic calming strategies.

Discussion ensued.

This item was for information only.

4.08 Hurricane Matthew Recovery Update

Mr. Jay Reinstein, Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated the City has been working to gain access to various funding sources to assist the community in recovering from Hurricane Matthew. Horne Consulting will be hired by the City to oversee all CDBG-DR and HMGP activities and will provide full spectrum recovery program management to include an internal audit program, compliance controls, construction management,

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environmental review and program closeout. Mr. Reinstein provided the following background information:

CDBG-DR: This Housing Recovery Program provides assistance to low- and moderate-income homeowners and businesses who experienced major to severe damage to their homes and businesses and have remaining unmet needs, after subtracting benefits from FEMA, SBA, and private insurance. This program includes reconstruction activities, acquisition, and construction of new homes and insurance subsidies to eligible low- and moderate-income families. Affordable housing is the State's number one priority associated with the CDBG-DR program. City staff worked with Cumberland County to develop a proposal to carry out a variety of housing and recovery programs. The proposal includes a Homeowner Recovery Program, Small Rental Repair Program, Multi-family Rental Housing, and a Community Recovery Program that will include a day center and a homeless shelter. Businesses will have to apply directly to the North Carolina Department of Commerce for available funding. Cumberland County was awarded the CDBG-DR funds from the NC Department of Public Safety as a sub-recipient. The State is only releasing to Cumberland County two-thirds of the funding for a two-year period in the amount of \$23,260,000.00. Of that amount, the City will receive \$15,325,000.00 during that period from Cumberland County as a sub-sub-recipient to carry out the various programs. The additional funding of the original \$34.9 million will be awarded to the County in the third year of the program. The remaining funds of \$11,685,328 will be made available in year three to Cumberland County, with the City receiving \$8,042,500.00 of that amount. Over 300 applications have been accepted to date at our intake center during the process.

HMGP: The City of Fayetteville received three HMGP award letters (acquisition, reconstruction, and elevation) in the amount of \$4.7 million. Of the 210 applications received, 28 residents met the criteria accommodated under the cap of available funds. The 28 qualified homeowners were mailed letters regarding the selection of their property under the program. Funding for this program will be available effective August 2018. Fayetteville is eligible to receive additional CDBG-DR funding that will be awarded to North Carolina for acquisition, elevation, or reconstruction similar to HMGP. It is anticipated that Fayetteville/Cumberland County will receive approximately \$6.1 million in additional funding in the coming months. Residents must be low to moderate income to be considered for this funding.

Golden Leaf: The City of Fayetteville has received \$3,872,000.00 in grants from the Golden Leaf Foundation to provide relief for projects related to Hurricane Matthew recovery efforts.

FEMA: The following projects are under construction: Mirror Lake Dam, North Cool Spring Street Bridge, Devonwood Lower Dam, Shawcroft Permanent Repair, Cross Creek Bank Stabilization, Lafayette Pedestrian Bridge, and Cross Creek Cemetery Steps Repair.

Mr. Reinstein presented the following issues/analysis:

CDBG-DR: In accordance with the grant agreement with Cumberland County, the City will carry out the following CDBG-DR activities: Housing Recovery, Multi-Family Rental Housing, Economic Development, and Community Recovery. The larger projects such as the affordable housing developments and the homeless shelter/day center will come back to City Council for further consideration.

HMGP: The projects (28 qualified residents) have been delayed due to several process changes initiated by NCEM. The projects will kick off in 30 days once the consultant has been hired.

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Additional dollars may be allocated by the General Assembly in the coming weeks.

Golden Leaf: There are no issues at the current time.

Private Dam Repairs: No update at this time due to pending litigation.

Discussion ensued.

This item was for information only.

4.09 Shawcroft Road Hurricane Matthew Repair - Culvert or Bridge

Ms. Giselle Rodriguez, City Engineer, presented this item and stated Hurricane Matthew destroyed a culvert and washed away a portion of Shawcroft Road in October 2016. A temporary road was constructed through private property as an emergency measure and a temporary culvert was later installed to allow access to the neighborhood. The temporary culvert remains in place but is not designed to be a long-term measure. FEMA approved funding for the final cost to build a permanent replacement of the culvert and replace the road at an estimated cost of \$829,589.00. Citizens from the Kings Grant community have requested that a bridge be considered in place of the recommended culvert, primarily due to an interest in influencing the classification of a private dam located upstream of Shawcroft Road and owned by the Kings Grant Golf Course. The owner of the golf course has argued that construction of a bridge on Shawcroft Road would remove the "high hazard" classification from the golf course dam allowing it to remain in place without costly improvements. The City has put the project on hold providing the engineer working for the golf course to research this belief. The opinion provided by the engineer working for the golf course is that the construction of a bridge "may" have a beneficial impact on the classification of the golf course dam. Staff has spoken with North Carolina Department of Environmental Quality (DEQ) Dam Safety staff and they have declined to comment on the issue. FEMA indicated the City will need to pay any additional cost associated with the construction of a bridge. Specifically, FEMA will only pay \$727,659.00 if a bridge option is selected by the City. This amount is based on the original estimate for the culvert minus the funds already spent on the design effort for the repair. This would leave the City responsible for an estimated \$500,000.00 to \$600,000.00 in additional funds from the General Fund to construct a bridge. City staff is requesting that Council provide guidance to determine if the construction of a bridge should be pursued. If so, staff will coordinate with the Budget and Evaluation Department to prepare a budget ordinance amendment in order to appropriate general funds for the bridge construction. If the City moves forward with the culvert option, FEMA will reimburse the City for the final cost of the project, even if it is in excess of the estimate. If the City chooses the bridge alternative, FEMA reimbursement will be capped at \$727,659.00, leaving the City to pay any additional costs. It should be noted that the estimated bridge cost of \$1,340,000.00 is a preliminary figure and is likely to increase based on the trends being seen with bid prices, economic growth, and construction industry availability. A memorandum reviewing the merits and risks associated with the alternative project designs and scopes is included in the agenda packet. The culvert repair option, while estimated at \$829,589.00, will be fully reimbursed by FEMA and State funds even if the eventual cost is higher. FEMA will only provide \$727,659.00 toward the cost of a bridge repair option. This will require an estimated additional appropriation of \$500,000.00 to \$600,000.00 from the General Fund.

Discussion ensued.

Consensus of Council was to direct staff to pursue the culvert option that FEMA will fully reimburse the cost of.

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4.010 Shared Bike operations within the City of Fayetteville

Mr. Kevin Arata, Corporate Communications Director, presented this item with the aid of a PowerPoint presentation and stated bike sharing programs are used within many municipalities, universities, and business campuses nation-wide. Fayetteville State University (FSU) is partnering with Lime in mid-August to provide bikes to students within the campus and its outlying areas. Bike sharing is ideal for short trips, providing users the ability to conveniently use bicycles located in their area. Bike sharing programs have the capability to reduce vehicular traffic, especially for short point-to-point trips; their use is often seen as a "first mile/last mile" mode of transportation to and from other transportation assets. City of Fayetteville representatives (Council Member Dawkins and myself) were invited by Street Level Media to a briefing by Lime staff to FSU representatives in the winter of 2018. Since that time, FSU has contracted with Lime to begin using their services on or about August 20, 2018. Staff has continued to research how other municipalities have approached the use of shared bike programs in their areas, a synopsis of which is provided in the PowerPoint presentation. As a result of FSU's contract with Lime, those bikes will soon be visible in other parts of the City, not just on the FSU campus. It is recommended that the City of Fayetteville take a position on the use of bike sharing across the City in an effort to control their entry into the city as they see fit, rather than allowing vendors to decide when and how to implement their individual bike sharing programs. There is no budget impact; bike sharing programs are typically instituted by vendors that provide the bikes and their associated maintenance at no cost to host areas.

Discussion ensued.

Consensus of Council was to direct staff to follow the City of Durham Ordinance model, and bring the proposed ordinance back to Council for official action at the August 27, 2018, regular meeting.

4.011 Fort Bragg Army Community Partnership Program

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated Fort Bragg kicked off an Army Community Partnership (ACP) program with a conference held on June 25, 2018. This event utilized a facilitator to explore opportunities to partner with governmental entities to enhance operational efficiency or other services on Fort Bragg. A number of opportunities for partnerships including Intergovernmental Service Agreements ("IGSAs") for a number of services were discussed. When last discussed, Council expressed the expectation that Council be consulted in advance of any future discussions regarding partnerships with Fort Bragg. Staff is seeking Council authorization to participate in the ACP process and explore the service areas identified therein. The City of Fayetteville worked with Fort Bragg to develop a new contracting methodology for military bases allowing them to contract directly with local governments. Authorized by an act of congress, IGSAs can be directly negotiated and awarded without bid. They are a simplified contracting form exempt from most federal regulations. They were initially authorized for up to five years. The City has two current IGSAs with Fort Bragg. One for janitorial services and one for maintenance services at the Airborne & Special Operations Museum. The Garrison requested that the City work with them to explore additional IGSAs in 2016 relating to solid waste, road maintenance, and PSAP/E911 operations. Staff included some analysis related to this request into the contract with GBB Solid Waste Management Consultants who were already contracted to analyze solid waste operations and outsourcing in response to a Council Initiative. When this issue came to Council, however, the partnership on solid waste was not supported and the consensus of Council was that staff should not engage in any further discussions regarding IGSAs with Fort Bragg without the prior authorization of Council. Fort Bragg entered into an IGSA with NC DOT for road maintenance after Fayetteville declined. The Garrison is again asking

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not only the City but other local governments if there are areas appropriate for partnerships. A presentation was provided at the orientation meeting that describes the ACP project and its justifications. There are two key evolutions of the IGSA process. First, IGSAs are now authorized for up to ten-year terms. Second, the Department of Defense (DOD) has analyzed the use of agreements of this kind and is actively seeking additional opportunities to contract with local governments. The process has been divided into the following working groups: Education and Training, Emergency Services, Environmental, Family, Morale, Welfare, and Recreation Services (FMWR), and Public Works. A follow-up meeting has been scheduled for August 13, 2018. Each work group will meet separately to discuss these work areas. Some areas of interest have already been identified by Fort Bragg. In the preliminary discussion, Fort Bragg identified land that could be suitable for the joint development of a sports field complex, similar to the one that was recently developed in Goldsboro.

Discussion ensued.

Consensus of Council was to direct staff to pause on making expenditures pertaining to the Military Business Park and to authorize staff to continue to explore partnerships with Fort Bragg, including IGSAs.

4.012 Discussion on Condemnation of Properties Needed for Downtown Parking Project

Ms. Kecia Parker, Real Estate Manager, presented this item with the aid of a PowerPoint presentation and stated the City of Fayetteville approved a Capital Improvement Plan (CIP) on June 11, 2018, which included \$125,000.00 of funding to acquire and improve land to create needed parking spaces to replace parking spaces lost to the stadium project. On June 25, 2018, City Council approved the acquisition of four parcels at the corner of Winslow and Russell Streets. Currently, staff has not been able to reach an agreement for the purchase of these properties. One parcel has IRS tax liens that will require condemnation for clear title. Two parcels have an owner that cannot be found and would require condemnation. The partial owner the City was able to contact did not express an interest in selling, and one owner is not interested in selling at this time. If the City Council would like to pursue these purchases, the City will have to acquire by condemnation.

Discussion ensued.

Consensus of Council was to direct staff to forward this item to the August 13, 2018, regular City Council meeting agenda for official action. Council Member Haire was not in agreement with the consensus.

4.013 Set Filing Fee for Municipal Election

Ms. Karen McDonald, City Attorney, presented this item and stated at the June 4, 2018, work session, Council discussed this item and the interest of Council was to consider a referendum on whether to increase the filing fee to 1 percent of the position's salary. Currently, the municipal election filing fee for the Mayor is \$48.00 and \$24.00 for City Council. The filing fee for the Mayor would increase to \$312.55 and to \$170.88 for City Council. This item was brought back to Council for consideration at the June 25, 2018, regular meeting. Council pulled the item for discussion and voted unanimously to refer this item to the August work session.

Discussion ensued.

Consensus of Council was to direct staff to move this item forward to a regular meeting agenda for official action.

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4.014 City Council Agenda Item Request - Community Child Abuse Prevention Plan - Mayor Colvin

Mayor Colvin presented this item and stated he has received a request for the City Council to adopt a Resolution of Support of the Community Child Abuse Prevention Plan by the "Strengths in Overcoming Adversity through Resiliency" (SOAR) Committee.

Consensus of Council was to direct staff to move this item forward to the August 13, 2018, regular City Council meeting agenda for official action.

4.015 City Council Agenda Item Request - Murchison Road and MLK Highway - Council Member Haire

Mr. Lee Jernigan, Traffic Engineer, presented this item and stated Council Member Haire requested information concerning Murchison Road improvements, connections to Bragg Boulevard, improvements around Glenville Lake at Mazarick Park, and to request support from NCDOT for a connection to the MLK Freeway. This request also includes a proposed extension of Lakeland Street around Glenville Lake to Filter Plant Drive. City Council directed staff to research this item at the June 4, 2018, work session. Since Murchison Road and the MLK Freeway are owned and maintained by the NCDOT, planning for future projects along these roads would begin with the Fayetteville Area Metropolitan Planning Organization (FAMPO). FAMPO is responsible for planning transportation projects within its metropolitan planning limits which include the City limits of Fayetteville. The City can make requests, through FAMPO, for new transportation projects such as new connections between Bragg Boulevard and Murchison Road, or a new interchange at MLK Freeway and Murchison Road, through this process. These new projects are reviewed and prioritized with a process called the Strategic Prioritization (SPOT). This process is updated and new projects are prioritized on a two-year cycle. The next cycle to request new projects begins in spring of 2019. The proposed extension of Lakeland Drive could also be made using this process, but since all the impacted streets are City maintained, the City could opt to pursue this project without inclusion in the SPOT process and provide funding in its entirety for the project. Mr. Jernigan reviewed the following existing highway projects in the Murchison Road area that have been through SPOT and are currently in the Transportation Improvement Program (TIP):

U-4900 - Murchison Road (NC 210): Add additional lanes from I-295 southward to Country Club Drive (US 401 Bypass). Project is funded for \$23.8 million, right-of-way begins FY 2022, Construction begins FY 2024.

U-5015A - Murchison Road (NC 210): Widen to multi-lanes from Rowan Street to Langdon Street. Project is currently unfunded, estimated cost is \$19.8 million. The project was recently scored in the SPOT 5.0 Regional Highway Project Tier. Projects that receive funding in the Regional Highway Tier will be released by September 2018. If a project does not receive funding in the Regional Highway Tier, it will cascade down into the Divisional Highway Tier and can be scored again to compete with projects within that tier. Scoring for the Divisional Highway Tier projects will be completed by FAMPO by October 31, 2018. Final project funding lists for all tiers (Statewide, Regional, Divisional) will be released in the 2020-2029 Draft State Transportation Improvement Plan (STIP) in January 2019.

U-5015B - Murchison Road (NC 210): Widen to multi-lanes from Country Club Drive (US 401 Bypass) to Langdon Street. Project is currently unfunded, estimated cost is \$26.7 million. The project was recently scored in the SPOT 5.0 Regional Highway Project Tier. Projects that receive funding in the Regional Highway Tier will be released by September 2018. If a project does not receive funding in the Regional Highway Tier, it will cascade

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down into the Divisional Highway Tier and can be scored again to compete with projects within that tier. Scoring for the Divisional Highway Tier projects will be completed by FAMPO by October 31, 2018. Final project funding lists for all tiers (Statewide, Regional, Divisional) will be released in the 2020-2029 Draft State Transportation Improvement Plan (STIP) in January 2019.

U-5101A - New Route - Shaw Road/Shaw Mill Road/Rosehill Road/Stacey Weaver Drive: Interconnect roadways and widen to multi-lanes from Bragg Boulevard (NC 87) to Murchison Road (NC 210). Project is funded for \$24.5 million, right-of-way begins FY 2022, Construction begins FY 2024.

U-5101B - New Route - Shaw Road/Shaw Mill Road/Rosehill Road/Stacey Weaver Drive: Interconnect roadways and widen to multi-lanes from Murchison Road (NC 210) to Ramsey Street (US 401). Project is currently unfunded, estimated cost is \$57.7 million. The proposed project to construct an interchange at the MLK Freeway and Murchison Road was discussed several years ago and the concept proposed at that time is included in the agenda packet (Murchison Rd-MLK Interchange).

Discussion ensued.

This item was for informational purposes only.

4.016 City Council Agenda Item Request - Second Harvest Food Bank 3rd Annual Food Fight - Mayor Colvin

Mayor Colvin presented this item and stated he would like for the City to support the Second Harvest Food Bank Annual Food Fight; a fight to end childhood hunger, a fund raising event, by purchasing a table.

Discussion ensued.

Consensus of Council was to direct staff to purchase a table for the Second Harvest Food Bank event.

4.017 City Council Agenda Item Request - Amtrak - Mayor Colvin

Mayor Colvin presented this item and stated he has received numerous concerns from citizens pertaining to lack of parking around Amtrak and the Subway restaurant. Mayor Colvin stated we need to invest in the train station. Alternate parking locations, safety, lighting and loss of business at Subway were addressed.

Discussion ensued.

This item was for discussion only.

4.018 City Council Agenda Item Request - Millennial Advisory Committee - Mayor Colvin

Mayor Colvin presented this item and stated this item is one of the City's Targets for Action. Mayor Colvin further stated he would be engaging in conversations with Council Members Jensen and Waddell regarding initiating a Millennial Advisory Committee.

This item was for discussion only. No action from staff was requested.

4.019 City Council Agenda Item Request - Food and Beverage Tax - Mayor Colvin

Mayor Colvin presented this item and stated he intends to place this item on the Fayetteville-Cumberland Liaison Committee meeting agenda, for the meeting taking place on August 15, 2018. Mayor Colvin

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asked the City Manager to have figures from the Budget and Evaluation Director in preparation for the forthcoming meeting.

This item was for information only.

4.020 City Council Member Agenda Item Request - City Cameras and Buckhead Neighborhood Cameras - Council Member Dawkins

Ms. Gina Hawkins, Police Chief, presented this item and stated in October 2016 Hurricane Matthew damaged the cameras and made them inoperable, there have been several issues that have come up that has made bringing them back up time consuming and difficult, and we have had to find another vendor to supply the cameras. Implementation of new cameras has been broken down into three phases. We have 70 cameras and 53 of those are up and running. The final phase will include the Buckhead area. We are also looking into a fiber option other than wireless.

This item was for information only.

4.021 City Council Agenda Item Request - Community Involvement in Development - Council Member Waddell

Council Member Waddell presented this item and stated there is a movement to employ the "Community Voices" model throughout the City. This is a leadership development program that trains participants to identify and resolve community issues. The opportunity is "targeted to people not traditionally active in public decision making processes and who may have experienced social and economic and educational limitations.

Discussion ensued.

Consensus of Council was to move this item forward.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

MITCH COLVIN
Mayor

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