



FAYETTEVILLE CITY COUNCIL  
AGENDA  
JUNE 6, 2011  
5:00 P.M.  
LAFAYETTE ROOM

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**1.0 CALL TO ORDER**

**2.0 INVOCATION**

**3.0 APPROVAL OF AGENDA**

**4.0 OTHER ITEMS OF BUSINESS**

4.1 Fayetteville Metropolitan Planning Organization (FAMPO) Bicycle & Pedestrian Connectivity Study

Presented By: Rick Heicksen, Director, FAMPO & Curtis Bridges, Stewart Engineering

4.2 Comprehensive Limited English Proficiency (LEP) Policy

Presented By: Ronald McElrath, Human Relations Director/ADA Coordinator/ Title VI Coordinator for Transit Renner Eberlein, Assistant City Attorney

4.3 Title II Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Update and Public Forums

Presented By: Ronald McElrath, ADA Coordinator and Human Relations Director & Renner Eberlein, Assistant City Attorney

4.4 Tornado Response "After Action" Briefing

Presented By: B.E. Nichols, Fire Chief

4.5 UDO Update on the steps to implement the Unified Development Ordinance

Presented By: Karen S. Hilton, AICP, Manager Planning and Zoning Division

4.6 Request from Fayetteville Area Operation Inasmuch to donate a City owned vacant lot at 538 Frink Street

Presented By: Victor Sharpe, Community Development Director

#### 4.7 Proposed Fund Balance Policy

Presented By: Lisa Smith, Chief Financial Officer

#### **5.0 ADJOURNMENT**

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Dale Iman, City Manager  
**DATE:** June 6, 2011  
**RE:** **Fayetteville Metropolitan Planning Organization (FAMPO) Bicycle & Pedestrian Connectivity Study**

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**THE QUESTION:**

N/A - For information only

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 2 - Growing City, Livable Neighborhoods - A Great Place To Live

**BACKGROUND:**

The **Fayetteville Area Metropolitan Planning Organization (FAMPO) Bicycle & Pedestrian Connectivity Study** is a comprehensive analysis of opportunities, barriers, and deficiencies in the bicycle and pedestrian transportation network within Cumberland County and the FAMPO Study Area. The goal of the Connectivity Study is to identify and prioritize existing and proposed routes, facilities, improvements, and issues which will establish a safe and effective bicycle and pedestrian network. The FAMPO/Cumberland County Study Area is 733 square miles, covering three counties, nine municipalities, Fort Bragg Military Reservation, and Pope Field. The Study Area benefits from several existing assets, including the Cape Fear River, an extensive park system, and a steady influx of new residents. While safety concerns for pedestrians and bicyclists are highlighted by accidents at some hazardous locations, FAMPO area residents do engage in significant amounts of walking and bicycling, both for transportation and recreation. Public outreach efforts throughout the study process have revealed a significant desire among the public for accessible bicycle and pedestrian routes and facilities which can offer them safe transportation to employment, shopping, schools, and recreation.

**ISSUES:**

N/A - For information only.

**BUDGET IMPACT:**

None at this time.

**OPTIONS:**

N/A - For information only.

**RECOMMENDED ACTION:**

N/A - For information only.

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Ronald McElrath, Director of Human Relations/ADA Coordinator/Title VI Compliance Officer for Transit  
**DATE:** June 6, 2011  
**RE:** **Comprehensive Limited English Proficiency (LEP) Policy**

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**THE QUESTION:**

Should there be a clear and concise citywide Comprehensive Limited English Proficiency (LEP) Policy?

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 3 More Efficient City Government –Cost-Effective Service Delivery that is (customer/user friendly services that are accessible to all)

**BACKGROUND:**

Title VI of the Civil Rights Act was passed in 1964 and prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. In August of 2000, President Bill Clinton issued Executive Order 13166 entitled “Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons With Limited English Proficiency (LEP).” The Executive Order clarified existing responsibilities under the Civil Rights Act.

**ISSUES:**

Establishment of an LEP policy that is consistent with legal requirements to be used citywide as opposed to fragmented policies by individual departments receiving grant monies which in themselves do not deobligate the city's other departments and services from complying. As stipulated by law and to meet HUD, FTA, Justice Department and other Federal granting agency requirements, the City is clarifying its procedures and revising its policy related to individuals with limited English proficiency.

**BUDGET IMPACT:**

None at this point

**OPTIONS:**

N/A

**RECOMMENDED ACTION:**

Pass the Draft Resolution that can be published as the city's commitment and policy for complying with Title VI and all other compliance directives related to Limited English Proficiency policy or mandate..

**ATTACHMENTS:**

Draft LEP Policy Resolution  
Draft of Proposed City Council LEP Resolution



## City Manager's Office

\_\_\_\_\_, 2011

### MEMORANDUM

TO: All Department Heads, Managers, and Supervisors

THRU: Karen M. McDonald, City Attorney  
Renner Eberlein, Assistant City Attorney

FROM: Dale Iman, City Manager

**SUBJECT: Limited English Proficiency Policy**

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**Purpose:** As stipulated by law and to meet HUD, FTA, Justice Department and other Federal granting agency requirements, the City is clarifying its procedures and revising its policy related to individuals with limited English proficiency.

**Applicability:** This policy applies to all current employees.

### **Policy:**

#### **A. BACKGROUND**

Title VI of the Civil Rights Act was passed in 1964 and prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. In August of 2000, President Bill Clinton issued Executive Order 13166 entitled "Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons With Limited English Proficiency (LEP)." The Executive Order clarified existing responsibilities under the Civil Rights Act.

#### **B. POLICY & PROCEDURE SUMMARY**

The City of Fayetteville (COF) has developed this Limited English Proficiency Policy and Procedure memorandum to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to COF services as required by Title VI of the Civil Rights Act and Executive Order 13166. A Limited English Proficiency person is one who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English.

This policy details procedure regarding how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the policy and while determining the extent of the COF's obligation to provide LEP services, the COF conducted the Department of Justice "Four Factor Analysis" which considers the following:

- 1) The number or proportion of LEP persons eligible in the COF service area who may be served or who are likely to encounter a COF program, activity, or service;
- 2) The frequency with which LEP individuals generally come in contact with a COF representative providing COF services;
- 3) The nature and importance of the program, activity or service provided by the COF to the LEP population; and,
- 4) The resources available to the COF and overall costs to provide LEP assistance.

A brief description of these considerations is provided in the following section.

### **C. FOUR FACTOR ANALYSIS**

- 1) **The number or proportion of LEP persons eligible in the COF service area who may be served or who are likely to encounter a COF program, activity, or service.**

The COF examined the US Census reports from 2000 and was able to determine that three significant language usage populations exist which speak languages other than English. Those populations are of Spanish speaking persons (16,536 – 5.9% of Area Population), Other Indo-European language speakers (7,916 – 2.8% of Area Population) and Asian and Pacific Island language (5,040 – 1.8% of Area Population). Of the people who indicated they spoke Spanish, approximately 2,415 indicated they spoke English "not well" or "not at all," meaning that those 2,415 likely qualify as LEP people.

*Note: The 2010 Census Data on Language Speaking skills is not available as of May, 2010.*

- 2) **The frequency with which LEP individuals generally come in contact with a COF representative providing COF services.**

The City has assessed the frequency with which staff generally has or could possibly have contact with LEP customers, citizens and others. These contacts most often occur when transit services are provided, through law enforcement contacts, and through visitor/guest contacts at City Hall and recreation facilities. Most COF departments do not receive requests for interpreters. The Police Department and Fire Department both use "language line" telephone translation services and on staff interpreters when translation becomes necessary, and have access to rights advisements in Spanish and several other languages through the Cumberland County Courthouse. The Transit Department uses the FTA website and the Community

Development Department uses the HUD website to access documents translated into Spanish and several other languages. The Human Relations Department and the Human Resources Development Department uses the DOJ website, the EEOC website and the ADA website.

The COF also provides, on its own accord, some vital documents translated into Spanish including written advisements that translation services are available on request.

In summary, most COF employees have very little contact with LEP individuals.

Most foreign tourists that visit the COF service area have been bilingual and not LEP when they sought assistance from City employees.

**3) The nature and importance of the program, activity or service provided by the COF to the LEP population.**

According to the United States Census bureau, 2005 – 2009 American Community Survey, the COF has no large geographic concentration of any one type of LEP individuals in its service area. The overwhelming majority of the population, (91%), speak only English. The Spanish speaking population is predominantly bi-lingual, (72%), bilingual, however, 2,415 Spanish speaking people indicated they speak English “not well”, or “not at all.” The “safe harbor” provisions stated in Federal LEP guidelines require that service providers translate vital documents into languages which are spoken by populations of LEP persons greater than 5% of the total population, or populations greater than 1,000 people.

The City has one Department, the Human Relations Department, which provides outreach services to LEP individuals within the COF service area.

**4) The resources available to the COF and overall costs to provide LEP assistance.**

The City assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on an “as needed” basis, which documents would be the most valuable to be translated into Spanish, (which is the only LEP population with numbers supporting the need for translated vital documents), taking an inventory of available organizations that the COF could partner with for outreach and translation efforts, and determining what level of staff training is needed.

After analyzing the four factors, the City developed the policy and procedures outlined in the following section for assisting persons of limited English proficiency.

**D. LIMITED ENGLISH PROFICIENCY PROCEDURES**

**1) How to Identify an LEP Person who Needs Language Assistance** - Below are tools that may help identify people who may need language assistance:

- Examine records requests for language assistance from past events in order to anticipate future needs.

- Have the Census Bureau’s “I Speak Cards” at each City service reception area or area at which City employees greet the general public.
- When COF sponsors events, workshops or conferences where it is anticipated that LEP people will attend and may need assistance:
  - Set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee in order to informally gauge the attendee’s ability to speak and understand English.
  - Have the Census Bureau’s “I Speak” cards at the event. While staff may not be able to provide translation assistance at that particular day’s meeting, the cards are an excellent tool to identify language needs for future meetings.
  - Survey transit drivers, police officers, fire department first responders, City Hall reception staff, recreation staff and other first line staff to assess any direct or indirect contact with LEP individuals.

**2) Language Assistance Measures** – The COF has or will implement the following LEP procedures. The creation of these steps is based on the very low percentage of persons speaking other languages or not speaking English at least “well” and the lack of resources available in the COF service area:

- **Oral Translation:** The City has several employees who speak Spanish or other languages fluently, and who can provide significant assistance to other City employees when telephone or in-person LEP contacts occur. The Human Relations Department will maintain a list of multilingual employees and their City office contact information so that these employees can be called on to help translate if necessary.

When an interpreter is needed, whether in person or on the telephone, and COF has exhausted the employee translator option above, staff will first attempt to determine what language is required using the “I Speak” card. Staff shall then use the telephone interpreter service - Language Line Services at <http://www.language.com>. On the Language Line home page, the staff will select the “Need an Interpreter Now” link and follow the directions to receive an access code. Language Line provides translation in languages that the COF is likely to encounter, such as Spanish, Vietnamese, Japanese, Hmong, Korean, French, German and Russian.



- **Written Interpretation** – Vital documents identified by the COF Transit Division, Police and Fire Departments will be translated into Spanish. The COF can use the services of “Language Line” to translate other materials as necessary.
- 3) **COF Staff Training** – All COF staff will be provided with the LEP Policy during regularly scheduled staff meetings. Handouts containing access information of LEP individuals and providers will be distributed to all staff and updated as necessary.
  - 4) **Outreach Techniques** – As of this first draft of the COF LEP Policy dated May, 2011, the City does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. The City will translate and print key materials and make those materials available at various COF Departments, including the Transit Department, the Community Development Department, the Parks and Recreation Department, the Police Department, the Fire Department and the Human Relations Department when a specific LEP population or need is identified.
  - 5) **Monitoring and Updating the LEP Plan** – This policy is designed to be flexible and is one that can be easily updated. The City has identified the Human Relations Department as the responsible Department, and will clearly identify a responsible Human Relations staff member to assist customers with language issues and to field any language access concerns and complaints. The City will review and update LEP policies and procedures every third year beginning in May, 2011, and will review and update LEP policies each time new United States Census Bureau Language Statistics are published.
  - 6) **Dissemination of the COF Limited English Proficiency Plan** – Copies of the LEP Policy memorandum will be provided on request to any person(s) requesting the document via phone, in person, by mail, or by e-mail. LEP persons may obtain copies/translations of the plan upon request.

**E. SPECIFIC DEPARTMENTAL/DIVISION LEP PLANS**

Specific and separate departmental and divisional LEP plans may supplement, but may not replace this general City policy.

**F. RESPONSIBILITIES**

- 1) **Human Relations Staff** – Human Relations Staff will provide information to departments regarding translation services and language assistance.
- 2) **City Mangers/Supervisors** – City supervisors and managers will meet with employees to explain the LEP Policy and to provide information regarding translation services and language assistance.
- 3) **City Clerk Staff** – City Clerk Staff will serve as the primary contact for questions and concerns regarding the City’s general LEP policy. City Clerk staff will refer questions and concerns to departments and divisions as necessary and appropriate.

**4) Department and Division Staff** – Departments and Divisions will identify Department/Division employees who are multi-lingual and who may provide oral translation if needed and will provide those employees' names to the Human Resources Department to keep on file. Departments and Divisions will also serve as the primary contact and responding officials for questions or concerns related to:

- Specific LEP plans within a department/division;
- Community outreach conducted by the department; and
- Services provided to individuals by the department/division.

**5) Employees** – Employees will provide information to LEP individuals as referenced in this policy, and will advise and consult with their Department manager and/or supervisor when such services are provided.

*Any questions or comments regarding this plan should be directed to the City Clerk's Office:*

City of Fayetteville  
City Clerk  
433 Hay Street  
P.O. Box 1513  
Fayetteville, NC 28302  
Phone: (910) 433 - 1989  
Fax: (910) 433 - 1980

RJE

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AUTHORIZING THE CITY MANAGER TO IMPLEMENT A CITY LIMITED ENGLISH PROFICIENCY LANGUAGE ACTION PLAN AS REQUIRED BY TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND EXECUTIVE ORDER 13166**

WHEREAS, Title VI of the Civil Rights Act of 1964 states that no person in the United States shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance; and

WHEREAS, Executive Order 13166 clarified existing responsibilities of local governments under the Civil Rights Act; and

WHEREAS, the City of Fayetteville is the recipient of Federal grants and is required as such to comply with HUD, FTA, Justice Department and other Federal granting agency requirements; and

WHEREAS, Fayetteville's changing demographics have resulted in significant growth in the City's limited English proficiency (LEP) population; and

WHEREAS, the City strives to provide to all citizens meaningful access to City programs, activities, services and opportunities;

NOW, THEREFORE, BE IT RESOLVED that in compliance with Title VI and Executive Order 13166 , and in order to provide quality services to all members of the public, the City of Fayetteville shall take the following steps to ensure accessibility of its programs to its limited English-speaking customers:

1. When needed, the City will provide trained interpreters at no cost to any individual who requires such services in order to participate in a City program. If a bi-lingual employee is available to provide such services, they will be used if they have been trained in interpretive services. Such training for employees may be provided upon the employee's request, subject to availability of funds.
2. All employees in positions which have contact with the public, whether federally funded or not, will be trained in the procedures to follow when a limited English-speaking customer attempts to access a City Service and there is difficulty in communicating with that customer. Training will be provided in the following areas:
  - a. Determination of the language needed;
  - b. Availability of trained translators through the Refugee Resettlement Program and how and when to call them;
  - c. Availability and use of the AT&T Language Line Services; and
  - d. Cross cultural awareness training.

3. The City's policy of ensuring accessibility of City programs and services to all of its citizens, regardless of English proficiency, will be reviewed with appropriate management staff. Each Department will be responsible for identifying its needs for its limited English-proficiency customers, including training needs for Departmental employees and need for translated program materials, and shall work with the Human Relations Department to implement a City LEP policy on an ongoing Departmental basis.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF FAYETTEVILLE

(SEAL)

By: \_\_\_\_\_  
ANTHONY G. CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Ron McElrath, Director of Human Relations and ADA Coordinator  
**DATE:** June 6, 2011  
**RE:** **Title II Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Update and Public Forums**

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**THE QUESTION:**

Is the City continuing to make progress in fulfilling its legal requirements under the ADA?

**RELATIONSHIP TO STRATEGIC PLAN:**

- Partnership of Citizens – The City in partnership with citizen disability groups (including the disabled veterans and citizens of our communities having full accessibility to City services, programs, and projects which includes providing access and accommodations for our disabled employees, applicants and citizens. is a priority
- Greater Community Unity – Pride In Fayetteville

**BACKGROUND:**

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). To ensure that this goal is met, **Title II** of the ADA **requires State and local governments** to make their facilities, communications, policies, programs, activities, and services accessible to persons with disabilities.

Governmental entities must ensure effective communication, including providing signers and other necessary auxiliary aids and services so that individuals with disabilities can participate fully in civic life.

At our last update, we informed City Council that we would hold two Public Forums on the City's ADA efforts to update the ADA community to solicit their feedback. We are also added another tool for gathering information. We are conducting surveys with disability groups and individuals so that we can have a good picture of where we are and where more work is needed.

**ISSUES:**

City funding of ADA requirements that may not be anticipated.

**BUDGET IMPACT:**

Minimal at this point

**OPTIONS:**

**RECOMMENDED ACTION:**

1. Our ADA Self Evaluation and Transition Team wants to expand its membership to include an ADA Coordinator representing Ft. Bragg and a member from the local community ADA Advisory Committee in our monthly meetings as partners working to make our facilities, services, communications, policies, programs, and activities fully accessible to all.
2. At our next update to city council we will provide a resolution or instrument that can be published and used to emphasize the City's commitment to the ADA.
3. Once the resolution is passed, we will publish it along with a formal report for public display and access of all the things the city has done and is doing to comply with the ADA. The

formal document will then be updated on an annual basis beginning April 2012.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** B.E. Nichols, Fire Chief  
**DATE:** June 6, 2011  
**RE:** **Tornado Response "After Action" Briefing**

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**THE QUESTION:**

What areas of successes and areas for potential improvement were identified by staff following an "after action" Tornado Briefing?

**RELATIONSHIP TO STRATEGIC PLAN:**

- To provide a safer environment and a more clean and attractive city.
- To provide more cost effective service delivery
- Greater Community Unity - Pride in Fayetteville

**BACKGROUND:**

A tornado, with sustained winds of 136-165 mph (category EF-3) touched down in the City of Fayetteville on Saturday, April 16, 2011 at approximately 3:45 p.m. City departments and other agencies responded to attend the needs of the citizens and community in the affected areas.

**ISSUES:**

Over 1200 homes and business were destroyed or damaged by the tornado that touched down in the City and adjacent areas on Saturday, April 16, 2011. Public Safety personnel responded in force as the first calls for emergency services were received at 3:49 p.m. As a result of the event, a State of Emergency was declared for the City of Fayetteville. County leaders also declared a State of Emergency for Cumberland County. This After Action Briefing details the activities that were taken from the tornado event and the subsequent 70 hours after the event.

**BUDGET IMPACT:**

City departments incurred overtime cost and other expenses during the emergency response. Personnel were designated to work as coordinators with FEMA representatives to ensure cost eligible for reimbursement were properly tracked and documented.

**OPTIONS:**

- Accept the After Action Briefing and consideration for areas of improvements and future discussions as presented.
- Do not accept the After Action Briefing

**RECOMMENDED ACTION:**

Accept the After Action Briefing and consideration of areas of improvements and future discussions as presented.

**ATTACHMENTS:**

After Action Executive Summary  
After Action Powerpoint Presentation for Council

# Tornado Response: April 16, 2011

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## After Action Report

**Presented by Fire Chief B. E. Nichols**

**6/6/2011**

An EF-3 tornado touched down in the City of Fayetteville on Saturday, April 16, 2011 at approximately 3:45pm. The City and Public Safety emergency response was rapid and effective in attending to the needs of the local community. This report provides an overview timeline of events, as well as the recognized successes and areas for improvement pertinent to the first 70 hours of emergency operations. The City of Fayetteville is proud of its First Responders, City employees, and Citizens for their part in responding to and assisting the Community as a whole during these difficult times.



## **Executive Summary**

On April 16, 2011 a Category EF-3 tornado tore through the City of Fayetteville, North Carolina devastating over 1200 homes and businesses throughout the community. Touchdown occurred at approximately 3:45 pm and the first call for emergency services through the City's Communications Center came in at 3:49 pm. The City of Fayetteville Public Safety officials responded in force to assist the citizens of the community impacted by the storm. As the response and recovery efforts progressed, the major Departments within the City of Fayetteville took action to provide services to the citizens of the community. Requests for mutual aid assistance were made, search and rescue operations were initiated, routes of egress were cleared, storm debris was removed from public property, and State and Federal assistance were coordinated in order to protect and provide for the health and welfare of the Fayetteville community.

## **Mission Overview**

The mission of the City of Fayetteville in response to the April 16, 2011 tornado was to protect the citizens, businesses, infrastructure and facilities located throughout the City, while ensuring the health and welfare of its community immediately following the disaster and continuing until full recovery and financial restitution with all levels of government are concluded. This mission incorporates the core values and supports the goals that the City of Fayetteville has recognized through its Strategic Vision.

### **Event Timeline (The First 70 Hours)**

#### **16 April 2011**

- **10 am** – the Cumberland County Emergency Operations Center (EOC) is operational and in telephone communication with the FFD/EM.
- **3:45 pm**- Tornado touches down in Fayetteville impacting homes and businesses
- **3:49 pm** – the Original Call for response was received through the Communications Center. Multiple alarms and power outages were reported. FPD and FFD are dispatched to multiple calls.
- **3:56 pm** – Units arrive at the Pizza Hut on Reilly Road in response to the call, finding heavy damage and injuries in the LaGrange subdivision. Reilly Road Command Post is established.
- **4:07 pm** - Units responds to Yadkin road/Summer Hill subdivision. Heavy damage and injuries are found in the Cottonade subdivision and commercial establishments. Yadkin Road Command Post is established.
- **4:24 pm** - Units responds to the Andrews Road/Ramsey Street area to find heavy damage and injuries. Andrews Rd/Ramsey St Command Post is established.
- **5:15 pm** - Request for buses from Transit to assist with transporting citizens to shelters and collection points. A total of 5 buses serviced the impacted areas from 5:30pm until 12:40 am on Sunday.
- **5:15 pm** - Hasty search operations commence and a request for mutual aid from the state Urban Search and Rescue (USAR) is made.
- Limb trucks (2) from Environmental Services are rerouted to the LaGrange subdivision to begin removing downed trees from streets to make them passable for emergency vehicles. An additional 6 limb trucks are activated for emergency response and are dispatched to LaGrange and Summer Hill subdivisions.
- Ash Britt, Inc. (debris contractor) is contacted and pre-operational representatives are requested in Fayetteville.
- **6:00 pm**- Shelters are opened and manned by the American Red Cross
- **6:30 pm**- City of Fayetteville declares a State of Emergency
- **8:15 pm**- Andrews Road is cleared of debris for emergency vehicular traffic

**17 April 2011**

- Storm debris removal information is distributed to impacted residents through Public Information outlets including press releases and radio.
- **9:00 am**- Search and Rescue attempts continue.
- **9:45 am**- Transit provided two buses to transport residents from shelters into storm-damaged areas. Shuttle service is provided until 9:30 pm utilizing FAST buses.
- State Emergency Management Assessment Team arrived and is transported via bus throughout the damaged areas.
- Arrangements made for the coordinated delivery of water and ice to the impacted areas for citizens and first responders over the next 3 days.
- Governor Beverly Purdue arrived for a tour and to assess damages.
- **2:30 pm**- Public Works Commission crew begins clearing Cottonade subdivision streets.
- **4:30 pm**- City crews completed clearing streets with the exception of Cottonade which was cleared around 5:30pm.
- **5:30** – City Manager held a meeting of all responders at the Emergency Operations Center to assess progress and decide future actions. All streets cleared and search and rescue completed.

**18 April 2011**

- The Federal Emergency Management Agency (FEMA), State and Local officials on the ground conducting storm damage assessments.
- Fayetteville Police Department starts issuing Access Identification Cards to residents of damaged areas.
- Shelter and Transport operations continue. Transit provides shuttle services from the Westover Recreation Center Shelter to the parking/collection areas from 12:00 pm until 9:00 pm.

**19 April 2011**

- **1200 pm**- Emergency Phase officially ended and Recovery Phase began.
- Ash Britt, Inc. and O'Brien's Response Management given a Notice to Proceed in disaster debris removal and monitoring, respectively.

- **4:30 pm** - Collapse Search and Rescue (CSAR) units released.
- Disposal site selected. Approval process initiated.

## Successes

**Inter-Department Cooperation.** Both Fire and Police responded efficiently and effectively to the incident, working side by side. The continuous development of cooperation between the two Departments stemming from past community events and joint meetings facilitated the positive and effective working relationship that exists today. Police gained rapid control of the impacted areas, facilitating the ability of other public safety officials to enter the areas for Search and Rescue, Emergency Medical Services, and Emergency Debris Clearing. All responders and leadership were able to quickly overcome the initial shock of the tornado and its repercussions in order to perform their duties effectively.

**Response Implementation.** Equipment was dispatched and deployed in a timely manner for all Departments. Mutual aid was requested within adequate timelines and through proper channels. Communication between public safety organizations was effective and command and control at all levels from the Emergency Operations Center (EOC) to the Incident Commander on the ground went smoothly considering the excessive number of calls to 911E, the destruction on the ground and the number of public safety officials and citizens responding to the incident.

**Contracting.** The pre-event debris contract that was put into place in 2008 facilitated the activation of the debris removal operations, as it eliminated the time-consuming process of competitive bidding. Coordination between the debris removal company and the City of Fayetteville was maintained throughout operation, ensuring coverage throughout the City.

**Decision-Making.** All Departments were able to take decisive action due to strong decision-making by key leadership. This was aided through effective communication between the EOC, Fire, Police and the Public Information Office. Information was relayed through the EOC where representatives for key departments were able to work in concert to expedite services to the community, either through operational orders or through public notification methods.

**Media Relations.** The City of Fayetteville, through the Public Information Office (PIO) was able to ensure that citizens and elected officials were informed of response activities and public services offered from the City, the county, the state, and the federal government. Representatives from City, County, Fire, Police, and PIO staffed the EOC providing up-to-date and accurate information for immediate City Press Releases. PIO coordinated the information flow to the general public through local newspapers and radio. Newspaper updates, Press Releases, informational flyers, radio and television updates, social networking media (Twitter, Nixle, and Facebook) and press conferences with key personnel were utilized to ensure the local and state populations were aware of actions and updates regarding the storm. The Public Information Office's use of multiple media outlets was helpful in distributing information regarding debris removal and Disaster Recovery Center (DRC) operations. PIO staged three joint press conferences beginning Saturday evening and distributed over 40 joint press releases. In addition, the Department distributed over 6,000

informational fliers in the first four days, and coordinated media tours throughout the affected areas.

**Meeting Updates.** The use of a Daily Update with key leadership from the City and County ensured a constant flow of communication to identify successes and best practices, as well as performance gaps to be addressed. These meetings also provided an opportunity for Field and Office personnel to discuss what was happening on the ground and in the EOC, as well as what legal, publicity, or personnel issues were becoming apparent due to ongoing operations at all levels. Meetings should continue to not exceed one hour in time, as this allows Senior Management to gain current insight and return to supporting both normal and emergency/response operations.

**Taking Care of Our Own.** The City of Fayetteville was able through Department leadership to identify the needs of its own employees impacted by the tornado. Human Resources Development, specifically, reached out to impacted employees to assist them in finding and accessing resources and referral programs available. Additionally, employees were contacted daily to ensure their immediate needs were being met. Internal policy deficiencies were recognized and addressed through the City Manager's office, as well as within each Department. An example of actions taken was the letter issued by City Manager Iman regarding the Overtime Policy for Exempt employees.

### Areas for Improvement

**Contracting.** Establishment of pre-event debris and monitoring services for future needs will ensure that the City of Fayetteville meets all Federal and State guidelines for reimbursement purposes following an emergency or disaster. This will also ensure that debris removal operations can be initiated as quickly as possible for the health and welfare of the community at large. To ensure all FEMA requirements are met, current FEMA regulations can be used as a template to ensure all contractual obligations are included during the bidding process.

**Internal Policies & Procedures.** Emergency Management Officer will review current procedures for ensuring that all City personnel required to have National Incident Management System (NIMS) and Incident Command System (ICS) training receive the training to meet State and Federal requirements. It will be the responsibility of Department leadership in conjunction with the Emergency Manager to ensure all emergency and disaster response procedures are publicized, internally updated, implemented, and rehearsed. City-wide and Department level all-hazards training exercises can ensure that all stakeholders are aware of their roles and are equipped to perform their roles (supplies, vehicles, communication channels, personnel, policies, and procedures). Department checklists should be reviewed to ease the transition to emergency response, as well as aid in the acquisition and/or reallocation of equipment, supplies, and personnel that might not otherwise be needed for daily operations.

**Internal Communication.** Internal communication delivery methods and procedures should continue to be discussed, justified, implemented, and practiced to ensure that all City and Public Safety officials are aware of incidents within the City of Fayetteville. These methods include telephone (cellular and landline) communications, electronic messaging (email and digital, such as texting and messaging), existing software programs such as Telestaff, as well as a dedicated call-in system. Internal Department telephone rosters should be maintained and updated on an established timetable, and as needed. Practices such as annual Mass Call-Out Alert Notifications should be considered to identify and correct any shortcomings.

**Command and Control.** The purchase or acquisition of Centralized Command vehicles to control Area Command vehicles would benefit the City during large-scale incidents and disasters. A Centralized Command vehicle would enable key leadership to work from one location ensuring continuity of operations, consistent information to and from the public and City entities, as well as provide a central location for Press Releases, aiding in the removal of media from field operations.

**Training.** Departments need to continue to train together to ensure everyone in leadership positions understand the strengths and benefits that sister Departments within the City, County, and State can provide. As technology and public assistance requirements continue to evolve, repetitive training and cooperation will help facilitate appropriate use of

resources. During this period, a roster of essential EOC personnel can be validated based upon the phase of operations and the event type. With the appropriate personnel in place, issues can be resolved in a timely manner and rapid access to decision-makers can be made.

**Documentation.** Through this experience many lessons concerning documentation have been identified. It is imperative that the City continue to review and update current policies and systems ensuring that required information is accessible for recordkeeping, financial reimbursement and general review. One example of this is the use of Storm Sheet Logs to record time performing direct storm related functions. Another example includes the immediate release of Excel pre-formatted worksheets to Departments so that they can capture the information needed as it is happening, rather than days or weeks later. This will facilitate the compilation of data to support Project Worksheets for the State and FEMA. In addition, during training sessions, documentation procedures, formats and policies can continue to be trained and reviewed to ensure personnel in all Departments and at all levels have an general understanding of the existence of such information and how to use it.

**EOC Facility.** Although the County EOC location was established in a timely manner, the organizational structure regarding personnel, resources, equipment, supplies, and internal stakeholder communications were not adequate to effectively and efficiently support the county and City responses. Dedicated printers, computers, and laptop terminal should be pre-designated and available. As many Departments utilized cellular telephone communications, the EOC should support such activity to ensure clear communication between the EOC and field operations. Maps of the damaged areas and key locations should be displayed in the EOC for rapid recognition and referral by all EOC entities, as well as for official updates. In addition, the EOC should be able to provide mapping updates to responders and City personnel in the field working with the community. Telephone numbers for Departments should be updated and verified upon activation of the EOC and distributed to pertinent stakeholders. Access into the EOC should be restricted and continuously recorded to ensure only those with a need are allowed access. This facilitates command and control mechanisms. The joint EOC worked well and should be considered for future operations to effectively utilize all available resources and knowledge (space and equipment considerations will need to be determined).



## Conclusion

The overall response and recovery efforts as performed and being performed by the City of Fayetteville Departments have been and continue to be successful. Much credit for the immediate successes of the Police and Fire Departments can be given to internal training which utilizes NIMS training and communication integration pre-event. The use of Daily Updates at City Hall ensured a consolidated and united effort from all City and County Departments, as well as with contractors. The County EOC, Police, and Fire were able to work together, stay within their own lanes of responsibility and share information in a timely manner to facilitate operations. Key to the success of operations on the ground were the pre-event implementation of NIMS training within the Departments, the respect that exists between Departments and their leadership, and joint expectations between the Fire and Police Chiefs throughout the emergency response and into the recovery phase.

The Emergency Management position within the City of Fayetteville is responsible for coordinating all components of the emergency management system for the City and coordination efforts with the Cumberland County Office of Emergency Management. The position has taken on additional responsibilities, which includes management of the Fire Department's special operation programs. A primary focus of ensuring preparedness and response operations are in place benefits the City as a whole. Re-evaluating the position's responsibilities will allow the Emergency Management Officer to address identified areas for improvement, performance gaps, and coordinate internal and external training exercises. The Emergency Management Officer will also more effectively be able to ensure the establishment and maintenance of mutual aid agreements, inter-governmental points of contact and requirements facilitating communication and information flow from all stakeholders. This would also centralize the command and control to ensure that Federal and State requirements for Public Assistance are met at the City level in a timely manner, to include training and documentation. Preparation is strengthened when it is the priority, and has less competition from secondary responsibilities. Key in the success of the Emergency Management position is the support and public backing from senior leadership throughout the City.

The City of Fayetteville Public Safety response and recovery efforts were an overall success in terms of performance. From an overall City perspective, Departments performed their functions admirably. A reassessment of current policies and procedures within the City of Fayetteville and implementation of City-wide response training will enhance the immediate notification, initial reactions and concurrent planning for operations that are necessary for emergency and disaster response and recovery for future incidents. In addition, many of these practices are and can be incorporated into daily operations to minimize the overall impact of a disaster.

City of Fayetteville  
FEMA-1969-DR-NC



# Tornado Response

## April 16, 2011



Presented by Fire Chief B.E. Nichols



## City Mission Overview

The mission of the City of Fayetteville in response to the April 16, 2011 tornado was to protect the citizens, businesses, infrastructure and facilities located throughout the City, while ensuring the health and welfare of its community immediately following the disaster and continuing until full recovery and financial restitution with all levels of government are concluded. This mission incorporates the core values and supports the goals that the City of Fayetteville has recognized through its Strategic Vision.

# Successes

- Inter-Departmental Cooperation
- Response Implementation
- Contracting
- Decision-Making
- Media Relations
- Meeting Updates
- Taking Care of Our Own



# Areas for Improvement

- Contracting
- Internal Policies and Procedures
- Internal Communication
- Command and Control
- Training
- Documentation
- EOC Facilities





# Recommendations



- Ensure all required personnel are NIMS and ICS trained and understand their responsibilities during emergencies and disasters.
- Continue to have departments cooperate, collaborate and train during annual events.
- Re-evaluate additional responsibilities that have been required of the Emergency Manager position.

# Thank You



## CITY COUNCIL ACTION MEMO

**TO:** Kristoff Bauer, Assistant City Manager  
**FROM:** Karen S. Hilton, AICP, Manager, Planning and Zoning Division  
**DATE:** June 6, 2011  
**RE:** **UDO Update on the steps to implement the Unified Development Ordinance**

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**THE QUESTION:**

What is the status of the remapping, amendments, the administrative manual and any other steps important to the full implementation of the UDO?

**RELATIONSHIP TO STRATEGIC PLAN:**

Strong Local Economy  
Growing City, Livable Neighborhoods  
More Attractive City

**BACKGROUND:**

In 2008 the City began preparation of a new unified development code as a major step in accomplishing core community goals including those in the Strategic Plan. A new UDO involves two fundamental tasks -- the new regulations which were adopted in December 2010 and the new Official Zoning Map expected to be adopted by end of June 2011. Many communities, including Fayetteville, opt to include administrative guides or manuals and to conduct user seminars or make presentations to the local professional organizations involved in land development.

**ISSUES:**

The task of remapping all properties within the City of Fayetteville to the closest matching UDO district is nearly completed. Only 384 of over 74,000 properties within the City of Fayetteville remain to be considered at the June hearing cycle. Of those 384, as a result of continued discussion and understanding, as many as 320 - 350 are likely to represent agreement between staff and property owners regarding the recommended district. Staff will continue the conversations with property owners up to the last hearing, but staff reports will only reflect information available up to June 3.

At the work session, staff will provide an update on the remapping as well as the status of other activities related to implementation of the adopted standards.

**BUDGET IMPACT:**

No immediate impacts are anticipated.

**OPTIONS:**

No action required.

**RECOMMENDED ACTION:**

No action required.



## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Victor Sharpe, Community Development Director  
**DATE:** June 6, 2011  
**RE:** **Request from Fayetteville Area Operation Inasmuch to donate a City owned vacant lot at 538 Frink Street**

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**THE QUESTION:**

Does donating the City-owned vacant lot at 538 Frink Street to Fayetteville Area Operation Inasmuch for transitional housing for the homeless meet the interest intended through the City's Acquisition and Demolition Program?

**RELATIONSHIP TO STRATEGIC PLAN:**

Growing City, Livable Neighborhoods, A Great Place to Live

**BACKGROUND:**

- The City demolished the structure and acquired the resulting lot at 538 Frink Street through the City's Acquisition and Demolition Program.
- Fayetteville Area Operation Inasmuch (FAOIAM) has requested the City to donate the vacant lot located at 538 Frink Street.
- The City previously donated a house at 601 Frink Street to FAOIAM which was renovated by the organization and currently house 5 formerly homeless men.
- The purpose of the lot at 538 Frink Street is to move a modular home with a permanent foundation on the site.
- The modular home will be used to house 5 homeless persons.
- Also on Frink Street, FAOIAM is currently constructing a duplex that will house 5 homeless women in each unit.

**ISSUES:**

- It is Fayetteville Area Operation Inasmuch goal to create a neighborhood of transitional housing with 5 homeless persons in each of the units along Frink Street.
- When the City acquired the lot at 538 Frink Street, staff envisioned single family housing as part of the redevelopment of that area by making the lot available to one of the City's Community Housing Development Organization (CHDO).

**BUDGET IMPACT:**

The City acquired this lot through the Acquisition and Demolition program for \$3,500.

**OPTIONS:**

- Approve donation of property.
- Do not approve donation of property.
- Sell the lot to FAOIAM to recapture Community Development Block Grant funds spent to acquire the property in the amount of \$3,500.00.
- Provide further direction to staff.

**RECOMMENDED ACTION:**

Consider this item and decide interest in forwarding for consideration for the June 13, 2011 meeting.

**ATTACHMENTS:**

Map of 538 Frink Street

FAOIAM Letter

# 538 Frink Street



FAYETTEVILLE AREA  
**OPERATION  
INASMUCH**   
Matthew 25:40

*"Truly I say to you, inasmuch as you have done it to one of the least of these my brethren, you have done it to me."*

531 Hillsboro St. • Fayetteville, North Carolina 28301-4634  
910-433-2161 • fax 910-433-2170 • sue@faoiam.org  
www.faoiam.org

February 9, 2011

Mr. Victor Sharpe  
Community Development  
433 Hay Street  
Fayetteville, NC 28301

Dear Mr. Sharpe,

First of all, thank you for making it possible for Inasmuch to be given the house at 601 Frink St. The lives of the five men living there are changing before our eyes...because life has a normalcy about it for the first time in years.

I am now requesting that the vacant lot at 538 Frink St. be donated also to Fayetteville Area Operation Inasmuch for the purpose of building a home or placing a modular home with a permanent foundation on the site.

Our vision for Frink St. is to transform a littered, drug infested, prostitution area into a neighborhood where community spirit can live once again. The history of this area is steeped in strong families that contributed to the building of this city that we call home.

This area can be changed ...five people at a time in housing that we will build along the street. That housing will consist of single homes or duplex/triplex design in order to meet Planning Board requirements. We have met with the Planning Department to insure our compliance with city code.

It is with commitment to the homeless and struggling of our city that I make this request...and gratitude to you for all you are doing to walk along beside us.

  
Sue Byrd

**Board Of Directors**  
Ad Winters - President  
Susie Reeder - Secretary  
Larry Bass - Treasurer  
Marlon Arrington  
Vicki Champion  
Mike Karaman  
Janet Montgomery  
Eddie Waren  
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**Executive Director**  
Sue Parker Byrd  
**Operations Administrator**  
Lisbeth Anne Marin  
**Office Administrator**  
Cheri Smith  
**Construction Supervisor**  
Burton Lawson

**Advisory Board**  
Ray Andrade  
William Brooks  
Joanne Copeland  
Bob Ervin  
Greg Hathaway  
Curtis Pittman  
Gordon Rose  
Larry Sessoms  
J.P. Smith  
John Welch

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** June 6, 2011  
**RE:** **Proposed Fund Balance Policy**

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**THE QUESTION:**

Does Council wish to establish a formal fund balance policy consistent with the requirements of Governmental Accounting Standards Board Statement #54 and the City's long standing practices?

**RELATIONSHIP TO STRATEGIC PLAN:**

Core Value: Stewardship

**BACKGROUND:**

- The Governmental Accounting Standards Board (GASB) adopted Statement #54 to enhance the usefulness of fund balance information by providing clearer fund balance classifications as well as clarify governmental fund type definitions.
- The statement establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints on the use of the resources reported in governmental funds.
- The hierarchy of resources and fund balance are: nonspendable, restricted, committed, assigned and unassigned. The attached proposed policy outlines the definition for each category.
- The proposed policy will provide formal guidance to staff to determine whether restricted, committed, assigned, and unassigned amounts are considered to have been spent.
- The attached proposed policy is consistent with the City's current practices and includes the following key points:
  1. The City's practice of maintaining an undesignated fund balance of 10% in the General Fund would now be formalized in the Council policy and identified under the new description as unassigned fund balance of 10%. The proposed policy also states that the City would develop a plan to restore the minimum fund balance within two years if it fell below the minimum amount.
  2. The City Manager has historically designated funds at the end of the fiscal year, as reflected in the annual audit report and referenced in the City's annual budget ordinance. The designations have included items such as unspent council travel budgets consistent with council policy, funds set aside for the capital improvement plan and funds set aside for the infrastructure revolving loan fund as directed by Council. The proposed policy would authorize the City to continue this administrative practice.
  3. The proposed policy also formalizes the City's long standing practice of spending restricted funds before using unrestricted funds unless legal or grant requirements disallow it. A good example of this guideline is using grant funds first before the City's general funds are used for a project, if permissible. The policy also allows the Chief Financial Officer to deviate from this policy, if it is in the best interest of the City.

Based on feedback from Council, staff recommends adopting a fund balance policy at the June 13 Council meeting.

**ISSUES:**

None

**BUDGET IMPACT:**

Not applicable.

**OPTIONS:**

1. Adopt the fund balance policy as proposed.
2. Make changes to the fund balance policy consistent with Council's interest.

**RECOMMENDED ACTION:**

Provide feedback to staff.

**ATTACHMENTS:**

Proposed Fund Balance Policy

<b>SUBJECT – CITY COUNCIL Fund Balance Policy</b>	<b>Number 115.13</b>	<b>Revised</b>	<b>Proposed Effective Date 6-13-2011</b>	<b>Page 1 of 3</b>
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The Fund Balance Policy is intended to provide guidelines during the preparation and execution of the annual budget to ensure that sufficient reserves are maintained for unanticipated expenditures or revenue shortfalls. It also is intended to preserve flexibility throughout the fiscal year to make adjustments in funding for programs approved in connection with the annual budget. The Fund Balance Policy should be established based upon a long-term perspective recognizing that stated thresholds are considered minimum balances. The main objective of establishing and maintaining a Fund Balance Policy is for the City to be in a strong fiscal position that will allow for better position to withstand negative economic trends.

The Fund Balance consists of five categories: Nonspendable, Restricted, Committed, Assigned, and Unassigned.

- **Nonspendable Fund Balance** consists of funds that cannot be spent due to their form (e.g. inventories and prepaid amounts) or funds that legally or contractually must be maintained intact.
- **Restricted Fund Balance** consists of funds that are mandated for a specific purpose by external parties, constitutional provisions or enabling legislation.
- **Committed Fund Balance** consists of funds that are set aside for a specific purpose by the City’s highest level of decision making authority (City Council). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.
- **Assigned Fund Balance** consists of funds that are set aside with the intent to be used for a specific purpose by the City’s highest level of decision making authority or a body or official that has been given the authority to assign funds. Assigned funds cannot cause a deficit in unassigned fund balance.
- **Unassigned Fund Balance** consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

<b>SUBJECT – CITY COUNCIL Fund Balance Policy</b>	<b>Number 115.13</b>	<b>Revised</b>	<b>Proposed Effective Date 6-13-2011</b>	<b>Page 2 of 3</b>
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**Classifying Fund Balance Amounts**

When both restricted and unrestricted funds are available for expenditure, restricted funds should be spent first unless legal or grant requirements disallow it. When committed, assigned and unassigned funds are available for expenditure, committed funds should be spent first, assigned funds second, and unassigned funds last; unless the City Council has provided otherwise in its commitment or assignment actions. The Chief Financial Officer has the authority to deviate from this policy if it is in the best interest of the City.

**Authority to Commit Funds**

The City Council has the authority to set aside funds for a specific purpose. Any funds set aside as Committed Fund Balance requires the passage of a resolution by a simple majority vote. The passage of a resolution must take place prior to June 30th of the applicable fiscal year. If the actual amount of the commitment is not available by June 30th, the resolution must state the process or formula necessary to calculate the actual amount as soon as information is available.

**Authority to Assign Funds**

Amounts that are constrained by the City’s intent to be used for specific purposes and capital projects, but are neither restricted nor committed, should be reported as assigned fund balance. This policy hereby delegates the authority to assign amounts to be used for specific purposes and capital projects to the City Manager or their designee for the purpose of reporting these amounts in the annual financial statements.

**Unassigned Fund Balance**

Unassigned Fund Balance is the residual amount of Fund Balance in the General Fund. It represents the resources available for future spending. An appropriate level of Unassigned Fund Balance should be maintained in the General Fund in order to cover unexpected expenditures and revenue shortfalls.



<b>SUBJECT – CITY COUNCIL Fund Balance Policy</b>	<b>Number 115.13</b>	<b>Revised</b>	<b>Proposed Effective Date 6-13-2011</b>	<b>Page 3 of 3</b>
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Unassigned Fund Balance may be accessed in the event of unexpected expenditures up to the minimum established level upon approval of a budget amendment by the City Council. In the event of projected revenue shortfalls, it is the responsibility of the City Manager to report the projections to the City Council on a quarterly basis and shall be recorded in the minutes.

Any budget amendment that will result in the Unassigned Fund Balance dropping below the minimum level will require a simple majority vote of the City Council.

The Fund Balance Policy establishes a minimum General Fund Unassigned Fund Balance of at least 10% of the succeeding year's General Fund expenditure budget, excluding the budgets for the County Recreation Program and JP Riddle Stadium. In the event that the balance drops below the established minimum level, the City Council will develop a plan to replenish the fund balance to the established minimum level within two years.

## **CLOSING REMARKS**

### **POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS**

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

### **POLICY REGARDING PUBLIC HEARING AGENDA ITEMS**

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

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

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

***Notice Under the Americans with Disabilities Act (ADA):*** The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at [rmcelrath@ci.fay.nc.us](mailto:rmcelrath@ci.fay.nc.us), (910) 433-1696, or the office of the City Clerk at [cityclerk@ci.fay.nc.us](mailto:cityclerk@ci.fay.nc.us), (910) 433-1989, as soon as possible but no later than 72 hours before the scheduled event.