

**FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
LAFAYETTE CONFERENCE ROOM, CITY HALL  
SEPTEMBER 5, 2023  
5:00 P.M.**

Present: Mayor Mitch Colvin (departed at 7:22 p.m.)

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2) (departed at 9:36 p.m.); 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  
Karen McDonald, City Attorney  
Adam Lindsay, Assistant City Manager  
Jodi Phelps, Chief of Staff  
Kemberle Braden, Police Chief  
Sheila Thomas-Ambat, Public Services Director  
Chris Cauley, Economic and Community Development Director  
Rob Stone, Construction Management Director  
Michael Gibson, Parks, Recreation and Maintenance Director  
Jody Picarella, Chief Financial Officer  
Loren Bymer, Marketing & Communications Director  
Lachelle Pulliam, Assistant City Attorney  
Lisa Harper, Senior Assistant City Attorney  
Tyffany Neal, Transit Director  
Byron Reeves, Assistant Public Services Director  
Pamela Megill, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 5:03 p.m.

**2.0 INVOCATION**

The invocation was offered by Council Member Haire.

**3.0 PLEDGE OF ALLEGIANCE**

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

**3.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Ingram moved to approve the agenda.

**SECOND:** Council Member Thompson

**VOTE:** UNANIMOUS (10-0)

**4.0 OTHER ITEMS OF BUSINESS**

**4.01 Watershed Master Plan Overview and Final Deliverables**

Ms. Sheila Thomas-Ambat, Public Services Director, introduced this item and announced the City of Fayetteville has been committed to making public infrastructure better through research and project improvements. This has led to the Federal Emergency Management Agency identifying Fayetteville as a potential recipient for significant federal funding through the Building Resilient Infrastructure and Communities (BRIC) Grant Program. The announcement of the \$15.4 million grant was made on August 28, 2023, on the FEMA website. The grant will fund a crucial flood mitigation project aimed at enhancing the City's resilience and safeguarding its residents and infrastructure from the impacts of natural disasters. The grant will

fund projects to support the Russell-Person Street Bridge and Stream Improvement Plan. This investment into the City's stormwater infrastructure is intended to provide an additional level of protection to public infrastructure within downtown Fayetteville by improving drainage, increasing storage capacity, and mitigating flooding impacts to residential and commercial properties along Blounts Creek. The potential award would represent the largest amount designated by FEMA to a community in North Carolina this funding cycle.

The project was identified by the City as a potential project for BRIC funding through its City-wide Watershed Master Plan. The initial grant application was submitted to the North Carolina Department of Public Safety for preliminary review in November 2022 and with NCDPS concurrence, the project was submitted in full to FEMA in January of this year. This announcement is the final selection before programmatic review and formal award. The City's success in securing the BRIC grant is not only representative of its proactive approach to disaster preparedness but also its commitment to equity and justice. By prioritizing disadvantaged communities and fostering partnerships, Fayetteville continues to demonstrate its dedication to the Justice40 Initiative, making sure that every segment of the population benefits from increased resilience.

In addition to the grant funding, the City will receive non-financial direct technical assistance (DTA) through the BRIC program. This holistic support will aid in the comprehensive planning and successful execution of the flood mitigation project. Survey, design, and stakeholder engagement for the project began earlier this year, with the proposed improvements scheduled to be constructed in the fall of 2027.

Ms. Alicia Lanier, Stormwater Project Manager, presented this item and stated the Watershed Master Plan program was initiated in FY 2019 to provide a comprehensive City-wide evaluation of the flooding issues in Priority 1 areas and to develop proposed solutions. The first watersheds completed for this round of Priority 1 studies include Little Cross Creek, Little Cross Creek Pilot, Beaver Creek 3, Cape Fear 2, and Rockfish Creek.

Final deliverables have been submitted for these watersheds and have been reviewed and accepted as complete by staff. Staff is now bringing for Council consensus the final deliverables for the following watershed studies: Little Cross Creek, Little Cross Creek Pilot, Beaver Creek 3, Cape Fear 2, and Rockfish Creek. These watersheds cover 41.3 square miles of the City, and 6.15 square miles have been studied. Through the studies, over 104 proposed solutions have been developed for an estimated total cost of \$213 million. These proposed solutions collectively mitigate 14.8 miles of impacted lane length, 61 road-crossing risks, 651 disconnected structures, and up to 155 impacted structures. Council has previously approved moving 10 projects to design from these studies and advanced another project for additional evaluation. Final deliverables have been submitted for these watersheds and have been reviewed and accepted as complete by staff.

Discussion ensued.

**Consensus of Council was to approve the final deliverables for the following watershed studies: Little Cross Creek, Little Cross Creek Pilot, Beaver Creek 3, Cape Fear 2, and Rockfish Creek.**

#### **4.02 Watershed Master Plan Solutions for Blounts Creek**

Mr. Mark R. Van Auken, P.E., CPMSM, ENV SP, Stormwater and Green Infrastructure Practice Leader Arcadis, Arcadis G&M of North Carolina, Inc., presented this item and stated 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 December 6, 2021, Council work session, City Council approved the first tranche of projects from the first four studied watersheds to move forward to development and detailed design.

Staff presented results from a subset of Package 4 of the Blounts Watershed Study, and requested that the Russell and Person Street Bridge Replacements with Blounts Creek Stream Enhancements Proposed Solution (Russell and Person Streets Proposed Solution) be approved to move forward to project development and design. Staff also sought approval to pursue available grant funding for future construction. Staff is now bringing the full suite of recommended solutions from the Blounts Creek Watershed Study, with 100 proposed solutions at an estimated cost of \$307,600,000.00. These proposed solutions will be incorporated along with those from the other watershed studies into the annual CIP prioritization process. While funding is not currently available for these proposed solutions, staff will be including them when seeking grant and other funding opportunities.

Priority 1 areas in the Blounts Creek Watershed have been studied as part of the first set of watersheds in the Watershed Master Plan program. Because of the size of the Blounts Creek watershed and the number of sub-basins identified as Priority 1, this watershed study was broken into four separate packages, with Packages 1 through 3 covering sub-basins in the upper part of the watershed and Package 4 covering the lower part to include the downtown area. While flooding impacts identified in Packages 1 through 3 were mostly related to secondary system deficiencies, much like the first four watersheds brought to Council in December, flooding impacts in Package 4 were shown to be mainly caused by ponding due to restrictions to the primary system.

The total number of Concern Areas identified in the Blounts Creek Watershed is 136, with 32 in Package 1, 16 in Package 2, 29 in Package 3, and 59 in Package 4. A total of 100 proposed solutions have been developed, for a total cost of \$307,600,000.00. The majority of the proposed solutions are capacity expansion. Proposed solutions were prioritized based on a combination of non-biased, data-driven factors including concern area score, efficacy of the solution, equitability across the watershed, and other strategic considerations.

The Package 4 area is the highest priority area in this watershed and solutions have been developed for both the secondary system as well as primary system. Of the solutions developed for Package 4, the Russell and Person Streets Proposed Solution offered the highest return on investment. This solution requires upgrading the Person Street bridge from 50' to 70'; upgrading the 100' Russell Street to a 120' 3-span structure, and upgrading the railroad bridge between traffic lanes to 120' as well; and, stabilizing, restoring, and providing additional floodplain storage from downstream of Person Street to S. Cool Spring Street. The cost of this proposed solution is \$21.6 million. The solution is currently moving forward with the design. A \$200,000.00 Golden Leaf grant has been awarded for the stream enhancement portion of the project. A BRIC application has been made and the project was selected, to be awarded \$15.4 million requiring a \$6.2 million City match. This project is estimated to provide a \$24.7 million benefit over 10 years in flood risk reduction and property damage from the primary system solution. Stream enhancements will provide an environmental and public benefit contributing to a resilient watershed.

Prioritized dams within the watershed from the City-wide Stormwater Storage Screening Report by FNI (May 2021) were evaluated for their capacity to serve as dry or wet detention depending on the status of the dam. The analysis found these dams had moderate to limited benefits and it is not recommended at this time to continue further analysis, with the exception of Lake Walter.

Nine of the top 10 proposed secondary solutions are in the downtown area and are estimated to cost \$29 million.

Based on modeling results, flooding impacts are substantial across the watershed and especially in the downtown area, with 46.5 miles of lane length of roads impacted. Likewise, the number of impacted structures is substantial with 155 during the 10-year, 138 during the 25-year, and 112 during the 50-year event. A prime concern for the City is the number of disconnected dwelling units and other structures, and in this watershed modeling results for the watershed indicate 366 such impacted structures. The City is also concerned about the road crossings impacted during flooding events, of which there are 13 in this watershed.

The Blounts Creek Watershed Proposed Solutions resolve 33.8 miles of impacted lane length, 1 traverse road crossings, and 216 disconnected structures. This solution also resolves flooding for 91 impacted structures during the 10-year event, 46 impacted structures during the 25-year event, and 65 impacted structures during the 50-year event.

Council has previously approved advancing the Russell-Person Street Bridge Replacement and Stream Enhancements project to design. Since 9 of the top ten proposed solutions are in the downtown area, that project will need to be constructed first. Currently, funding is unavailable for additional projects in this watershed and the capacity of staff to manage additional projects is limited.

Discussion ensued.

**Consensus of Council was to approve the 100 proposed solutions to enable staff to program them into the annual CIP prioritization process and pursue grants as applicable.**

#### **4.03 Cross Creek Watershed Study Downtown Area Update**

Mr. Matthew Jones, PhD, PE, Associate Vice President, Stormwater Practice Group Leader, Hazen and Sawyer, presented this item with the aid of a PowerPoint presentation and stated the purpose of this presentation is to provide an update on the flooding evaluations being conducted in the Cross Creek watershed, primarily the downtown area, and provide an update on the Roses Lake dry detention option. While large-scale solutions are available, further evaluation and planning are required.

Existing flooding was modeled for the 5-year, 10-year, 25-year, 50-year, and 100-year design storms, as well as the November 2020 and June 27, 2023, storms, both with notable flooding downtown. Gage data combined with flooding reports have been used to evaluate model performance and incorporation of recent projects, like the Rowan Street culvert, incorporated into analysis efforts. Additionally, our modeling of the 100-year flood extents is similar to analysis provided in FEMA mapping. A key area of flooding concerns, both from modeling results and past observations, is the section of Cross Creek from Hillsboro Street to Green Street, including the Festival Park area. Review of site conditions and historical records show this area of flooding concerns coincides with a past millpond.

Proposed solutions were then developed and modeled for the modeled storms. Downtown flooding concerns are significant with no simple solution, in part due to the high variability of the Cross Creek channel geometry. Solutions evaluated to mitigate the flooding in the downtown area include detention, diversion, floodplain buyout, and increased capacity.

Downtown flooding concerns from Cross Creek are significant, with flooding beyond the banks of Cross Creek during a 5-year event and many road crossings downtown having a level of service of 10 years or less. The geometry of Cross Creek through the downtown area,

contributing runoff from upstream and nearby areas, and development within the effective floodplain are key contributing factors to flooding concerns.

By reducing the flow of contributing runoff downstream, dry detention at Roses Lake is expected to reduce downstream flood elevations generally by 1 to 2 feet during a 10-year storm event. The flood reduction benefits of Roses Lake diminish as Cross Creek approaches downtown such that Roses Lake does not fundamentally solve downtown flooding concerns. The Roses Lake option could likely be implemented within a general timeframe of the next 5 years with further benefit-cost-ratio (BCR) analysis and adequate funding.

By providing more capacity for storm flows and a defined floodplain, the channel improvement concept is expected to substantially reduce flood depths and extents in the downtown area. During a 10-year storm event, flood depths were modeled to be lowered by 3 to 4 feet, and flood extents during a 100-year storm with improvements in place are similar to a 10-year storm under existing conditions. Due to the project's extent, cost, and complexity, implementation is likely to occur over a longer period of time (10+ years) with options for implementing distinct phases of the conceptual improvement.

By proceeding with further evaluations of the Roses Lake Option and the Channel Improvement Option, the City will be better poised to create an implementation plan and acquire properties as opportunities are presented. This evaluation will also allow for more informed decisions regarding future development plans within the downtown area. This combination option provides benefits both upstream and in the downtown area, with substantial benefits related to roadway flooding, disconnected structures, and traverse road crossings, as well as many co-benefits. The Channel improvements option will provide environmental and public benefits including recreational opportunities, and water quality benefits. The Channel Improvements option is scalable, incremental, and could be implemented in phases.

The Roses Lake option has a BCR that is based on conceptual-level design and is 0.75. The current BCR is likely too low to support grant applications. However, with a more detailed conceptual-level design, the BCR could be developed using the robust BRIC-level BCA guidelines and potentially would increase. Additional funding is needed for this level of design and applying the BRIC-level BCA guidelines.

The Channel Improvement option BCR is 0.17, primarily due to the high cost (~\$50 million plus property acquisitions) and benefits of the project that are not captured by the preliminary BCR. The scalable approach coupled with a more detailed evaluation and concept design could raise the BCR substantially by accounting for economic disruption avoided and other damage reduction benefits beyond the simple structure and content damage estimates included in the current BCR. Additional funding is needed for advanced concept development and more detailed evaluations of costs and benefits.

Discussion ensued.

**Consensus of Council was to direct staff to pursue funding sources to further develop an advanced conceptual design for the Channel Improvement Option. Staff also recommends Council consensus to pursue funding sources to continue to evaluate Roses Lake as a dry detention option for potential flooding mitigation.**

#### **4.04 Fayetteville Forward Infrastructure Bonds - Proposed Sidewalk Project Locations**

Mr. Philip Hart, Interim Traffic Engineer, presented this item and stated the City Council placed a ballot measure seeking authorization of the issuance of up to \$25 million in General

Obligation Bonds to support capital investments in public infrastructure on the November 8, 2022, ballot. The bond authorization measure was subsequently approved by voters. Public Services staff is now seeking consensus from Council on the proposed locations for the sidewalk public infrastructure improvements. In addition, staff seeks consensus on reallocating up to \$500,000.00 from Resurfacing GO Bond funds to use as grant matches to leverage additional funding to support eligible public infrastructure projects.

Council guidance at the March work session was to examine sidewalk in proximity to schools within the City. After review of the proposed sidewalk list that was generated from the 2018 Pedestrian Plan and CIP, it was noted that 12.6 miles, roughly 82% of the sidewalks proposed, were within a 1-mile radius of a school.

For a more targeted approach for placing sidewalks near schools, a new Pedestrian Plan, heavily weighting proximity to schools, would need to be conducted. A grant for updating the City's Pedestrian Plan has been submitted to NCDOT. The updated Pedestrian Plan would take 12 to 18 months to complete, delaying the start of sidewalk projects.

Discussion ensued.

**Consensus of Council was to direct staff on Sidewalk Option 1; to proceed with the projects identified from 2018 Pedestrian Plan and CIP as well as provide consensus on the Reallocation for Grant Matches Option 1; to reallocate \$500,000.00 of the proposed \$15 million Resurfacing GO Bond funds to use as grant matches to leverage additional funding to support eligible public infrastructure projects. Council Members Jensen and Thompson were opposed to the consensus vote.**

#### **4.05 Homeless Encampment Impact Reduction Program**

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated this Impact Reduction Program (IRP) Progress Report provides a comprehensive overview of the City of Fayetteville's efforts to address homelessness through a collaborative and proactive approach. The report outlines the background and objectives of the IRP, highlights the actions and processes undertaken during high-risk encampment clearings, presents lessons learned from the After Action Review (AAR), and proposes key next steps to enhance the program's effectiveness.

The City of Fayetteville recognized the pressing need to address the growing issue of homelessness within our community. In response, the IRP was established as a strategic framework to tackle the challenges associated with unsheltered homelessness, specifically the public health and safety risks related to homeless encampments. Guided by the City Manager's Office and Homeless Encampment Task Force (IR-TF), the IRP's primary goals are threefold:

- To mitigate health and safety risks for both homeless individuals and the broader community;
- To improve the conditions of homeless encampments on public property; and
- To connect those experiencing homelessness with essential support services and resources.

To ensure a coordinated and effective response, the IR-TF was established in September 2022 in coordination with implementing the public camping ordinance. Comprising representatives from various City departments, external agencies, and community-based organizations, the IR-TF has been instrumental in the design, planning, and execution of the IRP. The City Solid Waste Division, for instance, diligently monitors the encampments and carries out daily

waste removal operations. Additionally, the City has previously provided essential facilities such as porta-lets and hand washing stations at large, high-risk encampments, ensuring a safer and more sanitary environment for individuals residing in encampments.

The IRP was first piloted in November 2022, marking a significant milestone in the City's proactive approach to addressing the health and safety risks of homeless encampments. The valuable lessons learned during the assessment phase were incorporated into program enhancements and adjustments. The IRP was redeployed in May 2023 with a renewed focus on maximizing effectiveness and ensuring alignment with the community's evolving needs.

The IRP adopted a multi-phased approach to effectively address the risks to the public's health and safety from unsheltered homeless encampments. During the Engagement and Planning Phase, the program conducts a comprehensive risk assessment to identify high-risk encampments and engages in direct outreach to establish trustful connections with unsheltered residents. The Posting Phase follows, during which the IRP coordinates the posting of notices at identified high-risk encampments to inform individuals about upcoming interventions while ensuring compliance with relevant laws and rights. The Cleanup and Enforcement Phase focuses on coordinated cleanup operations, site restoration, and enforcement protocols in collaboration with law enforcement agencies to ensure a secure environment. Finally, the Support and Services Phase emphasizes the assessment of individual needs, referrals to support organizations, and prioritized access to housing options, mental health care, and substance abuse treatment.

Building on the lessons learned and successes achieved, the IR-TF has outlined key recommendations to enhance the IRP's impact and sustainability.

- Continuously assessing and refining strategies is fundamental to adapting to changing community needs and optimizing program effectiveness.
- Strengthening collaborative partnerships with external agencies and community-based providers fosters a unified approach to addressing homelessness comprehensively.
- Enhancing data collection and analysis, the IRP aims to gain deeper insights into the homeless population's evolving needs and measure the program's overall impact.
- Developing holistic support services that address the root causes of homelessness while providing comprehensive assistance is vital to facilitating individuals' successful transitions to stable housing.
- Increasing public awareness and education initiatives to foster empathy, dispel myths, and promote community involvement in addressing homelessness.
- Exploring sustainable funding sources and advocating for policy changes that support supportive housing initiatives, the IRP aims to secure the necessary resources to drive positive change and impact homelessness proactively.

As the City of Fayetteville moves forward, the IRP remains dedicated to empowering and involving the community in its ongoing efforts to create a more inclusive, resilient, and compassionate City for all residents.

The IRP has been supported by a budget of \$215,000.00, allocated from the American Rescue Plan Act (ARPA) funds. This financial

allocation has been strategically utilized to address critical components of the program.

Discussion ensued.

**Consensus of Council was to accept the report.**

#### **4.06 Express Route: West Fayetteville**

Ms. Tyffany Neal, Transit Director, presented this item with the aid of a PowerPoint presentation and stated the proposed West Fayetteville Express Route, "X1", has been designed to serve as a feeder service to FAST's current service area. This 30-minute route (origin-to-destination) will provide the West Fayetteville community an opportunity to access FAST services.

As an Express Route, "X1" will operate from the current FAST bus stop at Navy Federal Credit Union (Two Bales Lane), along Hoke Loop Road and will end at the Cross Creek Mall. This route will have minimal stops and will implement use of Flag Stops which allows an individual to "wave" at the bus to indicate an intent to use transit.

Route X1 will be integrated into the existing fare structure, and no distinct fare is proposed for the Route at this time. Transit has engaged a consultant to perform a fare equity study to review all fares and provide recommendations, including Route X1.

If approved, FAST staff will immediately begin its efforts to advertise Route X1 with an implementation date in October/November 2023.

The lack of adequate road shoulder along Hoke Loop Road has severely limited the options for bus stops along this route. Flag Stops will be used to remedy this situation. FAST staff will continue to work with Traffic Services and NCDOT to identify potential bus stop locations on Route X1.

Funding for two Transit Operators is included in the FY24 operating budget. The effects of the new route on the General Fund transfer will be assessed at the end of FY24 and will be impacted by the amount of revenue received from fares.

Discussion ensued.

**Consensus of Council was to accept the report and direct staff to proceed with Route X1 as presented.**

#### **4.07 Youth Protection Ordinance**

Ms. Michael Whyte, Police Attorney, and Mr. Kemberle Braden, Police Chief, presented this item. Ms. Whyte stated the purpose of this ordinance is to protect juveniles from victimization and exposure to criminal activity by establishing a curfew for juveniles under the age of 16 years and minors from the age of 16 years to 17 years in the City. The "Youth Protection Ordinance" is intended to reinforce and promote the role of the parent in raising and guiding children, and promote the health, safety, and welfare of both juveniles and adults by creating an environment offering better protection and security for all concerned.

North Carolina General Statute § 160A-198 gives municipalities the authority to adopt ordinances imposing a curfew on persons of any age less than 18. Cumberland County currently has a curfew ordinance in place and this ordinance contains the same language as the county curfew ordinance. This ordinance will assist the Police Department in addressing the rising level of violent crimes committed by and against juveniles and minors.

Discussion ensued.



**Consensus of Council was to accept the proposed ordinance and direct staff to place it on the consent agenda for the next regular City Council meeting. Council Members Benavente and Hondros were opposed to the consensus vote.**

Mayor Pro Tem Dawkins recessed the meeting at 8:55 p.m., and reconvened the meeting at 9:05 p.m.

#### **4.08 Site Analysis for SoundThinking (ShotSpotter) Sites**

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated based on requests from City Council, staff has analyzed the key demographic trends in three one-mile areas where public safety technology is currently being installed. Council's interest was to determine if additional measures that may help prevent crime or provide resources to those areas are warranted and what those resources may be. Staff has prepared the demographic analysis and recommended actions for City Council's review.

On March 6, 2023, City Council directed staff to explore the demographics trends and resources that may be available in the three one-mile areas where ShotSpotter (now SoundThinking) was to be installed. SoundThinking is a gunshot detection solution that was targeted to areas of high gunshot reports. Those three areas roughly coincide with three named areas of the City: Murchison Road, Massey Hill, and Cliffdale Road. This analysis yielded information on avenues that the Fayetteville Police Department (FPD) and Economic and Community Development Department (ECD) could assist with improving communities and reducing incidents of gun violence.

Each area was analyzed for percent of population, poverty and income levels, educational attainment, age, and frequency/types of crime. Through this analysis it became clear that Murchison and Massey Hill were similar in levels of poverty and educational attainment. Likewise, the crime statistics involving drugs and weapons trended above the City's average. These two areas represented small portions of the City's population overall. The Cliffdale area was different in all aspects measured and presented a largely commercial area with multi-family developments. The population was younger and had higher incomes and educational attainment. In this area property crimes and crimes against persons were more common.

Due to this analysis, the Fayetteville Police Department and Economic & Community Development Department have recommended different strategies to employ in those areas.

Discussion ensued.

**Consensus of Council was to receive the report and direct staff to conduct research for additional information; qualitative data in the three areas listed around the City.**

#### **4.09 Council Member Agenda Item Request - Recreation Center - Young Adult Programming - Council Member Benavente**

Council Member Benavente presented this item and asked for Council support to elevate the services available at the recreation centers to better engage with those between the ages of 18 and 21 years. Hire more people to work at the recreation centers and have the centers open for longer periods.

Discussion ensued.

**Council did not give consensus to move this item forward. Council Members Benavente and Hondros were in favor of moving this item forward.**

## **5.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 10:14 p.m.

Mayor

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