

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE CONFERENCE ROOM
NOVEMBER 7, 2016
5:00 P.M.**

Present: Mayor Nat Robertson

Council Members Katherine K. Jensen (District 1) (arrived at 5:05 p.m.); Kirk deViere (District 2); H. Mitchell Colvin, Jr. (District 3) (arrived at 5:05 p.m.); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7)

Absent: Council Members Theodore Mohn (District 8); James W. Arp (District 9)

Others Present: Douglas Hewett, Interim City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Jay Reinstein, Assistant City Manager
Jim Palenick, Economic and Business Development Director
Rob Stone, Engineering and Infrastructure Director
Kevin Arata, Corporate Communications Director
Michael Gibson, Parks, Recreation and Maintenance Director
Victor Sharpe, Community Development Director
Tracey Broyles, Budget and Evaluation Director
Scott Shuford, Planning and Code Enforcement Director
Brad Whited, Airport Director
Rebecca Rogers-Carter, Strategic Program Analytics Director
Joe Utley, Cumberland County Tax Administrator
Valerie River, President of E2R
Robert Holmes, E2R Consultant
Rusty Thompson, PE, PTOE, Mott MacDonald

Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Robertson called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Wright.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda.

SECOND: Council Member Wright

VOTE: UNANIMOUS (6-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 Overview of Property Revaluation Process

Mr. Joe Utley, Cumberland County Tax Administrator, presented this item with the aid of a PowerPoint presentation and stated North Carolina law requires that property be revalued for tax purposes at least every eight years. The intent of the revaluation process is to equalize the valuations of all property to 100 percent of the fair market value. The last revaluation in Cumberland County was effective January 1, 2009. The current process will establish taxable values as of January 1, 2017, to be used for Fiscal Year 2017-2018 ad valorem

tax billings. He explained that N.C.G.S. § 159-11(e) requires that the Fiscal Year 2017-2018 budget include a statement of the revenue-neutral tax rate for the budget and specifies the method by which it must be calculated. The statute provides the following definition: The revenue-neutral property tax rate is the rate that is estimated to produce revenue for the next fiscal year equal to the revenue that would have been produced for the next fiscal year by the current tax rate if no reappraisal had occurred.

This item was for information only.

4.02 Development of the proposed Local Small Disadvantaged Business Enterprise (LSDBE) Policy

Ms. Valerie River, President of E2R (Managing Partner), and Mr. Robert Holmes, E2R Consultant, presented this item with the aid of a PowerPoint presentation and presented a policy recommendation for the City's LSDBE program. Ms. River stated the purpose is to ensure that local, small, and disadvantaged businesses have an equal opportunity to participate on contracts relating to the construction of and the improvement of City facilities. The City shall implement policies that attempt to eliminate the barriers in the contracting and business industries for small and disadvantaged business enterprises who desire to do business with the City.

Following the presentation, discussion ensued.

Mr. Douglas Hewett, City Manager, stated staff would further review and report back to Council at a future meeting to adopt the policy and set up a training program.

4.03 Park Bond Project Management Presentation

Mr. Rusty Thompson, Senior Project Manager, Mott MacDonald Group, stated he was here to present an overview of the Capital Plan for the Parks and Recreation; this follows the material previously presented in August and September regarding management of these projects.

Mayor Robertson asked if the information contained in tonight's presentation had already been presented to the Parks and Recreation Bond Projects Committee. Mr. Kristoff Bauer, Deputy City Manager, responded this presentation has not been presented to the Committee because the presentation was scheduled for this meeting prior to the Committee being created.

Mr. Thompson provided an overview of the Splash Pads projects.

Mayor Pro Tem Colvin asked what the role of the Committee is. Ms. Jensen stated the presentation should stop; Council Member Arp is not in attendance, this is a lot of money, we need to do it right, and the presentation needs to come to the committee first. The presentation was ended.

4.04 FACT Recommended FY 18 Transit Service Improvements

Mr. Randy Hume, Transit Director, presented this item with the aid of a PowerPoint presentation and stated FACT was established in 2010 to address the City's public transportation needs and to provide recommendations to City Council on service and policy needs. A major function of the Committee is to advise management and Council on implementation of the Transit Development Plan (TDP) which was last adopted on March 24, 2014. The plan presents transit service improvements in three phases: Short-Term (1-2 years); Mid-Term (3-5 years); and Long-Term (6-10 years). The major part of the near-term actions was related to the realignment of routes to the new FAST Transit Center. The attached TDP summary shows the status of the recommended improvements included in the current TDP. FACT began its review and prioritization of proposed improvements in May 2016. A consistent theme from FAST's customer surveys as well as general

feedback from the public is the need for Sunday service. This is also the highest priority recommended by FACT. The committee then sought to select and prioritize which routes should operate on Sunday, seeking to balance productivity (riders per hour) and area coverage. FACT recommends a Sunday service plan that would include ten routes operating from 9:00 a.m. until 7:00 p.m. on most routes. Most routes would operate with 60-minute frequencies. Two routes, Routes 7 and 17, would operate with 90-minute frequencies. FASTTRAC! ADA service is required during the same areas and times as fixed route bus service and is expected to require 48 hours of service each Sunday. Staff projects Sunday ridership to average 1,362 passenger trips per day. Currently, FAST provides an average of 5,816 rides each weekday and 3,244 rides each Saturday. The overall Sunday Service Plan is attached. The plan calls for 146 hours of service on Sundays compared to 494 hours on weekdays and 342 hours on Saturdays. FACT's second priority is the extension of Route 17 to Cross Creek Mall with the addition of one bus to operate with a 45 minute frequency. Council already approved part of this extension at the October 24, 2016, Council meeting by reallocating resources from the Fort Bragg Express service to this route. This change will extend Route 17 to the mall for five trips each morning and afternoon and will become effective when routes are realigned to serve the new transit center. FACT recommends extending all trips to the mall. Next, FACT recommends adding buses to improve frequency on certain routes from 60 minutes to 30 minutes. The highest priority for increased frequency is Route 6, which operates between Cross Creek Mall and University Estates via Bragg Boulevard and Shaw Road. Route 6 is FAST's most productive route. If this change were approved, staff would like to look at the opportunity to extend service to residents along Johnson and Blanton Roads with trips alternating between Bragg Boulevard and Blanton Road. The purpose of this presentation is to provide City Council a preview of transit system improvements that may be presented as new initiatives for the FY 2018 budget. Sunday transit is among the most frequently raised issues by the public although industry patterns show lower demand or ridership can be expected when compared to weekdays and Saturdays. Balancing costs, service coverage, and maximized use while developing a cost effective plan can be difficult. FACT members have sought to balance the desire to serve critical areas with the goal to generate the best ridership. Sunday service will require support or overhead costs in addition to the direct costs of providing drivers and fuel. The funding for these proposed service changes is not included in the current budget. The estimates provided in this report are preliminary in nature. The operating cost would be approximately just under \$400,000.00 per year; Transit will work with Budget and Evaluation to refine these costs as part of the normal budget process. Mr. Hume suggested the possibility of a fare increase of 25 cents to off-set the increased cost of implementing this program.

Mayor Pro Tem Colvin asked what would the financial model look like to have a fare increase only for ridership on Sunday services. Mr. Hume responded he is not familiar with that process, and it would not generate a lot of revenue due to passes that are good through weekend use.

Council Member Jensen stated she would like to see a public/private partnership with Sanderson Farms for shift change times for Fayetteville residents that work out there who do not have their own transportation.

Council Member Crisp stated that the people using the bus service are riding the bus because they have to, and stated he is totally opposed to any fare increase, and stated he is in favor of a Sunday service.

4.05 On-Call Maintenance Services at Airborne and Special Operations Museum

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, presented this item and stated the Parks, Recreation and Maintenance Department has been providing Custodial Services, to include supplies, for the Airborne and Special Operations Museum located in Downtown Fayetteville since 2014. The initial contract was followed immediately by an extension to continue services. The contract extension expired at the conclusion of October 2015 and was immediately followed with a 12-month contract which was recently renewed for another year. The Army has expressed continued satisfaction with the service provided. The Garrison expressed interest in a new service agreement several months ago to add on-call maintenance services to address deferred maintenance conditions and to provide a framework for these on-call services. The distance from the Fort Bragg installation to the museum in downtown Fayetteville is such that it is difficult for the Army to quickly address minor services repairs as needed (leaky faucets, out of order light switches, etc.). The City of Fayetteville has been asked to consider a contract for on-call maintenance services which would eliminate the time-lag currently experienced in providing repairs for the facility. The agreement proposed by the Army is for one year, renewable for successive one-year periods for four additional years. The currently proposed contract continues under the new legislative paradigm utilized in late 2015 that permitted the City to manage these types of agreements without the use of a subcontractor, thus ensuring additional expenses are not incurred from subcontracting. The Agreement provides for the Army to reimburse the City for the actual cost of providing the required on-call maintenance services up to a contract maximum of \$150,000.00 annually, for the first year. After the first year, the Army will reimburse the City up to a contract maximum of \$100,000.00 annually, for each subsequent year, not to exceed four years. The agreement includes a mechanism for the parties to adjust the contract maximum annually if costs change.

Consensus of Council was to direct staff to move forward with this item.

4.06 FY 16 Strategic Performance Year-End Report and Launch of TRACStat

Consensus of Council was to move this presentation to the November 14, 2016, regular City Council meeting agenda.

4.07 Floodplain Management Report

Mr. Scott Shuford, Planning and Code Enforcement Director, presented this item with the aid of a PowerPoint presentation. He presented the following issues/analysis from the Report on Floodplain Administration and Storm-Damaged Structures and explained that Hurricane Matthew created widespread damage in Fayetteville, much of it in the floodplain. He stated the report is intended to provide City Council with information about our floodplain management program and how we are assisting persons with storm-damaged properties.

National Flood Insurance Program (NFIP):

- Devastation from Hurricane Agnes resulted in the Flood Disaster Protection Act passed in 1973 which created the NFIP.
- The Act mandated that buildings located in identified flood hazard areas have flood insurance coverage as a condition of federal aid or loans from federally-insured banks and savings and loans, and as a condition for receiving federal disaster assistance.

Flood Insurance Rate Map (FIRM):

- FEMA-produced map showing flood hazard areas in a community.
- Buildings that pre-date the FIRM are treated differently than buildings built after the flood hazard was made public on the FIRM. These existing structures are called "pre-FIRM" buildings, while new construction is called "post-FIRM."
- Fayetteville's FIRM date is 1976.
- Maps were last updated in 2007 and are scheduled for updating in 2017.

Community Rating System (CRS): The Community Rating System recognizes and encourages community floodplain management activities that exceed the minimum NFIP standards. Depending upon the level of participation, flood insurance premium rates for policyholders can be reduced up to 45 percent. Besides the benefit of reduced insurance rates, CRS floodplain management activities enhance public safety, reduce damages to property and public infrastructure, avoid economic disruption and losses, reduce human suffering, and protect the environment. Technical assistance on designing and implementing some activities is available at no charge. Participating in the CRS provides an incentive to maintaining and improving a community's floodplain management program over the years. Implementing some CRS activities can help projects qualify for certain other Federal assistance programs.

Floodplain Administration Duties:

- Issuing or denying floodplain development or building permits.
- Inspecting all development to assure compliance with the local ordinance.
- Maintaining records of floodplain development.
- Assisting in the preparation and revision of floodplain maps.
- Helping residents obtain information on flood hazards, floodplain map data, flood insurance and proper construction measures.

Flood Zone Classifications:

- Floodway - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Installing structures in a floodway is extremely difficult; to do so, an engineer must prove that there will be no increases in water elevation as a result of the structure: A "no-rise" certificate must be approved.
- 100-Year Floodplain - This is the area where floodwaters can be expected to reach at a 1% chance every year. New structures in the 100-year floodplain must be flood-proofed or elevated above the base flood elevation.
- 500-Year Floodplain - This is the area where floodwaters can be expected to reach at a 0.2% chance every year.

There is no regulatory requirement to flood-proof or elevate structures in the 500-year floodplain.

Initial Storm Response by Permitting and Inspections and Planning and Code Enforcement Departments:

- Immediately after Matthew, Zoning, Code Enforcement and Inspections staff performed an initial assessment of damaged structures.
- This "windshield survey" was intended to identify structures which were flooded, hit by trees, or otherwise visibly damaged by the storm.
- Many other structures may have sustained damage but this assessment likely captured most of the severely-damaged buildings. Over 600 structures were identified in this assessment.

Current Storm Response:

- Code Enforcement staff are now visiting each property identified in the initial assessment to alert owners to seek permits and to determine the general extent of damage to each structure.
- This information is being shared with FEMA staff.
- Door hangers are left when property owners aren't home.
- Nonconforming structures that are damaged less than 50% of their assessed value can be repaired, provided the nonconformity is not increased.
- Nonconforming structures that are damaged at or greater than 50 percent of their assessed value must be brought into conformity. If they are nonconforming with regard to floodplain regulations, they may be required to be flood-proofed or elevated.

Discussion ensued.

Mr. Dougals Hewett, City Manager, stated we will need a significant policy decision regarding repair and/or replacement of public roadways across private dams and lakes. This item will be returned to Council at a later date.

4.08 Code Enforcement Overview

Consensus of Council was to move this presentation forward to the December 5, 2016, City Council work session.

4.09 City Council Agenda Item Request - Historical Eureka Lodge No. 3

Mayor Robertson stated he initiated this request to Council for support of a Resolution to honor the Historical Eureka Lodge No. 3, 150th Anniversary. Mayor Robertson received a letter from Mr. Frank Kinzer, Sr., Worshipful Master of Eureka Lodge # 3, and inviting celebration from the Mayor and City Council for the 150th Anniversary of the Historical Eureka Lodge # 3, taking place on March 3, 2017, at the Evan Metropolitan AME Zion Church, Fayetteville, NC.

Consensus of Council was to direct staff to bring this item forward to the November 14, 2016, regular meeting as a consent item for official action.

4.10 City Council Agenda Item Request - Public/Private Golf Course Agreement

Council Member Jensen presented this item and stated Kings Grant Golf Course was shut down about 30 days ago, and then the hurricane hit, so it looks to be in a really bad way. There are three gentlemen that are in the process of trying to purchase the golf course from Methodist University, and I am looking to initiate a public/private partnership with them; they are willing to give us programs for our youth and our seniors.

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, stated what we are proposing to do is to work out an agreement where they give us reduced fees for our youth and seniors to go out and use the golf course and we do some in-kind services for them. We would be able to use the course for our youth program, which we cannot operate at this time as we cannot get enough tee-times; this is a great opportunity for the City and County. It will probably be a budget increase of approximately \$30,000.00 (\$15,000.00 for the City and \$15,000.00 for the County).

Council Member Jensen stated this is not a private golf course; it has always been a public golf course.

Discussion ensued.

Consensus of Council was to direct staff to breach the subject with County officials and allow staff to research further and bring back to Council at a later date.

4.11 City Council Agenda Item Request - Fayetteville, GA, Sister City Request

Consensus of Council was to move this item to the December 5, 2016, City Council work session.

4.12 City Council Agenda Item Request - Consideration of Sindelfingen, Germany, as a Sister City.

Consensus of Council was to move this item to the December 5, 2016, City Council work session.

6.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:03 p.m.